

City of Rialto

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



Regular Meeting

Tuesday, September 10, 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. 1624

Next Resolution No. 7559

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-19-904](#) 1. Existing Litigation:
 - a. Ortiz v. City of Rialto, U.S. District Court Case No. 5:16-cv-01384 GHK KSx (consolidated with Pena v. Rialto, USDC Case No. 5:16-cv-02020)
 - b. William Wilson v City of Rialto (WCAB SAC0000178839)

- 2 [CC-19-905](#) 2. 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

PLEDGE OF ALLEGIANCE - Council Member Andy Carrizales

INVOCATION - Pastor Harry Bratton - Greater Faith Grace Bible Church

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [CC-19-897](#) Trophy Presentation - 2019 Chili Cook-Off Winner - Mayor Deborah Robertson
- 2 [CC-19-911](#) Report from California Department of Transportation (CALTRANS) Chief Deputy Director, Kome Ajise - Mayor Deborah Robertson
- 3 [CC-19-912](#) The Mayor's Intern's Report from the U.S. Conference of Mayor's Youth Summit - 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-19-875](#) Warrant Resolution No. 7 (08/15/2019)
- B.2 [CC-19-881](#) Warrant Resolution No. 8 (08/22/2019)
- B.3 [CC-19-899](#) Warrant Resolution No. 9 (08/29/2019)

B.4 [CC-19-919](#) Warrant Resolution No. 10 (09/05/2019)

C. CLAIMS AGAINST THE CITY

C.1 [CC-19-889](#) Laura Ochoa - vehicle damage

C.2 [CC-19-890](#) Esther Yancey - property damage

C.3 [CC-19-891](#) Andover Square Homeowner's Association - property damage

C.4 [CC-19-892](#) Ricardo Issac Flores - personal injury

D. APPROVAL OF MINUTES

D.1 [CC-19-896](#) Regular City Council Meeting - June 25, 2019

D.2 [CC-19-907](#) Regular City Council Meeting - June 9, 2019

E. SET PUBLIC HEARING

E.1 [CC-19-757](#) Request City Council/Rialto Utility Authority to Set a Public Hearing for **November 12, 2019** Required Under Proposition 218 to Consider the Proposed Consumer Price Index Rate Adjustments for Water and Wastewater Utility Services as supported by the FG Solutions Financial Planning Analysis Report.

E.2 [CC-19-885](#) Request City Council Set a Public Hearing for **September 24, 2019**, to solicit public comments from interested citizens and to consider and approve the City's 2018-2019 Consolidated Annual Performance and Evaluation Report (CAPER).

F. MISCELLANEOUS

F.1 [CC-19-883](#) Request City Council to Accept California Office of Traffic Safety "Selective Traffic Enforcement Program" Grant in the Amount of \$234,000.

F.2 [CC-19-851](#) Request City Council to Accept the Fiscal Year 2018 Homeland Security Grant Program (HGSP) in the Amount of \$24,962.

F.3 [CC-19-857](#) Request City Council to Approve a Contract Agreement between the City of Rialto and Dr. Michael M. Neeki for Medical Director Services in the amount of \$20,000 per Fiscal Year starting July 1, 2019 (FY20).

- F.4** [CC-19-873](#) Request City Council/Rialto Utility Authority to Approve an Increase to the Purchase Authorization for FG Solutions in the Amount of \$30,000 for Consulting Services Related to Rialto Utility Authority Concession Agreement and Utility Operations, Increasing the Total Purchase Authorization to the Amount Not to Exceed \$45,000.
- F.5** [CC-19-862](#) Request City Council to Approve a Second Amendment to the Professional Services Agreement with LRS Program Delivery, Inc. for Capital Project Program Management Services in the Additional Not-to-Exceed Amount of \$38,500.
- F.6** [CC-19-787](#) Request City Council to Approve the Issuance of a Purchase Order to Avaya, Inc. for Telephone Switching Post Warranty Maintenance Service and General Repairs in the Total Amount of \$30,000 for the 2019/2020 Fiscal Year.
- F.7** [CC-19-784](#) Request City Council to Adopt **Resolution No. 7552** Accepting the MSRC Grant Clean Transportation Funding Local Partnership Program and Execute the Contract Agreement of \$135,980.
- F.8** [CC-19-859](#) 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 July 2019.
- F.9** [CC-19-858](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for July 2019.
- F.10** [CC-19-849](#) Request City Council to Receive and File the Statement of Income and Expense for July 2019 related to the Construction Loan Agreement with Ayala@210LLC for On-Site Improvements for the Renaissance Plaza Retail Center on Renaissance Parkway.
- F.11** [CC-19-920](#) Request City Council to Approve Amendment #4 to Exclusive Right to Negotiate Agreement with NewMark Merrill for the Development of Approximately 15.5 Acres of Property located west of Riverside Avenue and north of Valley Boulevard, extending the time for performance until December 31, 2019.

TAB PUBLIC HEARING

TAB1 [CC-19-853](#) Request City Council to Conduct a Public Hearing for the Placement of Liens for Delinquent Refuse Collection Accounts for the First Quarter of 2019; and Adopt **Resolution No. 7553** Authorizing the Filing of Liens Against Certain Properties for Delinquent Refuse Accounts with the San Bernardino County Auditor Controller-Recorder.
(ACTION)

TAB2 [CC-19-886](#) Request City Council to Conduct a Public Hearing to consider Adoption of (1) **Resolution No. 7554** approving **General Plan Amendment No. 2019-0001**, which is a request to change the general plan land use designation of approximately 8.74 net acres of land to Residential 12, (2) **Resolution No. 7555** approving **Tentative Tract Map No. 2019-0001 (TTM 20237)**, which is a request to allow the subdivision of approximately 8.74 net acres of land into sixty (60) single-family lots and twelve (12) common lots, and (3) introduce for first reading **Ordinance No. 1621** approving **Zone Change No. 2019-0001**, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING ZONE CHANGE NO. 2019-0001 TO CHANGE THE ZONING DESIGNATION OF APPROXIMATELY 8.74 NET ACRES OF LAND (APNS: 0131-131-13, -14, & -23) LOCATED ON THE EAST SIDE OF ACACIA AVENUE APPROXIMATELY 775 FEET NORTH OF RANDALL AVENUE FROM AGRICULTURAL (A-1) TO MULTI-FAMILY RESIDENTIAL (R-3)" [Reading by title only and waiving full reading thereof]. **Resolution No. 7556** approving a Mitigated Negative Declaration (**Environmental Assessment Review No. 2019-0002**) is included for consideration in conjunction with the project. The project site consists of 3 parcels of land located on the east side of Acacia Avenue approximately 775 feet north of Randall Avenue (APNs: 0131-131-13, -14, & -23).

(ACTION)

TAB3 [CC-19-914](#) Request the City Council and the Rialto Housing Authority Board to Cancel and reschedule for a later date the Joint Public Hearing to Consider Approving: (1) an Affordable Housing Agreement between the Rialto Housing Authority and Rialto Jackson LP, and (2) the Purchase and Sale Agreement between Rialto Jackson LP and the City of Rialto (acting for the Rialto Successor Agency) for a proposed affordable housing project at the northeast corner of Willow Avenue and West Jackson Street.
(ACTION) - Cancel the Public Hearing and reschedule for a later date.

TAB4 [CC-19-898](#) Request The City Council to Conduct a Public Hearing to: (i) Approve Resolution **7557** to Repeal Resolution No. 7277 and Approve a Revised Addendum to the Lytle Creek Ranch Specific Plan (LCRSP) Final Environmental Impact Report; (ii) Introduce for First Reading Ordinance No. **1623** to Repeal Ordinance No. 1598 and Re-Approve the LCRSP Amendment (SPA 2017-0002) to Eliminate Neighborhood I, Modify the Land Use Configuration of Neighborhoods II And III, and Update the Text, Tables, and Maps; and (iii) Approve Resolution No. **7558** to Repeal Resolution No. 7278 and Re-Approve Tentative Tract Map No. 20092 (TTM 2017-0005) to Create Six (6) Developable Lots, One (1) Remainder Lot, and Twelve (12) Lettered Lots for Public Open Space, Utilities, and Infrastructure on A 188-Acre Portion of Neighborhood II to Facilitate A 776 Lot Residential Subdivision.

(ACTION)

NEW BUSINESS

TAB5 [CC-19-901](#) Request City Council to Introduce for First Reading **Ordinance No. 1622**, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING SECTION 2.02.010 OF THE RIALTO MUNICIPAL CODE TO AMEND THE START TIME OF CITY COUNCIL MEETINGS TO SIX THIRTY P.M.," reading by title only and waiving further reading thereof.

(ACTION)

TAB6 [CC-19-864](#) Request City Council to Approve a Purchase Order for \$60,000 to Zoll Medical Corp for Medical Equipment Supplies for Fiscal Year 2019/20.

(ACTION)

TAB7 [CC-19-902](#) Request City Council to Approve Purchase Orders with Dell EMC in the total amount of \$302,060.58 plus tax for the purchase of 31 replacement switches citywide, licenses, and deployment support services.

(ACTION)

TAB8 [CC-19-887](#) Request City Council to Authorize a Purchase Order Change Notice (2020-0818) with Rahban CPA & Consulting in the amount of \$40,000 to Provide Audit Accounting Services in the Finance Department, increasing the Purchase Order to a total of \$55,000.

(ACTION)

- TAB9** [CC-19-753](#) Request City Council/Rialto Utility Authority (1) Award a Construction Contract to Kirtley Construction in the Amount of \$1,000,576 to construct the Frisbie Park Sewer Lift Station, City Project No. 190501; and (2) Delegate authority to the City Administrator in the Not to Exceed amount of \$25,000 for unforeseen Contingency costs related to the construction of the Project; (3) Increase Purchase Order with Berg & Associates Inc. in the Amount of \$100,000 for On-Call Services for Construction Management and Inspection related to the project; and (4) Authorize Purchase Orders for required permits and miscellaneous expenses related to Construction and Energizing the Lift Station in the not to exceed amount of \$80,000.
(ACTION)
- TAB10** [CC-19-798](#) Request City Council to Approve a First Amendment to the Contract Services Agreement with Securitas Electronic Security, Inc. in the amount of \$89,210.94 for Annual Access and Intrusion Alarm System Monitoring, Maintenance and Repair Services for Fiscal Year 2019/2020.
(ACTION)
- TAB11** [CC-19-786](#) Request City Council to Approve the Issuance of a Purchase Order to Mega Bank in the amount of \$150,000 for the annual Operations and Maintenance of the Solar Panel Project.
(ACTION)
- TAB12** [CC-19-871](#) Request City Council to (1) Authorize the Purchase Order Increase with All Seasons Insulation Inc. for Contract Change Order #3 in the amount of \$70,379 and (2) Authorize the Purchase Order Increase with Wallace and Associates in the amount of \$10,176 for Construction Management and Inspection services for the Citywide Roof Repairs Project, City Project No. 180202.
(ACTION)
- TAB13** [CC-19-870](#) Request City Council to Approve Annual Purchase Orders for Fiscal Year (FY) 2019-2020 with the Option to Extend the Purchase Orders on a Year by Year basis for the next Three Years, for Geographics at \$20,564, Southwest Offset Printing at \$55,028, and for the United States Postal Service at \$22,559, for a total of \$98,151.
(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT