

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

MINUTES
June 26, 2018

A regular meeting of the City Council of the City of Rialto was held in the City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Tuesday, June 26, 2018.

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

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CALL TO ORDER

Mayor Pro Tem Scott 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 Trujillo and Council Member Andy Carrizales. Also present were Interim City Administrator Robb Steel, City Attorney Fred Galante, and City Clerk Barbara McGee. City Treasurer Edward Carrillo were absent.

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SUBSEQUENT NEED ITEM

City Attorney Galante stated they needed to add an item to Closed Session which came to their attention after the posting of the Agenda.

2h. Edward Palmer v. City of Rialto, et al

Case# BC708483

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Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by a 5-0 vote to add the item to the Closed Session.

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CLOSED SESSION

1. Public Employee Appointment pursuant to Government Code Section 54957. Title: Interim City Administrator
2. 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) Brian Park v. City of Rialto
WCAB SAC0000178670
 - (b) Steven Cunningham v. City of Rialto
WCAB SAC0000178690, SAC0000178767, SAC0000178691 & SAC0000178780
 - (c) Timothy Brayshaw v. City of Rialto
WCAB SAC0000178660, SAC0000178726, & SAC0000178714
 - (d) Roger Nakamura v. City of Rialto
WCAB SAC0000178668 & SAC0000178714
 - (e) Carl E. Jones, Christopher Hice v. City of Rialto, et al
U.S. District Court, Case No. 5:17-cv-01650-GW-(KKx)
 - (f) Ortiz v. City of Rialto
U.S. District Court, Case No. 5:16-cv-01384 GHK
 - (g) San Bernardino Valley Municipal Water District v. San Gabriel Valley Water d.b.a Fontana Water Company, et al
S.B. Superior Court Case No. CIVDS1311085
 - (h) Edward Palmer v. City of Rialto, et.al.
Case No. BC708483
3. 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.
4. Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.4:

Agency designated representatives:
Fred Galante, City Attorney
Robb Steel, Interim City Administrator

Employee organizations:
RMMA Bargaining Unit
RCEA Bargaining Unit
RFMA Bargaining Unit
Rialto Firefighters Local 3688

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Motion by Council Member Carrizales, second by Council Member Trujillo and carried by 5-0 vote to go into Closed Session at 5:07 pm. Council City Council returned from Closed Session at 6:28 pm.

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CALL TO ORDER

Mayor Deborah Robertson called the meeting to order at 6:30 p.m.

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

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Pledge of Allegiance and Invocation

Council Member Rafael Trujillo led the pledge of allegiance.
Pastor Victor Nolan-Words in Action gave the Invocation.

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City Attorney's Report on Closed Session

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

1. Public Employee Appointment pursuant to Government Code Section 54957. Title: Interim City Administrator. City Council held a discussion and no further reportable action was taken.
2. Conference with Legal Counsel - Existing Litigations.
 - (a) Brian Park v. City of Rialto
WCAB SAC0000178670
 - (b) Steven Cunningham v. City of Rialto
WCAB SAC0000178690, SAC0000178767, SAC0000178691
& SAC0000178780
 - (c) Timothy Brayshaw v. City of Rialto
WCAB SAC0000178660, SAC0000178726,
& SAC0000178714
 - (d) Roger Nakamura v. City of Rialto
WCAB SAC0000178668 & SAC0000178714

These items were not discussed. They will be moved to the next scheduled regular meeting.

- (e) Carl E. Jones, Christopher Hice v. City of Rialto, et al. Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by a 5-0 vote to settle this matter with no money coming out of the City for the settlement. A full release of claims. The \$50,000 payment will be from ERMA only. The settlement agreement will include a non-disparagement clause. Mr. Hice cannot make any disparaging remarks, a full dismissal with prejudice and conclusion of that matter.
- (f) Ortiz v. City of Rialto. City Council received an update, provided direction and no further reportable action was taken.

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

- (g) San Bernardino Valley Municipal Water District v. San Gabriel Valley Water d.b.a Fontana Water Company, et al. Council Member Trujillo did not participate in this item and left Closed Session room. City Council held a discussion, provided direction and no further reportable action was taken.
- (h) Edward Palmer v. City of Rialto, et.al. City Council receive an update and no further reportable action was taken.
- 3. Conference with Legal Counsel - Anticipated Litigation: One case.
- 4. Conference with Labor Negotiator regarding the following recognized employee organizations.
 - RMMA Bargaining Unit
 - RCEA Bargaining Unit
 - RFMA Bargaining Unit
 - Rialto Firefighters Local 3688City Council held a discussion, provided direction and no further reportable action was taken.

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**PRESENTATIONS AND
PROCLAMATIONS**

- 1. Presentation - 2018 4th of July Fireworks Update-Fire Chief Sean Grayson and Interim Police Chief Mark Kling

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ORAL COMMUNICATIONS

Gary Grossich, Member of the Bloomington Municipal Advisory Council, expressed concerns regarding the Valley & Spruce Project located adjacent to Bloomington.

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June Hayes, Rialto resident, expressed her concerns regarding fireworks enforcement.

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

Council Member Carrizales stated that he will need to abstain from TAB 15 due to a conflict with the proximity of his business in the Renaissance Project.

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City Attorney Galante stated regarding the budget item, D.1, there is language changes to the resolution. The point in the resolution is that the budget carries over and it includes capital expenditures and grant expenditures.

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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. 47 (06/07/18)

B.2 Resolution No. 48 (06/14/18)

CONSENT CALENDAR

C. CLAIMS AGAINST THE CITY

C.1 Jorge Conde-Vehicle Damage

C.2 Danny & Jennifer Aparicio-Traffic Accident

D. SET PUBLIC HEARING

D.1 Request City Council to Set a Public Hearing for July 10, 2018, to Approve and Adopt the Budget Plan for Fiscal Year 2018-2019 and adopt Resolution No. 7354, RHA Resolution No. 005-18 and RUA Resolution No. 02-18 to Continue the Fiscal Year 2017/18 Budget and Contracts.

E. MISCELLANEOUS

- E.1 Request City Council to Adopt Resolution No. 7355 Authorizing the Destruction of Certain Municipal Records of the Finance Department.
- E.2 Request City Council to Approve Second Amendment with Brett Carlson to increase its Purchase Order by from \$30,000 to \$49,500, an increase of \$19,500 for Fiscal Year 2017/18 and extend for one year.
- E.3 Request City Council to Approve the Issuance of a Purchase Order to Drop Deck Depot of Atlanta, GA in the amount of \$20,915 for an Enclosed Hydraulic Drop Deck Trailer.
- E.4 Request City Council to Approve the Fiscal Year 2018 and Fiscal Year 2019 Travel Expense List for Purposes of Travel Policy Compliance.
- E.5 Request City Council to Approve Renewal of the Law Enforcement Policy Manual Update Subscription, Daily Training Bulletin Management Services and Update Management Services in the Amount of \$28,629 for Lexipol LLC.
- E.6 Request City Council to Award Bid #18-113 and Approve the Issuance of a Purchase Order for Regulatory Street Signs and Supplies from Statewide Traffic Signs in the amount of \$17,882.41.
- E.7 Request City Council to Adopt 1) Resolution No. 7356 calling and giving notice of holding a General Municipal Election on November 6, 2018; 2) Resolution No. 7357 requesting the Board of Supervisors to consolidate this Election with the Statewide General Election, and 3) Resolution No. 7358 Adopting regulations for candidates pertaining to candidate statements.
- E.8 Request City Council to Adopt on Second Reading Ordinance No. 1601 (Development Code Amendment No. 2017-0007) entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING SECTIONS 18.110.020 AND 18.110.050 OF THE RIALTO MUNICIPAL CODE REGARDING THE SALE OF ALCOHOLIC BEVERAGES IN SEALED CONTAINERS FOR OFF-SITE CONSUMPTION"

CONSENT CALENDAR

E.9 Request City Council to Authorize Release of a Request for Proposals for Administration of Community Development Block Grant Services and continue current contract services with LDM, Associates, Inc. on a month-to-month basis until the approval of the RFP.

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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.

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TAB 1 – Placement of Sewer Service Charges for Delinquent Accounts

Ron Carr, interim Finance Director presented the staff report regarding Placement of Sewer Service Charges on the County Property Tax Roll for Delinquent Accounts.

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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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Mayor Pro Tem Scott stated that he noticed some of the addresses are noticed in the Rialto Water Service areas, so how can the sewer be delinquent.

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Mr. Carr stated that the list was created by Veolia.

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Robert Lee, Customer Services Manager for RWS, stated water services cannot be tax rolled only sewer service. The properties where they have not paid for sewer and the water has been disconnected for a very long time for being vacant, they are applying the sewer charges through the tax rolls.

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Mayor Pro Tem Scott so some of the addresses are in the Rialto Water service area and they are all not closed businesses. Some are open and can have a sewer lien on their property.

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Mr. Lee stated yes, the threshold is \$200 in the sewer fees and if it's greater than that then there is a potential for the tax roll.

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TAB 1 – Placement of Sewer Service Charges for Delinquent Accounts

Mayor Pro Tem Scott stated, a property owner leases a building out to a business who in turn doesn't pay their sewer bill and the business disappears. Who is stuck with the sewer bill?

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Mr. Lee stated in accordance with City Ordinance it would be the property owner responsibility.

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Mayor Pro Tem Scott asked what effort is made to notify a property owner when the tenant is \$6000 behind on a sewer bill?

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Mr. Lee stated that the only notification is when the tax roll notification goes out.

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Mayor Pro Tem Scott asked what happens when the notification goes to the property address versus going to the property owner of the building who may live in Rancho Cucamonga.

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Mr. Lee stated that they gather the account numbers and provide it to Willdan and they provide the property owner information from the County of San Bernardino. They send notification up to three locations. Property location, bill to address and property owner address.

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Mayor Pro Tem Scott stated that he has received complaints from property owners who have complained that they have never been notified of these bills. Then they are required to pay these bills. He doesn't think this is fair. The system is antiquated and needs to be addressed by City Council.

He would like to bring the subject of the policy be brought back to City Council.

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Mr. Lee stated that Willdan doesn't contact the property owners themselves but are providing the addresses.

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City Attorney Galante stated that if that policy is applied to the water bills them there will be legal issues as far as holding an owner responsible for the tenant's obligation.

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Council Member Trujillo stated that he is surprised by the number of properties and the amounts in the thousands. He shares a lot of the concerns.

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TAB 1 – Placement of Sewer Service Charges for Delinquent Accounts

Council Member Baca Jr. stated that he was looking at the total amount of \$1.3 million in outstanding debt. Hopefully they can recoup. He knows it's a tough issue. He rents out a property and he incorporates the trash in the rent because he knows if he doesn't there will be a lien.

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Mayor Robertson stated that they covered this conversation a couple of times and it's time for them to sort this out. Sewer only accounts have high delinquency rates as services cannot be disconnected for lack of payment. They disconnect water for lack of payment but she can only assume due to a health and safety issue they can't disconnect the sewer. Property owners want to know why they are not being notified when there is a delinquency. It's time to take it back to the subcommittee and ask for additional input and direction.

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Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by a 5-0 vote to approve Resolution No. 7359 Authorizing the Placement of Sewer Service Charges on the County Property Tax Roll for Delinquent Accounts.

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TAB 2 – Development Agreement with Oakmont El Rivino, LLC

Gina Gibson Williams, Development Services presented the staff report regarding the Development Agreement with Oakmont El Rivino, LLC for the proposed construction of a distribution warehouse.

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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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Mayor Pro Tem Scott stated that he agrees with the comments that warehouses and truck traffic get brought into communities and there is little to address that. The Colton Unified School District should have thought twice before building schools on Valley Blvd. In the case of this project its warehousing being built on an old golf course that is in a rural residential neighborhood. He would like to know what communication there has been with the County Supervisor and the Colton Unified School District and the MAC to address Safe Routes to school and added truck traffic that will come about.

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Ms. Williams stated that the City's Transportation Commission review all the concerns. They take that information and communicate to County land use services division and to any school district that is affected.

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TAB 2 – Development Agreement with Oakmont El Rivino, LLC

Mayor Pro Tem Scott stated that he understands them taking this to a Transportation Commission that doesn't have any jurisdiction over Bloomington. What communication and what issues has the County of San Bernardino, Colton Unified School District and Bloomington MAC on the very subject they talked about.

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Ms. Williams stated in reference to this project they have not brought up any issues. In reference to the other project the issues were brought up after the project was approved. They had the traffic consultant respond to their issue and sent them a traffic study. It details all the questions they had. She can say that the communication only occurred at the County and the school district. It did not include the MAC.

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Mayor Pro Tem Scott asked if they can say what the mitigation measures are.

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Ms. Williams stated that the document is lengthy and she can get them a copy. They responded in the document as an addendum.

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Mayor Pro Tem Scott asked if their concerns are valid.

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Ms. Williams stated that she doesn't think the concerns are valid after the developer made changes to the project in order to address it. They modified the project at Spruce and Valley quite a bit to address the issues. She feels the concerns have been addressed.

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Mayor Pro Tem Scott stated that it's a shame that this city, the County and school districts don't work together on these issues. Then they have residents come in and complain about stuff because they don't get heard. The real concerns on the community are not being addressed. They as a City have to do a better job at communicating with the residents and addressing their concerns.

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Ms. Williams stated she can come back with recommendations on how they can better achieve that communication.

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Council Member Baca Jr. stated this project started 12 years ago. He knows back then Riverside lodged complaints. Have they heard from Riverside on this project?

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Ms. Williams stated no, not for this project.

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TAB 2 – Development Agreement with Oakmont El Rivino, LLC

Council Member Baca Jr. asked if a school is impacted within this sphere of influence of this project.

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Ms. Williams stated no not this one.

During public comment that other project is within the radius of notification for Joe Baca Middle School.

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Council Member Trujillo stated he would like to see an overview map to get a better sense of the surrounding areas.

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Ms. Williams stated they can do that.

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Council Member Baca Jr. asked because it will impact Bloomington residents, how much mitigation is being done to give the residents a better level of comfort.

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Ms. Williams stated first, they will do actual improvements to the streets, which they have standards that need to be met. Widening of curb, gutter, and sidewalks which may not be part of the County standards. Those are happening on Cactus Avenue both North and South and El Rivino Road. Second, is the fair share fees of \$1,134,063 that will go for services and other infrastructure improvements. Cactus is a truck route so the traffic study was done to make sure the trucks stayed on the truck route. There are residents there but the whole area is zoned for industrial so they will be sharing the road.

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Mayor Robertson stated as she was looking at that site plan it didn't identify all the roads. So an aerial map is needed.

They need to be mindful that these roads will need to be improved and widened because of the truck traffic with the upcoming projects.

Did they make an effort to a community meeting? Did the county have any concerns for this project?

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Ms. Williams stated that there weren't any comments for the Oakmont El Rivino Project addendum. The original EIR period was back in April 2011. The notices sent out to a 300 foot radius from the entire project area and any agencies or entities that would be impacted.

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Mayor Robertson stated within the 300ft. radius how much is residential since the majority is industrial.

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TAB 2 – Development Agreement with Oakmont El Rivino, LLC

Gina Gibson Williams stated within this project site the majority of the residential falls to the east side of Cactus. There is residential to the west but there is more project area that is not included in this. So the one neighborhood impacted is east of Cactus avenue. There is a neighborhood to the north but it's not within the 300ft radius of the project area.

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City Attorney Galante read the language correction in the first paragraph on page 3.

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City Attorney Galante read the title of Ordinance No. 1603

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT NO. 2018-0001 BY AND BETWEEN THE CITY OF RIALTO AND OAKMONT EL RIVINO, LLC AND MAKING CERTAIN FINDINGS THEREIN RELATED TO THE PROPOSED CONSTRUCTION OF 2,252,867 SQUARE FEET OF DISTRIBUTION WAREHOUSE FACILITIES LOCATED ON A 122.7+/- ACRE SITE, NORTH OF EL RIVINO ROAD AND WEST OF CACTUS AVENUE IN THE M-1 (LIGHT INDUSTRIAL) ZONE OF THE CITY OF RIALTO

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to introduce for first reading Ordinance No. 1603 for Development Agreement No. 2018-0001 by and between the City of Rialto and Oakmont El Rivino, LLC.

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

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TAB 3 – Amendment to Rialto Airport Specific Plan - Change the Standards for Maximum Building Height

Gina Gibson Williams, Development Services Department, presented the staff report regarding the change of standards for maximum building height.

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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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Mayor Pro Tem Scott stated the County had some ordinances and planning requirements for some of the county pocket areas in the airport specific plan. Have those been changed?

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TAB 3 – Amendment to Rialto Airport Specific Plan - Change the Standards for Maximum Building Height

Gina Gibson Williams, Development Services stated not yet. Through the annexation process, all of the properties in the county islands in the north end are zoned R-1A, single family residential. The standards have not been changed.

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Mayor Pro Tem Scott asked does it make sense to ask them to change that?

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Ms. Williams stated when the City completes the annexation the residential portion will come under the City's new standards. That portion of the Airport plan is no longer in effect and she will go back and make sure there are no height requirements.

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Mayor Pro Tem Scott stated that still a long way away. It's not going to happen in a year. The reason he brings that up is because there are people who live in the county areas that would like to make improvements on their houses.

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City Attorney Galante read the title of Ordinance No. 1604:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING AN AMENDMENT TO THE RIALTO AIRPORT SPECIFIC PLAN TO CHANGE THE STANDARDS FOR MAXIMUM BUILDING HEIGHT IN CERTAIN ZONES OF THE AIRPORT SPECIFIC PLAN AREA, AND REPEALING ORDINANCE NO. 1394 TO ELIMINATE THE REQUIREMENT OF PLANNING COMMISSION AND CITY COUNCIL APPROVAL OF CONDITIONAL DEVELOPMENT PERMITS FOR ALL USES IN CERTAIN ZONES OF THE AIRPORT SPECIFIC PLAN AREA

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Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by a 5-0 vote to introduce for first reading Ordinance No. 1604.

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

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TAB 4 - Professional Services Agreement for Independent Audit Services

Ron Carr, Interim Finance Director presented the staff report regarding Professional Services Agreement for Independent Audit Services.

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Mr. Teaman gave an overview of their firm and services.

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to Approve a Three Year Professional Services Agreement for Independent Audit Services to Teaman, Ramirez and Smith, Inc. in the Amount of \$214,750.

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TAB 5 - Release of Notice Inviting Bids for Expansion, Redevelopment and Renovation of Frisbie Park

Perry Brents, Commuhntiy Services Department presented the staff report regarding Release of Notice Inviting Bids for Expansion, Redevelopment and Renovation of Frisbie Park.

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Scott Rice, Community Works Design Group gave a PowerPoint presentation on the project.

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Council Member Trujillo stated that this is a long time coming for the residents.

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Mayor Robertson asked how long is it going to take to construct and what is the timeframe?

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Mr. Rice stated that the ideal would be to do the entire park to get a great bid. This would involve shutting the entire park down, the construction time would be one year , plus a 3 month grow in period of the new grass.

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Council Member Baca Jr stated that he is excited about this project. This project has been highly vetted out and a lot of the key elements have been put into the park. This project will have a lot of amenities. He wants this to move forward. He doesn't want delays or costs to go up.

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Council Member Carrizales thanked Council Member Baca Jr. for his leadership on this project. It has been many years of planning and they asked the community what they wanted. All the amenities are going to be amazing.

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TAB 5 - Release of Notice Inviting Bids for Expansion, Redevelopment and Renovation of Frisbie Park

Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by a 5-0 vote to Authorize the Release of Notice Inviting Bids for Expansion, Redevelopment and Renovation of Frisbie Park, City Project No. 150304.

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TAB 6 - Municipal Solid Waste Collection, Recycling and Disposal Service Rates

Richard Nino, Burrtec Waste gave a presentation regarding the annual Municipal Solid Waste Collection, Recycling and Disposal Service Rates.

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Council Member Baca Jr. thanked the Utilities Commission for their recommendations. He is glad for the commercial and multi-family rates. He is tired that they city is becoming a public dump and it's getting worse. Hopefully this will address some of the issues.

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Council Member Carrizales stated most of their outreach is bilingual and are some of the signs on the dumpsters going to be bilingual?

This program will help make Rialto a cleaner place.

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Mr. Nino stated they haven't thought that through and it's a good point.

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Mayor Robertson thanked the Public Works staff who worked on this to address the dumping. This is a step in the right direction to make people more aware. They have 350 multi-family facilities and only 50 are really bothering to call in for bulky items. It's going to require an education process.

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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. 7360 Approving Municipal Solid Waste Collection, Recycling and Disposal Service Rates for Fiscal Year 2018/2019, Effective July 1, 2018, and approve Option 2.

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TAB 7 - Tentative Agreements with the Rialto Police Officers' Association, General Bargaining Unit and Management Bargaining Unit

Lucy Garcia, Human Resources Director presented the staff report regarding Tentative Agreements with the Rialto Police Officers' Association, General Bargaining Unit and Management Bargaining Unit.

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Mayor Robertson stated that they all worked hard to find balance. She hopes to find that with the other Bargaining Units.

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TAB 7 - Tentative Agreements with the Rialto Police Officers' Association, General Bargaining Unit and Management Bargaining Unit

Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by a 5-0 vote to Approve Resolution No. 7361 Authorizing a Tentative Agreement with the Rialto Police Officers' Association, General Bargaining Unit, for the term of August 1, 2016 through June 30, 2019; and Approve Resolution No. 7362 Authorizing a Tentative Agreement with the Rialto Police Officers Association, Management Bargaining Unit, for the term August 1, 2016 through June 30, 2019.

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TAB 8 - City Employees' Compensation Rates and Schedule for the 2018-2019

Lucy Garcia, Human Resources Director presented the staff report regarding the City Employees' Compensation Rates and Schedule for the 2018-2019.

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Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by a 5-0 vote to Approve Resolution No. 7363 Authorizing the City Employees' Compensation Rates and Schedule for the 2018-2019 Fiscal Year.

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TAB 9 - Appointing an Interim City Administrator

Lucy Garcia, Human Resources Director presented the staff report regarding appointing an Interim City Administrator.

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City Attorney Galante clarified that the Interim Finance Director will report directly to the Budget Committee.

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Mayor Pro Tem Scott also clarified that the Utilities Manager will continue to report directly to the Water subcommittee.

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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 Resolution No. 7364 Appointing an Interim City Administrator and Approving the Employment Agreement with Ahmad R. Ansari.

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TAB 10 - Accept the Grant Assistance Program

Mark Kling, Interim Police Chief presented the staff report regarding the Acceptance of the Grant Assistance Program.

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Motion by Council Member Baca Jr., second by Mayor Pro Tem Scott and carried by a 5-0 vote to Accept the Grant Assistance Program (GAP) Administered by the California Department of Alcoholic Beverage Control (ABC), in the Amount of \$61,943.

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TAB 11 – Annual Maintenance Agreement with TriTech Software Systems

Mark Kling, Interim Police Chief presented the staff report regarding Annual Maintenance Agreement with TriTech Software Systems.

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Motion by Council Member Baca Jr., second by Council Member Carrizales and carried by a 5-0 vote Approve a Records Management System, Mobile Data, Computer Aided Dispatch, Property/Evidence Systems, CrimeMapping.com, CrimeView Desktop and Dashboard Annual Maintenance Agreement with TriTech Software Systems in the Amount of \$150,114.42 for Fiscal Year 2018/2019.

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TAB 12 - Construction and Credit Agreement with Pegasus LH, LLC

John Dutrey, Development Services presented the staff report regarding a Construction and Credit Agreement with Pegasus LH, LLC.

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Motion by Mayor Pro Tem Scott, second by Council Member Baca Jr. and carried by a 5-0 vote to Adopt Resolution No. 7365 Approving a Construction and Credit Agreement by and between the City of Rialto and Pegasus LH, LLC.

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TAB 13 - Third Amendment with Interwest Consulting Group

James Caro, Building & Code Enforcement Manager presented the staff report regarding the Third Amendment with Interwest Consulting Group.

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Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by a 5-0 vote to Approve a Third Amendment with Interwest Consulting Group to increase their contract amount by \$ 20,000 from \$130,000 to \$150,000 for the remainder of Fiscal Year 2017/18 to PO 2018-0585.

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TAB 14 – Final Construction Work Authorization - Sewer Facility Improvement Project S8

Tom Crowley, Utilities Manager presented the staff report regarding the Final Construction Work Authorization - Sewer Facility Improvement Project S8.

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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 \$310,141 to Rialto Water Services for the Sewer Facility Improvement Project S8 - Repairs to the Primary Clarifier, Aeration Basin and Diffusers in Plants No. 3 and No. 4.

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TAB 15 - Construction of the Booster Pump Station for Serving Domestic and Fire Protection Water to the Renaissance East Shopping Center

Tom Crowley, Utilities Manager presented the staff report regarding Construction of the Booster Pump Station for Serving Domestic and Fire Protection Water to the Renaissance East Shopping Center.

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TAB 15 - Construction of the Booster Pump Station for Serving Domestic and Fire Protection Water to the Renaissance East Shopping Center

Mayor Robertson stated that it was mentioned that Pacific Hydrotech submitted a bid but missed something? Did the others also miss it?

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Mr. Crowley stated no, but there were some discrepancies with some of the others. Pacific Hydrotech bid was a little higher and they honored the new number. It was a totaling error.

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Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by 4-0 vote, Council Member Carrizales abstained, to 1) Adopt Budget Resolution No. 7366; 2) Award a Construction Contract to the Pacific Hydrotech Corporation for the Construction of the Booster Pump Station for Serving Domestic and Fire Protection Water to the Renaissance East Shopping Center in the Amount of \$1,468,565, City Project No. 180402; 3) Authorize a Purchase Order with Willdan in the Amount of \$45,409 for Construction Management and Inspection Services for the Project; and 4) Approve the First Amendment to the Professional Services Agreement with Kimley Horn in the Amount of \$48,800 for Construction Engineering Services for the Project.

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TAB 16 – Urgency Ordinance - Temporary Moratorium on the Construction of, Alterations and Improvements to the Roadway Median Island

Robert Eisenbeisz, Public Works Director presented the staff report regarding and urgency ordinance for a Temporary Moratorium on the Construction of, Alterations and Improvements to the Roadway Median Island.

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Mayor Pro Tem Scott stated he wants to make sure when they come back with this they take a look at whether they need medians south of the 10 freeway or not. This needs to be studied well and not to just pass a plan for aesthetic purposes.

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Mayor Robertson stated as they put the moratorium in place and in coordination with neighboring cities.

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City Attorney Galante stated in the Ordinance it does state that develop impact fees would still apply. If ultimately the City decides to not have the full median those fees can be diverted to other traffic calming measures.

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Mayor Pro Tem Scott asked when they say other traffic calming measures, is it in that area. He wants to make sure they are not going to use that money somewhere else.

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TAB 16 – Urgency Ordinance - Temporary Moratorium on the Construction of, Alterations and Improvements to the Roadway Median Island

City Attorney Galante stated that impact fees are used for a direct impact of a particular use. so it can't be too far away from the project.

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City Attorney Galante read the title of the urgency Ordinance No. 1605: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, ESTABLISHING A TEMPORARY MORATORIUM ON THE CONSTRUCTION OF, OR ALTERATIONS AND IMPROVEMENTS TO, THE ROADWAY MEDIAN ISLAND LOCATED ON RIVERSIDE AVENUE BETWEEN THE 1 -10 FREEWAY AND THE SOUTHERNMOST BORDER OF THE CITY

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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 Urgency Ordinance No. 1605.

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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TAB 17 - Accepting the California SB1 - Public Transportation - Adaptation Planning Grant

Katie Nickel, Public Works Department Accepting the California SB1 -Public Transportation-Adaptation Planning Grant.

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Motion by Council Member Trujillo, second by Council Member Carrizales and carried by a 5-0 vote to Adopt Resolution No. 7367 Accepting the California SB1 -Public Transportation-Adaptation Planning Grant in the amount of \$350,000; and Authorize the Release of a Request for Proposals for Related Professional Consultant Services for Rialto's Climate Adaptation Plan with Transportation Integration.

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TAB 18 - Contract Change Orders to Matich Corporation

Jeff Schafer, Public Works Department presented the staff report regarding Contract Change Orders to Matich Corporation.

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Mayor Robertson stated that she was told this has to do with the subgrade and intersecting of one of the roads. This seems to be going beyond what was explained.

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Mr. Eisenbeisz stated that some of the additional work was done on the other streets during construction. What he discussed previously was work that was yet to be completed.

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TAB 18 - Contract Change Orders to Match Corporation

Mayor Pro Tem Scott stated that during the design process there should have been a more thorough look at the project. Coming back with a 10% change order it looks bad. They are frustrated that they pay all these consultants all this money to do stuff and they miss stuff. They may need to find someone else to do a better job.

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Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by 4-1 vote to approve Contract Change Orders to Match Corporation in the amount of \$245,689.63, for a Total Contract Amount of \$2,689,689.63, for the Annual Street Overlay Project, City Project No. 160801. Mayor Robertson voted NO.

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TAB 19 - Design of the Baseline Master Plan Storm Drain

Hector Gonzalez, Public Works Department presented the staff report regarding the Design of the Baseline Master Plan Storm Drain.

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Mayor Robertson asked why it has taken six months to bring this item to City Council.

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Mr. Eisenbeisz stated that the consultant asked for changes to the agreement and there some negotiating for a few months. There was some agreed upon changes and the consultant agreed to the original scope.

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City Attorney Galante stated that he had reviewed extensive comments to the contract.

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Mayor Pro Tem Scott asked if this is located on the Northside of the road?

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Mr. Eisenbeisz stated yes, it involves Baseline Master Plan. Part of the study will involve the exact location. The intent is to pick up all the drainage from Baseline, especially the northside of the road. They need to look at all the utilities and have the least amount of impact. The hope is to build it to Ayala. Once they have a design they can have a better idea of the cost.

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Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by a 5-0 vote to Approve a Professional Services Agreement with HuittZollars, Inc. for Professional Engineering Services for the Design of the Baseline Master Plan Storm Drain from Cactus Basin to Tamarind Avenue in the Amount of \$521,625.

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REPORTS

Mayor and City Council gave their reports.

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ADJOURNMENT

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by a 5-0 vote to adjourn the City Council Meeting at 10:17 p.m. in memory of:

Mr. Max Eugene Tidler

Rialto Resident and former Transportation Commissioner

JUNE 15, 1939 – JUNE 10, 2018

Long Beach Fire Captain

David Rosa

Long Beach, CA

December 27, 1972 - June 25, 2018

0o0

MAYOR DEBORAH ROBERTSON

ATTEST:

CITY CLERK BARBARA MCGEE