

City of Rialto

*Council Chambers
150 S. Palm Ave.
Rialto, CA 92376*



Regular Meeting

Tuesday, September 24, 2019

5:00 PM

**CITY COUNCIL, City of Rialto, acting as Successor Agency to the
Redevelopment Agency, RIALTO UTILITY AUTHORITY**

City Council

*Mayor Deborah Robertson
Mayor Pro Tem Ed Scott
Council Member Joe Baca Jr.
Council Member Rafael Trujillo
Council Member Andy Carrizales
Barbara A. McGee City Clerk
Edward Carrillo City Treasurer
Fred Galante City Attorney
Rod Foster City Administrator*

Members of the public are afforded an opportunity to speak on any listed agenda item. Please notify the City Clerk if you wish to do so. All agendas are posted in the City Hall Administration Building (150 South Palm Avenue, Rialto) at least 72 hours in advance of the meeting. All writings that relate to an agenda item for an open session of a regular meeting of the City Council distributed to all, or a majority, of the Council Members also shall be made available, at the same time but not sooner than 72 hours before a regular meeting, for public inspection in the Office of the City Clerk located at 290 West Rialto Avenue, Rialto, California (909-820-2519) from 7:00 a.m. to 6:00 p.m., Mondays through Thursdays, and on the City's website at www.rialtoca.gov Any person having a question concerning any agenda item may call the City Clerk's office to make inquiry concerning the nature of the item described on the agenda.

Based upon the open meeting laws (the Brown Act), additional items may be added to the agenda and acted upon by the City Council only if it is considered to be a "subsequent need" or "emergency" item and is added by a two-thirds vote. Matters raised under Oral Communications may not be acted upon at that meeting other than as provided above.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Director of Public Works at (909) 421-7279. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CAR 35.102-35.104 ADA Title II).

Next Ordinance No.1624

Next Resolution No. 7564

Called to Order By:

ROLL CALL

Rialto – Entering a Second Century of Progress

- *Rialto will be a Family First Community*
- *Rialto Shall Attract High-Quality Development and Improve its Physical Environment*
- *Rialto's Economic Environment will be Healthy and Diverse*
- *Rialto will be an Active Community*

All items listed on this agenda are being considered and/or acted upon by the City Council on behalf of the City of Rialto, except for such items as are designated by the "RUA," "RHA," which items are being considered and/or acted upon by the Members of the Rialto Utility Authority or Rialto Housing Authority of the City of Rialto in its separate legal capacity. For convenience and ease of administration only, the agendas for each separate legal body have been consolidated herein

5:00 p.m.

CLOSED SESSION

- 1 [CC-19-954](#) 1.CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision
(d) of Section 54956.9.
Number of cases: One case

- 2 [CC-19-955](#) 2.CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section
54956.9.
Number of cases: Two cases

C. APPROVAL OF MINUTES

- C.1 [CC-19-936](#) Regular City Council Meeting - July 23, 2019
- C.2 [CC-19-952](#) Regular City Council Meeting - August 13, 2019

D. SET PUBLIC HEARING

- D.1 [CC-19-928](#) Request City Council to Set a Public Hearing for November 12, 2019 to Conduct a Property Owner Protest Ballot Proceeding; Adopt **Resolution No.7560** Initiating the Proceedings for the Annexation of Properties to the Rialto Landscaping and Lighting District No. 2 and to Levy and Authorize Collection of Assessments Commencing with Fiscal Year 2020/2021; and to Adopt **Resolution No.7561** Declaring the Intention to Annex Properties to the Rialto Landscaping and Lighting District No. 2 and Conduct a Property Owner Protest Ballot Proceeding On The Matter of the New Assessments Related Thereto Commencing with Fiscal Year 2020/2021.
- D.2 [CC-19-888](#) Request City Council to Set a Public Hearing for **October 8, 2019** to consider (1) **Specific Plan Amendment No. 2017-0001**, which is a request to change the zoning designation of approximately 4.54 gross acres of land from Support Commercial (S-C) within the Central Area Specific Plan to Multi-Family Residential (MFR) within the Central Area Specific Plan, (2) **Tentative Tract Map No. 2018-0007 (TTM 20199)**, which is a request to allow the subdivision of approximately 4.54 gross acres of land into fifty-six (56) single-family lots and four (4) common lots, and (3) a Mitigated Negative Declaration (**Environmental Assessment Review No. 2018-0099**) prepared for the project, in accordance with the California Environmental Quality Act (CEQA). The site for this project is located at the southeast corner of Willow Avenue and Bonnie View Drive.

E. MISCELLANEOUS

- E.1 [CC-19-790](#) Request City Council to Approve a Contract with both the Counseling Team International in the not to exceed amount of \$29,400 and Anthem EAP for a not to exceed amount of \$5,830, for a combined Not to Exceed amount of \$35,230.
- E.2 [CC-19-942](#) Request City Council Authorize the Engagement of Teaman, Ramirez & Smith, Inc. for Independent Audit Services for the 2018-19 Audit and Comprehensive Annual Financial Report.

- E.3 [CC-19-909](#) Request City Council to Approve an Increase of the Purchase Order with Fernando Vargas, Information Specialist, for Fiscal Year 2019/2020 for Information System Support through June 2020 for a Total Cost of \$40,215.
- E.4 [CC-19-913](#) Request City Council to Approve the Sale of a Police Service Dog for the Amount of \$1.00.
- E.5 [CC-19-859](#) Request City Council to Receive and File the Statement of Income and Expenses related to the Miro Way, Alder Avenue, and Locust/Laurel/Walnut Escrow Accounts for July 2019.
- E.6 [CC-19-858](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for July 2019.
- E.7 [CC-19-849](#) Request City Council to Receive and File the Statement of Income and Expense for July 2019 related to the Construction Loan Agreement with Ayala@210LLC for On-Site Improvements for the Renaissance Plaza Retail Center on Renaissance Parkway.
- E.8 [CC-19-748](#) Request City Council to Adopt **Resolution No. 7562** Approving a Construction Fee Credit and Reimbursement Agreement by and between the City of Rialto and Liberty Property Limited Partnership.
- E.9 [CC-19-860](#) Request City Council Approve a Maintenance Agreement by and between the City of Rialto and Synergistic Properties (dba Rialto Animal Hospital) for the Maintenance of Landscaping on Ayala Drive.
- E.10 [CC-19-934](#) Request City Council to Adopt on Second Reading **Ordinance No. 1622**, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING SECTION 2.02.010 OF THE RIALTO MUNICIPAL CODE TO AMEND THE START TIME OF CITY COUNCIL MEETINGS TO SIX THIRTY P.M.," reading by title only and waiving further reading thereof.
- E.11 [CC-19-935](#) Request The City Council to Adopt on Second Reading **Ordinance No. 1623** to Repeal Ordinance No. 1598 and Re-Approve the LCRSP Amendment (SPA 2017-0002) to Eliminate Neighborhood I, Modify the Land Use Configuration of Neighborhoods II And III, and Update the Text, Tables, and Maps

TAB PUBLIC HEARING

TAB1 [CC-19-908](#) Request City Council Conduct a Public Hearing for City Council to solicit public comments from interested citizens to consider and approve the City's 2018-2019 Consolidated Annual Performance and Evaluation Report (CAPER).
(ACTION)

TAB2 [CC-19-937](#) Request City Council to Conduct a Public Hearing to consider Adoption of (1) **Resolution No. 7554** approving **General Plan Amendment No. 2019-0001**, which is a request to change the general plan land use designation of approximately 8.74 net acres of land to Residential 12, (2) **Resolution No. 7555** approving **Tentative Tract Map No. 2019-0001 (TTM 20237)**, which is a request to allow the subdivision of approximately 8.74 net acres of land into sixty (60) single-family lots and twelve (12) common lots, and (3) introduce for first reading **Ordinance No. 1621** approving **Zone Change No. 2019-0001**, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING ZONE CHANGE NO. 2019-0001 TO CHANGE THE ZONING DESIGNATION OF APPROXIMATELY 8.74 NET ACRES OF LAND (APNS: 0131-131-13, -14, & -23) LOCATED ON THE EAST SIDE OF ACACIA AVENUE APPROXIMATELY 775 FEET NORTH OF RANDALL AVENUE FROM AGRICULTURAL (A-1) TO MULTI-FAMILY RESIDENTIAL (R-3)" [Reading by title only and waiving full reading thereof]. **Resolution No. 7556** approving a Mitigated Negative Declaration (**Environmental Assessment Review No. 2019-0002**) is included for consideration in conjunction with the project. The project site consists of 3 parcels of land located on the east side of Acacia Avenue approximately 775 feet north of Randall Avenue (APNs: 0131-131-13, -14, & -23).

(ACTION)

NEW BUSINESS

TAB3 [CC-19-925](#) Request City Council, Rialto Housing Authority, Rialto Utility Authority and Successor Agency to Accept the Fiscal Year 2017-18 Audit Results and Receive and File the Fiscal Year 2017-18 Comprehensive Annual Financial Report and Related Documents.
(ACTION)

- TAB4** [CC-19-884](#) Request City Council to 1) Approve Contract Change Orders with Pacific Hydrotech Corporation in the amount of \$142,505.02 for Fire Station 205 Phase 1 Improvements Project, City Project No. 170203; and 2) to Authorize the City Administrator to Grant Easements and Accept Grants of Easements for utility purposes on this project on behalf of the City of Rialto.
(ACTION)
- TAB5** [CC-19-867](#) Request City Council to 1) Award a Construction Contract in the amount of \$3,147,000 to Robert Clapper Construction Services, Inc, for the Construction of Fire Station 205 - Phase 2, City Project No. 190211; 2) Approve the third Amendment to the Professional Services Agreement with STK Architects in the Amount of \$12,000 for Construction Support Services; 3) Increase Purchase Order with Wallace & Associates in the Amount of \$268,684, 4) Delegate authority to the City Administrator in the Not to Exceed amount of \$160,000 for contingency on the project.
(ACTION)
- TAB6** [CC-19-927](#) Request City Council to Approve a Contract Services Agreement with West Coast Arborists, Inc., for Tree Trimming and Removal Services for Fiscal Year 2019/2020 in the Amount of \$640,000.
(ACTION)
- TAB7** [CC-19-921](#) Request City Council to (1) Accept the Annual Street Overlay Project, City Project No. 180804; (2) Authorize an Additional \$36,775.21 for Construction Contract Change Orders; (3) Authorize Filing of the Notice of Completion; and (4) Authorize Release of Retention to Matich Corporation.
(ACTION)
- TAB8** [CC-19-799](#) Request City Council to Approve a Third Amendment to the Construction Contract Agreement with Hardy & Harper, Inc., for On-Call Permanent Trench Paving Services for Fiscal Year 2019/2020 in the amount of \$180,000.
(ACTION)
- TAB9** [CC-19-856](#) Request City Council to Award a Construction Contract to KDC Inc., dba Dynalectric in the Amount of \$285,150 for Construction of the Traffic Signal at Pepper Avenue and Winchester Drive/Terrace Road.
(ACTION)
- TAB10** [CC-19-866](#) Request City Council to Approve the Conceptual Master Plan for the Cactus Avenue Trail Project.
(ACTION)

TAB11 [CC-19-877](#) Request City Council to Review and Adopt **Resolution No. 7563** Approving Special Events for Calendar Year 2019/2020 with Estimated Costs Associated Totaling \$402,701 and estimated revenues of \$188,000.
(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT