

City of Rialto

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



Regular Meeting

Tuesday, April 12, 2016

5:00 PM

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

City Council

*Mayor Deborah Robertson
Mayor Pro Tem Joe Baca Jr.
Council Member Edward Palmer
Council Member Shawn O'Connell
Council Member Ed Scott
Barbara A. McGee City Clerk
Edward Carrillo City Treasurer
Fred Galante City Attorney
Mike Story 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. 1566

Next Resolution No.6916

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 [16-224](#) 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):
 - (a) Kathy Thompson v. City of Rialto
WCAB CR-13-005029
 - (b) Monique Daniels v. City of Rialto
SB Superior Court Case No. CIVDS1512003

- 2 [16-239](#) Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.4:

Agency designated representatives:

Fred Galante, City Attorney

George Harris, Asst. to the CA./Director of Admin. Svs.

Employee organizations:

RPBA Mgnt. Bargaining Unit

RPBA General Bargaining Unit

- 3 [16-240](#) Conference with Real Property Negotiator. The City Council will confer with its real property negotiator concerning the following properties pursuant to Government Code Section 54956.8:

(a)Subject: Price and Terms - Acquisition of Real Property

Location: NEC Corner of Easton & Ayala
(Unassigned APN's)

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
County of San Bernardino Flood Control District

(b)Subject: Price and Terms - Acquisition of Real Property

Location: NEC Corner of Easton & Ayala
(APN#0264-151-79,80,81)

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
Successor Agency of the City of Rialto

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Council Member Ed Scott

INVOCATION-Pastor Carlos Martin-Love, Peace & Happiness Family Christian Fellowship

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [16-245](#) Proclamation-Mary McCombs 100th Year Birthday
Mayor Deborah Robertson
- 2 [16-225](#) Rialto High ASB Students-Acknowledgement of Mock Council Meeting
held on March 29-Mayor Deborah Robertson
- 3 [16-230](#) Proclamation-Fair Housing Month-Mayor Deborah Robertson
- 4 [16-228](#) Proclamation-Child Abuse Prevention Month-Mayor Deborah Robertson
- 5 [16-229](#) Proclamation-Earth Day 2016-Mayor Deborah Robertson
- 6 [16-232](#) Proclamation-Animal Control Appreciation Month
Mayor Deborah Robertson
- 7 [16-233](#) Introduction of New Police Officers-Captain Andrew Karol
- 8 [16-231](#) Proclamation-DMV/Donate Life California Month
Mayor Deborah Robertson
- 9 [16-226](#) Proclamation-Parental Alienation Awareness Day
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** **(ACTION)**

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

B. **APPROVAL OF WARRANT RESOLUTIONS**

- B.1 [16-219](#) Resolution No. 34 (03/11/16)
Attachments: [Warrant Resolution No. 34.pdf](#)
- B.2 [16-220](#) Resolution No. 35 (03/18/16)
Attachments: [Warrant Resolution No. 35.pdf](#)
- B.3 [16-221](#) Resolution No. 36 (03/25/16)
Attachments: [Warrant Resolution No. 36.pdf](#)

- B.4 [16-222](#) Resolution No. 37 (04/01/16)
Attachments: [Warrant Resolution No. 37.pdf](#)

C. APPROVAL OF MINUTES

- C.1 [16-223](#) Regular City Council Meeting - March 22, 2016
Attachments: [March 22, 2016 minutes.pdf](#)

D. SET PUBLIC HEARING

- D.1 [16-157](#) Request City Council to set a Public Hearing for **April 26, 2016**, to Approve the naming of a baseball field at Bud Bender Park "The Ricky Nolasco Field".

E. MISCELLANEOUS

- E.1 [16-092](#) Request City Council to Approve a Public Works Mutual Aid Agreement with Los Angeles and Orange Counties.

Attachments: [PWMA AGMT](#)

- E.2 [16-112](#) Request City Council to Adopt **Resolution No. 6905**, Approving an Extraterritorial Wastewater Service Agreement with Thrifty Oil Co., for the Property Located at the Northwest Corner of Cedar Avenue and Orange Street, San Bernardino County, APN 0253-171-16.

Attachments: [Extra territorial agreement Thrifty oil 3-22-16](#)

[Request for sewer 1-18-2016](#)

[Resolution Thrifty Oil 3-22-16](#)

- E.3 [16-162](#) Request City Council to Adopt **Resolution No. 6906** Approving Parcel Map 19605 for Consolidation of Thirteen (13) Parcels into One (1) Parcel Located on the West side of Locust Avenue and North of Miro Way.

Attachments: [Attachment No. 1 - 3-25-15 P.C. Report TPM 19605](#)

[Attachment No. 2 - P.M. 19605](#)

[Attachment No. 3 - March 24, 2014 City Council Report](#)

[Attachment No. 4 - October 13, 2015 City Council Report](#)

[Attachment No. 5 - P.M. 19605 EAR 14-73](#)

[Resolution Approve PM 19605 4-12-16](#)

- E.4 [16-182](#) Request City Council to Approve the Contract Documents and Authorize the Release of Request for Bids No. 16-039 for Phase I of the Riverside Avenue at Linden Avenue Traffic Signal and Street Improvement Project, City Project No. 120802.
- Attachments:* [Attachment 1 12-11-12 Staff Report](#)
[Attachment 2 8-13-13 Staff Report](#)
[Attachment 3 8-12-14 Staff Report](#)
[Attachment 4 10-27-15 Staff Report](#)
[Attachment 5 - Notice of Determination - filed](#)
- E.5 [16-188](#) Request City Council to Approve Amendment #1 to the Program Description for the Mobile Home Repair Program.
- Attachments:* [Exhibit A - Mobile Home Program Description Amend. #1](#)
- E.6 [16-189](#) Request Housing Authority Approve Revisions to the Program Description for the Mortgage Assistance Program as funded through the CalHome Program.
- Attachments:* [Exhibit A - MAP CalHome Program Description - Changes 4-12-16](#)
- E.7 [16-196](#) Request City Council to Adopt **Resolution No. 6907** Amending the City of Rialto's Conflict of Interest Code.
- Attachments:* [Reso.conflict of interest 2016](#)
- E.8 [16-198](#) Request City Council to Adopt **Resolution No. 6908**, Approving an Extraterritorial Wastewater Service Agreement with Three Makars, LLC for the Property identified by San Bernardino County Assessor's Parcel Numbers 0256-191-04, 0256-191-05, 0256-191-18, and 0256-191-19, Located at the Southwest Corner of Seventh Street and Linden Avenue, in the county of San Bernardino.
- Attachments:* [Attachment 1 - Proposed Development Site Plan](#)
[Attachment 2 - Sewer Service Analysis](#)
[Attachment 3 - E.T. Agreement - Nova Homes](#)
[Resolution](#)
[Exhibit A](#)
[Exhibit B](#)
- E.9 [16-200](#) Request City Council to Approve a Travel and Training Request for Captain Andrew Karol and Captain William Wilson to attend Senior Management Institute for Police (SMIP) Program of the Police Executive of the Police Executive of the Police Executive Research Forum (PERF) in the amount of \$9,957.46 FY 2015/16 and \$9,957.46 FY 2016/17.
- Attachments:* [Senior Management Institute for Police](#)

TAB PUBLIC HEARING

TAB1 [16-197](#) Request City Council to Conduct a Public Hearing Regarding the Proposed Annexation of Territory to the Rialto Landscaping and Lighting District No. 2; Request City Council to Adopt **Resolution No. 6909** Declaring the Results of the Property Owner Protest Ballot Proceedings Conducted for the Proposed Levy of Assessments Related to the Annexation of Territory to the Rialto Landscaping and Lighting District No. 2, Commencing in Fiscal Year 2016/17; and to Adopt **Resolution No. 6910** Confirming the Engineer's Report Regarding the Annexation of Territory to the Rialto Landscaping and Lighting District No. 2, the Levy of Annual Assessments Described Therein, and the Assessment Diagram Connected Therewith, and Ordering the Levy and Collection of Assessments Commencing in Fiscal Year 2016/17 for Said Annexation. **(ACTION)**

Attachments: [Attachment 1](#)
[Resolution 1](#)
[Resolution 2](#)

TAB2 [16-195](#) Request City Council to Conduct a Public Hearing to Consider and Approve the City's 2016-2017 Consolidated Plan One-Year Action Plan & 2015-2019 Analysis of Impediments to Fair Housing Choice. **(ACTION)**

Attachments: [CDBG Program 2016-2017](#)
[Exhibit A - Budget](#)
[Exhibit B - PS-Recom. funding](#)
[Exhibit C - CIPs -Recom. Funding](#)
[Exhibit D - Admin. Recom. Funding](#)
[Exhibit E - Ntc-CCH AP-AI](#)
[Exhibit F - DRAFT Rialto 2016-2017 Action Plan red.](#)
[Exhibit G - 2015 AI - Rialto - Draft](#)

TAB3 [16-191](#)

Request City Council to Conduct a Public Hearing to Consider Adoption of **Resolution No. 6911** approving **General Plan Amendment No. 15-01**, which is a request to change the land use designation of approximately 7.16 net-acres of land from Residential 2 with a Historic Agriculture Overlay to Residential 12, **Resolution No. 6912** approving **Zone Change No. 332**, which is a request to change the zoning designation of approximately 7.16 net-acres of land from Agricultural (A-1) to Planned Residential Development-Detached (PRD-D), and **Resolution No. 6913** approving **Tentative Tract Map No. 19977**, which is a request to allow the subdivision of 9.24 gross-acres of land into seventy-five (75) detached single-family lots, one (1) common lot, and one (1) 1.93 net acre remainder parcel. A Mitigated Negative Declaration (**Environmental Assessment No. 15-52**) has been prepared for consideration in conjunction with the project. **(ACTION)**

Attachments:[PowerPoint Presentation](#)[Exhibit A - Location Map](#)[Exhibit B - Tentative Map](#)[Exhibit C - Site Plan](#)[Exhibit D - Floor Plans](#)[Exhibit E - Color Elevations](#)[Exhibit F - Zoning & GP Exhibit](#)[Exhibit G - Existing General Plan Land Use](#)[Exhibit H - Proposed General Plan Land Use](#)[Exhibit I - Existing Zoning](#)[Exhibit J - Proposed Zoning](#)[Exhibit K - Community Meeting Attendance](#)[Exhibit L - Community Meeting Comments Received](#)[Exhibit M - Planning Commission Staff Report 3-9-16](#)[Exhibit N - Planning Commission Resolution No. 16-05 for GPA No. 15-01](#)[Exhibit O - Planning Commission Resolution No. 16-06 for ZC No. 332](#)[Exhibit P - Planning Commission Resolution No. 16-07 for TTM No. 19977](#)[Exhibit Q - Initial Study](#)[Exhibit R - Draft Resolution of Approval for GPA No. 15-01](#)[Exhibit S - Legal Description](#)[Exhibit T - Draft Resolution of Approval for ZC No. 332](#)[Exhibit U - Draft Resolution of Approval for TTM No. 19977](#)

TAB4 [16-194](#)

Request City Council to Conduct a Public Hearing to Consider Adoption of **Resolution No. 6914** entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION (15-48) AND APPROVING SPECIFIC PLAN AMENDMENT NO. 1 TO THE FOOTHILL BOULEVARD SPECIFIC PLAN TO CHANGE THE ZONING DESIGNATION OF FOUR PARCELS OF LAND OF APPROXIMATELY 2.0 ACRES (APNS: 0133-171-05, -25, -26 & -27) LOCATED ON THE NORTHWEST CORNER OF FOOTHILL BOULEVARD AND EUCALYPTUS AVENUE FROM R-MU (RESIDENTIAL MIXED USE) TO C-P (COMMERCIAL PEDESTRIAN)" **(ACTION)**

Attachments: [Exhibit A - Location Map](#)
[Exhibit B - Site Map](#)
[Exhibit C - Zoning Designations](#)
[Exhibit D - Site Plan](#)
[Exhibit E - Initial Study](#)
[Exhibit F - NOD](#)
[Exhibit G - Resolution](#)
[Exhibit H - Power Point](#)
[Attachment I](#)

TAB NEW BUSINESS**TAB5** [16-181](#)

Request City Council to Introduce by first reading **Ordinance No. 1565**, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING CHAPTER 10.28.170 OF TITLE 10 OF THE RIALTO MUNICIPAL CODE, TWO HOUR PARKING, TO CORRESPOND WITH HOURS LISTED ON THE STREET SIGNS, 9 A.M. TO 5 P.M.," reading by title only and waiving further reading thereof.

(ACTION)

Attachments: [\(Rialto\) 2 Hr Parking Ordinance.doc](#)

TAB6 [16-185](#)

Request City Council to accept the bid process performed by National Purchasing Partners and issue a Purchase Order to L.N. Curtis and Sons in the amount of \$75,489.19 for Thirty (30) Sets of Structural Firefighting Turnouts.

(ACTION)

Attachments: [FRGPO Intergovernmental Agreement](#)
[FRGPO Turnout Quote - LN Curtis](#)

- TAB7** [16-159](#) Request City Council to Approve the Memorandum of Understanding (MOU) Between the City of Rialto and the National Recreation and Park Association (NRPA) and Approve Budget **Resolution No. 6915** increasing estimated revenues and appropriations in the amount of \$79,995 in the Recreation Account.
(ACTION)
Attachments: [041216 - REC - Niagara Bottling Grant](#)
- TAB8** [16-199](#) Request City Council to Approve a three (3) year Agreement for Pyro Spectaculars to provide fireworks shows for 4th of July Celebration in the Amount of \$66,500 and Approve a Purchase Order in the Amount of \$21,000 for Fiscal Year 2015/16.
(ACTION)
Attachments: [Pyro Spectacular Rialto City of PROPOSAL 7-4-16](#)
- TAB9** [16-165](#) Request City Council to Approve an Agreement for Right-of-Way Acquisition with Thai Kong Ly and Kathy I Tam in the Total Amount of \$150,724 for Portions of Four Vacant Parcels Located on the Westside of Alder Avenue and the Northside of Base Line Road (APN# 0240-201-38, 45, 46, and 47) for the Alder Avenue Widening, City Project No. 140801.
(ACTION)
Attachments: [ROW Acquisition Agreement - Li & Yam](#)
- TAB10** [16-091](#) Request City Council Approval of the Low Value Mutual Aid Agreement with the San Bernardino County Public Works Department for the Efficient Emergency Maintenance, Cleanup or Repair of Road Facilities and Related Appurtenances within the City of Rialto for a Total Not to Exceed Amount of \$25,000 per Project or \$100,000 During a Fiscal Year.
(ACTION)
Attachments: [Attachment 1 - CON TRANS Rialto Maintenance Rev 012916](#)
- TAB11** [16-093](#) Request City Council Approval of the Low Value Mutual Aid Agreement with the San Bernardino County Flood Control District Related to the Efficient Emergency Maintenance, Cleanup or Repair of Flood Control Facilities, Access Roads, and Related Appurtenances within the City of Rialto for a Total Not to Exceed Amount of \$25,000 per Project; and Authorize the City Administrator to approve Purchase Orders in the not to exceed amount of \$25,000 per project or \$100,000 During a Fiscal Year.
(ACTION)
Attachments: [Attachment 1 - CON Rialto Maintenance District - Rev 020816](#)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT