

City of Rialto

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



Regular Meeting **ACTION AGENDA**

Tuesday, November 14, 2017

5:00 PM

**CITY COUNCIL, City of Rialto, acting as Successor Agency to the
Redevelopment Agency, RIALTO HOUSING AUTHORITY, 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
Mike Story 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. 1598

Next Resolution No.7240

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 [17-1021](#) Conference with Legal Counsel - Anticipated Litigation, Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of Government Code Section 54956.9. Number of cases: One case.

- 2 [17-1022](#) Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.4:

 Agency designated representatives:
 Fred Galante, City Attorney
 Mike Story, City Administrator

 Employee organizations:
 RMMA Bargaining Unit
 RCEA Bargaining Unit
 RPBA Mgmt. Bargaining Unit
 RPBA General Bargaining Unit
 RFMA Bargaining Unit
 Rialto Firefighters Local 3688

- 3 [17-1023](#) 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) Robert Williams III v. City of Rialto
 WCAB SAC0000017858 & SAC000017836

- 4 [17-1060](#) Conference with Real Property Negotiator. The City Council will confer with its real property negotiator concerning the following properties pursuant to Government Code Section 54956.8:

 (a) Subject: Price and Terms of Acquisition

 Location: 1451 North Linden Ave.
 Cell Tower North of Combined treatment Plant

 Negotiators: Robb R. Steel, ACA/Development Svs. Dir.
 Matthew Kohl, SBA

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Council Member Andy Carrizales

INVOCATION-Pastor Jim Smith-The Bridge Church of the Nazarene

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [17-1054](#) Proclamation-CalEITC-Mayor Deborah Robertson
- 2 [17-1055](#) Proclamation-Diabetes Awareness Month-Mayor Deborah Robertson
- 3 [17-1056](#) Certificate of Appreciation-RUSD Red Ribbon Decoration-Council Member Rafael Trujillo
- 4 [17-1058](#) Presentation-Military Banner Program-Human Relations Commission
- 5 [17-1057](#) Introduction of the Rialto Institute of Progress 8th Class
City Administrator Mike Story

ORAL COMMUNICATIONS (5-minute time limit)

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.

Motion by Mayor Pro Tem Scott, Second by Council Member Baca Jr., and carried by unanimous vote to approve Consent Calendar except for items E.1, F.4, F.6, F-7, F-8. Council Member Carrizales abstained from those items.

CONSENT CALENDAR**A. WAIVE FULL READING OF ORDINANCES (ACTION)**

1. Waive reading in full, all ordinances considered at this meeting.

B. APPROVAL OF WARRANT RESOLUTIONS

- B.1 [17-1039](#) Resolution No. 6 (08/11/17)
- B.2 [17-1040](#) Resolution No. 6A (08/11/17)

C. APPROVAL OF MINUTES

- C.1 [17-1038](#) Regular City Council Meeting - October 24, 2017

D. CLAIMS AGAINST THE CITY

- D.1 [17-1016](#) Edward Palmer - Business Closure
- D.2 [17-1018](#) SFPP - Measure U refund

E. SET PUBLIC HEARING

- E.1 [17-997](#) Request City Council to Set a Public Hearing for **January 9, 2018**, to Conduct a Property Owner Protest Ballot Proceeding; Adopt **Resolution No. ~~7222~~** Initiating the Proceedings for the Annexation of Properties to the Rialto Landscaping and Lighting District No. 2 and to Levy and Authorize Collection of Assessments Commencing with Fiscal Year 2018/2019; and to Adopt **Resolution No. ~~7223~~** Declaring the Intention to Annex Properties to the Rialto Landscaping and Lighting District No. 2 and Conduct a Property Owner Protest Ballot Proceeding On The Matter of the New Assessments Related Thereto, Commencing with Fiscal Year 2018/2019.

F. MISCELLANEOUS

- F.1 [17-973](#) Request City Council to Authorize the Purchase of Fifty (50) Active Shooter Vest Kits from Aardvark for a Total Cost of \$20,160.03.
- F.2 [17-975](#) Request City Council to Approve Agreements for Right-of-Way Acquisition and a Temporary Construction Easement with the Property Owner at 520 West Randall Avenue in the Total Amount of \$19,199.80 for the Randall Avenue Widening Project, City Project No. 140809.

- F.3 [17-985](#) Request City Council to Adopt **Resolution No. 7224** approving a Memorandum of Understanding (MOU) between the City of Rialto and the Kiwanis Club of East Rialto providing Kiwanis Club meetings and Bingo presentations served out of the Grace Vargas Senior Center and Waiving Rental Fees.
- F.4 [17-998](#) Request City Council to Approve a Grant of Easement between the City of Rialto and Southern California Edison for facilities located on Linden Avenue, north of Miro Way.
- F.5 [17-1000](#) Request City Council to Approve a Second Amendment to the Funding Agreement with Omnitrans related to the Metrolink Parking Lot Expansion.
- F.6 [17-1024](#) Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for September 2017.
- F.7 [17-1025](#) 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 September 2017.
- F.8 [17-1026](#) Request City Council to Adopt **Resolution No. 7225** Approving Parcel Map 19815, a Request to Consolidate Six (6) Parcels into One (1) 49.95 Acre Parcel, Located Approximately 0.26 Miles South of Renaissance Parkway, Between Locust Avenue and Linden Avenue.
- F.9 [17-1002](#) Request City Council to Adopt **Resolution No. 7226** Approving Tract Map 20009, a Request to Subdivide a 4.57 Acre Parcel of the Property identified by APN's: 0131-212-06, -19 & -20, Located on the South West Corner of Bloomington Avenue and Willow Avenue into Thirty-Three (33) Single-Family Lots and three (3) Common Lots; and Approve the Subdivision Improvement Agreement.
- F.10 [17-1007](#) Request City Council to Adopt **Resolution No. 7227** Approving Tract Map 17708, a Request to Subdivide a 4.7 Acre Parcel of the Property Located on the West Side of Acacia Avenue between James Street and Merrill Avenue into Twenty-Four (24) Parcels and Approve the Subdivision Improvement Agreement.
- F.11 [17-1012](#) Request City Council to Adopt on Second Reading **Ordinance No. 1593** entitled: "AN ORDINANCE OF THE CITY COUNCIL APPROVING MODIFICATIONS TO SECTION 18.58.060(B)(1) (CARPORT ALTERNATIVE) OF THE RIALTO MUNICIPAL CODE AS IT PERTAINS TO PARKING REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL (R-3 AND R-4) DEVELOPMENT" (Development Code Amendment No. 2017-0004).

- F.12** [17-1014](#) Request City Council to Adopt on Second reading **Ordinance No. 1594** entitled "AN ORDINANCE OF THE CITY COUNCIL TO PROHIBIT COMMERCIAL MARIJUANA ACTIVITIES IN THE CITY, PROHIBIT OUTDOOR PERSONAL CULTIVATION OF MARIJUANA, AND ESTABLISH REASONABLE REGULATIONS FOR THE INDOOR PERSONAL CULTIVATION OF MARIJUANA, BY ADDING CHAPTER 18.115 (MARIJUANA USES AND ACTIVITIES PROHIBITED) TO TITLE 18 (ZONING) AND CHAPTER 9.53 (PERSONAL CULTIVATION OF MARIJUANA) TO DIVISION V OF TITLE 9, OF THE RIALTO MUNICIPAL CODE; AND REPEALING VARIOUS SECTIONS OF TITLE 18 (ZONING) AND CHAPTER 9.45 (MOBILE MARIJUANA DISPENSARIES) OF DIVISION V OF TITLE 9, OF THE RIALTO MUNICIPAL CODE (Development Code Amendment No. 2017-0003); BY REPEALING ORDINANCE NO.1570 AND FINDING AN EXEMPTION FROM CEQA.
- F.13** [17-1013](#) Request City Council to Adopt on Second Reading **Ordinance No. 1596** entitled " AN ORDINANCE OF THE CITY COUNCIL APPROVING AN AMENDMENT TO CHAPTER 18.64 OF TITLE 18 OF THE RIALTO MUNICIPAL CODE TO ADD SECTION 18.64.090, "MINOR VARIANCE" ESTABLISHING A MINOR VARIANCE ADMINISTRATIVE APPROVAL PROCEDURE".
- F.14** [17-1045](#) Request that City Council Approve **Resolution No. 7228**, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, SETTING THE AMOUNT OF THE BUSINESS LICENSE TAX FOR WHOLESALE LIQUID FUEL STORAGE FACILITIES PURSUANT TO ORDINANCE NO. 1556 FOR THE 2017/2018 FISCAL YEAR "
- F.15** [17-992](#) Request City Council to approve the revised Three (3) Year Building and Facility Joint Use Agreement between the City of Rialto and the Rialto Unified School District.

TAB PUBLIC HEARING

- TAB1** [17-1010](#) Request City Council to Conduct a **Public Hearing** to Introduce for First Reading **Ordinance No. 1597** entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO TO ESTABLISH CHAPTER 15.64 OF THE RIALTO MUNICIPAL CODE ENTITLED ELECTRIC VEHICLE CHARGING STATION STREAMLINED PERMITTING PROCESS AND AMEND VARIOUS SECTIONS OF THE RIALTO MUNICIPAL CODE (TITLE 18-ZONING)" (Development Code Amendment No. 2017-0006).
(ACTION)

Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by unanimous vote to approve Tab 1.

- TAB2** [17-1029](#) Request City Council to Conduct a Public Hearing to Approve **Resolution No. 7229** for Environmental Assessment Review No. 2017-0055; Approve **Resolution No. 7230** for Specific Plan Amendment No. 2017-0003; Approve **Resolution No. 7231** for Tentative Parcel Map No. 2017-0007; Approve **Resolution No. 7232** for Conditional Development Permit No. 2017-0029; Approve **Resolution No. 7233** for Variance No. 2017-0010 for an Addendum to the 2010 certified Renaissance Specific Plan Final EIR and to amend the Renaissance Specific Plan to modify the street cross section for Renaissance Parkway; subdivide a 7.6 acre site into six developable lots for the development of a 80,000 sq. ft. commercial center known as "Renaissance East" consisting of a 10,486 sq. ft. restaurant (CrackerBarrel), a 2,720 sq. ft. restaurant (Sonic), three multi-unit commercial buildings and one additional lot located at the northeast corner of Ayala Drive and Renaissance Parkway in the Freeway Incubator (FI) zone of the Renaissance Specific Plan (Master Case Nos. 2017-0056 and 0063).
(ACTION)
(POWERPOINT)

Motion by Mayor Pro Tem Scott, Second by Council Member Trujillo, and carried by 4-0 vote to approve Tab 2. Council Member Carrizales abstained from this item.

TAB NEW BUSINESS

- TAB3** [17-1030](#) Request City Council Adopt **Resolution No. 7219** Approving Financing Contracts related to the Solar CREB Lease Financing, in the amount of \$6,854,652.88, with Holman Capital and Mega Bank and the Service Contract with Alliance Building Solutions, Inc., supplementing Resolution No. 7122 adopted on May 9, 2017 and Adopt **Budget Resolution No. 7220**.
(ACTION)

Motion by Council Member Baca Jr., Second by Council Member Carrizales, and carried by unanimous vote to approve Tab 3.

TAB4 [17-990](#) Request City Council to Accept California Citizens Option for Public Safety (COPS) Allocation of 2017/2018 Funding and Adopt **Budget Resolution No. 7234** Appropriating Funds in the Amount of \$162,988.
(ACTION)

Motion by Mayor Pro Tem Scott, Council Member Baca Jr. and carried by unanimous vote to approve Tab 4.

TAB5 [17-1020](#) Request City Council to Award a Professional Services Agreement to STK Architecture Inc. for Architectural Design Services for Rialto Fire Station 205, Phase II, for a Not-to-Exceed Contract Amendment Amount of \$280,288 and Request City Council to Authorize the Release of Request for Bids No. 18-045 for Fire Station 205 Phase I Construction, City Project No. 170203.
(ACTION)

Motion by Council Member Trujillo, Second by Council Member Carrizales, and carried by unanimous vote to approve Tab 5.

TAB6 [17-993](#) Request City Council Increase Purchase Order #2017-1746 to Performance Truck Repair by \$7000 for the Refurbishment of One Fire Engine for a total of \$169,016.58.
(ACTION)

Motion by Council Member Baca Jr., Second by Mayor Pro Tem Scott, and carried by unanimous vote to approve Tab 6.

TAB7 [17-1006](#) Request Rialto Housing Authority to Approve a Professional Services Agreement with LDM Associates to manage housing repair projects for a maximum of \$50,000 and Adopt **Budget Resolution No. 7235** to appropriate \$50,000 for consultant services and \$300,000 for the Home Sweet Home Program and the Mortgage Assistance Program.
(ACTION)

Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by 4-1 vote to approve Tab 7. Mayor Pro Tem Scott voted no.

TAB8 [17-991](#) Request City Council/Rialto Utility Authority to Approve a Final Construction Work Authorization in the Amount of \$300,000 to Rialto Water Services for the Facility Improvement Project WA, Year 5 Meter Replacements.

(ACTION)

Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by unanimous vote to approve Tab 8.

TAB9 [17-1015](#) Request City Council to Adopt **Budget Resolution No. 7236** Accepting the CalRecycle Tire-Derived Product Grant in the Amount of \$149,986.

(ACTION)

Motion by Council Member Baca Jr., Second by Mayor Pro Tem Scott, and carried by unanimous vote to approve Tab 9.

TAB10 [17-1003](#) Request City Council to Award a Construction Contract to Promised Land Nursery, a California Corporation, in the amount of \$417,777 for the Bloomington Avenue Median Conversion Project, City Project No. 140806 and 160808.

(ACTION)

Motion by Council Member Baca Jr., Second by Council Member Trujillo, and carried by unanimous vote to Tab 10.

TAB11 [17-994](#) Request City Council to 1) Adopt Budget **Resolution No. 7237**; and 2) Approve a Third Amendment to the Professional Services Agreement with Community Works Design Group, Inc. for Phase II Frisbie Park Americans with Disabilities Act Path of Travel Improvements in the Amount of \$110,655, City Project No. 150304, for a total Cumulative Contract Amount of \$1,443,468.

(ACTION)

Motion by Mayor Pro Tem Scott., Second by Council Member Carrizales, and carried by unanimous vote to approve Tab 11.

TAB12 [17-805](#) Request City Council to Adopt **Resolution No. 7238**, Approving the Fiscal Year 2017/2018 - 2021/2022 Measure I - Five-Year Capital Improvement Plan and Expenditure Strategy.
(ACTION)
(POWERPOINT)

Motion by Council Member Baca Jr., Second by Council Member Carrizales, and carried by unanimous vote to approve Tab 12.

TAB13 [17-1011](#) Request City Council to Adopt **Resolution No. 7239** Appointing an Interim Police Chief and Approving the Employment Agreement with Mark Kling.
(ACTION)

Motion by Mayor Pro Tem Scott, Second by Council Member Carrizales, and carried by unanimous vote to approve Tab 13.

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT