

# City of Rialto

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



## Regular Meeting

**Tuesday, April 24, 2018**

**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 Ed Scott  
Council Member Joe Baca Jr.  
Council Member Rafael Trujillo  
Council Member Andy Carrizales  
Barbara A McGee City Clerk  
Edward Carrillo City Treasurer  
Fred Galante City Attorney  
Robb Steel Interim 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.1601**

## **Next Resolution No.7329**

### **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      [18-378](#)      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) Sherwyn Lewis v. City of Rialto  
S.B. Superior Court, Case No. CIVDS1600381
- (b) Jayd Schroeder v. City of Rialto, et al  
U.S. District Court, Case No. 5:18-cv-00427-SP
- (c) Nekooe v. City of Rialto  
S.B. Superior Court, Case No. CIVDS1614880
- 2      [18-377](#)      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
- Property:              Portion of APN 0132-031-13  
                                 205 West Randall Ave
- Negotiators:          Robert Eisenbeisz, Public Works Director/City Engineer  
                                 Diar, LLC
- 3      [18-396](#)      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      [18-397](#)      Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.4:
- Agency designated representatives:  
Fred Galante, City Attorney  
Robb Steel, Interim City Administrator
- Employee organizations:  
RPBA Mgmt. Bargaining Unit  
RPBA General Bargaining Unit
- 5      [18-398](#)      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.  
Claimant: Joe Yancey, JD Yancey Enterprises

**6:00 p.m.**

**Called to Order By:**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE-Council Member Andy Carrizales**

**INVOCATION-Pastor Daniel Hlebo-Calvary Chapel Rialto**

**City Attorney's Report on Closed Session**

**PRESENTATIONS AND PROCLAMATIONS**

- 1      [18-399](#)      Presentation-Kiwanis Students of the Year-Mayor Deborah Robertson
- 2      [18-401](#)      Presentation-Veolia Water Science Fair Scholarship Winners  
Mayor Deborah Robertson
- 3      [18-402](#)      Certificates of Recognition for Denim Day-Council Member Rafael Trujillo
- 4      [18-375](#)      Presentation-Rialto Woman's Club Federation Day  
Kathy Holms, President

**ORAL COMMUNICATIONS    (5-min time limit)**

**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      [18-370](#)      Resolution No. 38 (04/05/18)**  
**Attachments:      [Warrant Resolution No. 38.pdf](#)**
- B.2      [18-371](#)      Resolution No. 39 (04/12/18)**  
**Attachments:      [Warrant Resolution No. 39.pdf](#)**

**C. APPROVAL OF MINUTES**

- C.1 [18-372](#) Regular City Council Meeting-March 27, 2018

Attachments: [March 27 2018 minutes.pdf](#)

- C.2 [18-373](#) Regular City Council Meeting-April 10, 2018

Attachments: [April 10 2018 minutes.pdf](#)

**D. CLAIMS AGAINST THE CITY**

- D.1 [18-374](#) Nancy Ochoa-Vehicle Damage

Attachments: [Claim - Ochoa](#)

- D.2 [18-379](#) Carlos Andrade-Vehicle Damage

Attachments: [Claim - Andrade](#)

**E. SET PUBLIC HEARING**

- E.1 [18-364](#) Request City Council to Set a Public Hearing for **May 8, 2018** to Consider and Approve Substantial Amendment No. 1 to the City's 2017-2018 Annual Action Plan and approval of the 2018-2019 Annual Action Plan.

Attachments: [Exhibits and Notice of Public Hearing](#)

- E.2 [18-353](#) Request City Council to Set a Public Hearing for **June 12, 2018**, to Consider the Placement of Liens for Delinquent Refuse Collection Accounts for the 4th Quarter of the 2017 Calendar Year.

Attachments: [Residential & Commercial Lien List 4th Qtr 2017](#)

**F. MISCELLANEOUS**

- F.1 [18-249](#) Request City Council to Receive and File the Annual Update to the Development Impact Fees for Fiscal Year 2018/2019.

Attachments: [Exhibit A - Fee Resolutions](#)

[Exhibit B - Fee Resolutions](#)

[Exhibit C - CCCIMasterListing 2-2018](#)

[Exhibit D - FY19 DIF Fee Table](#)

- F.2     [18-291](#)     Request City Council to Approve the Purchase of a Changeable Message Sign Trailer with Myers and Sons Hi-Way Safety, Inc. in the Amount of \$17,911.88.
- Attachments:     [Attachment A](#)  
   [Attachment B](#)  
   [Vendor Disclosure Form](#)
- F.3     [18-330](#)     Request City Council to Approve the Renewal of Nixle 360 Platform in the Amount of \$24,602.27 from Everbridge Inc. for a Community Information Notification System.
- Attachments:     [Quote](#)  
   [Vendor Disclosure Form](#)
- F.4     [18-334](#)     Request City Council to Authorize Release of Request for Bids (RFB) for the Construction of the Booster Pump Station for Serving Domestic and Fire Protection Water to the Renaissance East Shopping Center.
- F.5     [18-338](#)     Request City Council to Adopt **Resolution No. 7320** Approving Fiscal Year 2016/17 AB 1600 Development Impact Fee Report and Making Certain Findings.
- Attachments:     [Exhibit A - FY17 AB1600 Annual Report.](#)  
   [Exhibit B - Notice of Public Meeting](#)  
   [Exhibit C - Project List](#)  
   [Exhibit D - Resolution \(1\)](#)
- F.6     [18-340](#)     Request City Council Ratify the Added Facilities Agreement between the City of Rialto/Rialto Utility Authority and Southern California Edison for the Wastewater Treatment Plant.
- Attachments:     [Attachment 1 - AFA WWTP 2-23-1999](#)  
   [Attachment 2 - AFA for WWTP Reserve Line Capacity](#)
- F.7     [18-342](#)     Request City Council to Receive and File the February 2018 Treasurer's Report.
- Attachments:     [Treasurer's Report February 2018](#)
- F.8     [18-348](#)     Request City Council to Authorize the Release of Request for Bids No. 18-089 for the Randall Avenue Widening Improvements Project, City Project No. 140809
- Attachments:     [Attachment 1-IS-MND-Randall](#)  
   [Attachment 2-NOD Randall](#)  
   [Project Location Map](#)

- F.9     [18-358](#)     Request City Council to (1) Accept the Ayala Drive Widening Project; (2) Authorize Filing of the Notice of Completion; and (3) Authorize Release of Retention to Hillcrest Contracting Inc.
- Attachments:     [Attachment No. 1 - Notice of Completion](#)  
                              [Attachment No. 2 - Contract Change Orders](#)  
                              [Attachment No. 3 GASB34](#)
- F.10     [18-359](#)     Request City Council to Approve an Increase to Purchase Order No. 2018-0466 with Apple One to Provide Part-Time Staff Support Services in the Development Services Department for \$34,500, for a total amount of \$49,500 for the Remainder of Fiscal Year 2017/2018.
- F.11     [18-360](#)     Request City Council to Adopt **Resolution No. 7321** Authorizing the Destruction of Certain Municipal Records of the Community Services Department.
- Attachments:     [Destruction Reso-CS.pdf](#)
- F.12     [18-363](#)     Request City Council to Approve Agreement for Conveyance of Real Property for the San Bernardino Avenue, Riverside Avenue and Willow Avenue Street and Storm Drain Improvements, City Project No. 13080 from SP Assets, LLC, a California Limited Liability Corporation in the amount of \$31,956.00.
- Attachments:     [PSA - San Bernardino property 4-2-2018 - Rev](#)
- F.13     [18-376](#)     Request City Council to Approve **Resolution No. 7322**, entitled "A Resolution of the City Council of the City of Rialto, California, Setting The Amount Of The Business License Tax For Wholesale Liquid Fuel Storage Facilities Pursuant To Ordinance No. 1556 for the 2018/2019 Fiscal Year."
- Attachments:     [Resolution - Tank Farm Tax Rate](#)

## TAB     PUBLIC HEARING

- TAB 1     [18-306](#)     Request City Council to Conduct a Public Hearing on the 2018 Weed Abatement Program and consider any objections to imposing any abatement cost as a lien against parcels that do not comply with the ordinance.
- (ACTION)**
- Attachments:     [Resolution 7316.pdf](#)

**TAB 2** [18-256](#)

Request City Council to Conduct a Public Hearing to Adopt **Resolution No. 7323** Approving (1) a Purchase and Sale Agreement and Joint Escrow Instructions and (2) a Construction Loan Agreement by and between the City of Rialto and Ayala@210LLC and Adopt Budget **Resolution No. 7324** Appropriating Funds for the maximum amount of \$3,700,000.

**(ACTION)POWERPOINT**

**Attachments:**

[Exhibit A - Site Map](#)

[Exhibit B - Purchase and Sale Agreement Total FINAL 4-19-18](#)

[Exhibit C - Construction Loan Agreement FINAL 4-19-18](#)

[Exhibit D - Summary Report](#)

[Exhibit E - Resolution](#)

[Exhibit F - Budget Resolution](#)

[City Council Slides 4-24-18](#)

**TAB 3** [18-351](#)

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)** Adopt **Resolution No. 7325** 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 2018/2019; **3)** Adopt **Resolution No. 7326** 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 2018/2019 for Said Annexation.

**(ACTION)POWERPOINT**

**Attachments:**

[Attachment 1 - LLMD2 Annexation ER 4-4-18](#)

[Attachment 2 - LLD2 Boundary w annex highlight North](#)

[Resolution 1 - LLD2-Annexation PH 04-9-18](#)

[Resolution 2 - LLD2-Annexation PH 04-9-18](#)

[Power Point Presentation LLD2 New Annexations](#)

**TAB NEW BUSINESS**



**TAB 4** [18-115](#)

Request City Council to Approve Budget **Resolution No. 7327**, Rialto Successor Agency **Resolution No. SA4-18**, Rialto Utility Authority **Resolution No. 01-18** and Rialto Housing Authority **Resolution No. 003-18** to Amend Estimated Revenues and Appropriations for the Fiscal Year 2017/2018 Budgets of the City, Redevelopment Successor Agency, Rialto Utility Authority, and Rialto Housing Authority.

**(ACTION) POWERPOINT**

Attachments: [Exhibit A-1 City Resolution approving Mid-Year Adjustments](#)  
[Exhibit A-2 RHA Reso approving Mid-Year Adjustments](#)  
[Exhibit A-3 RUA Resolution approving Mid-Year Adjustments](#)  
[Exhibit A-4 RSA Resolution Approving Mid-Year Adjustments](#)  
[Exhibit B General Fund Reserve Forecast](#)  
[Exhibit B-1 \(Sch A - 2017 Carryovers\)](#)  
[Exhibit B-2 \(Council Approved Rev & Exp Adj\)](#)  
[Exhibit B-3 \(Sch C - PO Roll Roll Forwards\)](#)  
[Exhibit C Summary by Fund](#)  
[Exhibit D Mid-Year Budget Review Memorandum](#)  
[Powerpoint Mid-year Budget 2017-18](#)

**TAB 5** [18-354](#)

Request City Council's Approval to Proceed with the Recruitments of Senior Field Services Worker (PW), Lead Facility Maintenance Technician (PW), and Permit Technician (DS).

**(ACTION)**

Attachments: [recruitment form april 24 2018.docx](#)

**TAB 6** [18-355](#)

Request City Council to Adopt **Resolution No. 7328** Appointing an Interim Police Captain and Approve the Employment Agreement with Raul Martinez.

**(ACTION)**

Attachments: [Martinez Reso.docx](#)  
[Police Captain 2013.pdf](#)  
[Raul Martinez Resume 1.pdf](#)  
[\(Rialto\) POLICE CAPTAIN LABOR AGREEMENT.doc](#)  
[Martinez Disclosure Form.pdf](#)

**TAB 7** [18-285](#)

Request City Council to Approve Amended and Restated Agreement to Transfer Funds between the City of Rialto and the Rialto Unified School District allowing RUSD to Receive Sales Proceeds from the Area A Contract of Sale and authorizing staff to release a check for \$376,000 to the Rialto Unified School District.

**(ACTION)**

Attachments: [Exhibit A - Agreement Signed by RUSD in May 2017](#)  
[Exhibit B - Agreement Signed by RUSD in August 2017](#)  
[Exhibit C - Letter - Request to Change Distribution - Compensation Agreements](#)  
[Exhibit D - Agreement to Transfer Funds to RUSD \(RUSD Revisions\)](#)

**TAB 8** [18-328](#)

Request City Council/Rialto Utility Authority Board to Approve an Agreement with Utility Service Partners, Inc. for the National League of Cities Service Line Warranty Programs for the Royalty Programs.

**(ACTION) POWERPOINT**

Attachments: [NLC Presentation - Rialto City Council](#)  
[Attachment 1 - Disclosure Form](#)  
[Attachment 2 - NLC Service Line Warranty Program](#)

**TAB 9** [18-350](#)

Request City Council to Approve an Agreement for Right-of-Way and a Temporary Construction Easement with the Property Owner on Randall Avenue between Cactus Avenue and Riverside Avenue in the Total Amount of \$80,159 for the Randall Avenue Widening Project, City Project No. 140809.

**(ACTION)**

Attachments: [Attachment 1-Agreements](#)  
[Attachment 2-Parcels Exhibit](#)  
[Attachment 3-IS-MND-Randall](#)  
[Attachment 4-NOD Randall](#)

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