City of Rialto

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



Regular Meeting

Tuesday, May 10, 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. 1568

Next Resolution No. 6954

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

- 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) <u>City of Colton v. American Promotional Events, Inc, et al</u>
 CD Cal Case No. ED CV 09-01864 PSG(SSx) and consolidated cases
 - (b) <u>Las Palmas, et al. v. City of Rialto</u>SB Superior Court Case No. CIVDS1407652
 - (c) John Black v. City of Rialto WCAB CR-08-005001
- 2 <u>16-340</u> 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

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Council Member Ed Palmer

INVOCATION - Sonny Phillips - St. Paul Family Ministries

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

1	<u>16-335</u>	Proclamation-Kids to Parks Day-Mayor Deborah Robertson
2	<u>16-336</u>	Proclamation-National Public Works Week-Mayor Deborah Robertson
3	<u>16-338</u>	Proclamation-Immigrant Heritage Month-Mayor Deborah Robertson

4	<u>16-341</u>	2nd Annual Earp Challenge Competition Pride Platoon Mayor Deborah Robertson
5	<u>16-339</u>	Introduction of the Rialto Institute of Progress 5th Class City Administrator Mike Story

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 16-331 Resolution No. 40 (04/22/16)

Attachments: Warrant Resolution No. 40.pdf

B.2 16-332 Resolution No. 41 (04/29/16)

Attachments: Warrant Resolution No. 41.pdf

C. APPROVAL OF MINUTES

C.1 <u>16-333</u> Regular City Council Meeting - April 26, 2016

Attachments: April 26 2016 minutes.pdf

D. SET PUBLIC HEARING

D.1 16-296

Request City Council to Adopt Resolution Nos. 6922, 6923, 6925, 6926, 6927. 6928, 6929. 6930 Related to Street Light Maintenance District No. 1, Landscape Maintenance District No. 1, and Landscaping and Lighting District No. 2, and Set a Public Hearing for June 14, 2016 to consider the Levy and Collection of Assessments Therein.

Attachments: Attachment 1 - FY1617 City of Rialto SLD 1 Engineer Report Intent

Attachment 2 - FY1617 City of Rialto LMD 1 Engineer Report Intent

Attachment 3 - FY1617 Rialto LLD 2 Engineer Report Intent

SLD 1-Resolution 1

SLD 1-Resolution 2

SLD 1-Resolution 3

LMD 1-Resolution 1

LMD 1-Resolution 2

LMD 1-Resolution 3

LLMD 2-Resolution 1

LLMD 2-Resolution 2

LLMD 2-Resolution 3

D.2 16-302

Request City Council to Set a Public Hearing for **June 14, 2016** to consider the Adoption of a Resolution to Increase the City's Measure I Regional Traffic Mitigation Fee effective January 1, 2017 and Delete the High-Cube Warehouse Category from the City's Regional Traffic Mitigation Fee Program effective immediately (60 days after adoption).

Attachments: Exhbit A - SANBAG memos

Exhibit B- SANBAG 2013 List

Exhibit C- NexusStudyArterial2015Update-02-02-16[1]

Exhibit D - Other Cities Comparable Fees

Exhibit E - Resolution No. 6370

Exhbit F - NOTICE OF PUBLIC HEARING

D.3 <u>16-310</u>

Request City Council to Set a Public Hearing for **June 14**, **2016** to Review and Adopt by Resolution, the 2015 Regional Urban Water Management Plan.

<u>Attachments:</u> Cost breakdown for RUWMP

D.4 <u>16-329</u>

Request City Council to Set a Public Hearing for **June 14, 2016**, to Approve and Adopt the Budget Plan for Fiscal Year 2016-2017

D.5 16-297

Request City Council to Adopt Resolution No. 6931 Initiating the Proceedings for the Annexation of Properties to the Rialto Landscaping and Lighting District No. 2 and to Levy and Authorize Collection of Fiscal Year Assessments Commencing with 2016/2017; Adopt Resolution No. 6932 Declaring the Intention to Annex Properties to the Rialto Landscaping and Lighting District No. 2 and Conduct a Property Owner Protest Ballot Proceeding On The Matter the New of Assessments Related Thereto Commencing with Fiscal Year 2016/2017; and to Set a Public Hearing for June 28, 2016 to Conduct a Property Owner Protest Ballot Proceeding.

Attachments: Attachment 1

Resolution 1
Resolution 2

E. MISCELLANEOUS

E.1 <u>16-176</u>

Request City Council to Approve a Memorandum of Understanding by and among the City of Rialto, the Rialto Downtown Owners Association, and the Rialto Chamber of Commerce Regarding the Construction, Operation and Maintenance of a Monument Sign Located in the Rialto Downtown Area.

Attachments: Exhibit A - EDC Report Item V-D - RDOA Downtown Sign

Exhibit B - Sign and Location Maps

Exhibit C - RDOA MOU

Exhibit D - Draft Operating Budget

E.2 16-248

Request City Council and Successor Agency Board Adopt Resolution No. 6933 and Resolution SA5-16 Dedicating Portions of that City and Successor Agency Owned Property Located Within the Renaissance Specific Plan as Public Right-of-Way for Linden Avenue and Request City Council to Adopt Resolution No. 6934 Giving Official Notice and Ordering Kinder Morgan/Cal-Nev Pipe Line Company to Temporarily Disconnect and Permanently Relocate those portions of its Franchise Facilities located within the Linden Avenue Right-of-Way that will Conflict with the Construction of Linden Avenue (Project # 17-0800).

<u>Attachments:</u> Exhibi A - 2828C-LINDEN-STREET

Exhibit B - Cal-Nev Franchise - Ord 577 (1968)

Exhibit C - Linden ROW -

Exhibit D - Aerial of Affected Parcels

Exhibit E - Resolution - Dedicating Linden Avenue

Exhibit F - RSA Resolution

Exhibit G - LHR Release - Linden ROW Dedication

Exhibit H - Resolution - Notice annd Order to Kinder Morgan

E.3	<u>16-265</u>	Request City Council to Approve the Issuance of a Purchase Order with Avaya, Inc. for the Telephone Switching Service Annual Post Warranty Maintenance Service Agreement in the Total Amount of \$31,000 for Fiscal Year 2016/2017. Attachments: Attachment 1
E.4	<u>16-267</u>	Request City Council to Receive and File the Statement of Income and Expenses related to the Miro Way and Alder Avenue Escrow Accounts for March 2016. **Attachments:* Exhibit A Income and Expense Report for Miro Way Escrow for March 2016 **Exhibit B CalTrust and FSB Statements for Miro Way for March 2016 (2) **Exhibit C Alder Avenue Escrow Statement of Income and Expense for March 2016 **Exhibit D CalTrust and FSB Statements for Alder Avenue for March 2016 **Exhibit D CalTrust and FSB Statements for Alder Avenue for March 2016 **Exhibit E Locust Laurel Walnut Escrow Statement of Income and Expense for March 2016
		Exhibit F Locust.Laurel.Walnut Escrow Statement of Income and E
E.5	<u>16-272</u>	Request City Council to Approve the Issuance of a Purchase Order to Keystone Management, Inc. for Fire Alarm Systems Monitoring and Repair Services by their subsidiaries, Tyco Fire & Building Products and ADT Security Services, in the Total Amount of \$35,000 for the 2016/2017 fiscal year. Attachments: Attachment 1 - Staff Report 2001 Attachment 2 - Master Contract
		Attachment 2 - Master Contract
E.6	<u>16-275</u>	Request City Council to Approve Issuance of a Purchase Order to Fritts Ford for Vehicle Parts and Service in the Amount of \$25,000 for Fiscal Year 2016/2017.
E.7	<u>16-276</u>	Request City Council to Approve Issuance of a Purchase Order to Sunrise Ford for Vehicle Parts and Services in the Amount of \$25,000 for Fiscal Year 2016/2017.
E.8	<u>16-277</u>	Request City Council to Approve Issuance of a Purchase Order to Factory Motor Parts for Vehicle Parts in the Amount of \$25,000 for Fiscal Year 2016/2017.
E.9	<u>16-285</u>	Request City Council to Authorize the Release of Request for Bid No. 16-098 for the Community Center Fence Project, City Project CB1601. Attachments: Attachment 1 - Fencing Layout Plan

Attachment 2 - NIB 16-098

Attachment 3 - Notice of Exemption

E.10	<u>16-286</u>	Request City Council to Authorize the Release of Request for Bids No. 16-090 for the Easton Development Parking Lot Improvements, City Project No. 160812. Attachments: Attachment A - EDC Staff Report
E.11	<u>16-299</u>	Request City Council to Adopt Resolution Nos. 6935, 6936, and 6937 Setting the Special Tax Levy for Community Facilities District (CFD) 2006-1, 87-1, and 87-2 for Fiscal Year 2016/2017. Attachments: FY1617 Rialto - CFD 2006-1 Resolution Special Tax Establishing FY1617 Rialto - CFD 87-1 Resolution Special Tax Establishing FY1617 Rialto - CFD 87-1 Resolution Exhibit A & B FY1617 Rialto - CFD 87-2 Resolution Special Tax Establishing
E.12	<u>16-306</u>	Request City Council to Approve an Agreement for Conveyance of Property and Temporary Construction Easement with Robert Goldstein, Gerald Entine and Lynda Gold Living Trust dated April 7, 2005 in the Total Amount of \$45,000 for portions of a parcel located on the West side of Alder Avenue and the North side of Base Line Road (APN# 0240-201-05) for the Alder Avenue Widening, City Project No. 140801. Attachments: Power Point Exhibit A - Map Exhibit B - Right of Way Purchase Agreement Exhibit C - Temporary Construction Agreement
E.13	<u>16-308</u>	Request City Council to Adopt Resolution No. 6938 Approving Amendment #3 to the Long Range Property Management Plan for the Disposition of Real Estate Assets Owned by the Successor Agency. Attachments: Exhibit A - Current LRPMP Projects Exhibit B - Utility Service Exhibit C - Amend. LRPMP #1 Exhibit D - LRPMP #27 Exhibit E - Amend. LRPMP #8 Exhibit F - Resolution for LPPMP
E.14	<u>16-313</u>	Request City Council to Authorize the Approval of Resolution No. <u>6939</u> Establishing Part-time Temporary Dispatch Position, to be Filled by Current Public Employee's Retirement System (PERS) Retired Annuitants. <u>Attachments:</u> <u>FY16 Salary Schedule</u>

DISPATCHER JOB DESCRIPTION

Resolution

E.15	<u>16-316</u>	Request City Council to Adopt 1) Resolution No. 6940 calling and giving notice of holding a General Municipal Election on November 8, 2016; 2) Resolution No. 6941 requesting the Board of Supervisors to consolidate this Election with the Statewide General Election, and 3) Resolution No. 6942 Adopting regulations for candidates pertaining to candidate statements. Attachments: 2016 RESO. calling election 2016 RESO. regulations election
E.16	<u>16-317</u>	Request City Council to Adopt Resolution No. <u>6943</u> Authorizing the Destruction of Certain Municipal Records of the Police Department. <u>Attachments:</u> <u>Destruction Resolution</u>
E.17	<u>16-147</u>	Request City Council to Receive and File the Annual Development Agreement Review. Attachments: Location Map Lytle Creek DA Review.doc Location Map.pdf Location Map Wal-Mart DA.doc Location Map Target DA.doc Location Map I 210 Logistics Center DA.doc Location Map I 210 Logistics Center II Fund IX DA.doc Location Map Mid Valley Landfill DA Review.doc PDC OC IE LLC Location Map
E.18	<u>16-320</u>	Request City Council to Approve Amendment No. 1 for the first extension to the Professional Services Agreement with Jacobs Engineering Group, Inc. for Environmental & Civil Engineering Design Services for the Riverside Avenue UPRR Bridge Widening Project, City Project No. 140813. Attachments: Attachment No 1 - March 11, 2014 City Council Meeting Attachment No 2 - January 12, 2016 City Council Meeting Amendment No 1
E.19	<u>16-319</u>	Request City Council to Approve a Professional Services Agreement with Good Energy, L.P. by Good Offices Technology Partners, LLC; for the Community Choice Aggregation Program Feasibility Study in the

Attachments: Attachment 1 - RFP 16-069 CCA Feasibility Study

Attachment 2 - Good Energy

Amount of \$20,000.

Attachment 3 - Proposal Agreement

TAB PUBLIC HEARING

TAB1 16-309

Request City Council to Conduct a Public Hearing to Consider Adoption of a Resolution of Necessity (**Resolution No.** <u>6944</u>) to Acquire Portions of APN# 0240-201-04 and 0240-201-30 from Hanumantha Reddy for Public Right-of-Way for the Alder Avenue Widening Project (#140801).

(ACTION)

Attachments: Power Point

Echibit A - Map

Exhibit B - Communication Log

Exhibit C - Reddy Public Notice

Exhibit D - Resolution of Necessity

TAB2 16-327

Request City Council to Conduct the continued Public Hearing from the April 26, 2016 meeting, Reject Adoption of Resolution of Necessity (**Resolution No. 6919**), and Approve Agreements for Conveyance of Property and Temporary Construction Easement to Acquire Portions of APN# 0240-201-09 and 40 from the Estate of Maggie L. Williams for the Alder Avenue Widening Project (#140801).

(ACTION)

Attachments: Power Point

Exhibit A - April 26, 2016 Staff Report

Exhibit B - Resolution of Necessity

Exhibit C - Site Map

Exhibit D - Letter Agrmt 04-29-16

Exhibit E - ROW Acquisition Agreement

Exhibit F - TCE Agreement

TAB3 16-321

Request City Council to Conduct a Public Hearing to Consider Adoption of **Resolution No.** <u>6945</u>, Authorizing Participation in the Statewide Community Infrastructure Program Allowing Property Owners the Ability to Finance Impact Fees.

(ACTION)

Attachments: Exhibit A - Rialto - Acquisition Agreement and Resolutions

Exhibit B - SCIP Manual 2014 SCIP & Manual Appendices

SCIP-Presentation-12-15-20141

TAB NEW BUSINESS

TAB4 16-109

Reguest City Council to Approve Budget Resolution No. 6946, Rialto Successor Agency Resolution No. SA6-16, Rialto Utility Authority Resolution No. 002-16, and Rialto Housing Authority Resolution No. 03-16 to Amend Estimated Revenues and Appropriations for the Fiscal Year 2015/2016 Budgets of the City, the Rialto Utility Authority, Redevelopment Successor Agency, Rialto Housing Authority: Approve **Resolution No. 6947** Revising Job Descriptions. (ACTION)

Attachments: 1 - S

nts: 1 - Summary of Council Approved BA July-Apr

2 - FY16 MidYear Review - City Reso exhibit A

3 - FY16 MidYear Review - RHA Reso exhibit A

4 - FY16 MidYear Review - RUA Reso exhibit A

<u>5 - FY16 MidYear Review - RSA Reso exhibit A</u>

6 - 2016 FEB 09 Revise Fire & PD JD RESO

7 - Summary By Fund (Available Resources)

A - One-Time Capital Excess Reserve Use

B - PO Roll-Forwards

C - Carry-Forward Budget 12-8-15 TAB3

Rialto-midyear 15-16 v5

TAB5 16-089

Request City Council to Adopt **Resolution No.** <u>6948</u> 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

TAB6 16-328

Request City Council to Adopt **Resolution No.** <u>6949</u> Approving Memorandum of Understanding (MOU) Between the City of Rialto and the Rialto Police Benefit Association (RPBA) Management Bargaining Unit for Changes to be Effective from January 1, 2016 through July 31, 2016.

(ACTION)

Attachments: RPBA Mgmt MOU - RESOLUTION 5-4-2016

RPBA Management MOU 2016 - 5-4-16 - CLEAN

TAB7 16-330

Request City Council to Adopt **Resolution No.** <u>6950</u> Approving Memorandum of Understanding (MOU) Between the City of Rialto and the Rialto Police Benefit Association (RPBA) General Bargaining Unit for Changes to be Effective from January 1, 2016 through July 31, 2016.

Attachments: RPBA GEN MOU - RESOLUTION 5-4-2016

RPBA General MOU 2016 - 5-4-16- CLEAN

TAB8 16-312

Request City Council to Approve the San Bernardino County Department of Health, Animal Care and Control Contract Amendment No. 2 for Fiscal Year 2016/2017 in the Amount of \$303,078.

(ACTION)

(ACTION)

Attachments: Contract

TAB9 16-284

Request City Council to Approve **Resolution No.** <u>6951</u>, entitled "A Resolution of the City Council of the City of Rialto Adopting Policies and Guidelines Relating to Implementation of Measure U, as codified in Section 5.04.028 of the Rialto Municipal Code".

(ACTION)

Attachments: Resolution adopting policies re Measure U

Exhibit A Draft Policies for Implementation

TAB10 <u>16-303</u>

Request City Council to (1) Adopt **Resolution No.** <u>6952</u> Approving a Purchase and Sale Agreement by and between the City of Rialto and the Hawkins Family Trust, dated May 24, 2012, for the Property Located at 141 S. Palm Avenue, and (2) Adopt Budget **Resolution No.** <u>6953</u> Appropriating expenditure of \$145,000 from the General Facilities Development Impact Fund.

(ACTION)

Attachments: Exhibit A - MLS Listing Information

Exhibit B - Purchase Agreement.

Exhibit C - Downtown Plan Map

Exhibit D - Purchase Resolution

Exhibit E - Budget Resolution

TAB11 16-307

Request City Council to Approve an Agreement for Conveyance of Property with Yigal Hovav in the Total Amount of \$54,000 for portions of a parcel located on the West side of Alder Avenue and the North side of Base Line Road (APN# 0240-201-08) for the Alder Avenue Widening, City Project No. 140801.

(ACTION)

<u>Attachments:</u> <u>Power Point</u>

Exhibit A - Map

Exhibit B - Right of Way Agreement

TAB12 16-318

Request Rialto Utility Authority to Approve Increase Purchase Authorization from \$100,000 to \$200,000 for Brownstein, Hyatt, Farber Schreck for Services Related to a Change of Use Petition with the State Water Resources Control Board and Adopt RUA Budget **Resolution**

No. <u>003-16</u> (ACTION)

Attachments: RUA Reso BHFS 51016

TAB13 <u>16-274</u>

Request City Council to Approve a Professional Services Agreement with RHA Landscape Architects-Planners, Inc. for Engineering, Landscape Design, and Project Management Services for Phase 1 of the Frisbie Park Expansion and Cactus/Randall Park Development Projects in the Amount of \$221,340.

(ACTION)

Attachments: Attachment 1 - RFP and Addenda

Attachment 2 - RHA Proposal

Attachment 3 - PSA with RHA 04-18-16

RHA PSA Exhibit C-1 (Cost Proposal 4-18-16)

RHA PSA Exhibit C-2 (2016 Hourly Rates)

RHA PSA Exhibit D-1 (Project Schedule 4-19-16)

RHA - Frisbie & Cactus-Randall Parks City Council PowerPoint (4-18-16)

TAB14 <u>16-283</u>

Request City Council to Approve the First Amendment to the Agreement with Kratos Public Safety & Security for the Annual Access and Intrusion Alarm Monitoring, Maintenance and Repair Services and Authorize the Issuance of a Purchase Order in the Total Amount of \$71,597.96.

(ACTION)

<u>Attachments:</u> Amendment No 1 - Kratos

TAB15 16-311

Request City Council to (1) Approve Contract Change Orders No. 1 and No. 2 for the Metrolink Parking Lot Expansion Project, City Project 120808; in the amount of (2) Delegate Authority to the City Administrator to Approve and Execute Contract Change Orders up to a Cumulative Amount of \$90,000 for the Metrolink Parking Lot Expansion Project, City Project 120808, all of which will be reimbursed by Omnitrans (80%) and SANBAG (20%).

(ACTION)

Attachments: Attachment 1 - Change Order No. 1

Attachment 2 - Change Order No. 2

TAB16 <u>16-271</u>

Request City Council to Authorize the Issuance of a Purchase Order with Home Depot in the amount of \$65,000 for Fiscal Year 2016/2017.

(ACTION)

Attachments: Attachment 1 - US Communities Brochure Contract 11019

TAB17 <u>16-190</u>

Request City Council to receive and file a status update on the Concession Agreement Water and Wastewater 2014 Monthly and Annual Reports, 2015 Monthly and Annual Reports, and the 2016 Monthly Reports; and demand reimbursement for the additional Rialto Utility Authority cost associated with Rialto Water Services/Veolia's non-compliant Monthly and Annual Reports be reimbursed by the Concessionaire.

(ACTION)

Attachments: 2014-2015 Monthly and Annual Report

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT