

City of Rialto

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



Regular Meeting - Final

Tuesday, January 8, 2019

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
Sean Grayson 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. 1613

Next Resolution No. 7449

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 [CC-19-055](#) 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) Michael Darkens v City of Rialto
 WCAB 1792900017
 - (b) Brian Park v City of Rialto
 WCAB SAC0000178734 & SAC0000178670

- 2 [CC-19-067](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9.
Number of cases: Two cases

- 3 [CC-19-068](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9.
Number of cases: Three cases

- 4 [CC-19-069](#) PUBLIC EMPLOYMENT - The City Council will discuss the following pursuant to Government Code Section 54957
Title: Interim City Administrator

- 5 [CC-19-070](#) 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) on the following cases:
 - a. Equilon Enterprises, LLC v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1602980
 - b. Phillips 66 Company v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1516839
 - c. SFPP, L.P. v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1603260
 - d. Tesoro Logistics Operations, LLC v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1603163

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE - Council Member Rafael Trujillo

INVOCATION - Pastor Harry Bratton - Greater Faith Grace Bible Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [CC-19-056](#) Proclamation - National Mentoring Month - Mayor Robertson
 - S.B. County Children's Network
 - Big Brothers, Big Sisters of the Inland Empire
- 2 [CC-19-057](#) Presentation by Jennifer O'Farrell, Executive Director of Big Brothers, Big Sisters
- 3 [CC-19-073](#) Certificate of Recognition - Veteran Wall of Freedom Honoree Leroy Parker - Mayor Deborah Robertson
- 4 [CC-19-072](#) Certificate of Recognition - Rialto Black History Committee - Council Member Rafael Trujillo

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 [CC-19-079](#) Warrant Resolution No. 23 (12/12/18)
- B.2 [CC-19-080](#) Warrant Resolution No. 23A (12/13/18)
- B.3 [CC-19-081](#) Warrant Resolution No. 24 (12/20/18)
- B.4 [CC-19-082](#) Warrant Resolution No. 25 (01/03/19)
- B.5 [CC-19-085](#) Warrant Resolution No. 25A (01/03/19)

C. CLAIMS AGAINST THE CITY

- C.1 [CC-19-074](#) Charles A. Hayes - vehicle damage
- C.2 [CC-19-075](#) Ricky A. Scott - vehicle damage
- C.3 [CC-19-076](#) Stella McGee - vehicle damage
- C.4 [CC-19-077](#) Leonetta Leban - personal injury
- C.5 [CC-19-078](#) Maria Pimentel - personal injury

D. SET PUBLIC HEARING

- D.1 [CC-19-002](#) Request City Council to Set a Public Hearing for **January 29, 2019** to consider **General Plan Amendment No. 2018-0002**, which is a request to change the land use designation of approximately 4.75 acres of land from Residential 6 to Residential 12, **Zone Change No. 2017-0004**, which is a request to change the zoning designation of approximately 4.75 acres of land from Single-Family Residential (R-1C) to Multi-Family Residential (R-3), and **Tentative Tract Map No. 2017-0006 (TTM 20108)**, which is a request to allow the subdivision of approximately 4.75 acres of land into thirty-two (32) single-family lots, one common open space lot and a stormwater retention basin. A Mitigated Negative Declaration (**Environmental Assessment Review No. 2017-0066**) is included for consideration in conjunction with the project.

E. MISCELLANEOUS

- E.1 [CC-19-004](#) Request City Council Adopt **Resolution No. 7439** and Rialto Utility Authority Board Adopt **RUA Resolution No. 01-19**, Authorizing Submission of a Grant Application to the State Water Resources Control Board for the Water Recycling Funding Program Pilot Project.
- E.2 [CC-19-005](#) Request City Council Adopt **Resolution No. 7440** and Rialto Utility Authority Board Adopt **RUA Resolution No. 02-19**, Approving an Extraterritorial Wastewater Service Agreement with AIGGRE Cedar Avenue Investor, LLC, for the Cedar Avenue Technology Park warehouse located at 18750 Orange Street, Bloomington, Assessor's Parcel Number 0253-211-56.
- E.3 [CC-19-006](#) Request City Council to Receive and File the Statement of Income and Expense for November 2018 related to the Construction Reimbursement Agreement with Ayala@210LLC for Off-Site Improvements on Renaissance Parkway.
- E.4 [CC-19-007](#) Request City Council to Receive and File the Statement of Income and Expense for November 2018 related to the Construction Loan Agreement with Ayala@210LLC for On-site Improvements for the Renaissance Plaza Retail Center on Renaissance Parkway.
- E.5 [CC-19-012](#) Request City Council to Approve 2019 Investment Policy.
- E.6 [CC-19-014](#) Request City Council to Receive and File the October 2018 Treasurer's Report.
- E.7 [CC-19-016](#) Request City Council to Authorize a Purchase Order Change Notice (2019-1059) with Robert Half International, Office Team in the amount of \$17,000 to Provide Audit Accounting Services in the Finance Department for Fiscal Year 2018/19, increasing the Purchase Order to a total of \$32,000.
- E.8 [CC-19-019](#) Request City Council to Authorize the Release of Request for Bid No. 19-030 for the Annual Slurry Seal Project, City Project No.180805.
- E.9 [CC-19-021](#) Request City Council to Approve the Second Amendment to the Professional Services Agreement with Alta Planning + Design for Professional Services related to the City of Rialto Active Transportation Program, Safe Routes to School Program, in the Amount of \$39,200.

- E.10 [CC-19-025](#) Request City Council, Acting as Successor Agency to the Redevelopment Agency for the City of Rialto, to Adopt **Resolution No. 7441** Approving the Last and Final Recognized Obligation Payment Schedule, Recognized Obligation Payment Scheduled for Fiscal Year 2019-20, and the Administrative Budget for Fiscal Year 2019-20.
- E.11 [CC-19-026](#) Request City Council Adopt **Resolution No. 7442** and Rialto Utility Authority Board Adopt **RUA Resolution No. 03-19**, Approving an Extraterritorial Wastewater Service Agreement with Social Science Services, Inc., for the Property Known as Maple House and Located at 10888 Maple Avenue, Bloomington, San Bernardino County, Assessor's Parcel Number 0256-203-23-0000.
- E.12 [CC-19-027](#) Request City Council Adopt **Resolution No. 7443** and Rialto Utility Authority Board Adopt **RUA Resolution No. 04-19**, Approving an Extraterritorial Wastewater Service Agreement with Social Science Services, Inc., for the Property Known as Cedar House and Located at 18612 Santa Ana Avenue, Bloomington, San Bernardino County, Assessor's Parcel Number 0257-031-16-0000.
- E.13 [CC-19-047](#) Request City Council Approve Sign and Access Easement Agreement by and between the City of Rialto and LHR Renaissance Marketplace South LLC.
- E.14 [CC-19-046](#) Request City Council Approve a Grant of Easement Agreement for Communication Facilities by and between the City of Rialto and Pacific Bell Telephone Company.
- E.15 [CC-19-049](#) 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 October/November 2018.
- E.16 [CC-19-050](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for October and November 2018.

TAB PUBLIC HEARING

- TAB1** [CC-19-001](#) Request City Council to Conduct a Public Hearing and, Following Closing of Public Hearing: (1) Adopt **Resolution No. 7444**, Authorizing The Annexation Of Territory To Community Facilities District No. 2016-1 (Public Services) (Annexation No. 2) And Authorizing The Levy Of A Special Tax And Submitting The Levy Of Tax To The Qualified Electors; And Adopt **Resolution No. 7445**, Calling A Special Election And Submitting To The Voters Of Annexation No. 2 Of City Of Rialto Community Facilities District No. 2016-1 (Public Services) Propositions Regarding The Annual Levy Of Special Taxes Within Annexation No. 2 To Finance Public Services, And The Establishment Of An Appropriations Limit; (2) Following Adoption of Resolutions in No. 1 above, Hold Election by Opening Ballots; (3) Following Election, if more than 2/3 of landowners vote in favor, Adopt **Resolution No. 7446**, Making Certain Findings, Certifying The Results Of An Election And Adding Property To Community Facilities District No. 2016-1 (Public Services), Annexation No. 2.
(ACTION)

NEW BUSINESS

- TAB2** [CC-19-017](#) Request City Council to Accept California Citizens Option for Public Safety (COPS) Allocation of 2018/2019 Funding and Adopt Budget **Resolution No. 7447** Appropriating Funds in the Amount of \$162,684.
(ACTION)
- TAB3** [CC-19-018](#) Request City Council to Approve Budget **Resolution No. 7448** to Amend the 2018-2019 Authorized Budgeted Positions to add One Police Lieutenant.
(ACTION)
- TAB4** [CC-19-022](#) Request City Council to Approve a Professional Services Agreement with Bucknam Infrastructure Group, Inc., for Pavement Management Program Consulting Services in the Total Amount of \$138,575 over a Three-Year Term, with Two Optional One-Year Extensions. **POWERPOINT**
(ACTION)
- TAB5** [CC-19-023](#) Request City Council/Rialto Utility Authority to Approve a Final Construction Work Authorization in the Amount of \$319,800 to Rialto Water Services for the Water Facility Improvement Project W13 - Willow Booster Station Valve Replacement.
(ACTION)

- TAB6 [CC-19-058](#) Request City Council to Introduce for First Reading of **Ordinance No. 1612** entitled "AN ORDINANCE OF THE CITY OF RIALTO, CALIFORNIA, AMENDING THE RIALTO MUNICIPAL CODE SECTION 2.50.060 (AMENDING ORDINANCE 1591) REGARDING COMPETITIVE SERVICE" reading by title only and waiving further reading thereof.
- TAB7 [CC-19-051](#) Request City Council to Approve an Increase to Purchase Order 2019-1189 with Richard Freiholtz in the amount of \$35,000 for a total of \$50,000 in the current fiscal year for Code Enforcement Management Services.

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

Regular City Council Meeting - January 22, 2019 - CANCELLED
Special City Council Meeting - Tuesday, January 29, 2019

ADJOURNMENT