

City of Rialto

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



Regular Meeting

Tuesday, February 9, 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.1564

Next Resolution No.6883

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 [16-076](#) 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) Bianca Rodriguez v. City of Rialto
WCAB CR-06-0500033 & CR-10-0500104
 - (b) Christopher Seelig v. City of Rialto
WCAB CR-09-0500087, CR13-005057 & CR-16-005022
 - (c) Daniel Valenzuela v. City of Rialto
WCAB CR-15-005058
 - (d) Robert Williams III v. City of Rialto
WCAB CR-04-00500010, CR-10-0500085 & CR-14-005061
 - (e) McGowen v. City of Rialto
SB Superior Court Case No. CIVDS 1600332
- 2 [16-081](#) Conference with Legal Counsel - Anticipated Litigation: Initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9. Number of cases: One case.
- 3 [16-088](#) 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.
- 4 [16-077](#) 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 General Bargaining Unit
RPBA Management Bargaining Unit
RMMA Bargaining Unit

- 5 [16-086](#) 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: 2525-2530 S. Lilac Avenue
APN 0258-102-58, 59, 60 & 61-4.10 acres
(Generally, the southwest corner of Lilac Avenue
and Santa Ana Avenue)

Negotiators: Robb R. Steel, Asst.CA/Development Svs. Dir.
Michael T. Halliday, Delmar Commercial

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Mayor Pro Tem Joe Baca Jr.

INVOCATION-Pastor Elias Valdez-Lost and Found Ministries

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [16-049](#) Certificates of Appreciation to Commissioners
Mayor Deborah Robertson
- 2 [16-087](#) Certificate of Recognition to Rialto High School Cheer Squad
Mayor Pro Tem Joe Baca Jr.
- 3 [16-075](#) Presentation-Veolia/Rialto Water Services-Community Conservation
Fair Rick Smith & Christina Salinas
- Attachments:** [Rialto Open House Flyer Black and White Water Walk](#)
[Veolia Rialto Open House 2016 96x36 Banner-DRAFT](#)
[Rialto 2016 Open House Ad - Rialto Progress Magazine](#)
[Rialto Open House 2016-Postcard Invitation 6x4-WVWD-cmyk pr w crops](#)
[Rialto Open House Ad 4x8-cmyk w crops -pres res FINAL](#)
[Rialto Open House Education Flyer 2016 8.5x11-FINAL \(1\)](#)
[Rialto Open House Flyer 8.5x11-side 1-color cmyk](#)

- 4 [16-078](#) Presentation-CPR Training Record Set at Eisenhower School
Fire Chief Mat Fratus
- 5 [16-079](#) Recognition for Completion of the National Fire Academy's Executive
Fire Officer Program by Division Chief Sean Grayson
Fire Chief Mat Fratus

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 [16-071](#) Resolution No. 28 (01/29/16)
Attachments: [Warrant Resolution No. 28](#)
- B.2 [16-072](#) Resolution No. 29 (02/05/16)
Attachments: [Warrant Resolution No. 29](#)

C. APPROVAL OF MINUTES

- C.1 [16-073](#) Regular City Council Meeting - January 26, 2016
Attachments: [January 26, 2016](#)

D. MISCELLANEOUS

- D.1 [16-085](#) Request City Council to Approve **Resolution No. 6879** Authorizing the
Submission of a Grant Application to the State Water Resources Control
Board (SWRCB) of the State of California for the Recycled Water
Planning Grant Program.
Attachments: [Grant Application Resolution - SWRCB](#)
- D.2 [16-054](#) Request City Council to Approve the Purchase of Eight (8) APX6000 HT
Radios from Motorola Inc. in the Amount of \$44,863.91.
Attachments: [Quote](#)

- D.3** [16-056](#) Request City Council to Approve an Increase to the Annual Purchase Order with Bio-Tox Laboratories for Fiscal Year 2015/16 for Testing Expenditures Through June 2016 for a total cost of \$25,000.
- D.4** [16-082](#) Request City Council to Approve the Side Letter Agreement Regarding Holiday Pay Between the City of Rialto and the Rialto Police Benefit Association General Bargaining Unit in the amount of \$46,902.
- Attachments:* [RPBA General Holiday SLA 1-27-16](#)

