

City of Rialto

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



Regular Meeting

Tuesday, March 22, 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.1565

Next Resolution No.6905

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

- 3 [16-171](#) 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.
- 4 [16-172](#) 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

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Council Member Shawn O'Connell

INVOCATION-Father Porter-St. Catherine's Catholic Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [16-174](#) Proclamation-Multiple Myeloma Awareness Month
Mayor Deborah Robertson
- 2 [16-175](#) Proclamation-Welcome Home Vietnam Veterans Day
Mayor Deborah Robertson
- 3 [16-177](#) Proclamation-Mayor and County Recognition Day for National Service
Mayor Deborah Robertson
- 4 [16-179](#) Proclamation-National 911 Education Month
Mayor Deborah Robertson
- 5 [16-180](#) Proclamation-National Public Safety Telecommunications Week
Mayor Deborah Robertson
- 6 [16-183](#) Certificate of Recognition for Don's Pool & Spa Supply 50th Anniversary
Mayor Pro Tem Joe Baca Jr.
- 7 [16-074](#) Presentation-M.H.M.: Update on e3p3 on Model City/GIP Project
Grant Writer Steve Reyes & Grant Manager Annette Kelly

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 [16-167](#) Resolution No. 32 (02/26/16)
Attachments: [Warrant Resolution No. 32.pdf](#)

B.2 [16-168](#) Resolution No. 33 (03/04/16)
Attachments: [Warrant Resolution No. 33.pdf](#)

C. APPROVAL OF MINUTES

C.1 [16-169](#) Regular City Council Meeting - February 23, 2016
Attachments: [February 23, 2016](#)

D. SET PUBLIC HEARING

D.1 [16-134](#) Request City Council to Set a Public Hearing for the **April 12, 2016** City Council Meeting to consider and approve **Amendment No. 1 to the Foothill Boulevard Specific Plan** - to change the zoning designation of the project site from the R-MU (Residential Mixed-Use) zone to the C-P (Commercial Pedestrian) zone & consider a Negative Declaration for the proposed project.

Attachments: [Exhibit A - Location Map](#)
[Exhibit B - Site Map](#)
[Exhibit C - Zoning Designations](#)
[Exhibit D - Site Plan](#)
[Exhibit E - Initial Study](#)
[Exhibit F - NOD](#)
[Attachment 1](#)

- D.2 [16-155](#) Request City Council to Set a Public Hearing for **April 12, 2016** to Consider and Approve the City's 2016-2017 Consolidated Plan One-Year Action Plan & 2015-2019 Analysis of Impediments.

Attachments: [Exhibit A - Budget](#)
[Exhibit B - PS-Recom. funding](#)
[Exhibit C - CIPs -Recom. Funding](#)
[Exhibit D - Admin. Recom. Funding](#)
[Rialto- Ntc-PReview-CCH AP-AI- English](#)
[Rialto-Ntc-Preview-CCH AP-AI Spanish](#)

D.3 [16-163](#)

Request City Council to Set a Public Hearing for **April 12, 2016**, to consider **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, **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 **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.

Attachments: [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 - Notice of Hearing](#)
[Exhibit S - Legal Description](#)

D.4 [16-129](#)

Request City Council to Adopt **Resolution No. 6893** and Set a Public Hearing for **April 26, 2016**, to Consider Ordering the Abatement of Weeds on Various Properties within the City limits, and to hear any Objections to Imposing the Abatement Cost Therefore as a Lien Against Parcels of Property Set Forth in Exhibit A.

Attachments: [Resolution - Weed Abatement 2016](#)
[2015-2016 WEED ABATEMENT LIST\(SEPT 2015-AUG 2016\)](#)

E. MISCELLANEOUS

- E.1** [16-022](#) Request City Council to Adopt **Resolution No. 6894** Approving Fiscal Year 2013/14 and **Resolution No. 6895** Approving 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](#)
 [Exhibit C - List of Projects](#)
 [Exhibit D - FY14 Resolution \(1\)](#)
 [Exhibit E - FY15 Resolution \(1\)](#)
- E.2** [16-126](#) Request City Council to Issue a Purchase Order to Sky High Training, Inc. in the amount of \$23,120 for Annual Wellness/Fitness Assessment and Mandatory Communicable Disease Testing/Screening.
- Attachments:* [Sole Source Vendor Request](#)
- E.3** [16-127](#) Request City Council to Adopt **Resolution No. 6896** Appropriating Budget in the Amount of \$23,000 and to Approve the Renewal of Nixle 360 Platform in the Amount of \$23,190.00 from Everbridge Inc.
- Attachments:* [Quote](#)
 [Resolution](#)
- E.4** [16-130](#) Request City Council to Issue a Purchase Order to “2-Hot Uniforms” in the amount of \$42,400.80 for personal protective equipment and Adopt Budget **Resolution No. 6897**.
- Attachments:* [RFB 16-054 Fire Safety Gear- ABSTRACT](#)
 [Budget Resolution](#)
- E.5** [16-132](#) Request City Council to Adopt **Resolution No. 6898** to Modify Section 4 of Resolution 5222 to Rescind only those Portions of Resolution 4484 that involve Development Related User Fees/Fees for Service.
- Attachments:* [Exhibit A - Resolution No. 5222](#)
 [Exhibit B- Resolution No. 4484](#)
 [Exhibit C - City Resolution Amending Resolution 5222](#)
- E.6** [16-133](#) Request City Council to Approve Amendment No. 1 to the Exclusive Right to Negotiate Agreement with Fernando Acosta for the Development of Approximately 8 Acres of Property Located at the Northeast Corner of Ayala Drive and Renaissance Parkway.
- Attachments:* [Exhibit A - Staff Report and ERN \(10.13.2015\)](#)
 [Exhibit B - Maps of Parcels Making up Assemblage](#)
 [Exhibit C - ALTA \(DRAFT\) \(02.04.2016 \)](#)
 [Exhibit D - Amendment No. 1 to the ERN](#)

- E.7 [16-136](#) Request Rialto Housing Authority Board to Adopt **RHA Resolution No. 01-16** Approving the Fiscal Year 2014/15 Housing Successor Agency's Housing Activity Report pursuant to Health and Safety Code Section 34176.1(f).
Attachments: [Exhibit A - FY15 Housing Successor Annual Report](#)
[Exhibit B - Resolution - Annual Housing Successor Report](#)
- E.8 [16-137](#) Request Rialto Housing Board to Adopt **RHA Resolution No. 02-16** Approving the Fiscal Year 2014/15 Housing Activity Report for the Rialto Housing Authority.
Attachments: [Exhibit A - Resolution - Annual RHA Report](#)
- E.9 [16-140](#) Request City Council to Adopt **Resolution No. 6899** Approving the Calendar Year 2015 Housing Element Annual Report.
Attachments: [Exhibit A - Housing Element Report CY14](#)
[Exhibit B - Resolution - Annual Report](#)
- E.10 [16-141](#) Request City Council to Approve an Increase to the Purchase Orders for Fritz Ford for Vehicle Parts in the Amount of \$5,000, for a Total Not to Exceed Amount of \$20,000.
- E.11 [16-142](#) Request City Council to Authorize the Purchase of Ten Minuteman III folding Ballistic Shields for Sworn Officers in the Amount of \$34,249.00
Attachments: [Quote & Sole Source Document](#)
- E.12 [16-143](#) Request City Council to Authorize an Increase to the Purchase Order with the Daily Journal for Advertising Services in the amount of \$15,000 for a total amount of \$30,000 in the 2015-2016 Fiscal Year.
- E.13 [16-145](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for February 2016.
Attachments: [Exhibit A Airport Escrow Statement of Income and Expense 2.29.16](#)
[Exhibit B CalTrust Statement for Airport Escrow 2.29.2016](#)
[Exhibit C FSB Statement for Airport Escrow 2.29.16](#)
- E.14 [16-146](#) Request City Council to Receive and File the Statement of Income and Expenses related to the Miro Way, Alder Avenue, and Laurel/Walnut/Locust Escrow Accounts for February 2016.
Attachments: [Exhibit A Miro Way Escrow Statement of Income and Expense](#)
[Exhibit B CalTrust Statement for Miro Escrow 2.29.2016](#)
[Exhibit C Alder Avenue Escrow Statement of Income and Expense](#)
[Exhibit D FSB and CalTrust Statement for Alder Escrow 2.29.16](#)
[Exhibit E Locust.Laurel.Walnut Escrow Statement of Income and Expense](#)
[Exhibit F CalTrust Statement for Laurel.Locust.Walnut Escrow 2.29.16](#)

- TAB1** [16-089](#) Request City Council to Adopt **Resolution No. 6901** Approving the Memorandum of Understanding (MOU) Between the City of Rialto and the Rialto Mid-Management/Confidential Association (RMMA) Bargaining Unit for Changes to be Effective from July 1, 2015 through June 30, 2017.
(ACTION)
Attachments: [RMMA-Reso approving tentative agreement and MOU 2015-2017](#)
[\(RMMA\) Mid-Managers MOU 2015-2017](#)
- TAB2** [16-121](#) Request City Council to Approve **Resolution No. 6902** and Introduce by first reading of **Ordinance No. 1564** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF RIALTO AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEE'S RETIREMENT SYSTEM" reading by title only and waiving further reading thereof.
(ACTION)
Attachments: [Reso of Intent PERS Contract Amendment](#)
[Ordinance PERS Contract Amendment](#)
[Exhibit to Reso & Ord](#)
- TAB3** [15-769](#) Request City Council to Accept the Fiscal Year 2015 Emergency Management Performance Grant (EMPG) in the Amount of \$23,800, Approve **Budget Resolution No. 6903**, and issue a Purchase Order to Generac Power Systems in the Amount of \$70,607.86 for the Purchase of a New generator for Fire Station 201.
(ACTION)
Attachments: [Budget Reso](#)

TAB4 [16-160](#)

Request Rialto Utility Authority to Adopt **RUA Resolution No. 001-16** to Approve (1) a Ground Sublease Agreement by and between the Rialto Utility Authority and Rialto Bioenergy Facility LLC, and (2) a Recognition and Attornment Agreement by and among the City of Rialto, the Rialto Utility Authority, and Rialto Bioenergy Facility LLC; Request City Council to Adopt **Resolution No. 6904** to Approve (1) a Recognition and Attornment Agreement by and among the City of Rialto, the Rialto Utility Authority, and Rialto Bioenergy Facility LLC, and (2) an Easement Agreement by and between the City of Rialto and Rialto Bioenergy Facility LLC.

(ACTION)**Attachments:**[Exhibit A Statement of Qualifications](#)[Exhibit B Lot Line Adjustment](#)[Exhibit C Easement Agreement](#)[Exhibit D Site Maps of Easement and Encroachment Areas](#)[Exhibit E Project Description for Rialto Bioenergy Facility](#)[Exhibit F Ground Sublease with RBF 03.16.2016 Version](#)[Exhibit G Recognition and Attornment Agreement](#)[Exhibit H Access Provisions for Side Letter RBF 033115](#)[Exhibit I CAM No 9 RWS Consent to RBF Contract Documents FINAL 6.23.15](#)[Exhibit J RUA -Resolution No](#)[Exhibit K City Council Resolution for RBF](#)**TAB5** [16-144](#)

Request City Council/Rialto Utility Authority to Approve a Third Amendment to the Agreement with West Valley Water District for Operation and Maintenance of Groundwater Contamination Treatment Systems for the 2015/16 Fiscal Year in the Amount of \$68,381.69.

(ACTION)**Attachments:**[WVWD 3rd Amendment](#)**REPORTS****MAYOR:****COUNCIL MEMBERS:****CITY ATTORNEY:****CITY ADMINISTRATOR:****ADJOURNMENT**