

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

**MINUTES
May 14, 2019**

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, May 14, 2019.

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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 5:01 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 Sean Grayson, City Attorney Fred Galante, and City Clerk Barbara McGee. City Treasurer Edward Carrillo were absent.

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CLOSED SESSION

1. PUBLIC EMPLOYEE APPOINTMENT(pursuant to Government Code Section 54957) Title: City Administrator
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: Two cases

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Motion by Council Member Trujillo, second by Council Member Baca Jr. and carried by 5-0 vote to go into Closed Session at 5:05 p.m.

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City Council returned from Closed Session at 6:10 p.m.

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CALL TO ORDER

Mayor Deborah Robertson called the meeting to order at 6:12 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 Sean Grayson, City Clerk Barbara McGee, City Attorney Fred Galante and City Treasurer Edward Carrillo.

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Pledge of Allegiance and Invocation

Council Member Rafael Trujillo led the pledge of allegiance.
Pastor Daniel Hlebo- Calvary Chapel Rialto 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 one item listed on the Agenda.

1. PUBLIC EMPLOYEE APPOINTMENT (pursuant to Government Code Section 54957) Title: City Administrator Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by a 5-0 vote to direct the City Attorney to bring back an Employment Agreement for consideration at the next regular City Council Meeting to be held on May 28, 2019 for City Administrator candidate Rod Foster.

City Council did not have the opportunity to discuss Item 2 on Closed Session and intends to recess back into Closed Session.

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PRESENTATIONS AND PROCLAMATIONS

1. Proclamation - Kids to Park Day - Mayor Deborah Robertson
2. Certificate of Recognition - Rialto Eastern Little League 55th Anniversary - Council Member Joe Baca Jr.
3. Proclamation - National Peace Officers Memorial Day - Mayor Deborah Robertson
4. Introduction of New Police Captain Mark Adams - Police Chief Mark Kling
5. Proclamation - National Public Works Week - Mayor Deborah Robertson
6. Presentation - New Hires and Promotions in the Public Works Department - Robert Eisenbeisz, Public Works Director
7. Proclamation - US Census 2020 - Mayor Deborah Robertson

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Robert Matich, Matich Corp., responded to comments made by Lupe Camacho at the last City Council Meeting, regarding his company allegedly overcharged for work done for the City.

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ORAL COMMUNICATIONS

Lupe Camacho, Rialto resident, clarified her information from her analysis she presented at the last City Council Meeting.

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Lizeth Mendoza, Inland Empire Coalition for Immigrant Justice and Rialto resident, commented on the Draft Ordinance regarding sidewalk vendors (SB946).

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Jorge Perez, Street Vendor, expressed support to allow street vendors and welcomed the guidance on how to do it right.

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Cesar Vega, expressed concern regarding 130 ft. of missing sidewalk on Merrill Ave., East of Cedar Ave. near his home that creates a safety hazard.

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Joselyn Earls, Fighting for the Tatas, invited the City to support the Mayor throwing out the first ball at a 66'ers baseball game.

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Consider removing items on the Agenda

Council Member Carrizales stated that he will be abstaining from F.14, F.15, TAB 8 and TAB 13 due to a conflict of interest with his business at the Renaissance Marketplace.

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Interim City Administrator stated that TAB 2, public hearing will need to be continued until the June 11th City Council meeting.

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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 Warrant Resolution No. 41 (04/25/2019)

B.2 Warrant Resolution No. 41a (04/25/2019)

B.3 Warrant Resolution No. 42 (05/02/2019)

B.4 Warrant Resolution No. 43 (05/09/2019)

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C. CLAIMS AGAINST THE CITY

C.1 Betty Vitatoe - personal injury

C.2 Tamara Strong - vehicle damage

C.3 Hortencia Ortega de Gudino - property damage

CONSENT CALENDAR

C.4 Pacific Bell/AT&T/Diane Mancini - property damage

C.5 Juan Correa - vehicle damage

D. APPROVAL OF MINUTES

D.1 Regular City Council Meeting - November 27, 2018

D.2 Regular City Council Meeting - December 11, 2018

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E. SET PUBLIC HEARING

- E.1 Request City Council to Set a Public Hearing for June 11, 2019 to Consider (1) a Billboard Relocation Agreement and (2) a Property Lease by and among the City of Rialto, the Rialto Housing Authority, and Lamar Central Outdoor LLC for Three City Owned Properties.
- E.2 Request City Council to Set a Public Hearing for May 28, 2019 to consider the extension of Urgency Ordinance No. 1608, which enacted a temporary moratorium on inter-city truck traffic on Ayala Drive between the I-210 freeway and Baseline Road in the Renaissance Specific Plan.
- E.3 Request City Council to Set a Public Hearing for June 11, 2019 to consider the extension of Urgency Ordinance No. 1609, which enacted a Temporary Moratorium on the construction, or alterations and improvements to the roadway median island located on Riverside Avenue between the I-10 Freeway and the southernmost border of the City.

F. MISCELLANEOUS

- F.1 Request City Council to Adopt Resolution No. 7505 Approving the Calendar Year 2018 Housing Element Annual Report.
- F.2 Request Rialto Housing Board to Adopt RHA Resolution No. 002-19 Approving the Fiscal Year 2017/18 Housing Activity Report for the Rialto Housing Authority.
- F.3 Request City Council to Adopt Resolution No. 7506 Setting the Fiscal Year 2019-2020 Tax Rate for CalPERS Retirement Cost at \$0 (zero) per \$100 Assessed Valuation.
- F.4 Request City Council to Authorize the Issuance of a Purchase Order to Southern California Edison in the Amount of \$20,925.68 for Extension of Electrical Services for the Frisbie Park Expansion Project.
- F.5 Request City Council to Approve an Increase of the Purchase Order with Ricky Tankersley, Information Specialist, for Fiscal Year 2018/2019 for Information System Support through June 2019 for a Total Cost of \$23,400.

CONSENT CALENDAR

- F.6 Request City Council to Authorize the Release of Request for Bids No. 19-121 for Construction of a Traffic Signal at the Intersection of Pepper Avenue and Winchester Drive/Terrace Road, City Project No 190802.
- F.7 Request City Council to Authorize the Issuance of a Purchase Order to Total Clean, a Division of Haaker Equipment Company, of La Verne, CA, in the amount of \$24,491.58 for an Air-Tow E-16 Enclosed Trailer.
- F.8 Request City Council to Authorize the Issuance of a Purchase Order to Fairview Ford in the Amount of \$33,624.60 for One (1) 2019 Ford Fusion Hybrid Titanium Vehicle for the City Council.
- F.9 Request City Council to Approve a Purchase Order Change Notice (Original PO#2019-0635) to Johnson Controls for Fire Alarm Systems Monitoring and repairs in the Amount of \$20,000, for a Total Amount of \$35,000 for Fiscal Year 2018/2019.
- F.10 Request City Council to Approve an increase to Geographics Purchase Order No. 2019-0678 for Graphic Design of the Rialto Progress Community Magazine in the amount of \$2,700 for a total amount of \$20,059.
- F.11 Request City Council to Approve Professional Services Agreement with Stanley R. Hoffman & Associates to Prepare a Citywide Fiscal Impact Analysis for the Purpose of Establishing a Mitigation Fee Schedule in the amount of \$20,000.
POWERPOINT
- F.12 Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for March 2019.
- F.13 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 March 2019.
- F.14 Request City Council to Receive and File the Statement of Income and Expense for March 2019 related to the Construction Reimbursement Agreement with Ayala@210LLC for Off-Site Improvements on Renaissance Parkway.
- F.15 Request City Council to Receive and File the Statement of Income and Expense for March 2019 related to the Construction Loan Agreement with Ayala@210LLC for On-Site Improvements for the Renaissance Plaza Retail Center on Renaissance Parkway.
- F.16 Request City Council to Approve the Professional Services Agreement with Public Sector Personnel Consultants and Issue a Purchase Order in an Amount Not-to-Exceed \$35,000 to Conduct a City-Wide Total Compensation Study.

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CONSENT CALENDAR

ORAL COMMUNICATIONS

F.10

F.6

June Hayes, Rialto resident, she is impressed with the Rialto Progress Magazine. Her only complaint is that they don't receive it at the beginning of the month but later in the month when events have already passed.

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Council Member Baca Jr. stated that this a project that the community has been asking for. He looks forward to seeing that project completed.

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Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by a 5-0 vote to approve the Consent Calendar. Council Member Carrizales abstained from Items F.14, F.15, TAB 8 and TAB 13.

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TAB 1 - Proposed Annexation of Territory to the Rialto Landscaping and Lighting District No. 2

Amy Crow, Public Works Dept. presented the staff report regarding the Proposed Annexation of Territory to the Rialto Landscaping and Lighting District No. 2.

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Mayor Robertson declared the public hearing open. No one came forward.

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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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City Clerk McGee opened six ballots. All voted in Favor.

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|---------------|-----|
| PPD 2018-0020 | YES |
| PPD 2017-0068 | YES |
| PPD 2401 | YES |
| PPD 2018-0070 | YES |
| PPD 2017-0095 | YES |
| PPD 2018-0084 | YES |

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TAB 1 - Proposed Annexation of Territory to the Rialto Landscaping and Lighting District No. 2

Motion by Council Member Trujillo, second by Council Member Carrizales and carried by a 5-0 vote to approve Proposed Annexation of Territory to the Rialto Landscaping and Lighting District No. 2; Request City Council to Adopt a Resolution Declaring the Results of the Property Owner Protest Ballot Proceedings Conducted for the Proposed Levy of Assessments Related to the Annexation of Territory to the Rialto Landscaping and Lighting District No. 2, Commencing in Fiscal Year 2019/2020; and Request City Council to Adopt a Resolution Confirming the Engineer's Report Regarding the Annexation of Territory to the Rialto Landscaping and Lighting District No. 2, the Levy of Annual Assessments Described Therein, and the Assessment Diagram Connected Therewith, and Ordering the Levy and Collection of Assessments Commencing in Fiscal Year 2019/2020 for said Annexation.

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TAB 2 - City's 2019-2020 Annual Action Plan (CDBG)

Mayor Robertson declared the public hearing open.

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Erica Gomez, Associate Director of programs for Big Brothers, Big Sisters, thanked the City for their consideration to fund their program.

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales to continue the Public Hearing until the June 11th City Council Meeting.

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TAB 3 – Proposed Ordinance - Relating to Wireless Telecommunications Facilities within the Right-Of-Way

Christy Lopez, Aleshire & Wynder presented the staff report regarding a Proposed Ordinance - Relating to Wireless Telecommunications Facilities within the Right-Of-Way.

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Mayor Robertson declared the public hearing open. No one came forward.

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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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City Attorney Galante read the title of the Ordinance:

Ordinance No. 1617

An Ordinance of the City Council of the City of Rialto, California, Adding Chapter 11.20 of the Rialto Municipal Code Relating to Wireless Telecommunications Facilities within the Right-Of-Way

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TAB 3 – Proposed Ordinance - Relating to Wireless Telecommunications Facilities within the Right-Of-Way

Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to approve to Introduce for First Reading an Ordinance, Entitled Ordinance No. 1617 “ An Ordinance of the City Council of the City of Rialto, California, Adding Chapter 11.20 of the Rialto Municipal Code Relating to Wireless Telecommunications Facilities within the Right-Of-Way.

The vote was: AYES: Mayor Robertson, Mayor Pro Tem Scott, Council Members Baca Jr., Council Member Trujillo and Council Member Carrizales. NOES: none. ABSTAIN: none. ABSENT: none.

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Mayor Pro Tem Scott left the dais at 8:29 p.m.

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TAB 4 – Carry Forward Budget for the Energy Efficiency and Solar Panel Installation Project

Robert Eisenbeisz, Public Works Director presented the staff report regarding the Carry Forward Budget for the Energy Efficiency and Solar Panel Installation Project.

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Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by a 4-0, Mayor Pro Tem Scott was absent, vote to Adopt Budget Resolution No. 7507, Amending the Fiscal Year 2018-19 Budget, Approving the Fiscal Year 2017-18 Carry Forward Budget for the Energy Efficiency and Solar Panel Installation Project.

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Mayor Pro Tem Scott returned to the dais at 8:33 p.m.

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TAB 5 – Increase Purchase Order for On-Call Civil Engineering Services for Fiscal Year 2018/19

Hector Gonzalez, Public Works Dept. presented the staff report regarding Increase Purchase Order for Lockwood Engineering for On-Call Civil Engineering Services for Fiscal Year 2018/19.

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Motion by Council Member Trujillo, second by Council Member Carrizales and carried by a 5-0 vote to Approve Budget Resolution No. 7508 and Authorize an Increase to Purchase Order No. 2019-1013 for \$175,000 to Lockwood Engineering Company for On-Call Civil Engineering Services for Fiscal Year 2018/19 and Authorize Issuance of a Purchase Order in the Amount of \$839,100 for Fiscal Year 2019/2020.

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TAB 6 - Rialto Safe Routes to School Program Plan

Katie Nickel, Public Works Dept. presented the staff report regarding the Rialto Safe Routes to School Program Plan.

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Kristin Haukom, Alta Planning presented the PowerPoint presentation of the proposed SRTS program plan.

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TAB 6 - Rialto Safe Routes to School Program Plan

Mayor Pro Tem Scott asked when this document was finished and available for staff review.

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Ms. Nickel stated that the documents was ready for staff review in February. It went through an intensive review by staff.

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Mayor Pro Tem Scott stated and City Council is just getting it tonight?

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Ms. Nickel stated that staff took the notebooks to City Council last week and left with the City Administrator's office.

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Mayor Pro Tem Scott stated that this was just put on their desk tonight. He cannot vote on it tonight without having the opportunity to go through the document. Either continue the TAB or he will be forced to vote No.

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Council Member Trujillo stated that he seen a digital version over the weekend. He had a question about some of the school sites and seen two from Colton. Are they partnering with the City of Colton as well?

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Ms. Nickel stated when the document is approved they will share the final plan with Colton, Fontana and San Bernardino. Also some of the Rialto schools are within their city limits. They have receive information from them that helped in the creation of the infrastructure list. They collaborated with the City of San Bernardino to put in a grant application for the Pepper Avenue and Winchester Ave. they did get a grant awarded that will be coming forward to City Council for the Terra Vista area in the North side that borders Fontana. So they are collaborating with neighboring cities.

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Council Member Baca Jr. stated that it's a lot of information to digest. His concern is that the other cities do their part. Fontana and Colton lobbying for Rialto schools that are in their jurisdiction. There are quite a few outside of Rialto city limits. They need to prioritize the ones in Rialto city limits.

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Council Member Trujillo stated that he was looking at the collision heat map and noticed the corridors are very dangerous for pedestrians.

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Ms. Nickel stated that they scored them by level of collision rates.

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TAB 6 - Rialto Safe Routes to School Program Plan

Mayor Robertson stated that they already made some improvements that they advanced and they worked coordinating with the City of San Bernardino on things they needed before putting the plan in place. Is that the ranking they would be trying to address?

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Ms. Haukom stated that is correct, a whole lot of information went into the scoring which begins on page 775.

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Motion by Mayor Pro Tem Scott, second by Carrizales and carried by a 5-0 vote to continue this TAB until the June 11th City Council Meeting.

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TAB 7 - First Amendment to Amended and Restated Professional Service Agreement with Willdan Engineering and Increase Purchase Order

James Caro, Building Manager presented the staff report regarding First Amendment to Amended and Restated Professional Service Agreement with Willdan Engineering and Increase Purchase Order and First Amendment to Amended and Restated Professional Service Agreement with Interwest Consulting Group and Increase Purchase Order for Contract Services.

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Mayor Pro Tem Scott stated that in the staff report it states there are no capital improvement budget impacts. Where are the funds coming from?

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Mr. Caro stated that they are coming from the increased revenues from building services due to increased building around the city.

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Mayor Pro Tem Scott asked where are they at with the reduction of reliance on these consultants.

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Mr. Caro stated that they had interviews for the Senior Building Inspector position. He recently lost the Lead Building Inspector, so he has released any consultants. He was able to release a Permit Tech because he was able to hire one.

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Mayor Pro Tem Scott asked if they got any candidates for the Senior Building Inspector?

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Mr. Caro stated that there is one that looks pretty good. He is scheduling the second interview next week.

They had six apply, three did not have certification. They interviewed three today and only one passed the outside panel.

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TAB 7 - First Amendment to Amended and Restated Professional Service Agreement with Willdan Engineering and Increase Purchase Order

Council Member Trujillo asked once they hire will this translate to savings?

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Mr. Caro stated absolutely it will. Once they hire the Senior Building Inspector they will see how many consultants they can release. He has been out in the field himself inspecting, trying to cover.

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Motion by Council Member Trujillo second by Council Member Baca Jr. and carried by a 5-0 vote to (1) Approve First Amendment to Amended and Restated Professional Service Agreement with Willdan Engineering and Increase Purchase Order #2019-0501 Authorization by \$374,580, for a total Fiscal Year 2019 authorization of \$952,500 and a total 3-Year Contract Authorization of \$2,201,770, and (2) Approve First Amendment to Amended and Restated Professional Service Agreement with Interwest Consulting Group and Increase Purchase Order #2019-0700 Authorization by \$100,000, for a total Fiscal Year 2019 authorization of \$385,000 and a total 3-Year Contract Authorization of \$585,000, and (3) Adopt Budget Resolution No. 7509 Appropriating \$329,899.00 to Account No. 010-500-4261-2011 for a total Budget Appropriation of \$1,460,000 in that Account.

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TAB 8 - First Amendment to the Construction Loan Agreement with Ayala@210LLC

Robb Steel, Development Services Director presented the staff report regarding First Amendment to the Construction Loan Agreement by and between the City of Rialto and Ayala@210LLC.

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Mayor Pro Tem Scott asked why is it taking so long to set the signs up?

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Mr. Steel stated that they have engaged the contractor a month and a half ago and installed the foundation.

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Fernando Acosta, Developer stated that the sign took a lot longer to get approval from the City than expected. The City made a deposit to order all the material for the signs. They are expecting to get the columns installed next week.

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Mayor Pro Tem Scott asked how long it took to get the permits?

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Mr. Acosta stated that it took months because they needed to conform to the design with the Lewis project. So there were continuous changes with Planning and their sign company.

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TAB 8 - First Amendment to the Construction Loan Agreement with Ayala@210LLC

Mayor Pro Tem Scott asked Mr. Steel for a report on how long it took for the permit process for these signs. They are paying the consultant a lot of money to process permits and he wants to know why it took so long.

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Mr. Steel he believes it was an internal employee.

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Mayor Pro Tem Scott asked Mr. Acosta if they did any flagging for the signs and the panels are sufficient in size?

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Mr. Acosta stated yes, originally the size was supposed to be on the hotel parcel almost right at the end of the existing block wall. When they did the flag test it was done with City Planning and Cracker Barrel's consultant and the sign company. They found the existing place where the freeway sign is going to be placed is the best location for visibility.

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Mayor Pro Tem Scott stated that he understands but regarding the 6' panels. Has Cracker Barrel signed off saying that was sufficient size?

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Mr. Acosta stated yes, they approved it. They entered into an agreement where they are paying a share of the sign, approximately 25% of the cost.

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Mayor Pro Tem Scott stated that there were some questions from the City Treasurer about loans on this project, where they might be in violation of the State Constitution. Is there anything in this that is in violation of State Constitution?

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City Attorney Galante stated no, so long as the funding is secured and they have protection, that is where he had legal concerns.

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Mr. Steel stated the topic came up for financing of vertical improvements and all they are doing is the horizontals.

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Mayor Pro Tem Scott stated that he is very concerned on the amount of money they have in this project. They fact they still have so many tenants missing. Is there an update?

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TAB 8 - First Amendment to the Construction Loan Agreement with Ayala@210LLC

Fred Encinas, Broker for the Marketing, stated there are three pads remaining and the hotel site. They have worked with Kimley-Horn on five different scenarios. They have interest for the hotel parcel and another one from Texas Roadhouse who is like the hotel parcel.

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Mayor Pro Tem Scott asked what is the process of them moving past an LOI.

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Mr. Acosta stated that they came up with a revised site plan, Texas Roadhouse approved the site plan. They provide Texas Roadhouse with Ground Lease and a number and today they came with a revised number they offered lower than anticipated. He is going to work with them on a number that is workable for everybody. It's probably going to take several week of going back and forth.

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Mayor Pro Tem Scott asked where on the site are they planning to be?

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Mr. Acosta stated that they are proposing to be on the hotel parcel.

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Mayor Pro Tem Scott asked what about the other three parcels?

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Mr. Acosta stated that the other three parcels, there was interest from Outback Steakhouse. Interest from Buffalo Wild Wings but they express they will not be doing any deals until next year. They are marketing to secure more restaurants. They received interest from a hotel but it's not one of the approved hotels.

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Mr. Encinas stated that it's a Choice Family Hotels – Mainstay. But in their agreement with the City they are looking for Hilton, Marriott and Holiday Inn Express. There are others but they have not received an LOI.

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Mayor Pro Tem Scott asked if that was the same hotel Mr. Steel spoke with yesterday.

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Mr. Steel stated it was Hampton Inn.

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Mayor Pro Tem Scott stated they have a Cracker Barrel and they have a Sonic at what point do they look at doing something else. \$4 million dollars into this project and only have some LOIs.

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TAB 8 - First Amendment to the Construction Loan Agreement with Ayala@210LLC

Mayor Robertson stated before they go any further on this she would like to see an economic analysis on a restaurant versus a hotel at that site.

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Mr. Acosta stated he needs direction, if they want him to stop talking to Texas Roadhouse and concentrate on hotels only? He was told to look at the options of anything.

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Mayor Pro Tem Scott stated that the Mayor is asking to see the economics for the City of both. They were at ICSC a year ago and here they are with the same stuff in the same spot. He is a little surprised this whole conversation came to City Council tonight. This project is dragging on and he also would see an economic analysis on a restaurant versus a hotel. No one is saying they want one over the other.

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Mayor Robertson stated she believes they said in EDC about advancing to something else.

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Mayor Pro Tem Scott asked if they bid signs out?

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Mr. Acosta stated this is the same sign company they used for In-N-Out and they were the lowest bidder. This sign will be 5 feet shorter than the In-N-Out sign.

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Mayor Pro Tem Scott stated that he is concerned because they have a Cracker Barrel open and there are no freeway signs there. He wants to know from City staff if they dragged their feet on approving the signs. He is tired of paying consultants to do stuff and they are doing it at their leisure. They need some answers. He will vote for it tonight but he is not voting for any more money on this project unless he sees something happening.

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Council Member Baca Jr. stated they are grateful that Cracker Barrel opened which makes up probable 20% of the site. One concern is why is the sign not up. Second concern is that the costs are going up. The next concern is are they going to have tenants and how long is this going to take. With the dissolution of the Redevelopment Agency, this is a money risk for the City if they keep putting money into this. They need to see some real committed tenants. The question is how much longer do they wait until they pull the plug.

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TAB 8 - First Amendment to the Construction Loan Agreement with Ayala@210LLC

Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by a 4-0 vote to Approve the First Amendment to the Construction Loan Agreement by and between the City of Rialto and Ayala@210LLC and Adopt Budget Resolution No. 7510 Appropriating Funds of \$300,000 and increasing the Maximum Construction Loan Amount to \$4,000,000. Council Member Carrizales abstained.

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TAB 9 - Accept Public Improvements, Approve the GASB 34 Report for the Project, and Confirm a Final Credit

Robb Steel, Development Services Director presented the staff report regarding Accept Public Improvements, Approve the GASB 34 Report for the Project, and Confirm a Final Credit.

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to Accept Public Improvements, Approve the GASB 34 Report for the Project, and Confirm a Final Credit of \$99,914.60 against Regional Traffic Fees Payable by the State Pipe and Supply Company related to the Construction of Public Improvements pursuant to the Construction and Credit Agreement.

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TAB 10 - Professional Services Agreement for the City's Data Analytics, Logistics, Surveillance, Innovation & Incubator Center (DALSIIC) and the Traffic Signal Communication System (TSCS) Plan

Katie Nickel, Public Works Dept. presented the staff report regarding for the City's Data Analytics, Logistics, Surveillance, Innovation & Incubator Center (DALSIIC) and the Traffic Signal Communication System (TSCS) Plan.

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Patrick Legendre, Managing Consultant for IBM gave a PowerPoint presentation.

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Mayor Pro Tem Scott asked how the partners were chosen.

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Mr. Legendre stated that they expressed interest in partnering and IBM chose them.

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Mayor Pro Tem Scott asked if the agreements are with IBM or the City of Rialto?

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Mr. Legendre stated the agreement is between IBM and Rialto. There are separate agreement internally with IBM.

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Mayor Pro Tem Scott stated the committee who picked IBM is who he sees listed in the staff report? How did they narrow it down to AECOM and IBM.

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TAB 10 – Professional Services Agreement for the City’s Data Analytics, Logistics, Surveillance, Innovation & Incubator Center (DALSIIC) and the Traffic Signal Communication System (TSCS) Plan

Katie Nickel, Public Works stated yes that is the committee. AECOM and IBM were the only two bidders and the RFP is the attachments.

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Mayor Robertson asked if there were any other interest.

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Ms. Nickel stated that there were firms who registered but did not provide a proposal.

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Mayor Pro Tem Scott asked which grant the money was coming from.

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Ms. Nickel stated \$525,000 of the \$1.7 million grant received by the City from the California Office of Emergency Services (Cal OES) through the efforts of Assemblymember Reyes.

This was a request that came from Assemblymember Reyes Office for the City to provide emergency services projects and estimated costs. All the departments had provided a list of projects along with these two that are funded with the \$1.7 million.

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Mayor Pro Tem Scott asked once the money is expended where are they are they are in the process.

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Ms. Nickel stated next would be implementing what the planned road map is and seeking private/public partnerships funding through the P3 process.

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Mr. Legendre with IBM stated part of the deliverables is getting letters of intent and writing any grant necessary but it will be a collaboration with the City.

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Mayor Pro Tem Scott asked if there will be City dollars?

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Mr. Legendre stated to the extent that their proposal didn’t cover all of the amount that was awarded. They are assuming the City would use the balance of the funds awarded, assist in the meetings and making sure they going down the right path.

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Mayor Pro Tem Scott asked what is the City’s participation in that P3 funding.

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TAB 10 – Professional Services Agreement for the City’s Data Analytics, Logistics, Surveillance, Innovation & Incubator Center (DALSIIC) and the Traffic Signal Communication System (TSCS) Plan

Brian Cullen, VICO stated that the intent would be to deliver this as a P3 project to the City and convert at the end of the six months to present alternatives to City as a P3 project without any capital provided. It will have to be funded through the project itself. His participation in the next six months is to analyze and determine what alternatives are available. His company could be a co-investor into the project. One of their capital partners would be interested in investing in a project like this.

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Mayor Pro Tem Scott asked why didn’t a RFP go out to the various P3? Mr. Cullen was a bidder on a water/wastewater project. Why are they locked into one company?

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Ms. Nickel stated that they put out an RFP on Planet Bids which is accessible to all the private partners.

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Mayor Robertson stated they are trying to expend the grant money but there is no commitment, this was not a P3 proposal but a Statement of Qualifications to begin to address what the dollars that were allocated to move the grant forward. Yet creating this situation on who will be the funding partners.

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Mayor Pro Tem Scott asked why they didn’t have any Council Members on the committee.

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Ms. Nickel stated that Mayor Robertson sat on the committee as an observer. It’s not normally their practice for them to sit on the committee.

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Mayor Pro Tem Scott asked then why did they select a Mayor Pro Tem from Jurupa Valley.

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Mayor Robertson stated that he offered his services because he is in part of the partnership in the Agua Mansa area and the consortium they have with the five cities down there. Especially with this dealing with traffic management and dealing with the truck traffic corridor.

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Mayor Pro Tem Scott asked if they know what the overall cost is and if it’s successful and actually put into place.

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TAB 10 – Professional Services Agreement for the City’s Data Analytics, Logistics, Surveillance, Innovation & Incubator Center (DALSIIC) and the Traffic Signal Communication System (TSCS) Plan

Mayor Robertson stated this is part of the proposal and City Council action they took in 2014 and they were going for funds from the Department of Commerce and Economic Development Administration. They were asking for a \$3 million match and City Council put in a reservation of \$2 million towards this effort. They need to go back and look at today’s numbers. They are also trying to bring in an opportunity for public/private partnership and even revenue opportunities for them looking at a P3 as it relates to even building their civic facility. They all need to recognize they are moving in a direction of trying to get a City Hall built. One of the other elements they didn’t have in 2014 is the downtown area. They only have three zones in the area that allows for people to invest their money and the downtown corridor happens to be an opportunity zone. So this is one way to begin to spur private sector jobs and bring investors to the downtown area so they can generate more foot traffic and using the Metrolink as an asset. They will need to have an economic plan on how they are going to get there.

She respectfully asked the Council Members to move forward and proceed with this because this is something that is moving on a regional and national platform because this is an investment in their future.

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Mayor Pro Tem Scott stated that he is not saying he disagrees, he is concerned when staff says it’s not the practice of this city to assign Council Members to committees.

Now they are bringing up the new city hall. Is this project integrated with the new city hall?

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Mayor Robertson stated no, not necessarily but they need to look at them in parallel paths and decide how do they maximize what they have and the resources available and the opportunities to get more grant funds.

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Mayor Pro Tem Scott stated that he just wanted answers, this project has moved forward without the rest of City Council. He has repeatedly asked questions about it and when City Council would be engaged in the project. He was curious how all the people were picked to be on the committee. He doesn’t see the City Council engaged in this.

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Mayor Robertson stated that this has been before them in different formats a number of times.

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Council Member Carrizales asked about the City of Lancaster project.

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TAB 10 – Professional Services Agreement for the City’s Data Analytics, Logistics, Surveillance, Innovation & Incubator Center (DALSIIC) and the Traffic Signal Communication System (TSCS) Plan

Mr. Legendre stated they are still working with them but they delivered the solution 2 months ago and are still using it today. This is a website they will go on and they can see a heat map of the different crime incidents coming in.

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Council Member Carrizales asked about VICO’s role in the project. He supports technology because then there wouldn’t be any growth. This would be a great start.

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Mr. Cullen stated VICO is a consultant to IBM to help them evaluate different financing alternatives to a project.

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Council Member Carrizales stated that they need sustainable jobs in the City. This brings a spotlight to Rialto for investors to start bringing technology into the City.

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Council Member Trujillo asked if they will be evaluating how the program is going along?

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Katie Nickel, Public Works Dept. stated yes, this is a six-month project and they will have monthly meetings with IBM and the team to review the status of the scope of work. They can bring to a status report to City Council every two months.

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Mayor Robertson stated in the report it says weekly status meetings. They would definitely need that in written form and noticed where the meeting is going to be held so if someone wants to participate.

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Ms. Nickel stated if City Council directs staff to set up a subcommittee during this process.

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Council Member Trujillo stated that he would be interested in that.

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Motion by Council Member Trujillo, second by Council Member Carrizales and carried by a 5-0 vote to Award a Professional Services Agreement with International Business Machines (IBM) Corporation in the Amount of \$499,492 for the City’s Data Analytics, Logistics, Surveillance, Innovation & Incubator Center (DALSIIC) and the Traffic Signal Communication System (TSCS) Plan. 2) Appointed sub-committee members of Mayor Robertson and Council Member Trujillo.

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TAB 11 - Rialto Climate Adaptation with Transportation Integration Plan

Katie Nickel, Public Works Dept. presented the staff report regarding Rialto Climate Adaptation with Transportation Integration Plan.

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Bob Ohlund, VP of Dudek, introduced their team. They presented a PowerPoint presentation.

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Council Member Trujillo stated it's real windy in this area, will they be working on that as well?

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The Dudek team stated yes the main hazards are air quality, extreme heat, wildfires and floods.

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Motion by Council Member Trujillo, second by Mayor Robertson and carried by a 5-0 vote Award a Professional Services Agreement to Dudek in the amount of \$301,160 for Rialto Climate Adaptation with Transportation Integration Plan.

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TAB 12 - Deposit and Reimbursement Agreement with Christopher Development Group to initiate formation of a Community Facilities District

Robb Steel, Development Services Director presented the staff report regarding a Deposit and Reimbursement Agreement with Christopher Development Group to initiate formation of a Community Facilities District.

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Council Member Trujillo stated in other cities there is a bond for services and another for infrastructure.

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Mr. Steel stated that this will have both components, Special Tax A and Special Tax B. the rate is dependent on what is financed for the infrastructure and then for public services it's dependent upon the fiscal impact report.

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Mayor Robertson stated they always seem to be falling short on fees for the public service side. Are they looking at current costs and demand?

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Mr. Steel they are currently working on that fiscal impact report for the project and it's assumed that's a services standard they want to continue.

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Mayor Robertson stated she hopes they have a chance to really look at what comes back from the fiscal analysis.

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TAB 12 - Deposit and Reimbursement Agreement with Christopher Development Group to initiate formation of a Community Facilities District

Motion by Council Member Trujillo, second by Mayor Robertson and carried by a 5-0 vote to (1) Approve a Deposit and Reimbursement Agreement with Christopher Development Group to initiate formation of a Community Facilities District; (2) Approve Professional Services Agreement for Financial Advisory Services by Fieldman, Rolapp and Associates, Inc; (3) Authorize the Engagement of Aleshire & Wynder for Bond Counsel Services; (4) Approve Professional Services Agreement for Special Tax Consulting Services by Willdan, Inc; and (5) Adopt Budget Resolution No. 7511 Increasing Revenues and Appropriating Expenditures in an Amount Not to Exceed \$87,250.

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TAB 13 - Accept the Renaissance East Water Pump Station, City Project No. 180402

Tom Crowley, Utilities Manager presented the staff report regarding Accept the Renaissance East Water Pump Station, City Project No. 180402.

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Motion by Mayor Pro Tem Scott, second by council Member Trujillo and carried by a 4-0 vote, Council Member Carrizales abstained, to (1) Approve RUA Resolution No. 06-19; (2) Accept the Renaissance East Water Pump Station, City Project No. 180402; (3) Authorize an Increase of \$20,871.42 to Purchase Order No. 2019-0888 issued to Pacific Hydrotech for Construction Contract Change Orders for a total amount of \$1,489,436.42; (4) Authorize Filing of the Notice of Completion; and (5) Authorize Release of Retention to Pacific Hydrotech Corporation.

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REPORTS

Mayor and City Council gave their reports.

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CLOSED SESSION

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by a 5-0 vote to return to Closed Session.

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City Attorney's Report on Closed Session

City Attorney Galante stated that City Council returned to closed session to discuss the two anticipated litigation items on the agenda. On the first item City Council held a discussion and no further reportable action was taken.

As to the second item, City Council heard a discussion as to the threat from the State Controller's Office for payment of parking fines. Motion by Council Member Carrizales, second by Mayor Pro Tem Scott and carried by a 5-0 vote to settle the traffic fines in the amount of \$175,365.39.

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ADJOURNMENT

Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by a 5-0 vote to adjourn the City Council Meeting at 11:13 p.m. in memory of:

Lauren Riley

8 year old Rialto resident

John Singleton

Film Director from Rialto

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MAYOR DEBORAH ROBERTSON

ATTEST:

CITY CLERK BARBARA A. McGEE