

City of Rialto

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



Regular Meeting

Tuesday, October 22, 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. 7570

Next Resolution No. 1626

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-19-994](#) 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) Palmer et al. v. City of Rialto (San Bernardino Superior Court, Case No. CIVDS1905795)
 - (b) John Michael Tefft v. City of Rialto, et al. (San Bernardino Superior Court Case No. CIVDS1813893)
 - (c) Equilon Enterprises, LLC v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1602980
 - (d) Phillips 66 Company v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1516839
 - (e) SFPP, L.P. v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1603260
 - (f) Tesoro Logistics Operations, LLC v. City of Rialto, San Bernardino Superior Court, Case No. CIVDS1603163
 - (g) Christopher Hice v City of Rialto (WCAB SAC0000180732 & SAC0000184207)
 - (h) Matt Payne v City of Rialto (WCAB SAC0000181417)
 - (i) Nicholas Delia v City of Rialto (WCAB 1892900046)
- 2 [CC-19-1012](#) LIABILITY CLAIMS: The City Council will discuss the following liability claim pursuant to Government Code Section 54956.95:
 - (a) Claimant: Daniel Alvarez
 - Agency claimed against: City of Rialto
- 3 [CC-19-1013](#) CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION
Initiation of litigation pursuant to paragraph (4) 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 - Mayor Deborah Robertson

INVOCATION - Pastor Bob Ruiz - Calvary Chapel Rialto

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [CC-19-1015](#) Resolution - In Memoriam of Wesley Grimes - Mayor Deborah Robertson
- 2 [CC-19-1014](#) Proclamation - STEAM Education Day in Rialto - 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-19-1001](#) Warrant Resolution No. 15 (10/10/2019)
- B.2 [CC-19-1000](#) Warrant Resolution No. 16 (10/17/2019)

C. APPROVAL OF MINUTES

- C.1 [CC-19-1017](#) Regular City Council Meeting - October 8, 2019

D. SET PUBLIC HEARING

- D.1** [CC-19-964](#) Request City Council to Set a Public Hearing for **November 12, 2019** to consider (1) **General Plan Amendment No. 2019-0002**, which is a request to change the general plan land use designation of approximately 2.17 acres of land from Residential 21 (R21) to Business Park (BP), (2) **Specific Plan Amendment No. 2019-0001**, which is a request to change the zoning designation of approximately 2.17 acres of land from Support Commercial (S-C) within the Central Area Specific Plan to Urban Services (U-S) within the Central Area Specific Plan, and (3) a Negative Declaration (**Environmental Assessment Review No. 2019-0006**) prepared for the project, in accordance with the California Environmental Quality Act (CEQA). The site for this project is located on the west side of Sycamore Avenue approximately 700 feet south of Rialto Avenue.
- D.2** [CC-19-956](#) Request City Council to Adopt (1) **Resolution No. 7567** Stating Intention of the City Council of the City of Rialto to Establish City of Rialto Community Facilities District No. 2019-2 (Foothill/Spruce) and to Authorize the Levy of Special Taxes within said District, and (2) **Resolution No. 7568** of the City Council of the City of Rialto to Incur Bonded Indebtedness in the Amount of Not to Exceed \$7,000,000 within Proposed City of Rialto Community Facilities District No. 2019-2 (Foothill/Spruce), setting a Public Hearing for **December 10, 2019**.

E. MISCELLANEOUS

- E.1** [CC-19-962](#) Request City Council to Accept the Fiscal Year 2020 California Fire Foundation Grant Funds in the Amount of \$15,000.
- E.2** [CC-19-1011](#) Request City Council to Consider and Approve to Authorize Keenan & Associates to Operate as the City of Rialto's Broker of Record in Connection with Coverages for Dental, Vision, Life Insurance, Section 125 Voluntary Products, and Disability Insurance for All City Employees and Retirees.

TAB PUBLIC HEARING

- TAB1** [CC-19-1002](#) Request City Council Conduct a Public Hearing and Introduce for First Reading the Sidewalk Vendor **Ordinance No. 1625** entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING, ADDING AND REPEALING VARIOUS CHAPTERS AND SECTIONS OF THE RIALTO MUNICIPAL CODE TO IMPLEMENT SIDEWALK VENDOR REGULATIONS," reading by title only and waiving further reading.
(ACTION)

NEW BUSINESS

- TAB2** [CC-19-1010](#) Request City Council to Approve: (i) Amendment No. 1 to the Employment Agreement between the City of Rialto and City Administrator; and (ii) **Resolution No. 7569** Repealing and Replacing City Council Resolution No. 5058, Clarifying the Health and Welfare Benefits and Expense Reimbursements to which City Elected Officials are Entitled, and Linking Such Benefits and Reimbursements to those Received by The City Administrator.
(ACTION)
- TAB3** [CC-19-996](#) Request City Council hear Status Update on the Mid Cycle Update to the 5th Cycle Housing Element Update.
(ACTION)
- TAB4** [CC-19-924](#) Request City Council to Approve a Professional Services Agreement with Webb Municipal Finance, for the 1972 Act and Mello-Roos Act Annual Administration Services for Three Years at \$111,000 each Year.
(ACTION)
- TAB5** [CC-19-946](#) Request City Council to Authorize a Purchase Order (PO) increase to the original Professional Services Agreement (PSA) with Wallace and Associates for On-Call Construction Management, Inspection and Materials Testing Services for the Remaining First half of Fiscal Year 2019/2020, in the Amount of \$275,000.
(ACTION)
- TAB6** [CC-19-958](#) Request City Council to Authorize a Purchase Order to Fairview Ford in the amount of \$304,554.39 for Nine (9) vehicles; including Two (2) 2020 Ford Explorer Vehicles, Three (3) 2019 Ford F150's and Four (4) 2019 F250 Service Body Trucks.
(ACTION)

- TAB7** [CC-19-963](#) Request City Council to Award a Contract Service Agreement to Chrisp Company, in the amount of \$102,500 for the Construction of the Casa Grande Drive Traffic Calming Plan, City Project No 190809.
(ACTION)
- TAB8** [CC-19-973](#) Request City Council to Award a Construction Contract to Vido Samarizich, Inc. in the Amount of \$1,098,036.00 for Construction of Etiwanda Corridor Improvement Project, City Project No.160805; and Authorize a Purchase Order to PPM Group in the amount of \$67,948.00 for Construction Management and Material Testing for the Construction of Etiwanda Corridor Improvement Project, City Project No.160805.
(ACTION)
- TAB9** [CC-19-824](#) Request City Council to Accept Public Improvements, Approve GASB 34 Report for the Project, Authorize Release of Final Payment of \$137,864.63 all related to the Renaissance Parkway East Improvement Project, and Certify Final Project Costs of \$3,354,399.80.
(ACTION)
- TAB10** [CC-19-990](#) Request City Council to Hear a Status Update Report from International Business Machines (IBM) Corporation on the City's Data Analytics, Logistics, Surveillance, Innovation & Incubator Center (DALSIIC) Plan and the Traffic Signal Communication System (TSCS) Plan; and either: 1) Direct Staff to Proceed with the Project As Currently Planned or with any Desired Amendments; 2) Terminate the Professional Services Agreement with IBM; or 3) Provide Any Other Direction as Determined by the City Council.
(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT