

City of Rialto

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



Regular Meeting **ACTION AGENDA**

Tuesday, March 27, 2018

5:00 PM

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

City Council

*Mayor Deborah Robertson
Mayor Pro Tem Ed Scott
Council Member Joe Baca Jr.
Council Member Rafael Trujillo
Council Member Andy Carrizales
Barbara A McGee City Clerk
Edward Carrillo City Treasurer
Fred Galante City Attorney
Robb Steel Interim City Administrator*

Members of the public are afforded an opportunity to speak on any listed agenda item. Please notify the City Clerk if you wish to do so. All agendas are posted in the City Hall Administration Building (150 South Palm Avenue, Rialto) at least 72 hours in advance of the meeting. All writings that relate to an agenda item for an open session of a regular meeting of the City Council distributed to all, or a majority, of the Council Members also shall be made available, at the same time but not sooner than 72 hours before a regular meeting, for public inspection in the Office of the City Clerk located at 290 West Rialto Avenue, Rialto, California (909-820-2519) from 7:00 a.m. to 6:00 p.m., Mondays through Thursdays, and on the City's website at www.rialtoca.gov Any person having a question concerning any agenda item may call the City Clerk's office to make inquiry concerning the nature of the item described on the agenda.

Based upon the open meeting laws (the Brown Act), additional items may be added to the agenda and acted upon by the City Council only if it is considered to be a "subsequent need" or "emergency" item and is added by a two-thirds vote. Matters raised under Oral Communications may not be acted upon at that meeting other than as provided above.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Director of Public Works at (909) 421-7279. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CAR 35.102-35.104 ADA Title II).

Next Ordinance No.1601

Next Resolution No. 7315

Called to Order By:

ROLL CALL

Rialto – Entering a Second Century of Progress

- *Rialto will be a Family First Community*
- *Rialto Shall Attract High-Quality Development and Improve its Physical Environment*
- *Rialto's Economic Environment will be Healthy and Diverse*
- *Rialto will be an Active Community*

All items listed on this agenda are being considered and/or acted upon by the City Council on behalf of the City of Rialto, except for such items as are designated by the "RUA," "RHA," which items are being considered and/or acted upon by the Members of the Rialto Utility Authority or Rialto Housing Authority of the City of Rialto in its separate legal capacity. For convenience and ease of administration only, the agendas for each separate legal body have been consolidated herein

5:00 p.m.

CLOSED SESSION

- 1 [18-274](#) 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) Kathy Thompson v. City of Rialto
WCAB SAC0000178771
 - (b) Carl E. Jones, Christopher Hice v. City of Rialto, et al
U.S. District Court, Case No: 5:17-cv-01650-GW-(KKx)
 - (c) Nekooe v. City of Rialto
S.B. Superior Court, Case No. CIVDS1614880
- 2 [18-283](#) LIABILITY CLAIMS. The City Council will discuss the following claim(s) pursuant to Government Code Section 54956.95:
Claimants: Alejandra Rodriguez Felix and 2 minors
Agency claimed against: City of Rialto.
- 3 [18-280](#) 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:
RPBA Mgmt. Bargaining Unit
RPBA General Bargaining Unit
- 4 [18-281](#) Conference with Legal Counsel - Threat of Litigation: Initiation of litigation pursuant to paragraph (4) of Subdivision (d) of Government Code Section 54956.9. Number of cases: One case.
Claimant: Joe Yancey, JD Yancey Enterprises

6:00 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE-Council Member Joe Baca Jr.

INVOCATION-Pastor Rick Whited-Calvary Chapel Rialto

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [18-282](#) Proclamation-Celebrating Women in Public Office Day
 Mayor Deborah Robertson

ORAL COMMUNICATIONS (5-min time limit)

City Council to consider removing or continuing any items on the agenda

NOTICE TO THE PUBLIC

All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion in the following form listed. There will be no separate discussion on these items. If discussion is required, the item will be removed from the Consent Calendar and will be considered separately. Vote may be by rollcall.

Motion by Council Member Baca Jr., second by Council Member Trujillo and carried by unanimous vote to approve the Consent Calendar except for items E-1, E-2, F-5. Council Member Carrizales abstained.

CONSENT CALENDAR

A. WAIVE FULL READING OF ORDINANCES

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

B. APPROVAL OF WARRANT RESOLUTIONS (ACTION)

B.1 [18-267](#) Resolution No. 34 (03/08/18)

B.2 [18-268](#) Resolution No. 35 (03/15/18)

C. APPROVAL OF MINUTES

C.1 [18-269](#) Regular City Council Meeting-February 27, 2018

D. CLAIMS AGAINST THE CITY

- D.1** [18-270](#) John Michael Tefft - Vehicle Damage
- D.2** [18-271](#) Nigel Rogers-Wright - Late Claim
- D.3** [18-272](#) Uriah Shawntel Warner - Vehicle Damage

E. SET PUBLIC HEARING

- E.1** [18-275](#) Request City Council to Set a Public Hearing for **April 10, 2018**, to Adopt a Resolution to Approve Purchase and Sale Agreement and Construction Loan Agreement by and between the City of Rialto and Ayala@210LLC.
- E.2** [18-257](#) Request City Council to 1) Set a Public Hearing for **June 12, 2018** to Conduct a Property Owner Protest Ballot Proceeding; 2) Adopt **Resolution No. 7304** 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 3) Adopt **Resolution No. 7305** 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** [18-231](#) Request Rialto Housing Authority Board to Adopt **RHA Resolution No. 002-18** Approving the Fiscal Year 2016/17 Housing Successor Agency's Housing Activity Report pursuant to Health and Safety Code Section 34176.1(f).
- F.2** [18-248](#) Request City Council to Receive and File the January 2018 Treasurer's Report.
- F.3** [18-252](#) Request City Council to Authorize the Release of Request for Proposals No. 18-077 for Pavement Management Program Consulting Services.
- F.4** [18-266](#) Request City Council to Adopt **Resolution No. 7306** Authorizing the Destruction of Certain Municipal Records of the Accounts Receivable Department.

- F.5** [18-254](#) Request City Council to Adopt **Resolution No. 7307** Approving Parcel Map 19898, a Request to Subdivide a 7.6 Acre Parcel into Six (6) Parcels of Land and Facilitate the Development of a Commercial Center Located at the Northeast Corner of Ayala Drive and Renaissance Parkway in the Freeway Incubator (FI) Zone of the Renaissance Specific Plan.
- F.6** [18-284](#) Request City Council to adopt **Resolution No. 7308** amending **Budget Resolution No. 7303** appropriating funds in the amount of \$64,591.00 for the Professional Service Agreement with Innovative Planning for Planning Contract Services.

TAB PUBLIC HEARING

- TAB 1** [18-250](#) Request City Council to Conduct a Public Hearing to consider Adoption of (1) **Resolution No. 7309** approving **Conditional Development Permit No. 2017-0009**, a request to allow the re-establishment and conversion of an existing non-operational regional biosolids processing facility into a regional organic waste processing facility, and (2) **Resolution No. 7310** certifying the Environmental Impact Report (**Environmental Assessment Review No. 2017-0018**) prepared for consideration in conjunction with the project.
(ACTION)POWERPOINT

Motion by Mayor Pro Tem Scott, Second by Council Member Baca Jr., and carried by unanimous vote to approve Tab 1.

- TAB 2** [18-236](#) Request City Council to **1)** Conduct a Public Hearing Regarding the Proposed Annexation of Territory to the Rialto Landscaping and Lighting District No. 2; **2)** Adopt **Resolution No. 7311** Declaring the Results of the Property Owner Protest Ballot Proceedings Conducted for the Proposed Levy of Assessments Related to the Annexation of Territory to the Rialto Landscaping and Lighting District No. 2, Commencing in Fiscal Year 2018/2019; **3)** Adopt **Resolution No. 7312** Confirming the Engineer's Report Regarding the Annexation of Territory to the Rialto Landscaping and Lighting District No. 2, the Levy of Annual Assessments Described Therein, and the Assessment Diagram Connected Therewith, and Ordering the Levy and Collection of Assessments Commencing in Fiscal Year 2018/2019 for Said Annexation.
(ACTION)POWERPOINT
- Item was removed from the Agenda.**

TAB NEW BUSINESS

TAB 3 [18-255](#) Request City Council to Adopt **Resolution No. 7313** Appointing an Interim Director of Finance and Approve the Employment Agreement with Ronald L. Carr.
(ACTION)

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

TAB 4 [18-262](#) Request City Council to Approve an Increase to the Purchase Order #2018-0233 for HdL Companies for Sales Tax Audit Services in the Amount of \$25,000, for a Total Not to Exceed Amount of \$90,000.
(ACTION)

Motion by Council Member Baca Jr., Second by Council Member Carrizales, and carried by unanimous vote to approve Tab 4.

TAB 5 [18-276](#) Request City Council to Adopt Joint **Resolution No. 7314** related to a Purchase and Sale Agreement between the City of Rialto and the Rialto Successor Agency for maximum cost of \$1,342,000.
(ACTION)

Motion by Council Member Baca Jr., Second by Mayor Pro Tem Scott, and carried by 4-0 vote to approve Tab 5. Council Member Carrizales abstained.

TAB 6 [18-146](#) Request City Council to Accept the Mobile Source Air Pollution Reduction Review Committee (MSRC) Clean Transportation Grant in the Amount of \$463,216; Approve the Agreement with MSRC; Adopt **Budget Resolution No. 7315**, and Authorize the Release of Request for Proposals (RFP) for Professional Services Related to the Feasibility Study, Planning, and Implementation of a Proposed Bike Sharing Program.
(ACTION)

Motion by Council Member Trujillo, Second by Council Member Carrizales, and carried by unanimous vote to approve Tab 6.

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY ADMINISTRATOR:

ADJOURNMENT