

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

**MINUTES  
November 14, 2017**

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, November 14, 2017.

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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 Robertson called the meeting to order at 5:00 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 Baca Jr., Council Member Rafael Trujillo and Council Member Andy Carrizales. Also present were City Administrator Michael Story, City Attorney Fred Galante, City Treasurer Edward Carrillo and City Clerk Barbara McGee.

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**CLOSED SESSION**

- 1 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 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 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

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Motion by Mayor Pro Tem Scott, second by Council Member Baca Jr. and carried by 4-0 vote to go into Closed Session at 5:01 pm. Council Member Trujillo was absent.

Council Member Trujillo arrived at 5:06 pm

City Council returned at 6:05 pm.

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## **CALL TO ORDER**

Mayor Robertson called the meeting to order at 6:08 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 City Administrator Michael Story, City Clerk Barbara McGee, City Attorney Fred Galante and City Treasurer Edward Carrillo.

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## **Pledge of Allegiance and Invocation**

Council Member Andy Carrizales led the pledge of allegiance.

Pastor Jim Smith – The Bridge Church of the Nazarene 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 item listed on the Agenda.

1. Conference with Legal Counsel – one item of anticipated Litigation, Significant exposure to litigation. City held a discussion provided direction and no reportable action was taken.
2. Conference with Labor Negotiator concerning the employee organizations listed on the Agenda. City Council received an update of the negotiations, provided direction and no further reportable action was taken.

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

3. Conference with Legal Counsel. Existing Litigation – Workers Compensation Matter - Robert Williams III. City Council received an update and no further reportable action was taken.
4. This item was not discussed.

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**PRESENTATIONS AND  
PROCLAMATIONS**

- 1 Proclamation-CalEITC-Mayor Deborah Robertson
- 2 Proclamation-Diabetes Awareness Month-Mayor Deborah Robertson
- 3 Certificate of Appreciation-RUSD Red Ribbon Decoration-Council Member Rafael Trujillo
- 4 ~~Presentation-Military Banner Program-Human Relations Commission~~
- 5 Introduction of the Rialto Institute of Progress 8th Class City Administrator Mike Story

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**ORAL COMMUNICATIONS**

Andrew Alas – recent UCLA graduate, Rialto resident and Rialto High School graduate, thanked the City for his personal development.

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

Council Member Carrizales stated that he will be abstaining from Items E.1, F.4, F.6, F.7, F.8 and TAB 2, due to a Conflict of Interest with leased property at 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. 6 (08/11/17)

B.2 Resolution No. 6A (08/11/17)

**C. APPROVAL OF MINUTES**

- C.1 Regular City Council Meeting – October 24, 2017

**D. CLAIMS AGAINST THE CITY**

D.1 Edward Palmer - Business Closure

D.2 SFPP - Measure U refund

## **CONSENT CALENDAR**

### **E. SET PUBLIC HEARING**

- E.1 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 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 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 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 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 Request City Council to Approve a Second Amendment to the Funding Agreement with Omnitrans related to the Metrolink Parking Lot Expansion.
- F.6 Request City Council to Receive and File the Statement of Income and Expenses related to Airport Escrow Account for September 2017.
- F.7 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 Request City Council to Adopt Resolution No. 7225 Approving Parcel Map 19815, a Request to Consolidate Six (6) Parcels into One (1) 49.95Acre Parcel, Located Approximately 0.26 Miles South of Renaissance Parkway, Between Locust Avenue and Linden Avenue.

## **CONSENT CALENDAR**

- F.9 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 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 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 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 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 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"

## **CONSENT CALENDAR**

F.15 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.

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Council Member Carrizales stated due to a Conflict of Interest, he will need to abstain from voting on ITEMS E.2 and F.11.

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Motion by Mayor Pro Tem Scott, second by Council Member Baca Jr. and carried by a 5-0 vote to approve the consent calendar. Council Member Carrizales abstained from voting on Items E.1 and F.4, F.6, F.7, and F.8.

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### **TAB 1 – Electric Vehicle Charging Station**

Gina Gibson Williams, Development Services, presented the staff report regarding an Ordinance for Electric Vehicle Charging Station permit process.

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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 Mayor Pro Tem Scott and carried by a 5-0 vote to close the public hearing.

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### **ORDINANCE NO. 1597**

**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)**

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Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by a 5-0 vote to Introduce for First Reading Ordinance No. 1597. The vote was: AYES: Mayor Robertson, Mayor Pro Tem Scott, Council Member Baca Jr., Council Member Carrizales and Council Member Trujillo. NOES: none. ABSTAIN: none. ABSENT: none.

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Council Member Carrizales left the dais at 6:49 pm, due to a conflict of interest with TAB 2.

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**TAB 2 – Addendum to the 2010 certified  
Renaissance Specific Plan Final EIR  
Renaissance East Commercial  
Development**

Gina Gibson Williams, Development Services, presented the staff report regarding the Renaissance East Commercial Development.

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

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Motion by Council Member Trujillo, second by Council Member Baca Jr. and carried by a 4-0 vote to close the public hearing. Council Member Carrizales abstained from voting.

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Council Member Baca Jr. stated that they have been getting a lot of positive feedback about the Cracker Barrel that is coming to the City. People are asking for more sit down restaurants. Also, there are no hotels off the 210 freeway and he is excited about this.

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Mayor Pro Tem Scott stated that the Cracker Barrel is a real catch for the City of Rialto. He would like a more expanded briefing on the hotel.

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Mr. Fernando Acosta stated that they met with the operator in Las Vegas and they issued a letter of intent several months ago. They have negotiated a purchase and sale agreement. The operator is talking to a Hyatt, a Hilton or Marriot. They are doing a market study to see which of the hotels will approve the site. It will not be a motel. It will either be a Hilton or Holiday Express. They will set a meeting to talk to the Economic Development Committee.

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Council Member Trujillo asked about the parking stalls for these businesses.

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Ms. Williams stated that it meets their development code right now.

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Council Member Trujillo stated that he wanted to make sure the parking is addressed for the popular establishment.

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Mayor Robertson asked if the development group was the same.

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**TAB 2 – Addendum to the 2010 certified  
Renaissance Specific Plan Final EIR  
Renaissance East Commercial  
Development**

Mr. Acosta stated that the same group in Vegas is the same group they entered into a purchase and sale agreement.

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Motion by Mayor Pro Tem Scott, Second by Council Member Trujillo and carried by a 4-0 vote to re-open the public hearing. Council Member Carrizales abstained.

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Mayor Robertson stated that she thought it was a different development group from Los Angeles.

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Mr. Acosta stated that it is the same group. The same group they met in Las Vegas. There was another group interested that met Mr. Robb Steel.

The operator is doing their market analysis. His plan is to submit comments to them by the end of next week. Mr. Steel has a copy of the purchase and sale he is working with.

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This public hearing is for the project and they are inadvertently looking at the product.

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Mr. Robb Steel stated like flagged for the hotel? The only two specifics are the Sonic and Cracker Barrel. They have listed in the presentation, the actual names, the Hampton Inn and the Holiday Inn. She also heard Hyatt and Holiday Express. That hasn't been finalized.

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Mr. steel stated no, that is not what they are acting on. Their option agreement with Fernando Acosta it set a standard. All those meet that standard. It would be a check off before they convey the property to them.

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Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by a 4-0 vote to close the public hearing. Council Member Carrizales abstained.

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**TAB 2 – Addendum to the 2010 certified Renaissance Specific Plan Final EIR Renaissance East Commercial Development**

Motion by Council Member Baca J., second by Council Member Trujillo and carried by a 4-0 vote, Council Member Carrizales abstained from voting, 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 (Cracker Barrel), 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).

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Council Member Carrizales returned to the dais at 7:13 pm.

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**TAB 3 – Financing Contracts related to the Solar CREB Lease Financing**

Robb Steel, Development Services Director presented the staff report regarding the Financing Contracts related to the Solar CREB Lease Financing.

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Mayor Robertson stated that she appreciated staff working through the concerns and getting it clarified for everyone.

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Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by a 5-0 vote to 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.

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**TAB 4 – COPS Allocation of 2017/2018 Funding**

Capt. Bill Wilson presented the staff report regarding the Accept California Citizens Option for Public Safety (COPS) Allocation of 2017/2018 Funding.

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Mayor Robertson asked if the other agencies are using the resources in the same line as Rialto?

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**TAB 4 – COPS Allocation of 2017/2018 Funding**

Capt. Wilson stated yes, when they apply they have include what it can be used for but they are not restricted to that. But it has to be forefront line enforcement and would have to let the COPS office know.

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Mayor Robertson asked if it can be used for anti-gang youth programs?

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Capt. Wilson stated that he would need to check because it's more equipment-based.

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City Attorney Galante stated that it cannot supplant what the city currently does it has to be in addition.

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Motion by Mayor Pro Tem Scott, second by Council Member Baca Jr. and carried by a 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.

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**TAB 5 - Architectural Design Services for Rialto Fire Station 205, Phase II**

Fire Chief Grayson presented the staff report regarding Architectural Design Services for Rialto Fire Station 205, Phase II.

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Mayor Pro Tem Scott stated the sub-committee have attended these meetings and looked at the final alternative for the new Fire Station and temporary Fire Station, they are in agreement. When it comes to the community center they have a couple other ideas which may include the community center being at a different location. If that happens then they will be bringing that forward. It would be the recommendation that the property not being used for a community center, be used for a medical facility that would work with the fire dept. and community to deal with medical issues. Since it would take about a year to build a Fire Dept., he asked Mr. Eisenbeisz to look at an incentive to build at a faster pace.

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Council Member Baca Jr. asked when they complete the design what is the timeline for construction to commence.

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Fire Chief Grayson stated that they will be moving into the temporary facility in the month of July 2018 and beginning construction, then moving into the new facility in June 2019.

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**TAB 5 - Architectural Design Services for Rialto Fire Station 205, Phase II**

Council Member Carrizales stated that they were looking at all the avenues on how to get this done quickly with the best use of resources.

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Council Member Trujillo stated that this was a big request from residents that calls were responded to quicker.

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Mayor Robertson stated that she is happy they are not locking themselves into a community center. If they bringing in a medical activity into that area it creates a higher synergy. She is looking forward to seeing what the sub-committee is recommending.

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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 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.

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**TAB 6 - Refurbishment of One Fire Engine**

Fire Chief Grayson presented the staff report regarding Increase Purchase Order #2017-1746 to Performance Truck Repair by \$7000 for the Refurbishment of One Fire Engine.

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Mayor Robertson asked what does it cost to repaint the fire engine?

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Fire Chief Grayson stated that the painting is included in the initial bid for the total refurbishment. He doesn't have the cost for just the paint.

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Motion by Council Member Baca Jr. second by Mayor Pro Tem Scott and carried by a 5-0 vote to 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.

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**TAB 7 – Management of Housing Repair Projects**

John Dutrey, Development Services, presented the staff report regarding Professional Services Agreement with LDM Associates to manage housing repair projects.

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Mayor Pro Tem Scott asked why wasn't this Bid out.

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**TAB 7 – Management of Housing Repair Projects**

LDM has been utilized by the City of Rialto, and due to the loss of the Redevelopment Agency there are not a lot of companies that do this type of work and the lack of funding to retain consultant.

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Mayor Pro Tem Scott stated its not they have an issue with LDM but this is another example that a consultant is handed work and stuff doesn't go out to bid. He has a problem with that. They have been a consultant in the City for 17 years and it's never Bid out. He would like to know if LDM filled out their conflict of interest form as they now require that consultants disclose any relationships with LDM and city employees.

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Rudy Munoz, LDM Consulting stated that they fill out the forms provided by the City Clerk in terms of conflict of interest. He stated that he is not aware of any relative that works in the City that is related to anyone of his staff.

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Mayor Pro Tem Scott stated this looks like someone they will be adding on?

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Mr. Munoz stated no, it would will be someone already employed and not a relative of any city employee.

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Mayor Pro Tem Scott stated that they discovered that consultants are hiring friends and family of City employees and that is a conflict and they are supposed to disclose that.

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Mr. Munoz stated that Mr. Rios has been with LDM for 30 years.

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Mayor Pro Tem Scott stated that he will again express his unhappiness that they are not bidding stuff out. They need to stop handing over work and bid out the services.

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Mayor Robertson stated that she was wondering if there was a minimum threshold. Again there was an ordinance adopted regarding disclosure for anyone doing business with the City. This is not the documents from the City Clerk's Office for Conflict of Interest – 700 Form. There was one for vendors and there was one for disclosure as it relates to employees. They don't seem to be understood and carried over or put in the appropriate place so it's processed at the same time.

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**TAB 7 – Management of Housing Repair Projects**

City Attorney Galante stated that it was implemented by an Ordinance that requires the disclosure on their applications for entitlements and business license applications. The document goes with the department head.

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Mayor Pro Tem Scott asked that the Department Head provide the City Council with all the disclosure statements that have been filed so far. Also, do an audit of vendors, consultants and determine if or who has not filled out such a statement, that they immediately do so.

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Mayor Robertson stated then a question as it relates to the services. She sees a number of things they would be providing. To what level is the mobile home repair?

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Mr. Dutrey stated that this is the third round of CDBG funds for the mobile home repair program. The first two rounds they expended all the funds. Normally, they would send out the marketing materials to each of the mobile home parks in Rialto and in the Progress Magazine.

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Mayor Robertson stated besides the marketing, is there a program in place where they annually inspect mobile home parks.

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Fire Chief Grayson stated that the mobile homes are regulated by the County or the State. They offer a voluntary inspection program where they can provide the same service but nothing mandated.

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Mayor Robertson stated that something was recently brought to her attention about mobile home parks and the fact that cities weren't connected to that. She would like to discuss that further.

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Mayor Pro Tem Scott stated that most of residents in mobile home parks do not know there are funds to help them with stuff. There are some new codes, regarding awnings over driveways that have to be detached. For someone on a fixed income it would be difficult to do.

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Mayor Robertson asked if they depleted the annual allocation for mobile home repair?

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Mr. Dutrey stated that currently they haven't spent any funds at this point. They have not receive any applications or requests.

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**TAB 7 – Management of Housing Repair Projects**

Mayor Pro Tem Scott stated that people don't know.

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Council Member Carrizales asked if the information is in a bilingual format.

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Mr. Dutrey stated no, he doesn't think so.

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Mayor Robertson stated that she would like to look at the material because she has been in some mobile parks recently and wondered who is responsible for looking at health and safety aspects of it. If they say it's the county and the state then how do they become aware of the concerns in the mobile home parks.

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Mr. Robb Steel stated that the City is responsible for some things within mobile home parks.

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James Caro, Building Supervisor stated that HCD (California Department of Housing and Community Development) is responsible for the coaches themselves. Any additional structures, platforms and carports, they have to get a permit through the City and they go out and inspect. They have jurisdiction inside the coaches. Referring to the health and safety of something inside the coach, the State will be notified.

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Mayor Robertson stated that it was brought to their attention at the Coffee with the Senator. A gentleman came forward, who is a mortician, explaining the things they don't see inside a mobile home.

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James Caro, Building Supervisor stated that there have been a few that they had to refer to the State.

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Mayor Pro Tem Scott asked when they do inspect, do they let the resident know about the mobile home repair program?

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Mr. Caro stated no, they do not. When this happens, Code Enforcement will refer them to the State and then lean on the management company who is supposed to handle and take care of some situations. Some have been resolved. He is not sure what the State does from that point.

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**TAB 7 – Management of Housing Repair Projects**

Council Member Baca Jr. stated they need to look at potential contracts like this. He is pleased with everything that LDM is doing for the City. They do a good job of keeping the City out of trouble when it come to Federal. The home programs are important because they are at a time where it's critical for people to find housing. Mr. Munoz did disclose he didn't have any relatives working for him which is a positive. A word of advice, they are not taking a proactive approach with the mobile homes.

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Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by a 4-1 vote, Mayor Pro Tem Scott voted No, 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.

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**TAB 8 – Final Construction Work Authorization- Year 5 Meter Replacements**

Tom Crowley, Utilities Manager Presented the staff report regarding the Final Construction Work Authorization Rialto Water Services for the Facility Improvement Project WA, Year 5 Meter Replacements.

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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 Final Construction Work Authorization in the Amount of \$300,000 to Rialto Water Services for the Facility Improvement Project WA, Year 5 Meter Replacements.

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**TAB 9 - CalRecycle Tire-Derived Product Grant**

Tony Brandyberry, Public Works Dept. presented the staff report regarding the CalRecycle Tire-Derived Product Grant.

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Mayor Pro Tem Scott stated that the first page is the Easton Reservoir and there is a white line around the billboard. That is not included correct?

Mr. Brandyberry stated no, the area to be mulched is in the pink. Right now they looking at city staff to do the work. They have also discussed the Urban Conservation Corp. it's kind of like work release. They are checking their resources to see if they can help with this. Its looks like they can have a partnership.

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Mayor Pro Tem Scott stated he is not in favor of paying city employees overtime to do this on weekends. City employees have enough to do, without spreading mulch around water tanks. There are a lot of potholes and other issues out on the streets in the city that need to be addressed.

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**TAB 9 - CalRecycle Tire-Derived Product Grant**

Mayor Robertson stated that she concurs but staff doing it on regular time is limited. She would hope that the Urban Conservation Corp. will be a resource they can utilize. They may need to maybe look at a small business person to provide the service.

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Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by a 5-0 vote to Adopt Budget Resolution No. 7236 Accepting the CalRecycle Tire-Derived Product Grant in the Amount of \$149,986.

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**TAB 10 - Bloomington Avenue Median Conversion Project**

Amy Crow, Public Works Dept. presented the staff report regarding Construction Contract to Promised Land Nursery, for the Bloomington Avenue Median Conversion Project.

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Mayor Pro Tem Scott asked if they have a design for this?

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Ms. Crow stated yes, it's been approved by City Council before.

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Mayor Pro Tem Scott stated he thought it has been modified.

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Ms. Crow stated it hasn't been modified or changed. The original design was approved by City Council and they extended the design to the whole stretch of the median from Riverside Ave. to Spruce and the phased approach is following the design they approved minus any hardscape for phase I. Phase I will include turf removal, irrigation upgrades, planting materials and some minimal hardscapes at the noses of the medians. The majority of the hardscape will not be installed in Phase I. it's the same planning design. They will go back to hardscape when they have funding available. The intent is to find some grants that will cover the costs or work it into the budget.

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Council Member Trujillo stated he is glad they moving in this direction because this is one of the medians that is not in a landscaping district so it comes from the general fund.

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Mayor Robertson stated that they will put down the first Phase but they will still need how much more for Phase II?

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Amy Crow stated that they will go out to bid for Phase II which will include the hardscape. She doesn't have an estimate.

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**TAB 10 - Bloomington Avenue Median Conversion Project**

Mayor Robertson asked if they had the proper paperwork in terms of disclosure for this contractor and is the principal in the audience?

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Amy Crow stated that they were notified of the meeting and she assumed he would be attending the meeting.

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

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**TAB 11 - Third Amendment to the Professional Services Agreement for Phase II Frisbie Park Americans with Disabilities Act Path of Travel Improvements**

Hector Gonzales, Public Works Dept., presented the Third Amendment to the Professional Services Agreement with Community Works Design Group for Phase II Frisbie Park Americans with Disabilities Act Path of Travel Improvements.

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Mayor Robertson stated that she needs to understand they need to do an amendment to add the ADA elements to the restrooms? They put a bid for a new concession/restroom facility. Who received that contract in December 2016?

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Mr. Gonzales stated that Fleming Environmental has the Construction Contract.

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Mayor Robertson stated but they didn't have to address the ADA design?

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Mr. Gonzales stated yes, they are addressing ADA related items. This third amendment would address items that are not part of the Frisbie Park expansion project. It will be the north and south sides of the park. It would be outside of where the concession and restrooms have been installed.

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Mayor Robertson stated that this sounds very confusing because they are also doing a Master Plan of Frisbie Park and there are expansions there. Yet they still have something that is not going to be captured and brought up to Code. While they are doing an expansion they are asking Community Works to come in and do something on ADA and then hopefully incorporate and integrate it all.

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**TAB 11 - Third Amendment to the Professional Services Agreement for Phase II Frisbie Park Americans with Disabilities Act Path of Travel Improvements**

Robert Eisenbeisz, Public Works Director stated that the expansion was for the areas that have not been developed yet. They already had a survey assessment done of all the parks looking at existing facilities, existing parking areas and paths of travel to the buildings. There was identified improvements within the existing portion of Frisbie Park outside the scope of the concession/restroom project and outside the scope of the expansion project. Last meeting they awarded a contract for 6 city parks and they did not include Frisbie because of the logistics of all the work done under one contractor that will include both the expansion and the existing deficiencies that need to be addressed.

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Mayor Robertson stated that she is trying to understand why they always have the ADA sitting separate.

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Mr. Eisenbeisz stated part of the scope in the modification of the expansion it was not in the original design effort. They were looking at putting in some structure and some amenities in the existing areas but the main focus was designing the new areas. He hears what she is saying that it could have all been incorporated in.

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Mayor Robertson stated that they always try to explain it but if they dropped in a new concession/restroom they needed to realize they needed to make ADA revisions. She doesn't know if it was to those facilities or what they are making revisions on.

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Mr. Eisenbeisz stated that it's to existing buildings.

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Mayor Pro Tem Scott stated that what he is trying to get at is that when they have a project in the park and because they have had so many issues with ADA, didn't they go out and do an ADA survey of the entire park? Just like they did on Riverside Avenue and delayed that project, where they had to go and do an ADA survey of all the sidewalks and all the street corners. Are they not doing a full ADA assessment of a park when they do some work? At Frisbie Park that is not minor work its major work.

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Mr. Eisenbeisz stated that the survey was done and they were running independently as two separate projects. They started the ADA project prior to the expansion project. They have just now come about it at the same time.

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**TAB 11 - Third Amendment to the Professional Services Agreement for Phase II Frisbie Park Americans with Disabilities Act Path of Travel Improvements**

Mayor Pro Tem Scott asked why wouldn't they've included it in the expansion project?

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Mr. Eisenbeisz stated that it could have been. It was already part of another project.

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Mayor Pro Tem Scott stated that it looks like they are doing change orders to do stuff. And change orders are expensive.

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Mr. Eisenbeisz stated that piece could have been carved out and put with the expansion project back when it was done. They were running independently at that point. They came to that conclusion with the selection of IDS and they should have come to that conclusion sooner.

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Mayor Robertson stated they are paying way too much money for A&E firms and they keep coming afterwards and dealing with ADA issues as an afterthought. Anytime they touch anything, they need to address the ADA compliance. If the facility is old and grandfathered in then they don't need to do ADA but why didn't the person who they paid to design it didn't think about ADA? She is getting of adding pieces and extending and giving.

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Tim Maloney, Community Works Design Group stated that the contract is not just ADA. There were two areas they didn't cover in the new Master Plan, the existing softball fields and little league fields. When they started construction documents they did bring it up, that since they doing so much construction all the rest of the park would be almost brand new and the park would be closed for a year. One of the areas they didn't address was the softball field area which had most of the ADA issues. Also the concession/restroom is horrible as well. So part of this is not ADA but a whole a softball area including the design for a new concession/restroom facility. When the park re-opens everything will be compliant now, new and fresh looking.

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Mayor Robertson thanked him for the explanation but didn't clear it. When they touch anything out there they should deal with ADA compliance. In the beginning they should have assessed that if they are going to do anything they should do ADA compliance on everything, even if they are not changing the softball fields.

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**TAB 11 - Third Amendment to the Professional Services Agreement for Phase II Frisbie Park Americans with Disabilities Act Path of Travel Improvements**

Council Member Baca Jr. asked if they adopted the Master Plan yet?

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Mr. Eisenbeisz stated yes, it was done when they kicked off Phase II.

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Council Member Baca Jr. stated that they had a discussion about the northern portion to have multi-use courts. And it was concurred to do that in the southern portion as opposed to all tennis courts. Looking at the Plan he noticed that it's all tennis courts on the south end and the north is multi-use.

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Mayor Robertson stated she thought they also put in a dog park. Did they take that out?

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Mr. Eisenbeisz stated that it might not show on the exhibit but it was done at the meeting and they will certainly make sure it's part of the construction drawings.

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote 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.

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**TAB 12 - Measure I - Five-Year Capital Improvement Plan and Expenditure Strategy**

Robert Eisenbeisz, Public Works Director presented the staff report regarding the Measure I - Five-Year Capital Improvement Plan and Expenditure Strategy.

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Mayor Robertson asked about widening needed on Alder and Locust near the 210 and bridge structures. When do those get factored in?

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Mr. Eisenbeisz stated that they are focused on Alder and Locust was not on the truck route.

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Council Member Trujillo stated that they mentioned matching funds, have they included the State funds?

**TAB 12 - Measure I - Five-Year Capital Improvement Plan and Expenditure Strategy**

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Mr. Eisenbeisz stated yes, those funds are committed to the design effort. There are several projects that will use those funds in the summer.

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Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by a 5-0 vote to Adopt Resolution No. 7238, Approving the Fiscal Year 2017/2018 - 2021/2022 Measure I - Five-Year Capital Improvement Plan and Expenditure Strategy.

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**TAB 13 – Interim Police Chief Mark Kling**

Lucy Garcia, Human Resources Director presented the staff report regarding Employment Agreement for Interim Police Chief with Mark Kling.

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Mayor Pro Tem Scott asked when they were going to start recruiting for a new Police Chief?

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Ms. Garcia stated they have to be able to demonstrate the vacancy effective prior to beginning his service of December 29<sup>th</sup> they have to have recruitment underway.

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Mayor Pro Tem Scott stated the contract states they intend to have a person in place by June 30, 2018.

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Ms. Garcia stated that it's based on speculation of the normal recruitment cycle and the ability to get qualified candidates. It could be longer.

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Mayor Pro Tem Scott stated this is a State requirement to have recruitment in place by December.

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Ms. Garcia stated correct they don't have to specify the process of the recruitment but make known they are accepting applications for the position of Police Chief beginning as early as December 12<sup>th</sup>.

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Mayor Pro Tem Scott requested a copy of that requirement.

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**TAB 13 – Interim Police Chief Mark Kling**

Council Member Trujillo stated Mr. Kling is a full time professor so will be taking leave?

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Ms. Garcia stated he obviously has other commitments and will make certain accommodations but his priority is the community and the Rialto Police Department.

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 to Adopt Resolution No. 7239 Appointing an Interim Police Chief and Approving the Employment Agreement with Mark Kling.

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**REPORTS**

Mayor and City Council gave their reports.

Council Member Baca Jr. left the meeting at 8:50 pm.

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**ADJOURNMENT**

Motion by Council Member Trujillo, second by Mayor Pro Tem Scott and carried by a 4-0 vote to adjourn the City Council Meeting at 9:15 p.m. Council Member Baca Jr. was absent.

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MAYOR DEBORAH ROBERTSON

**ATTEST:**

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CITY CLERK BARBARA A. McGEE