

City of Rialto

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



Regular Meeting

Tuesday, January 26, 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 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. 6881

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 [16-043](#) 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) Donna Crow v. City of Rialto
WCAB CR-12-005071

(b) Jacquelyn Haynie v. City of Rialto
WCAB CR-14-005052

(c) Frank Pena v. City of Rialto
WCAB CR-07-0500006

2 [16-047](#) 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, Administrative and Community Services Director

Employee organizations:

RPBA Bargaining Unit

3 [16-045](#) 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 - Right of Way Acquisition

Location: Portions of APN 0240-201-05

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
Goldstein & Gould Trust

(b)Subject: Price and Terms - Right of Way Acquisition

Location: Portions of APN 0240-201-08

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
Yigal Hovav

(c)Subject: Price and Terms - Right of Way Acquisition

Location: Portions of APN 0240-201-38, 45, 46, & 47

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
Ly & Yam

(d)Subject: Price and Terms - Right of Way Acquisition

Location: Portions of APN 0240-201-02, 31;

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
Morin Trust

(e)Subject: Price and Terms - Right of Way Acquisition

Location: Portions of APN 0240-201-04, 30;

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
Reddy

(f)Subject: Price and Terms - Right of Way Acquisition

Location: Portions of APN 0240-201-41;

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
TSS Family LLC

- (g)Subject: Price and Terms - Right of Way Acquisition
Location: Portions of APN 0240-201-34
Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
Christine White
- (h)Subject: Price and Terms - Right of Way Acquisition
Location: Portions of APN 0240-201-10
Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
Howard and Lucille Williams
- (i)Subject: Price and Terms - Right of Way Acquisition
Location: Portions of APN 0240-201-09, 40
Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
Maggie Williams
- (j)Subject: Price and Terms - Acquisition of Real Property
Location: APN 0240-221-28
Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
John Murphy, Rosemead Properties

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Mayor Deborah Robertson

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

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [16-039](#) Presentation-Property Pride Awards-Beautification Commission
Chairperson Andy Carrizales
Attachments: [holiday decoration 1 26 2016](#)
- 2 [16-048](#) Proclamation-Burn Awareness Week-Mayor Deborah Robertson
- 3 [16-050](#) Certificates of Recognition to Taylor Jackson and Meiona Ervin-Inland
Valley Volleyball Classic-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 (ACTION)

- B.1 [16-040](#) Resolution No. 26 (01/15/16)
Attachments: [Warrant Resolution No. 26](#)
- B.2 [16-041](#) Resolution No. 27 (01/22/16)
Attachments: [Warrant Resolution No. 27](#)

C. APPROVAL OF MINUTES

- C.1 [16-042](#) Regular City Council Meeting - January 12, 2016
Attachments: [January 12, 2016](#)

D. SET PUBLIC HEARING

- D.1 [16-017](#) Request City Council to Set a Public Hearing for February 23, 2016, to
Consider the Placement of Liens for Delinquent Refuse Collection
Accounts for the 3rd Quarter of the 2015 Calendar Year.
Attachments: [Residential and Commercial Lien List 3rd Qtr. 2015](#)

E. MISCELLANEOUS

- E.1 [15-869](#) Request City Council to (1) Accept the Cedar Avenue Storm Drain Improvement Project, City Project No. 120801; (2) Authorize Filing of the Notice of Completion; and (3) Release Retention to Downing Construction, Inc., a California corporation.
Attachments: [Attachment 1 NOC 11-30-15](#)
[Attachment 2 NOE](#)
- E.2 [15-901](#) Request City Council to Approve 2016 Investment Policy.
Attachments: [INV. POLICY 2016](#)
- E.3 [16-002](#) Request City Council to Adopt **Resolution No. 6875** for the Placement of Liens Against Abandoned Properties for Failure to Comply with Administrative Citation to Correct Code Violations.
Attachments: [Exhibit A - Lien List](#)
[Exhibit B - Resolution](#)
- E.4 [16-010](#) Request City Council to Approve a Purchase Order with Burrtec Waste Industries in the Amount of \$23,463 for Cover Mulch for the City Median Conversion Projects.
Attachments: [Attachment 1](#)
- E.5 [16-011](#) Request City Council to Approve Purchase Order with Imperial Sprinkler Supply for Drip Irrigation Supplies in the amount of \$28,451.81 for the City Median Conversion Projects.
Attachments: [Attachment 1](#)
- E.6 [16-016](#) Request City Council to Approve the Agreement with OmniEarth and Santa Ana Watershed Project Authority (SAWPA) to participate in the Technology Based Information System: Web Based Water Consumption Reporting, Analytics and Customer Engagement Tool Program for a total amount of \$16,995.
Attachments: [RIALTO SAWPA App to Participate_151108 \(1\)](#)
- E.7 [16-018](#) Request City Council to Adopt **Resolution No. 6876** Approving the Annual Submittal of an Application for Funding from the California Department of Resources Recycling and Recovery for the Beverage Container Recycling Payment Program.
Attachments: [Resolution Grant Submittal Authorization](#)
- E.8 [16-022](#) Request City Council to Adopt **Resolution No. 6877** Approving the Fiscal Year 2013/14 and Fiscal Year 2014/15 AB 1600 Development Impact Fee Report and Making Certain Findings.
Attachments: [Exhibit A - FY14 AB1600 Annual Report](#)
[Exhibit B - FY15 AB1600 Annual Report \(DRAFT\)](#)
[Exhibit C - Resolution \(1\)](#)

- E.9** [16-023](#) Request City Council, Acting as Successor Agency to the Redevelopment Agency for the City of Rialto, to Adopt **Resolution No. SA2-16** Approving the Recognized Obligation Payment Schedule and to Adopt **Resolution No. SA3-16** Approving the Administrative Budget for Fiscal Year 2016-17.
- Attachments:* [Exhibit A - ROPS 16-17 Detail](#)
 [Exhibit B - SA Budget for FY17](#)
 [Exhibit C - 2005 A Official Statement](#)
 [Exhibit D - 2008 A Official Statement](#)
 [Exhibit E - RSA Bonds Balance 12-31-15](#)
 [Exhibit F - Administrative Budget](#)
 [Exhibit G - ROPS Resolution](#)
 [Exhibit H - Administrative Budget Resolution](#)
- E.10** [16-026](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for December 2015.
- Attachments:* [Exhibit A Airport Escrow Statement of Income and Expense 12.31.15](#)
 [Exhibit B CalTrust Statement for Airport Escrow 12.31.2015](#)
 [Exhibit C 1st Am Trust 12.31.2015](#)
- E.11** [16-029](#) Request City Council to Receive and File the Statement of Income and Expenses related to the Miro Way and Alder Avenue Escrow Accounts for December 2015.
- Attachments:* [Exhibit A Miro Way Escrow Statement of Income and Expense](#)
 [Exhibit B CalTrust.FSB Statement for Miro Escrow 12.31.15](#)
 [Exhibit C Alder Avenue Escrow Statement of Income and Expense](#)
 [Exhibit D CalTrust.FSB Statements for Alder Escrow 12.31.15](#)
- E.12** [16-031](#) Request City Council Approval of a Grant of an Easement to Southern California Edison Company for the construction of an easement to construct operate and maintain certain underground electrical facilities and communication systems along Miro Way (affects portions of APN 0240-251-21, 240-251-22, 0240-251-23, and 0240-251-24).
- Attachments:* [Exhibit A - Aerial of SCE Easements](#)
 [Exhibit B - SCE Grant of Easement](#)
- E.13** [16-032](#) Request Rialto Utility Authority to Approve the Tenth Extension of Termination Date for the Site Use Agreement by and between the Rialto Utility Authority and Rialto Bioenergy Facility LLC.
- Attachments:* [Exhibit A Tenth Extension of Site Use Agreement](#)

- E.14 [16-038](#) Request City Council to Authorize a Professional Service Agreement with Kimley-Horn and Rocks Biological Consulting for mitigation of the Burrowing Owl in the amount of \$30,000.

Attachments: [Burrowing Owl Map for Rialto](#)
[City of Rialto Letter Agreement 2015-12-21 BUOW](#)

TAB PUBLIC HEARING

- TAB 1 [16-036](#) Request City Council to Conduct the Continued Public Hearing Regarding the Proposed Annexation of Territory to the Rialto Landscaping and Lighting District No. 2; 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; 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 [16-024](#) Request City Council to Conduct a Public Hearing to Consider and Approve the City's Substantial Amendment to the 2013-2014 Consolidated Plan One-Year Action Plan to transfer funding in the amount of \$200,000 for the Community Resources Center to be located at 131 S. Riverside Avenue.

(ACTION)

Attachments: [NOTICE OF PUBLIC HEARING](#)
[Rialto 13-14 Action Plan Amendment No. 3 1-14-16 rev1](#)

- TAB 3 [16-052](#) Request City Council to Cancel the Public Hearing to (1) introduce by first reading of **Ordinance No. 1564** entitled "AN ORDINANCE OF THE CITY OF RIALTO, CALIFORNIA, ADDING SECTION 18.72.170 REGARDING THE RECOVERY OF MUNICIPAL CODE ENFORCEMENT COSTS" reading by title only and waiving further reading thereof and (2) Withdraw consideration of **Resolution No. 6848** establishing Fees

(ACTION)

TAB NEW BUSINESS

TAB 4 [16-025](#) Request City Council to declare City Parcels totaling 4.10 acres situated at the southwest corner of Lilac Avenue and Santa Ana Avenue (APN # 0258-102-58, 59, 60 and 61) as Surplus Properties pursuant to Government Code Sections 54200-54232 and Authorize Deposit of Sale Proceeds in the Fire Facilities Development Impact Fee Fund.

(ACTION)

Attachments: [Exhibit A - Site Map](#)

[Exhibit B - APN Map](#)

[Exhibit C - Rialto Fire Department Strategic Plan 2016-2020](#)

[Exhibit D - EDC Staff Report](#)

[Exhibit E - Memo re Surplus Act](#)

TAB 5 [16-037](#) Request City Council to Authorize a Professional Service Agreement with Kimley-Horn for preparation of the Housing Element for \$58,020.

(ACTION)

Attachments: [Exhibit A - Professional Service Agreement KIMLEY HORN](#)

TAB 6 [15-899](#) Request City Council to Adopt **Resolution No. 6878** Accepting Grant Funding from the San Bernardino Valley Municipal Water District in the amount of \$638,984 for Turf Removal.

(ACTION)

Attachments: [Budget Resolution](#)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT