

City of Rialto

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



Regular Meeting - Final

Tuesday, April 9, 2019

5:00 PM

**CITY COUNCIL, City of Rialto, acting as Successor Agency to the
Redevelopment Agency, RIALTO HOUSING 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
Sean Grayson Interim 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. 1619

Next Resolution No. 7498

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-19-408](#) Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.6:
 Agency designated representatives:
 Fred Galante, City Attorney
 Sean Grayson, Interim City Administrator
 Employee organizations:
 CGMA Bargaining Unit
 RPBA General Bargaining Unit
 RPBA Management Bargaining Unit
 RMMA Bargaining Unit
 RCEA Bargaining Unit
 RFMA Bargaining Unit
 Rialto Firefighters Local 3688

- 2 [CC-19-409](#) Conference with Legal Counsel - Existing Litigation: The City Council will discuss the following pending litigation(s) pursuant to Government Code Section 54956.9(d)(1):
 Terry Singleton, et al. v. City of Colton, et al. (San Bernardino Superior Court, Case No. CIVDS 1705686)

- 3 [CC-19-410](#) LIABILITY CLAIMS pursuant to Government Code Section 54956.95
 Claimants:
 SUMNER, KEVIN
 GALINDO, RACHEL
 GONTOL, BRANDON
 ANDERSON, SHEILA
 REID, RODNEY
 MARTINEZ, SYLVIA
 VERANO, RICARDO
 SAENZ, DORTHY
 ARMENTA JR, OMAR
 JIMENEZ, ISMAEL
 BARRON, RONALD
 SUTTER, KEITH
 CASTILLO, IRENE
 RAMOS, MOISES
 PILGRIM, KELVIN
 Agency claimed against:
 City of Rialto

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE- Council Member Carrizales

INVOCATION- Archbishop Samuel Azariah -St. Peter's Episcopal Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [CC-19-401](#) Certificate of Recognition - Retirement of Employee Pam Kennedy - Mayor Deborah Robertson
- 2 [CC-19-397](#) Certificate of Recognition - Rialto's County Science Fair Winners - Council Member Rafael Trujillo
- 3 [CC-19-398](#) Proclamation - Child Abuse Prevention Month - Mayor Deborah Robertson
- 4 [CC-19-392](#) Proclamation - Animal Care & Control Appreciation Week -Mayor Deborah Robertson
- 5 [CC-19-393](#) Proclamation - National Public Safety Telecommunicators Week - Mayor Deborah Robertson
- 6 [CC-19-394](#) Proclamation - National 9-1-1 Education Month - Mayor Deborah Robertson

ORAL COMMUNICATIONS

City Council to consider removing or continuing any items on the agenda

NOTICE TO THE PUBLIC

All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion in the following form listed. There will be no separate discussion on these items. If discussion is required, the item will be removed from the Consent Calendar and will be considered separately. Vote may be by roll call.

CONSENT CALENDAR

A. WAIVE FULL READING OF ORDINANCES

1. Waive reading in full, all ordinances considered at this meeting.

B. APPROVAL OF WARRANT RESOLUTIONS

- B.1 [CC-19-411](#) Warrant Resolution No. 37 (03/28/19)
- B.2 [CC-19-399](#) Warrant Resolution No. 38 (04/04/19)

C. CLAIMS AGAINST THE CITY

- C.1 [CC-19-406](#) Harold T. Brackins II - wrongful search and arrest

D. SET PUBLIC HEARING

- D.1 [CC-19-378](#) Request City Council to Adopt **Resolution No. 7491** Declaring the Intention to Set a Public Hearing for **June 11, 2019**, in accordance with Proposition 218 procedures and consider adopting the Three Year Municipal Solid Waste Collection, Recycling and Disposal Rates for Fiscal Years 2019/2020 through 2021/2022.
- D.2 [CC-19-372](#) Request City Council to Set a Public Hearing for **April 23, 2019** to Consider a Property Lease by and between the City of Rialto and Lamar Central Outdoor for a City Owned Property on the north side of the 210 Freeway, westerly of Alder Avenue.

E. MISCELLANEOUS

- E.1 [CC-19-270](#) Request City Council to Approve an Agreement with Pyro Spectaculars Inc. to provide a Pyrotechnics Display for the 2019 Rialto 4th of July Celebration, and Approve a Purchase Order to Pyro Spectaculars Inc. in the Amount of \$25,750.
- E.2 [CC-19-361](#) Request City Council to Approve the Purchase of Bulk Winchester Ammunition From Dooley Enterprises, Inc. in the Amount of \$30,579.45.
- E.3 [CC-19-338](#) Request City Council to Receive and File the Statement of Income and Expense for February 2019 related to the Construction Reimbursement Agreement with Ayala@210LLC for Off-Site Improvements on Renaissance Parkway.

- E.4 [CC-19-366](#) Request City Council to Receive and File the Statement of Income and Expense for February 2019 related to the Construction Loan Agreement with Ayala@210LLC for On-Site Improvements for the Renaissance Plaza Retail Center on Renaissance Parkway.
- E.5 [CC-19-337](#) 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 February 2019.
- E.6 [CC-19-336](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for February 2019.
- E.7 [CC-19-370](#) Request City Council to Receive and File the February 2019 Treasurer's Report.
- E.8 [CC-19-308](#) Request Rialto Housing Authority Approve the Second Amendment to the Affordable Housing, Financing and Disposition and Development Agreement by and between the Rialto Metrolink South Housing Partners LP and the Rialto Housing Authority to extend the Termination Date to December 31, 2019 for a proposed affordable housing project on the north side of Bonnie View Drive, west of Riverside Avenue.
- E.9 [CC-19-391](#) Request City Council Approve **Resolution No. 7492**, entitled "A Resolution of the City Council of the City of Rialto, California, Setting The Amount Of The Business License Tax For Wholesale Liquid Fuel Storage Facilities Pursuant To Ordinance No. 1556 for the 2019/2020 Fiscal Year."
- E.10 [CC-19-301](#) Request City Council to Adopt **Resolution No. 7493** Approving Tract Map 20084, a Request to Subdivide approximately 4.65 Gross Acres of Land into 29 Single-family Lots and Eight (8) Common Lots Located on the East Side of Cactus Avenue Approximately 280 Feet North of Baseline Road; and Approve the Subdivision Improvement Agreement.

TAB PUBLIC HEARING

- TAB1 [CC-19-387](#) Request City Council to Conduct a Public Hearing on the 2019 Weed Abatement Program and Consider any Objections to Imposing any Abatement Cost therefore as a Lien against parcels that are not in Compliance with the Ordinance.
(ACTION)

NEW BUSINESS

- TAB2** [CC-19-389](#) Request City Council Adopt **Urgency Ordinance No. 1616**, entitled, “AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, EXTENDING A MORATORIUM ON ANY CONSTRUCTION, ALTERATIONS, OR IMPROVEMENTS WITHIN THE REDUCED SETBACK AREAS AS ESTABLISHED BY RIALTO MUNICIPAL CODE SECTION 18.56.030 FOR AN ADDITIONAL ONE HUNDRED AND TWENTY (120) DAYS OR UNTIL AN ORDINANCE ADDRESSING THE ISSUES RAISED BY ALLOWING CONSTRUCTION, ALTERATIONS, OR IMPROVEMENTS WITHIN THE REDUCED SETBACK AREAS IS ADOPTED”.
(ACTION)
- TAB3** [CC-19-388](#) Request that the City Council **(i)** Adopt **Urgency Ordinance No. 1617**, entitled “An Urgency Ordinance of the City Council of the City of Rialto, California Adding Chapter 11.20 of the Rialto Municipal Code Relating to Wireless Telecommunications Facilities within the Right-of-Way”; **(ii)** Introduce for First Reading **Ordinance No. 1618**, entitled “ An Ordinance of the City Council of the City of Rialto, California Adding Chapter 11.20 of the Rialto Municipal Code Relating to Wireless Telecommunications Facilities within the Right-of-Way”; and **(iii)** Approve **Resolution No. 7494**, entitled “A Resolution of the City Council of the City of Rialto, California, Approving a City Council Policy for Small Wireless Facilities In the Public Right-Of-Way And Corresponding Design Standards”.
POWERPOINT
(ACTION)
- TAB4** [CC-19-092](#) Request City Council to Receive, File, and Provide Direction on the Report from the Pension Ad Hoc Committee. **POWERPOINT**
(ACTION)
- TAB5** [CC-19-374](#) Request City Council to Approve a Professional Services Agreement with CNS in the Amount of \$246,462.29 for Design of Raised Median Improvements on Baseline Road between Willow Avenue and Meridian Avenue, City Project No. 170812.
POWERPOINT (ACTION)
- TAB6** [CC-19-200](#) Request City Council to Approve an Increase to Purchase Order No. 2019-0475 with Apple One to Provide Staff Support Services in the Development Services Department for \$30,000 increasing the total authorization to \$110,000 for the remainder of Fiscal Year 2018 through June 30, 2020. **(ACTION)**

- TAB7** [CC-19-377](#) Request City Council to Authorize a Purchase Order Change Notice (2019-0770) with Hinderliter, de Llamas & Associates in the amount of \$42,000 to Provide Sales Tax Audit Sales Tax Analysis, Allocation, Audit, and Recovery Services for 2018-19, increasing the Purchase Order to a total of \$51,400.
(ACTION)
- TAB8** [CC-19-402](#) Request City Council to Adopt a **Resolution No. 7495** to Add the Chino Valley Independent Fire District as a Party to Consolidated Fire Agencies (“CONFIRE”) Joint Powers Agreement.
(ACTION)
- TAB9** [CC-19-346](#) Request City Council to Adopt **Resolution No. 7496** Approving a Construction Fee Credit and Reimbursement Agreement by and between the City of Rialto and Sirwin Enterprises LLC, and Adopt Budget **Resolution No. 7497** amending the FY18/19 Budget to increase expenditures of \$403,861.19 for Regional Traffic Fee Street Improvements and \$31,500.00 for RSP Traffic Fee signal modifications and to increase Revenues of \$189,072.00 for the Regional Traffic Fee and \$31,500.00 for the RSP Traffic Fee Program.
(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT