

City of Rialto

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



Regular Meeting - Final

Tuesday, August 14, 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
Ahmad Ansari 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. 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. 1610

Next Resolution No. 7384

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 [18-784](#) 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) Phillips 66 Company v. City of Rialto
SB County Superior Court, Case No. CIVIDS1516839
 - (b) SFPP, L.P. v. City of Rialto
SB County Superior Court, Case No. CIVIDS1603260
 - (c) Tesoro Logistics Operations, LLC v. City of Rialto
SB County Superior Court, Case No. CIVIDS1603163
 - (d) Equilon Enterprises v. City of Rialto
SB County Superior Court, Case No. CIVIDS1602980
 - (e) Gonzalez v. City of Rialto
SB Superior Court, Case No. CIVDS 1819113
- 2 [18-785](#) Conference with Legal Counsel - Anticipated Litigation: Significant Exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9.
Number of Cases: Two cases
- 3 [18-790](#) 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:
CGMA Bargaining Unit
RMMA Bargaining Unit
RCEA Bargaining Unit
RFMA Bargaining Unit
Rialto Firefighters Local 3688

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE - Mayor Pro Tem Ed Scott

INVOCATION - Pastor Mark Baur - First Baptist Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

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

B.1 [18-745](#) Resolution No. 03 (07/19/18)

Attachments: [Resolution No. 3 \(07/19/18\)](#)

B.2 [18-746](#) Resolution No. 04 (07/26/18)

Attachments: [SKMBT_C36018080711210](#)

B.3 [18-786](#) Resolution No. 05 (08/02/18)

Attachments: [Resolution No. 05 \(08/02/18\)](#)

C. APPROVAL OF MINUTES

- C.1 [18-747](#) Regular City Council Meeting-July 24, 2018

Attachments: [July 24 2018 minutes](#)

D. CLAIMS AGAINST THE CITY

- D.1 [18-792](#) Anthony Michael Aguirre-Hogue - Property Damage and Personal Injury

Attachments: [Aguirre Hogue Claim](#)

E. MISCELLANEOUS

- E.1 [18-715](#) Request City Council to Approve an Increase to the Annual Purchase Order with Community Animal Hospital to \$16,800 for Fiscal Year 2017/2018.

(ACTION)

Attachments: [Vendor Disclosure Form](#)

- E.2 [18-741](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for June 2018.

(ACTION)

Attachments: [Exhibit A Airport Escrow Statement of Income and Expense June 30, 2018.pdf](#)

[Exhibit B CalTrust and FSB Statements for Master Airport Escrow June 2018.pdf](#)

[Exhibit C CalTrust and FSB Statements Contingent Liability Account June 2018.pdf](#)

[Exhibit D Contingent Liability Account for June 30, 2018.pdf](#)

- E.3 [18-742](#) Request City Council to Receive and File the Statement of Income and Expenses related to the Miro Way, Alder Avenue, and Locust/Laurel/Walnut Escrow Accounts for June 2018.

(ACTION)

Attachments: [Exhibit A Miro Way Escrow Statement of Income and Expense June 2018.pdf](#)

[Exhibit B CalTrust and FSB Statements for Miro Way Escrow Account June 2018.pdf](#)

[Exhibit C Alder Avenue Escrow Statement of Income and Expense June 2018.pdf](#)

[Exhibit D CalTrust and FSB Statements for Alder Avenue Escrow Account June 2018.p](#)

[Exhibit E Locust.Laurel.Walnut Escrow Statement of Income and Expense June 2018.p](#)

[Exhibit F CalTrust and FSB Statements for Laurel.Locust.Walnut Escrow Account June](#)

- E.4 [18-743](#) Request City Council to Approve Amendment No. 1 to the Cooperative Agreement with the County of San Bernardino for the North Bloomington Chip Seal Project, Reducing the City's Share of the Cost by \$53,049.
(ACTION)
Attachments: [Attachment 1 - Staff Report and Agreement](#)
 [Attachment 2 - CON-PW-Trans 8-7-18 A-1 Bloomington Ave & Others chip seal. final](#)
 [Attachment 3 - Updated Project Location Map](#)
- E.5 [18-744](#) Request City Council to Authorize the Release of Request for Bid No. 19-005 for the 2017/18 Street Overlay Project, City Project No.180804.
(ACTION)
Attachments: [Attachment 1 - Project Location Map](#)
 [Attachment 2 - NIB - 19-005](#)
 [Attachment 3 - Notice of Exemption 180804](#)
- E.6 [18-408](#) Request City Council to Approve Air Quality Monitoring within the City of Rialto by Southern California Air Quality Management District.
(ACTION)
Attachments: [ATT 2 Maintenance Agreement .docx](#)
 [ATT 1 program flyer.pdf](#)
- E.7 [18-714](#) Request City Council to Adopt **Resolution No. 7381** Accepting the Fiscal Year 2018 Justice Assistance Grant (JAG) in the Amount of \$28,457 and Approve the Inter-Local Agreement with the County of San Bernardino.
(ACTION)
Attachments: [JAG Grant MOU](#)
 [Resolution](#)
- E.8 [18-751](#) Request City Council to Approve the Contract with The Counseling Team International in an Amount Not To Exceed \$29,800.
(ACTION)
Attachments: [Counseling Team Contract FY2019](#)
 [Disclosure Statement - Counseling Team](#)
 [PSA - Counseling Team](#)
- E.9 [18-754](#) Request City Council to Receive and File the June 2018 Treasurer's Report.
(ACTION)
Attachments: [Treasurer's Report June 2018](#)

- E.10** [18-759](#) Request City Council to Receive and File the Statement of Income and Expense for June 2018 related to the Construction Reimbursement Agreement and Amendment #1 with Ayala@210LLC for Off-site Improvements on Renaissance Parkway.

(ACTION)

Attachments: [Exhibit A - FSB Statement for June 2018 Ayala Partners](#)

[Exhibit B - Statement of Income and Expense for Ayala Partners Escrow](#)

- E.11** [18-761](#) Request City Council to Receive and File the Statement of Income and Expense for June 2018 related to the Construction Loan Agreement with Ayala@210LLC for On-site Improvements for the Renaissance Plaza Retail Center on Renaissance Parkway.

(ACTION)

Attachments: [Exhibit A - Banner Bank Stmt 3974 06-30-18](#)

[Exhibit B - Statement of Income and Expense for Ayala Partners On-Site Escrow](#)

- E.12** [18-691](#) Request City Council Approve the Recording of the Substitution of Trustee and Full Reconveyance to release the Deed of Trust. Waive the City's Right of First Refusal to Purchase the Property situated at 130 S. Willow Avenue (known as APN 0130-211-36).

(ACTION)

Attachments: [Exhibit A - Contract](#)

[Exhibit B - Map](#)

[Exhibit C - Letter](#)

[Exhibit D - Substitution of Trustee and Reconveyance](#)

- E.13** [18-765](#) Request City Council to Approve the Declaration of Covenants, Conditions, and Restrictions to Install Street Improvements, Landscaping and Tubular Fencing Upon Notice by and between the City of Rialto and Bob Zadina Trucking, Inc. for a Property at 2010 Stonehurst Drive.

(ACTION)

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

[Exhibit B - Improvements Map](#)

[Exhibit C - Rialto Agreement](#)

TAB PUBLIC HEARING

TAB1 [18-758](#)

Request City Council to Conduct a Public Hearing to Approve and Adopt **Resolution No. 7375**, **RHA Resolution No. 006-18**, **RUA Resolution No. 03-18**, **Resolution No. 7376**, **Resolution No. 7377**, and **Resolution No. 7378** to Discuss, Approve and Adopt the Budget Plan for Fiscal Year 2018/2019.

(ACTION)

Attachments: [FINAL FY 19 Budget - Council Presentation Version.pptx](#)
[Budget Document.pdf](#)
[Resolution - Gann Limit.doc](#)
[Resolution - City FY Budget.doc](#)
[Resolution - RHA FY Budget.doc](#)
[Resolution - RUA FY Budget.doc](#)
[Resolution to Amend CIP.doc](#)
[Resolution Commitment of Fund Balance.docx](#)

TAB2 [18-760](#)

Request City Council to Conduct a Public Hearing to Extend **Urgency Ordinance No. 1605** from **August 11, 2018 to June 24, 2019** by adopting interim **Urgency Ordinance No. 1609** Entitled "AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, EXTENDING A TEMPORARY MORATORIUM ON THE CONSTRUCTION OF, OR ALTERATIONS AND IMPROVEMENTS TO, THE ROADWAY MEDIAN ISLAND LOCATED ON RIVERSIDE AVENUE BETWEEN THE 1-10 FREEWAY AND THE SOUTHERN MOST BORDER OF THE CITY," Reading by Title Only and Declaring the Urgency Thereof.

(ACTION)

Attachments: [Attachment 1-Ordinance.docx](#)
[Attachment 2-Ordinance 1605.pdf](#)

TAB NEW BUSINESS**TAB3** [18-770](#)

Recommend that City Council Adopt **Resolution No. 7382** finding the Five-Year 2019-2023 Capital Improvement Program (CIP) in conformance with the City of Rialto's General Plan and Authorize the City Administrator to Proceed with Implementation of the Capital Projects.

(ACTION)

Attachments: [Resolution CIP](#)
[CIP DRAFT FINAL](#)
[CIP Presentation 2019 FINAL](#)

TAB4 [18-774](#) Request City Council to Establish an Ad Hoc Committee for the Purpose of Developing Implementation Strategy regarding the City's Unfunded Pension and Other Post-Employment Benefit (OPEB) Liabilities and to Review and Recommend Potential Revisions to the Reserve Policy.

(ACTION)

TAB5 [18-436](#) Request City Council to Approve the First Amendment to the Construction Contract Agreement with Hardy & Harper, Inc., for On-Call Paving Services for Fiscal Year 2018/2019 in the Amount of \$165,000.

(ACTION)

Attachments: [Attachment 1 Construction Contract 03-08-2017.pdf](#)

[Attachment 3 - disclosure form.pdf](#)

[Attachment 2 - First Amendment 8-14-18.docx](#)

TAB6 [18-497](#) Request City Council to Approve a Second Amendment to the Service Contract with St. Francis Electric Company and Authorize the Issuance of a Purchase Order in the Amount of \$296,066 for Signal Maintenance and Repair Services for Fiscal Year 2018/2019; and Authorize the Release of Request for Proposal No 19-006 for Annual On-call Traffic Signal and Street Light Maintenance Services in Fiscal Year 2019/2020.

(ACTION)

Attachments: [Attachment 1 -SR - TS Maintenance 16-17](#)

[Attachment 2-SR-TS Maintenance -17-18](#)

[Rialto Signalized Intersections -BBS Status-First batch](#)

[2nd Amendment.doc](#)

TAB7 [18-663](#) Request City Council to Approve the Amended and Restated Professional Services Agreement with Interwest Consulting Group and Authorize expenditures in the amount of \$285,000 for the 2018/19 Fiscal Year for a total 3-Year authorization of \$485,000.

(ACTION)

Attachments: [Exhibit A Amended and Restated PSA with Interwest.docx](#)

[Exhibit B Disclosure Form for Interwest.pdf](#)

TAB8 [18-665](#) Request City Council to Approve Amended and Restated Professional Services Agreement between the City of Rialto and Willdan Engineering Inc. and Authorize expenditures of \$846,000 for services provided through the 2018/19 fiscal year for a total 3-Year authorization of \$2,001,770.

(ACTION)

Attachments: [Exhibit A Amended and Restated PSA with Willdan Engineering](#)

[Exhibit B Conflict Disclosure for Willdan](#)

TAB9 [18-718](#)

Request City Council to Approve a Professional Services Agreement with Alta Planning and Design and Authorize the Issuance of a Purchase Order in the amount of \$105,097 for a Feasibility Study, Planning Services, and Implementation Support Services for a Proposed Bike Sharing Program, City Project No. 170810.

(ACTION)

Attachments: [Attachment 1 - RFP -- BIKE SHARING PROGRAM .pdf](#)
[Attachment 2-Alta Proposal_Rialto Bike Share_Work Proposal_FINAL.pdf](#)
[Attachment 3-PSA.docx](#)
[Disclosure Form.pdf](#)

TAB10 [18-752](#)

Request City Council to Approve an Increase to Purchase Order No. 2018-0725 with the Law Office of Kathy M. Gandara in the Amount of \$22,000 for a Total of \$96,500 to Cover Additional Costs Associated with Personnel Investigative Services.

(ACTION)**TAB11** [18-753](#)

Request City Council to 1) Adopt **Resolution No. 7383**; 2) Award a Construction Contract in the amount of \$3,646,800.00 to Pacific Hydrotech Corporation for the Construction of Fire Station 205 - Phase 1, City Project No. 170203; 3) Authorize Issuance of a Purchase Order with 'Wallace & Associates in the Amount of \$232,710 for Construction Management and Inspection Services for the Project; and 4) Authorize Amendment #2 to Engineering Resources of Southern California in the amount of \$24,060, for a Total Cumulative Amount of \$88,650, for Regulatory Permit Processing Related to the Storm Drain Connection to Rialto Channel, and to Provide Construction Phase Engineering Support Services.

(ACTION)

Attachments: [Attachment 1 Bid protest received 08-02-2018](#)
[Attachment 2 Pacific Hydrotech Reference Check Table dir](#)
[Attachment 3 Construction Contract 01-04-18 Construction Contract Pacific Hydrotech](#)
[Attachment 4 CM I services](#)
[Attachment 5 ERSC- Amendment to PSA 01-04-18](#)
[Attachment 5 ERSC Scope](#)
[Attachment 6 Rialto Fire Station IS 9-28-17](#)
[Attachment 7 EAR 16-79 - Filed NOD & Receipt](#)
[Attachment 8 Resolution](#)
[Attachment 9 PH Disclosure](#)
[Station 205](#)

TAB12 [18-766](#) Request City Council's Approval to Proceed with the Recruitments of Fire Prevention Specialist (Fire) and Records Coordinator (City Clerk/Management Services).

(ACTION)

Attachments: [recruitment form aug 14 2018.docx](#)

TAB13 [18-768](#) Request City Council to Provide Direction on an Appropriate Policy for City Council Consideration of Ceremonial Letters, Certificates, Proclamations and Resolutions.

(ACTION)

Attachments: [Attachment A - Ceremonial-Documents-procedures](#)

[Attachment B - Lawndale Recognition Requests](#)

[Attachment C - Lompoc Sample Proclamation Guidelines](#)

TAB14 [18-700](#) Request City Council to Approve a Cooperative Agreement for Construction and Maintenance (C&M) with Southern California Regional Rail Authority (SCRRA) in the amount of \$572,922, and Authorize Release of Request for Bids No. 19-002 for the Cedar Avenue Sidewalk and Railroad Crossing Improvements, City Project No. 130808.

(ACTION)

Attachments: [Attachment 1-Design Concurrence .pdf](#)

[Attachment 2-Site Plan.pdf](#)

[Attachment 3-Cedar Ave C&M Agreement.final.pdf](#)

[Attachment 4-NOE .pdf](#)

[Attachment 5-Environmental Application.pdf](#)

TAB15 [18-609](#) Request City Council to Approve an Increase of \$65,000 to Purchase Order No. 2019-0475 with Apple One to Provide Staff Support Services in the Development Services Department for a total of \$80,000.

(ACTION)

Attachments: [2018-0466 APPLEONE](#)

[Original Contract](#)

[2018 City of Rialto Disclosure](#)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT