

# City of Rialto

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



## Regular Meeting

**Tuesday, January 12, 2016**

**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 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](http://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. 1565**

## **Next Resolution No.6875**

### **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      [16-004](#)      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) Vanessa Bowling v. City of Rialto  
WCAB CR-13-005049
  - (b) Dan Stordahl v. City of Rialto  
WCAB CR-13-005031
  - (c) Timothy Strathman v. City of Rialto  
WCAB CR-11-0505035
- 2      [16-013](#)      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 of Conveyance - Contract of Sale
  - Location:              Rialto Municipal Airport Property  
   (Generally, the southwest corner of Ayala Drive  
   and Renaissance Parkway)
  - Negotiators:              Robb R. Steel, Asst.CA/Development Svs. Dir.  
   Bryan Goodman, Lewis Hillwood Rialto, LLC.
- 3      [16-014](#)      Conference with Legal Counsel - Anticipated Litigation: Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of Government Code Section 54956.9. Number of cases: One case.

6:00 p.m.

**Called to Order By:**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE-Council Member Ed Scott**

**INVOCATION-Pastor Bratton, Greater Faith Grace Bible Church**

## City Attorney's Report on Closed Session

### PRESENTATIONS AND PROCLAMATIONS

- 1        [15-865](#)        Zoning Presentation - Rialto Planning Division  
  
                 Attachments:    [Powerpoint - Zoning Presentation rev 10 21 15](#)
- 2        [16-012](#)        Presentation-Introduction of New Rialto Police Chief Randy De Anda  
                 City Administrator Mike Story
- 3        [16-009](#)        Presentation-Rialto Police Employee Promotions  
                 Police Chief Randy De Anda

### 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      [15-874](#)        Resolution No. 22 (12/11/15)  
  
                 Attachments:    [Warrant Resolution No. 22](#)
- B.2      [16-005](#)        Resolution No. 23 (12/18/15)  
  
                 Attachments:    [Warrant Resolution No. 23](#)
- B.3      [16-006](#)        Resolution No. 24 (12/24/15)  
  
                 Attachments:    [Warrant Resolution No. 24](#)
- B.4      [16-015](#)        Resolution No. 25 (01/08/16)  
  
                 Attachments:    [Warrant Resolution No. 25](#)

#### C.        APPROVAL OF MINUTES

C.1 [16-007](#) Regular City Council Meeting - December 08, 2015

Attachments: [December 8 2015](#)

C.2 [16-019](#) Special City Council Meeting - December 15, 2015

Attachments: [December 15, 2015](#)

## D. MISCELLANEOUS

D.1 [15-830](#) Request City Council to (1) Accept the Pepper Avenue & Baseline Road Traffic Signal Upgrade Project, City Project No. 140818; (2) Authorize Filing of the Notice of Completion; and (3) Release of Retention to California Professional Engineering, Inc., a California corporation.

Attachments: [Attachment 1 - NOC - Pepper & Baseline TS Upgrade](#)

[Attachment 2 - NOE TS Pepper & Baseline](#)

D.2 [15-887](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for November 2015.

Attachments: [Exhibit A Airport Escrow Statement of Income and Expense 11.30.15](#)

[Exhibit B CalTrust Statement for Airport Escrow 11.30.2015](#)

[Exhibit C 11302015 FSB](#)

D.3 [15-888](#) Request City Council to Receive and File the Statement of Income and Expenses related to the Miro Way and Alder Avenue Escrow Accounts for November 2015.

Attachments: [Exhibit A Miro Way Escrow Statement of Income and Expense](#)

[Exhibit B Nov 2015 CalTrust and FSB Statements for Miro Way](#)

[Exhibit C Alder Avenue Escrow Statement of Income and Expense](#)

[Exhibit D Nov 2015 CalTrust and FSB Statements for Alder Avenue](#)

D.4 [15-892](#) Request City Council to Approve a Professional Services Agreement with Kosmont Companies, in the amount of \$35,500, to conduct a feasibility study for establishing an Enhanced Infrastructure Improvement District in the Renaissance Rialto Specific Plan area.

Attachments: [Exhibit A - City Attorney Memorandum](#)

[Exhibit B - Funding Sustainable Communities](#)

[Exhibit C - How to Form EIFD's](#)

[Exhibit D - SB 628 Text](#)

[Exhibit E - Kosmont Proposal to Rialto for EIFD Services - vF](#)

[Exhibit F - Professional Services Agreement - Kosmont](#)

- D.5**     [16-008](#)     Request City Council to Approve the assignment of the Professional Services Agreement from J.L. Patterson & Associates, Inc. to Jacobs Engineering Group, Inc. for engineering services related to the Riverside Avenue UPRR Bridge Widening Project and approve the Novation Agreement documenting the assignment.

Attachments:     [JLP - Novation Letter - City of Rialto](#)

[JLP - Professional Service Agreement](#)

## **TAB    PUBLIC HEARING**

- TAB 1**     [15-890](#)     Request City Council to **1)** Conduct a Public Hearing Regarding the Proposed Annexation of Territory to the Rialto Landscaping and Lighting District No. 2; **2)** Request City Council to Adopt **Resolution No. 6870** 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 **3)** Request City Council to Adopt **Resolution No. 6871** 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:     [Resolution 1](#)

[Resolution 2](#)

[Rialto LLD Annexation ER](#)

**TAB 2** [15-891](#) Request City Council to Conduct a Public Hearing and Adopt **Resolution No. 6872**, Approving the Vacation of Existing Excess Right-of-Way and Authorizing the City Administrator to execute a Quitclaim Deed Conveying Underlying Title to approximately 3,400 square feet of Excess Right-of-Way located northerly of the Intersection of Laurel Avenue and Baseline Road to San Gabriel Valley Water Company.  
**(ACTION)**

Attachments: [Exhibit A - ROW Vacation Description](#)  
[Exhibit B - Roadway Deed](#)  
[Exhibit C - PC Reso](#)  
[Exhibit D - RSP Roadway Section Classification](#)  
[Exhibit E - SCE Notice and Response](#)  
[Exhibit F - Proof of Publication and Posting](#)  
[Exhibit G - City Resolution](#)

## **TAB NEW BUSINESS**

**TAB 3** [15-886](#) Request City Council, acting as the Governing Board to the Successor Agency to the Redevelopment Agency of the City of Rialto, to Adopt **Resolution No. SA1-16** Authorizing the Executive Director to transfer sale proceeds from the sale of Successor Agency parcels to the County Auditor Controller.  
**(ACTION)**

Attachments: [Exhibit A - RSA Resolution](#)

**TAB 4** [15-893](#) Request City Council to **(1)** Award a Construction Contract to American Asphalt South, Inc., a California corporation, in the amount of \$958,550.00 for the 2015/16 Annual Slurry Seal Project, City Project No. 160806; **(2)** Authorize a Purchase Order with Willdan Engineering in the Amount of \$52,560 for Construction Management and Inspection Services for the 2015/16 Annual Slurry Seal Project, City Project No. 160806; **(3)** Delegate Authority to the City Administrator to Approve and Execute Construction Contract Change Orders up to a Cumulative Amount of \$95,900.

**(ACTION)**

Attachments: [Attachment 1 - Zone Map](#)  
[Attachment 2 - Location Maps and Street Lists](#)  
[Attachment 3 - Bid Summary](#)  
[Attachment 4 - License and Reference Check](#)  
[Attachment 5 - Construction Contract](#)  
[Attachment 6 - Willdan Proposal 11-4-15](#)  
[Attachment 7 - Notice of Exemption](#)

**TAB 5** [15-894](#) Request City Council to Adopt Budget **Resolution No. 6873**, Approve the Fifth Amendment to the Professional Services Agreement with West Yost Associates, a California Corporation, in the Amount of \$471,860 for Fiscal Year 2015/16 And Revising the Total Contract Amount to \$3,004,563.50.

**(ACTION)**

Attachments: [Budget Resolution](#)  
[Attachment 1 - Proposal](#)  
[Attachemnt 2 - 5th Amendment to PSA](#)

**TAB 6** [15-896](#) Request City Council to Adopt Budget **Resolution No. 6874**; Approve the Professional Services Agreement with Kratos Public Safety & Security for Annual Security System Maintenance and Repair Services; and Increase the Purchase Order for Annual Intrusion Alarm Monitoring Services in the Amount of \$22,000 for a Total Amount of \$62,000.

**(ACTION)**

Attachments: [Budget Resolution](#)  
[Attachment 1 - Proposal](#)  
[Attachment 2 - \(Rialto\) Kratos Service Agreement - 12-17-15](#)  
[PSA Attachment A - Kratos Proposal](#)  
[PSA Attachment B - Rialto Master Equipment List Schedule](#)



**TAB 7** [15-897](#)

Request City Council to Approve the Fourth Amendment to the Professional Services Agreement with Miller Architecture Interior Planning for the Community Center Rehabilitation Phase 4 Project, City Project No. 150305, and the Community Center Fence Project, City Project No. CB1601, in the Amount of \$75,730 for a Total Contract Amount of \$136,390.

**(ACTION)**

Attachments: [4th Amendment PSA Miller Architecture - \(1-5-2016\)](#)

**TAB 8** [15-898](#)

Request City Council to **(1)** Award a Construction Contract to Smart Tech Group, Inc., a California corporation, in the amount of \$208,000.00 for the Baseline Road and Acacia Avenue Traffic Signal Upgrade Project, City Project No. 140815; **(2)** Delegate Authority to the City Administrator to Approve and Execute Construction Contract Change Orders up to a Cumulative Amount of \$20,800.

**(ACTION)**

Attachments: [Attachment 1 - Agenda item e-7](#)

[Attachment 2 - Bid Summary](#)

[Attachment 3 - Contractors License and References](#)

[Attachment 4 - Construction Contract](#)

[Attachment 5 - Evaluation of Good Faith Effort Memo](#)

[Attachment 6 - CE NEPA 09-03-14](#)

[Attachment 7 - CE NEPA revalidation 06-30-15](#)

[Attachment 8 - Notice of Exemption](#)

**REPORTS****MAYOR:****COUNCIL MEMBERS:****CITY ATTORNEY:****CITY ADMINISTRATOR:****ADJOURNMENT**