

REGULAR MEETING
of the
CITY OF RIALTO
CITY COUNCIL
City of Rialto, acting as Successor Agency to the
Redevelopment Agency

MINUTES
March 13, 2018

A regular meeting of the City Council of the City of Rialto was held in the City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Tuesday, March 13, 2018.

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This meeting was called by the presiding officer of the Rialto City Council in accordance with the provisions of **Government Code §54956** of the State of California.

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CALL TO ORDER

Mayor Deborah Robertson called the meeting to order at 5:07 p.m.

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The roll was called and the following were present: Mayor Deborah Robertson, Mayor Pro Tem Ed Scott, and Council Member Andy Carrizales. Also present were Interim City Administrator Robb Steel, City Attorney Fred Galante, and City Clerk Barbara McGee. Council Member Joe Baca Jr., Council Member Rafael Trujillo and City Treasurer Edward Carrillo were absent

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CLOSED SESSION

1. 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):

San Bernardino Valley Municipal Water District v. San Gabriel Valley Water d.b.a Fontana Water Company, et al
S.B. Superior Court Case No. CIVDS1311085

CLOSED SESSION

2. 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-Real Property Acquisition
Property: APN 0130-161-27
119 N. Riverside Avenue
Northeast corner of First St. and Riverside Ave.
Negotiators:
Robb R. Steel, Interim CA/Development SVS. Director
Refugio Johnson, Cuca's Mexican restaurant
 - (b) Subject: Price and Terms-Real Property Acquisition
Property: APN 0264-151-50,59,73,79,80,81 (six parcels)
Northeast corner of Ayala Drive & Renaissance Parkway
Negotiators: Robb R. Steel, Interim CA/Development SVS. Director
Fernando Acosta, Ayala and 210 Partners LLC
- 3 LIABILITY CLAIMS. The City Council will discuss the following claim(s) pursuant to Government Code Section 54956.95:
Claimants: Alejandra Rodriguez Felix and 2 minors
Agency claimed against: City of Rialto
- 4 PUBLIC EMPLOYEE APPOINTMENT - The City Council will discuss the following pursuant to Government Code Section 54957 and Rialto Municipal Code section 2.04.100
Title: Interim Finance Director

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by 3-0 vote to go into Closed Session at 5:09 pm. Council Member Baca Jr. and Council Member Trujillo were absent
Council Member Trujillo arrived in Closed Session at 5:15 pm.
Council Member Baca Jr. arrived in Closed Session at 5:20pm
Council City Council returned at 6:16 pm.

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CALL TO ORDER

Mayor Deborah Robertson called the meeting to order at 6:17 p.m.

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The roll was called and the following were present: Mayor Deborah Robertson, Mayor Pro Tem Ed Scott, Council Member Joe Baca Jr., Council Member Rafael Trujillo, and Council Member Andy Carrizales. Also present were Interim City Administrator Robb Steel, City Clerk Barbara McGee, City Attorney Fred Galante and City Treasurer Edward Carrillo.

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**Pledge of Allegiance
and Invocation**

Mayor Pro Tem Ed Scott led the pledge of allegiance.
Pastor Harry Bratton – Greater Faith Grace Bible Church gave the
Invocation.

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

City Attorney Fred Galante stated that City Council met in Closed
Session and discussed the items listed on the Agenda.

- 1a. Conference with Legal Counsel - Existing Litigation an Bernardino
Valley Municipal Water District v. San Gabriel Valley Water d.b.a
Fontana Water Company. City Council received an update to the
status of that matter. Council Member Trujillo abstained from this
item and left the closed session room.
- 2a. Conference with Real Property Negotiator. 119 N. Riverside
Avenue - Refugio Johnson, Cuca's Mexican restaurant. City
Council received an update, provided direction and no further
reportable action was taken.
- 2b. Conference with Real Property Negotiator. Northeast corner of
Ayala Drive & Renaissance Parkway - Fernando Acosta, Ayala and
210 Partners LLC. Council received an update, provided direction
and no further reportable action was taken. Council Member
Carrizales abstained from this item and left the closed session
room.
3. This item was not discussed.
4. Public Employee Appointment. Title: Interim Finance Director. City
Council provided direction and no further reportable action was
taken.

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

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**PRESENTATIONS AND
PROCLAMATIONS**

- 1 Certificate of Recognition-Omnitrans "One Million Mile" Award
Recipient-Harry Castillo-Mayor Deborah Robertson
- 2 Presentation-Rialto Police Officer of the Year, Police Officer Agnes
Watson-Interim Police Chief Mark Kling
- 3 Presentation-Life Saving Award, Police Officer Justin Breen
Interim Police Chief Mark Kling

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ORAL COMMUNICATIONS

Ayanna Balogun, Bundles and Beauty, announced their Nonprofit event
on Friday.

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C.V., Veolia North America, announced the 2018 Earth Day Fair on April
21st.

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**Consideration of Removing or continuing
any items on the Agenda**

Robb Steel, Interim City Administrator stated they will need to Pull TAB
5 after the direction from City Council in Closed Session.

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Council Member Carrizales stated that he will need to abstain from Consent Calendar items E.1, F.1, F.2, and F.3 due to a conflict with his lease agreement in the Renaissance Project.

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CONSENT CALENDAR

A. WAIVE FULL READING OF ORDINANCES

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

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B. APPROVAL OF WARRANT RESOLUTIONS

B.1 Resolution No. 32 (02/22/18)

B.2 Resolution No. 33 (03/01/18)

C. APPROVAL OF MINUTES

C.1 Regular City Council Meeting-February 13, 2018

D. CLAIMS AGAINST THE CITY

D.1 Roberta Matthews - Personal Injury

D.2 Andres Valle - Towing

CONSENT CALENDAR

E. SET PUBLIC HEARING

- E.1 Request City Council to 1) Set a Public Hearing for March 27, 2018 to Conduct a Property Owner Protest Ballot Proceeding; 2) Adopt Resolution No. 7297 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; 3) Adopt Resolution No. 7298 Declaring the Intention to Annex Properties to the Rialto Landscaping and Lighting District No. 2 and 4) Direct Willdan Financial Services, on behalf of the City Clerk, to mail a public notice and official ballot to all affected property owners.
- E.2 Request the City Council to Set a Public Hearing for March 27, 2018 to consider Conditional Development Permit No. 2017-0009, a request to allow the re-establishment and conversion of an existing non-operational regional biosolids processing facility into a regional organic waste processing facility. The project site consists of 5.7 acres of land (APN: 0258-151-24) located at 503 E. Santa Ana Avenue within the Heavy Industrial (H-IND) zone of the Agua Mansa Specific Plan. An Environmental Impact Report (Environmental Assessment Review No. 2017-0018) has been prepared for consideration in conjunction with the project.

F. MISCELLANEOUS

- F.1 Request City Council to (1) Accept the Riverside Avenue, San Bernardino Avenue and Willow Avenue Street and Storm Drain Improvements Project; (2) Authorize Filing of the Notice of Completion; and (3) Authorize Release of Retention to Match Corporation.

- F.2 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 January 2018.
- F.3 Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for January 2018.
- F.4 Request City Council to Approve Agreements for Right-of-Way Acquisition and Temporary Construction Easement with One Property Owner in the total amount of \$13,000 for the Valley Boulevard, Cactus Avenue and Linden Avenue Widening Project.
- F.5 Request City Council to Approve the Purchase of a Havis Prisoner Insert for Ford Transport Van with 10-08 Retrofit Inc. in the Amount of \$21,545.78
- F.6 Request City Council to Approve an Increase to Purchase Order No. 2018-0725 with Law Office of Kathy M. Gandara in the Amount of \$21,150 for a Total of \$49,500 to Cover Additional Costs Associated with Personnel Investigative Services.
- F.7 Request City Council to Adopt on Second Reading Ordinance No. 1599 entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING ZONE CHANGE NO. 337 TO CHANGE THE ZONING DESIGNATION OF APPROXIMATELY 4.65 GROSS ACRES OF LAND (APN: 0127-281-01) LOCATED ON THE EAST SIDE OF CACTUS AVENUE APPROXIMATELY 280 FEET NORTH OF BASE LINE ROAD FROM SINGLE-FAMILY RESIDENTIAL.
- F.8 Request City Council to Adopt on Second Reading Ordinance No. 1600 entitled AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA ADDING SECTIONS 1.08.030, 1.08.040, AND 1.08.050 TO CHAPTER 1.08, TITLE 1 OF THE RIALTO MUNICIPAL CODE ESTABLISHING PERMISSIBLE USES OF THE OFFICIAL SEAL OF THE CITY OF RIALTO
- F.9 Request the City Council to Approve Resolution No. 7299 affirming the Planning Commission approval of Conditional Development Permit No. 2017-0030 to develop a 2,489 square foot convenience market and Resolution No. 7300, Conditional Development Permit No. 2017-0032 to develop a fuel service station with a 1,920 square foot overhead canopy and four (4) fuel dispensers pursuant to Section 18.106.040B of the Rialto Municipal Code.
- F.10 Request City Council to Approve an Increase to the P.O. #2018-0102 in the amount of \$7,000.00 with Autographix for Fiscal Year 2017/18 for Sports Team Jerseys and T-shirts through June 2018 for a total cost of \$21,800

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Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by a 5-0 vote to approve the consent calendar. Council Member Carrizales abstained from Items E.1, F.1, F.2 and F.3.

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TAB 1 – Naming of a Softball Field to be built on the south side of Frisbie Park

Perry Brents, Community Services Dept. presented the staff report regarding the Naming of a Softball Field to be built on the south side of Frisbie Park.

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Mayor Robertson declared the public hearing open.

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ORAL COMMUNICATIONS

Paul Ramirez, grandson of Priscilla Mejia, spoke about his grandmother deserving this naming of the softball field, and the family legacy she left.

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Bernadette Ramirez, daughter of Priscilla Ramirez, spoke on the background of her mother and love of softball.

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Geri Gutierrez, daughter of Priscilla Ramirez, spoke about her mom deserving the naming of the softball field and how proud she is of the family legacy.

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Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by a 5-0 vote to close the public hearing.

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Council Member Baca Jr. thanked the Mejia family for coming and showing their support. He thought this was appropriate to name the new softball field after Priscilla Mejia. She was a pioneer in Rialto and what she did for the community when she asked for those softball fields.

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Council Member Trujillo stated that it's great to hear the stories about Priscilla Mejia and what she has done for the City.

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Council Member Carrizales thanked the Mejia family for coming out and share their stories.

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Mayor Pro Tem Scott stated that he is in support of this and it's a great way to honor Priscilla Mejia and her family.

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Mayor Robertson extended condolences to the family for the loss of Priscilla Mejia. She thanked the family for coming out in support of this.

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TAB 1 – Naming of a Softball Field to be built on the south side of Frisbie Park

Motion by Council Member Baca Jr. second by Council Member Carrizales and carried by a 5-0 vote to Approve the Naming of a Softball Field to be built on the south side of Frisbie Park, “Priscilla Mejia Field”.

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TAB 2 – Transfer of Public Funds – Supplemental Payments for Medic-Cal Services

Fire Chief Grayson presented the staff report regarding the transfer of Public Funds and to Accept Supplemental Payments for Medi-Cal Services.

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Council Member Baca Jr. left the dais at 7:12pm and returned at 7:15pm

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Council Member Carrizales left the dais at 7:15 pm.

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Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by a 4-0 vote to Approve and Authorize the Mayor to execute 1) An Agreement with the California State Department of Health Care Services (DHCS) authorizing transfer of Public Funds up to \$2,011,635 to DHCS and Accept Supplemental Payments for Medi-Cal Services of up to \$3,345,184; 2) Health Plan-Provider Agreements with participating Medi-Cal Managed Care Plan Provider(s); 3) An Agreement Authorizing the Payment of a 20% Administrative fee to DHCS; and 4) Adopt Budget Resolution No. 7301. Council Member Carrizales was absent.

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Council Member Carrizales returned at 7:20 pm

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TAB 3 – Proceed with Recruitments of Various Positions

Lucy Garcia, Human Resources Director presented the staff report regarding to Proceed with the Recruitments of various positions.

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to Proceed with the Recruitments of Director of Finance, Accounting Technician, Paramedic, Emergency Medical Technician, and Administrative Aide.

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TAB 4 - Amending the City's Salary Schedule

Lucy Garcia, Human Resources Director presented the staff report regarding Amending the City's Salary Schedule.

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Motion by Council Member Trujillo, second by Council Member Trujillo and carried by a 5-0 vote to Adopt Resolution No. 7302, Amending the City's Salary Schedule to Assign a Salary Range for the Newly Created Director of Finance Position and to Remove Unused Classifications.

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TAB 5

This item was pulled from the Agenda

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TAB 6 - Contract Professional Planning Services

Gina Gibson Williams, Development Services presented the staff report regarding Contract Professional Planning Services.

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Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by a 5-0 vote to approve a Professional Service Agreement with Innovative Planning for Contract Professional Planning Services and adopt a Budget Resolution No. 7303 appropriating funds in the amount of \$64,591.00 for total authorization not to exceed \$115,200.

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Mayor Pro Tem Scott left the dais at 7:32 pm

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TAB 7 – Third Amendment for Contract Financial Officer Services

Robb Steel, Interim City Administrator presented the staff report regarding the third amendment for Contract Financial Officer Services.

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Motion by Council Member Carrizales, second by Council Member Trujillo and carried by a 4-0 vote to Approve the Third Amendment to the Professional Services Agreement for Contract Financial Officer Services with MV Cheng & Associates in an Amount Not to Exceed \$15,000 for a Total Contract Amount of \$115,000.

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TAB 8 - Letter of Opposition to Senate Bill 623 and the Budget Trailer Bill Imposing a Tax on Drinking Water

Tom Crowley, Utilities Manager presented the staff report regarding the Letter of Opposition to Senate Bill 623 and the Budget Trailer Bill Imposing a Tax on Drinking Water.

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Council Member Trujillo asked they send a letter to the Governor.

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Mr. Crowley stated yes they will.

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Mayor Pro Tem Scott the reason the communities are in trouble is because they mismanaged their own water system and water supplies. He doesn't think the residents of Rialto should have a tax on their water to pay for mismanagement of water systems.

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Council Member Baca Jr. stated that he supports the opposition because Rialto residents get no benefit from this.

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TAB 8 - Letter of Opposition to Senate Bill 623 and the Budget Trailer Bill Imposing a Tax on Drinking Water

Mayor Robertson stated no they shouldn't have a tax on drinking water.

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Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by a 5-0 vote Approve Submission of a Letter of Opposition to Senate Bill 623 and the Budget Trailer Bill Imposing a Tax on Drinking Water As A Means of Funding Drinking Water Solutions in Some Disadvantaged Communities in California.

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REPORTS

Mayor and City Council gave their reports.

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ADJOURNMENT

Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by a 5-0 vote to adjourn the City Council Meeting at 8:07 p.m. in memory of:

Tom Finch

Nephew of Former Mayor Grace Vargas

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MAYOR DEBORAH ROBERTSON

ATTEST:

CITY CLERK BARBARA MCGEE