

# City of Rialto

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



## Regular Meeting

**Tuesday, June 11, 2019**

**5:00 PM**

**CITY COUNCIL, City of Rialto, acting as Successor Agency to the  
Redevelopment Agency, RIALTO UTILITY AUTHORITY AND  
RIALTO HOUSING 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](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.1620**

## **Next Resolution No.7530**

### **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-19-64](#)      Conference with Real Property Negotiator. The City Council and Successor Agency will confer with its real property negotiator concerning the following properties pursuant to Government Code Section 54956.8:
  1. Subject:                Real Estate Lease Renewal  
Property:                APN 0130-251-08 (131 South Riverside Avenue)  
Negotiators:            Robb R. Steel, Rialto Successor Agency (Lessor)  
   Rialto Education Association (Lessee)
  2. Subject:                Price and Terms of Real Estate  
Property:                APN 0130-271-01,2,3,4,25,26,27,35,36  
   (241 South Palm Avenue)  
Negotiators:            Robb R. Steel,  
   Assistant CA/ Development Services Director  
   John Silva, Property Owner
- 2      [CC-19-645](#)      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) 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. CIVDS160316
- 3      [CC-19-646](#)      PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Pursuant to Government Code Section 54957.  
Title: Interim City Administrator
- 4      [CC-19-647](#)      PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Pursuant to Government Code Section 54957.  
Title: City Attorney

**6:00 p.m.**

**Called to Order By:**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE - Mayor Deborah Robertson**

**INVOCATION - Pastor Joe Vivian - Calvary Chapel Rialto**

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

**PRESENTATIONS AND PROCLAMATIONS**

- 1        [CC-19-621](#)        Presentation - Rialto Police Citizen's Academy Class 2019-01 - Police Chief Mark Kling
- 2        [CC-19-639](#)        Proclamation - Men's Health Awareness Month - Mayor Deborah Robertson

**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-19-633](#)        Warrant Resolution No. 46 (05/30/2019)
- B.2        [CC-19-635](#)        Warrant Resolution No. 47 (06/16/2019)

**C.        CLAIMS AGAINST THE CITY**

- C.1        [CC-19-622](#)        Anthony Fabre - vehicle damage
- C.2        [CC-19-623](#)        Tyus Washington - vehicle damage

C.3 [CC-19-648](#) Vanessa Sifuentes - vehicle damage

**D. APPROVAL OF MINUTES**

D.1 [CC-19-640](#) Regular City Council Meeting - February 12, 2019

**E. SET PUBLIC HEARING**

E.1 [CC-19-474](#) Request City Council to Set a Public Hearing for **June 25, 2019**, to Approve and Adopt the Budget Plan for Fiscal Year 2019-20.

**F. MISCELLANEOUS**

F.1 [CC-19-457](#) Request City Council to Adopt a Fraud Policy and Approve **Resolution No. 7517**.

F.2 [CC-19-610](#) Request City Council to Waive Formal Bidding Procedures required under Rialto Municipal Code Section 2.48 and Award a Construction Contract to Dakeno, Inc. for the Demolition of Two Structures (House and Garage) on the property located at 141 S. Palm Avenue for a cost of \$8,000.

F.3 [CC-19-574](#) Request City Council to Approve a Contract with NEOGOV, Inc to Provide Onboarding (Onboard) and Performance Review (Perform) Software Services to The City of Rialto in an Amount Not to Exceed \$39,043 and Approve Budget **Resolution No. 7518**.

F.4 [CC-19-575](#) Request City Council to Authorize Release of Request for Bids (RFB) for the Construction of the Frisbie Park Sewer Lift Station.

F.5 [CC-19-580](#) Request City Council to Approve an Increase to the Annual Purchase Order (PO) 2019-0440 for an Additional Amount of \$8,000 for Grafix Systems for Fiscal Year 2018/19 for Police Vehicle Graphics Through June 2019 for a Total PO Amount of \$23,000.

F.6 [CC-19-588](#) Request City Council to Award an Annual Purchase Order to San Bernardino County Sheriff's Department in the Amount of \$23,042.00 for California Law Enforcement Telecommunications Systems (CLETS) Maintenance and Support Services for FY2019/20.

F.7 [CC-19-592](#) Request City Council to Receive and File the Statement of Income and Expense for April 2019 related to the Construction Loan Agreement with Ayala@210LLC for On-Site Improvements for the Renaissance Plaza Retail Center on Renaissance Parkway.

- F.8     [CC-19-603](#)     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.
- F.9     [CC-19-565](#)     Request City Council to Receive and File the Statement of Income and Expense for April 2019 related to the Construction Reimbursement Agreement with Ayala@210LLC for Off-Site Improvements on Renaissance Parkway.
- F.10    [CC-19-566](#)     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 April 2019.
- F.11    [CC-19-569](#)     Request City Council to Approve the Passenger Amenity Program Agreement with Omnitrans for Bus Stop Facilities in the City of Rialto.
- F.12    [CC-19-563](#)     Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for April 2019.
- F.13    [CC-19-485](#)     Request City Council to Rescind Resolution No. 7044 and Adopt **Resolution No. 7519** Revising the Business License Tax Summary to Rectify an Error on Exhibit A, Business License Tax Summary.
- F.14    [CC-19-625](#)     Request City Council to Adopt **Resolution No. 7520** Accepting a Report on the Status of All State-Mandated Annual Fire Inspections in the City of Rialto in conjunction with SB1205 (COMPLIANCE REPORT FOR STATE-MANDATED ANNUAL FIRE INSPECTIONS) and the California Health and Safety Code Section 13146.4
- F.15    [CC-19-612](#)     Request City Council to Adopt **Resolution No. 7521** Extending the End Date of the Board of State and Community Corrections, California Proposition 47 Program Grant Award for one year, including September 30, 2020 to September 30, 2021.

## TAB    PUBLIC HEARING

- TAB1   [CC-19-555](#)     Request City Council to Conduct a Public Hearing to Receive Public Comment and Approve **Resolution No. 7522** Authorizing the Placement of Sewer Service Charges on the County Property Tax Roll for Delinquent Accounts.  
(ACTION)
- TAB2   [CC-19-627](#)     Request City Council to Conduct a Public Hearing and Adopt a **Resolution No. 7491** Approving the Municipal Solid Waste Collection, Recycling and Disposal Service Rates for Fiscal Years 2019/2020 through 2021/2022.  
(ACTION)

- TAB3**    [CC-19-606](#)    Request City Council to Conduct a Public Hearing to consider Adoption of (1) **Resolution No. 7523** approving **General Plan Amendment No. 2018-0001**, which is a request to change the general plan land use designation of approximately 16.55 gross acres of land from Residential 6 (R6) to Light Industrial (LI) with a Specific Plan Overlay, (2) **Resolution No. 7524** approving **Specific Plan Amendment No. 2019-0002**, which is a request to change the boundary of the Rialto Airport Specific Plan to include approximately 16.55 gross acres of land and to change the pre-zoning designation of said 16.55 gross acres of land from Single-Family Residential (R-1A) to Planned Industrial Development (I-PID) within the Rialto Airport Specific Plan, and (3) **Resolution No. 7525** approving a Mitigated Negative Declaration (**Environmental Assessment Review No. 2018-0081**) prepared in conjunction with the project. **POWERPOINT**  
**(ACTION)**
- TAB4**    [CC-19-613](#)    Request City Council to Conduct a Public Hearing to Extend **Urgency Ordinance No. 1605** from **June 24, 2019 to June 23, 2020** by adopting interim **Urgency Ordinance No. 1619** 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)**
- TAB5**    [CC-19-620](#)    Request City Council and RHA to Conduct Public Hearing and City Council Adopt **Resolution No. 7526** Approving (1) a Billboard Relocation Agreement and (2) Property Leases by and between the City of Rialto and Lamar Central Outdoor LLC for Two City Owned Properties including the lot immediately north of the Rialto Senior Center and the Southwest Corner of Alder Avenue and Casmalia Street and Rialto Housing Authority Adopt **RHA Resolution No. 003-19** Approving a Property Lease by and between the Rialto Housing Authority and Lamar Central Outdoor LLC for an RHA Owned Property located at the Southwest Corner of Foothill Boulevard and Cactus Avenue. **POWERPOINT**  
**(ACTION)**
- TAB6**    [CC-19-642](#)    Request City Council to Conduct a Public Hearing to Consider and Approve the City’s 2019-2020 Annual Action Plan (CDBG).  
**(ACTION)**

**NEW BUSINESS**

- TAB7**    [CC-19-634](#)    Request City Council to Concur with the Appointments and Reappointments of Rialto Residents on Various City Commissions, as Recommended by the Council Sub-Committee and Authorize the City Clerk to Provide Appropriate Written Notification.  
**(ACTION)**
- TAB8**    [CC-19-475](#)    Request City Council to Adopt **Resolution No. 7527** Approving a Construction Fee Credit and Reimbursement Agreement by and between the City of Rialto and Christopher Development Group, Inc. and Adopt Budget **Resolution No. 7528** amending the FY18/19 Budget to increase expenditures of \$850,734 for Regional Traffic Fee Street Improvements and \$7,677 for Street Median Fee Improvements and to increase Revenues of \$522,042 for the Regional Traffic Fee and \$7,677 for the Street Median Fee.  
**(ACTION)**
- TAB9**    [CC-19-564](#)    Request City Council to: 1) Approve On-call Professional Services Agreements (PSA) with PPM Group, Inc.; Berg & Associates, Inc.; Willdan Engineering; TKE Engineering, Inc.; Transtech Engineers; and Wallace and Associates for On-call Construction Management, Inspection and Materials Testing Services and 2) Authorize the Issuance of Purchase Orders in the Amount of \$100,000 Each.  
**(ACTION)**
- TAB10**   [CC-19-604](#)    Request City Council to Accept Public Improvements, Approve GASB 34 Report for the Project, Authorize Release of Final Payment Request for \$531,591.59 all related to the Miro Way Improvement Project, and Certify Final Project Costs of \$11,735,342.53.  
**(ACTION)**
- TAB11**   [CC-19-605](#)    Request City Council to Approve Contract Amendment No. 1 (Three-Year Renewal Option) for Third-Party Administration of Workers' Compensation to LWP Claims Solutions, Inc. for an Amount Not to Exceed \$220,644 for FY2019/2020; \$226,160 for FY2020/2021 and \$231,814 for FY2021/2022.  
**(ACTION)**
- TAB12**   [CC-19-572](#)    Request City Council's Approval of the Terms of a Labor Agreement between the City of Rialto and Justin Edson, Community Compliance Manager.  
**(ACTION)**



- TAB13** [CC-19-576](#) Request City Council to (1) Adopt **Resolution No. 7529** Accepting the Sustainable Communities Planning Grant for the Pacific Electric Trail Expansion Feasibility Study through the SB-1 Road Maintenance and Rehabilitation Account, Administered by the California Department of Transportation - Division of Transportation Planning in the amount of \$299,000; and (2) Authorize the Release of a Request for Proposals for Professional Consultant Services Related to the Pacific Electrical Trail Expansion Feasibility Study.  
**(ACTION)**
- TAB14** [CC-19-532](#) Request City Council to Approve an Agreement between the Rialto Unified School District and the City of Rialto for three (3) School Resource Officers.  
**(ACTION)**
- TAB15** [CC-19-559](#) Request City Council to Approve the City of Rialto Safe Routes to School Program Plan.  
**POWERPOINT**  
**(ACTION)**
- TAB16** [CC-19-568](#) Request City Council approve the Professional Services Agreement with West Yost Associates to Provide Technical and Engineering Consulting Services for Rialto Utility Authority and Utilities Division in the Amount of \$1,520,000.  
**(ACTION)**

## REPORTS

**MAYOR:**

**COUNCIL MEMBERS:**

**CITY ATTORNEY:**

**CITY ADMINISTRATOR:**

## ADJOURNMENT