TAB NEW BUSINESS

- TAB1** [16-055](#) Request City Council, Rialto Housing Authority, Rialto Utility Authority and Successor Agency to Accept the Fiscal Year 2014/2015 Audit Results and Receive and File the Fiscal Year 2014/15 Annual Financial Statements and Related Documents.
- (ACTION)**
- Attachments:* [City of Rialto - PDF Final 2015 - Annual Financial Report](#)
[City of Rialto Single Audit - PDF Final 2015 FS](#)
[City of Rialto - PDF Final - 2015 ACL Exit Ltr](#)
[City of Rialto - PDF Final - 2015 GANN Report](#)
[City of Rialto - PDF Final - 2015 GAS Letter](#)
[City of Rialto - PDF Final - 2015 UUT Compliance Report](#)
[Corrective Action Plan FY14-15 Signed](#)
[Executive Summary](#)
[Rialto Presentation](#)
- TAB2** [16-065](#) Request City Council Approve a Contract Extension with White Nelson Diehl Evans, LLP for Audit Services for Fiscal Year Ending June 30, 2016, in the Amount of \$90,366.
- (ACTION)**
- Attachments:* [Agenda item tab 3](#)
[Rialto FY 15-16 Proposal Letter](#)
[Contract Amendment Form - Rialto](#)
- TAB3** [16-064](#) Request City Council to Approve the Selected Consultant to Conduct a City-Wide Comprehensive Classification and Compensation Study.
- (ACTION)**
- Attachments:* [PSA RSG](#)

- TAB4** [16-053](#) Request City Council to Review and Approve Special Events for Calendar Year 2016 and the Estimated Costs Associated Totaling \$182,600 and approve **Resolution No. 6880**, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO FINDING THAT THE PUBLIC PURPOSE WOULD BE SERVED BY THE PROVISION OF CITY RESOURCES AND FUNDING FOR SPECIFIED SPECIAL EVENTS AND APPROVES SUCH SPECIFIED SPECIAL EVENTS FOR 2016"
(ACTION)
Attachments: [2016 Summary Special Events Costs](#)
[Resolution for 2016 Special Events](#)
[Resolution for 2016 Special Events Exhibit](#)
- TAB5** [16-034](#) Request City Council to Concur with the reappointments of Rialto Residents on various City Commissions and authorize the City Clerk to provide written notification.
(ACTION)
Attachments: [Applications](#)
- TAB6** [16-035](#) Request City Council to (1) Adopt **Resolution No. 6881** Approving a Construction and Credit Agreement by and between the City of Rialto and **PSIP RIALTO, L.P.**, in the amount of \$624,994 and (2) Adopt Budget **Resolution No. 6882**.
(ACTION)
Attachments: [Exhibit A - Location and Project Site Maps](#)
[Exhibit B - PPD Letter No. 2398](#)
[Exhibit C - \(PSIP\) Construction Credit and Reimbursement Agreement \(final draft.02.0\)](#)
[Exhibit D- Resolution - Credit and Reimbursement Agreement](#)
[Exhibit E- Budget Resolution - Shaw Construction Credit Agreement](#)
- TAB7** [16-057](#) Request City Council, Acting as Successor Agency to the Redevelopment Agency for the City of Rialto, and the City of Rialto to Adopt **City Resolution No. 6883** and **RSA Resolution No. SA4-16** approving Bond Proceeds Expenditure Agreement between the Successor Agency and the City of Rialto to transfer in Fiscal Year 2016-17 \$320,000 from the 2005 Series "A" Bond and \$100,000 from the 2008 Series "A" Bond to the City for various improvement projects.
(ACTION)
Attachments: [Exhibit A - Bond Proceeds Expenditure Agreement](#)
[Exhibit B - RSA Resolution](#)
[Exhibit C - City Resolution](#)

TAB8 [15-866](#) Request City Council to Authorize a Professional Service Agreement with MIG|Hogle-Ireland for On-call Advance Planning Services not to exceed \$150,000.

(ACTION)

Attachments: [Exhibit A Kimley Horn Hourly Rates](#)
[Exhibit B Michael Baker International Hourly Rates](#)
[Exhibit C MIG Proposal_RialtoHEandAdvancePlanningServicesRFP#16035](#)
[MIG PSA Final](#)

TAB9 [16-027](#) Request City Council to **(1)** Award a Construction Contract to Unique Performance Construction, Inc., in the amount of \$227,559.75 for the Annual Non-CDBG Curb, Gutter, and Sidewalk Improvement Project (Zone 1); **(2)** Authorize a Purchase Order with Willdan Engineering in the Amount of \$22,200 for Construction Management and Inspection Services for the Annual Non-CDBG Curb, Gutter, and Sidewalk Improvement Project (Zone 1); **(3)** Delegate Authority to the City Administrator to Approve and Execute Construction Contract Change Orders up to a Cumulative Amount of \$15,000.

(ACTION)

Attachments: [Attachment 1 - Non-CDBG Zones 1, 2, and 3](#)
[Attachment 2 - Bid Summary - RFB No. 16-015 \(Zone 1\)](#)
[Attachment 3 - License and Reference Check](#)
[Attachment 4 - Construction Contract 01-27-16](#)
[Attachment 5 - Willdan Proposal](#)
[Attachment 6 - Notices of Exemption](#)
[PowerPoint](#)

TAB10 [16-028](#) Request City Council to **(1)** Award a Construction Contract to Smart Tech Group, Inc., in the amount of \$201,384.75 for the Annual Non-CDBG Curb, Gutter, and Sidewalk Improvement Project (Zone 2); **(2)** Authorize a Purchase Order with Willdan Engineering in the Amount of \$22,200 for Construction Management and Inspection Services for the Annual Non-CDBG Curb, Gutter, and Sidewalk Improvement Project (Zone 2); **(3)** Delegate Authority to the City Administrator to Approve and Execute Construction Contract Change Orders up to a Cumulative Amount of \$15,000.

(ACTION)

Attachments: [Attachment 1 - Non-CDBG Zones 1, 2, and 3](#)
[Attachment 2 - Bid Summary - RFB No. 16-030 \(Zone 2\)](#)
[Attachment 3 - License and Reference Check](#)
[Attachment 4 - Construction Contract 01-27-16](#)
[Attachment 5 - Willdan Proposal](#)
[Attachment 6 - Notices of Exemption](#)

TAB11 [16-033](#)

Request City Council to **(1)** Award a Construction Contract to Smart Tech Group, Inc., in the amount of \$190,510.25 for the Annual Non-CDBG Curb, Gutter, and Sidewalk Improvement Project, (Zone 3); **(2)** Authorize a Purchase Order with Willdan Engineering in the Amount of \$22,200 for Construction Management and Inspection Services for the Annual Non-CDBG Curb, Gutter, and Sidewalk Improvement Project, (Zone 3); **(3)** Delegate Authority to the City Administrator to Approve and Execute Construction Contract Change Orders up to a Cumulative Amount of \$15,000.

(ACTION)

Attachments: [Attachment 1 - Non-CDBG Zones 1, 2, and 3](#)
[Attachment 2- Bid Summary - RFB No. 16-031 \(Zone 3\)](#)
[Attachment 3 - License and Reference Check](#)
[Attachment 4 - Construction Contract](#)
[Attachment 5 - Willdan Proposal](#)
[Attachment 6 - Notices of Exemption](#)

TAB12 [16-062](#)

Request City Council to **(1)** Award a Construction Contract to R-JS General Construction, Inc., in the amount of \$345,451.25 for the Maple Avenue Improvement Project and the Annual CDBG Curb, Gutter, and Sidewalk Improvement Project; **(2)** Authorize a Purchase Order with Willdan Engineering in the Amount of \$66,300 for Construction Management and Inspection Services for the Maple Avenue Improvement Project and the Annual CDBG Curb, Gutter, and Sidewalk Improvement Project; **(3)** Delegate Authority to the City Administrator to Approve and Execute Construction Contract Change Orders up to a Cumulative Amount of \$15,000.

(ACTION)

Attachments: [Attachment 1 - Non-CDBG Zones 1, 2, and 3](#)
[Attachment 2 - CDBG Improvement Locations](#)
[Attachment 3 - Bid Summary](#)
[Attachment 4 - License and Reference Check](#)
[Attachment 5 - Construction Contract](#)
[Attachment 6 - Willdan Proposal](#)
[Attachment 7 - Notices of Exemption](#)

REPORTS**MAYOR:****COUNCIL MEMBERS:**

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT