

City of Rialto

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



Regular Meeting

Tuesday, July 9, 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
Rod Foster 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.1620**Next Resolution No. 7542****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-19-714](#) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Gov. Code § 54956.9(d)(1)):

 (a)Endangered Habitats League, et al. v. City of Rialto, San Bernardino County Superior Court, Case No. CIVDS1806755
 (b)Christopher Newman v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1800597
 (c)Adam Fodrey v. City of Rialto, U.S. District Court, Central District of Calif. 5:18-cv-02434-SJO-SP
- 2 [CC-19-739](#) Palmer et al. v. City of Rialto (San Bernardino Superior Court, Case No. CIVDS1905795)
- 3 [CC-19-740](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
 Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9.
 Number of cases: One case

6:00 p.m.

Called to Order By:

ROLL CALL

INVOCATION - Pastor Harry Bratton - Greater Faith Grace Bible Church

PLEDGE OF ALLEGIANCE - Council Member Rafael Trujillo

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [CC-19-738](#) Certificate of Recognition - Guillermina Trejo for leading citizenship classes - 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-19-743](#) Warrant Resolution No. 50 (06/27/2019)
- B.2 [CC-19-744](#) Warrant Resolution No. 1 (07/03/2019)

C. CLAIMS AGAINST THE CITY

- C.1 [CC-19-725](#) Joshua Walker - vehicle damage
- C.2 [CC-19-726](#) Ginger Jenson - vehicle damage
- C.3 [CC-19-727](#) Renato Vargas Araiza - property damage

C.4 [CC-19-728](#) Veronica Meyer - vehicle damage

C.5 [CC-19-729](#) Elsy Guzman - physical injury

C.6 [CC-19-730](#) Brandy Aguilar - vehicle damage

D. APPROVAL OF MINUTES

D.1 [CC-19-722](#) Regular City Council Meeting - March 26, 2019

D.2 [CC-19-723](#) Regular City Council Meeting - April 9, 2019

D.3 [CC-19-724](#) Regular City Council Meeting - April 23, 2019

E. SET PUBLIC HEARING

E.1 [CC-19-701](#) Request City Council to Set a Public Hearing for **July 23, 2019** to consider **Conditional Development Permit No. 2018-0020**, which is a request to allow the development of a vehicle fuel station consisting of a 5,460 square foot canopy and ten (10) fuel dispensers on 2.07 gross acres of land (APNs: 0132-031-03 & -21) located at the southwest corner of Riverside Avenue and Randall Avenue within the Neighborhood Commercial (C-1) zone.

F. MISCELLANEOUS

F.1 [CC-19-656](#) Request City Council to Receive and File the Statement of Income and Expense for May 2019 related to the Construction Reimbursement Agreement with Ayala@210LLC for Off-Site Improvements on Renaissance Parkway.

F.2 [CC-19-657](#) Request City Council to Receive and File the Statement of Income and Expense for May 2019 related to the Construction Loan Agreement with Ayala@210LLC for On-Site Improvements for the Renaissance Plaza Retail Center on Renaissance Parkway.

F.3 [CC-19-665](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for May 2019.

F.4 [CC-19-679](#) 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 May 2019.

- F.5 [CC-19-675](#) Request City Council to Approve Renewal of the Law Enforcement Policy Manual Update Subscription, Daily Training Bulletin Management Services and Update Management Services in the Amount of \$29,662 for Lexipol LLC.
- F.6 [CC-19-694](#) Request City Council Approve a Maintenance Agreement by and between the City of Rialto and Power Mill LLC for the Maintenance of Landscaping on Cactus Avenue.
- F.7 [CC-19-608](#) Request City Council to Approve the Conceptual Master Plan for the Cactus Avenue Trail Project.
- F.8 [CC-19-669](#) Request City Council to Adopt **Resolution No. 7538** Authorizing the Submission of a Grant Application for \$2,171,200 to the BUILD Transportation Grant through the Office of the Secretary of Transportation, Department of Transportation (DOT) for the SR-210/Alder Avenue Interchange Improvements Project.
- F.9 [CC-19-717](#) Request City Council to Provide Authority to the City Administrator to Negotiate and Execute Employment Contracts with At-Will Employees.
- F.10 [CC-19-711](#) Request City Council to Authorize Additional Services in accordance with Section 2.3 of the Professional Service Agreements between the City of Rialto and (1) Willdan Engineering and (2) Interwest Consulting and Authorize a Purchase Order not to exceed \$50,000 for each Consultant.

TAB PUBLIC HEARING

- TAB1** [CC-19-671](#) Request City Council to Conduct a Public Hearing to adopt **Resolution No. 7539** Approving the Engineer's Reports and Ordering the Levy of Assessments for Fiscal Year 2019/2020 for Street Light Maintenance District No. 1, **Resolution No. 7540** for Landscape Maintenance District No. 1, and **Resolution No. 7541** for Landscaping and Lighting District No. 2.
(ACTION)

NEW BUSINESS

- TAB2** [CC-19-673](#) Request City Council to Approve a Purchase Order to San Bernardino County Sheriff's Department in the Amount of \$66,120 for Trimester Training and Emergency Vehicle Operations Course Training, in Order to Remain State Compliant for FY2019/2020 and to Approve a Three-Year Agreement Ending June 30, 2022.
(ACTION)
- TAB3** [CC-19-526](#) Request City Council to Authorize First Amendment to Professional Service Agreement with Kimley-Horn and Associates for Planning Support Services, increasing funding by \$33,000 to a maximum amount of \$108,000.
(ACTION)
- TAB4** [CC-19-700](#) Request City Council to (1) Award a Construction Contract to C-Works Engineering, Inc. in the amount of \$153,722 for the CDBG Curb, Gutter, and Sidewalk Improvement Project, City Project No. CB1805 and (2) Authorize a Purchase Order with Willdan Engineering in the Amount of \$38,000 for Construction Management and Inspection Services for the Project.
(ACTION)
- TAB5** [CC-19-663](#) Request City Council to (1) Authorize the Issuance of a Purchase Order to Southern California Edison in the amount of \$96,289.10 for the Extension of Service and Undergrounding of Electrical Aerial Lines and; (2) Delegate authority to the City Administrator in the Not to Exceed amount of \$155,000 for Change Orders with Pacific Hydrotech Corporation for Utility Undergrounding and connection of utility services for Fire Station 205.
(ACTION)

- TAB6** [CC-19-668](#) Request City Council Approve a Fourth Amendment to the Professional Services Agreement with Community Works Design Group, Inc., Covering the Design of a Dog Park at Frisbie Park in the Amount of \$47,845 for a Total Cumulative Contract Amount of \$1,491,313.00, City Project Nos. 150303 & 150304.
(ACTION)
- TAB7** [CC-19-653](#) Request City Council to Authorize Issuance of a Purchase Order to Public Restroom Company, Inc. in the Amount of \$1,104,945, to Purchase and Install Two (2) Prefabricated Buildings for the Expansion of Frisbie Park, City Project No. 150304.
(ACTION)
- TAB8** [CC-19-586](#) Request the City Council to Award a Professional Services Agreement to Siemens Mobility, Inc. for one (1) year with the option of two (2) additional one (1) year extensions, for maintenance and repair services of City-owned streetlights with the initial year services in the amount of \$254,176.50.
(ACTION)
- TAB9** [CC-19-719](#) Request City Council to 1) Approve the Purchase and Implementation of Microsoft Office 365 Enterprise License City-Wide Through the Cooperative Agreement with Dell (0365 CSP) and 2) Authorize the Issuance of a Purchase Order to Dell in the Not to Exceed \$100,000 for Fiscal Year 2019-2020.
(ACTION)
- TAB10** [CC-19-709](#) Request City Council to Approve the Professional Services Agreement with HR Dynamics & Performance Management, Inc. to Conduct an Assessment of the City's Human Resources Division and to Provide Human Resources Advisement, Mentoring and Project Implementation Services; and Issue a Purchase Order in an Amount Not-to-Exceed \$105,250.
(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT