REGULAR MEETING
of the
CITY OF RIALTO
CITY COUNCIL/REDEVELOPMENT AGENCY
RIALTO HOUSING AUTHORITY

MINUTES
October 28, 2008

A regular meeting of the City Council/Redevelopment Agency of the City of Rialto was held in the City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Tuesday, October 28, 2008.

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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 Vargas called the meeting to order at 4:00 p.m.

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The roll was called and the following were present: Mayor Vargas, Mayor Pro Tem Hanson and Council Members Baca Jr., Scott and Robertson. Also present were City Administrator Garcia, City Attorney Gutierrez and City Clerk McGee.

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CLOSED SESSION

1. Conference with Legal Counsel – Existing Litigation. The City Council and Redevelopment Agency Board will discuss the following pending litigation pursuant to Government Code Section 54956.9(a)

   (a) City of Rialto v. United States Department of Defense, et al. (United States District Court Case No. EDCV 04-00079)

   (b) City of Colton vs. City of Rialto (San Bernardino Superior Court Case No. SCVSS 811119)

CLOSED SESSION

2. Conference with Legal Counsel - anticipated litigation. The City Council will discuss exposure to litigation pursuant to subdivision (b) of Section 54956.9: one (1) potential case.

3. Conference with Labor Negotiator regarding the following recognized employee organization pursuant to Government Code Section 54957.6:

   Agency negotiator: Brad Neufield, BBK
   Employee organization: Firefighters Union Local 3688
   General Mid-Management Unit
   General Bargaining Unit
   CGMA Bargaining Unit
   Fire Management Bargaining Unit

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Motion by Council Member Robertson, second by Mayor Pro Tem Hanson and carried by unanimous vote to go into Closed Session.

City Council went into Closed Session at 4:05 p.m. and returned at 5:03 p.m.

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CALL TO ORDER

Mayor Vargas called the meeting to order at 6:02 p.m.

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The roll was called and the following were present: Mayor Vargas, Mayor Pro Tem Hanson and Council Members Baca Jr., Scott and Robertson. Also present were City Administrator Garcia, City Attorney Gutierrez and City Clerk McGee.

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Pledge of Allegiance and Invocation

Council Member Joe Baca Jr. led the pledge of allegiance and Pastor Fred Ruiz – Calvary Chapel Rialto gave the Invocation.

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CITY ATTORNEY'S REPORT ON CLOSED SESSION

City Attorney Jimmy Gutierrez stated that in Closed Session the City Council conferred with Legal Counsel regarding two items of pending litigation and no action was taken. City Council conferred with Legal Counsel regarding one item of anticipated litigation and no action was taken. Item 3 was conference with the Labor Negotiator and they discussed five bargaining units, action was taken on two and no action on the other three. Regarding Firefighters Union Local 3688, City Council considered a term sheet regarding a settlement with that union. Those voting in favor were Mayor Vargas, Council Members Scott and Baca Jr.

CITY ATTORNEY'S REPORT ON CLOSED SESSION

Those voting against were Council Member Robertson and Mayor Pro Tem Hanson. With regard to the Mid-Management Bargaining Unit a term sheet was presented. Those voting in favor were Mayor Vargas, Council Members Scott and Baca Jr. Those voting against were Council Member Robertson and Mayor Pro Tem Hanson. The General Bargaining Unit, CGMA Bargaining Unit and Fire Management Bargaining Unit were discussion only. With respect to the two items where term sheets were approved, the City Attorney and Union Attorney will enter into a Memorandum of Understanding pursuant to the term sheet and will be brought back to the City Council for approval.

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PRESENTATIONS

Midge Zupanic, Interim Executive Director for the Chamber of Commerce presented the Chamber of Commerce Quarterly Report.

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Ed Killgore, Director presented the San Bernardino Valley Municipal Water District Update Report.

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Council Member Scott left the dais at 6:20 p.m.

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Joe Flores, Jr., President of BIDA presented the Downtown Security Program Phase I.

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Council Member Scott returned to the dais at 6:30 p.m.

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John Dutrey presented the Neighborhood Stabilization Program – Federal Foreclosure Funding.

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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

1. Resolution No. 14 (10/10/08)
2. Resolution No. 15 (10/17/08)

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C. APPROVAL OF MINUTES

1. Regular RDA/City Council Meeting – October 14, 2008

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CONSENT CALENDAR

D. SETTING OF PUBLIC HEARINGS

1. Request City Council to set a public hearing for the **November 12, 2008** City Council Meeting for the placement of liens (delinquent refuse collection accounts) against the properties shown on the attachment.

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E. MISCELLANEOUS

1. Request City Council to approve an increase to Purchase Order 2009-0498 with Landmark Staffing to provide accounting support services.
2. Request City Council to approve naming the new rooms at the Rialto Branch of the San Bernardino County Library, the Dr, Martin Luther King Tutoring Room and the Cesar Chavez Resource Room.
3. Request City Council to adopt **Resolution No. *5655*** authorizing the submission of a grant application to the California Integrated Waste Management Board.
4. Request City Council to authorize to issue no-fee building permit for installation of solar energy systems, wind-generated electrical systems, tankless water heaters and highly energy-efficient heating, ventilation and air-conditioning systems for existing buildings.
5. Request City Council to approve the Second Amendment to the Joint Venture Agreement between the City of Rialto and Rialto Industrial Park, LTD.

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CONSENT CALENDAR

Motion by Council Member Scott, second by Council Member Baca Jr. and carried by unanimous vote to approve the Consent Calendar as presented with the exception of E-2.

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Council Member Robertson stated that they still need to have a criteria in place on naming buildings and facilities.

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Motion by Council Member Baca Jr., second by Council Member Scott and carried by a 4-1 vote to approve Consent Calendar Item E-2. Council Member Robertson voted NO.

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PUBLIC HEARING

TAB 1 - Ordinance No. 1435 adding Chapter 15.28.080 RMC Reference the 2006 Edition of the International Wildland – Urban Interface Code

Norma Barajas, Fire Marshal stated that this is a public hearing for a proposed Ordinance adopting the 2006 Edition of the International Wildland – Urban Interface Code. This will allow Rialto to address regulations and requirements that pertain to the wildland urban interface areas.

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

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Motion by Council Member Baca Jr., second by Council Member Robertson and carried by unanimous vote to close the public hearing.

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Council Member Scott asked if notices have gone out to the various developers and Building Industry Association for their input.

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Norma Barajas, Fire Marshal stated no, not at this time.

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Council Member Robertson asked if there is a requirement to post this Ordinance.

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City Attorney Gutierrez stated that there is no requirement. He stated that this is basically adoptions of sections of a uniform plan to deal with the interface between urban of forestry areas, an alerted fire danger area so these additional conditions can be imposed for the safety of the structures in those areas.

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ORDINANCE NO. 1435

AN ORDINANCE OF THE CITY OF RIALTO ADDING SECTION 15.28.080 TO THE RIALTO MUNICIPAL CODE REFERENCE THE 2006 EDITION OF THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE

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Motion by Council Member Baca Jr., second by Mayor Pro Tem Hanson and carried by a 3-2 vote to and waive the first reading and pass to second reading of proposed **Ordinance No. 1435** adding Chapter 15.28.080 to the Rialto Municipal Code Reference the 2006 Edition of the International Wildland – Urban Interface Code. Council Members Robertson and Scott voted NO.

PUBLIC HEARING

TAB 2 – Amendment to the 05/09 Consolidated Plan and 08/09 One-Year Action Plan for CDBG

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Rudy Munoz, LDM Associates, stated that this is a request to amend the 2005-2009 Consolidated Plan and the 2008-2009 One Year Action Plan. The City is required by the U.S. Dept. of Housing and Urban Development and the Citizen Participation Plan to hold a public hearing whenever a substantial change is being considered to a previously approved Consolidated Plan or One Year Action Plan. The amendment being requested is for a new project not identified in any of the previous plans. This will allow for the reprogramming of unallocated CDBG funds to cover the costs of a portion of the basketball court project at the Rialto City Park. The project as a whole calls for the conversion of two of the existing tennis courts into basketball courts. The CDBG funds would cover the conversion costs of one of those basketball courts. In addition CDBG funds would be used for the construction of a new ADA compliant walkway providing handicap access from the park to the basketball courts. THE AD Hoc Committee is recommending to the City Council that $60,000 of unallocated CDBG funds be reprogrammed to pay for the eligible portion of the Rialto City Park Basketball Court Project.

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

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Motion by Council Member Baca Jr., second by Mayor Pro Tem Hanson and carried by unanimous vote to close the public hearing.

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Mayor Pro Tem Hanson asked if there will be security cameras available for that area.

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Rudy Munoz stated that they will be lighting the courts. The tennis courts currently have lighting but they are going to be doing some retrofitting which includes fence work and restriping and resurfacing and making sure the lighting is appropriate for that type of use. Security will be taken into account.

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Motion by Council Member Scott, second by Council Member Baca Jr. and carried by a unanimous vote to approve an Amendment to the City's 2005-2009 Consolidated Plan and 2008-2009 One-Year Action Plan.

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PUBLIC HEARING

TAB 3 – Design and Construction of Frisbie Park Improvement Project Phase II

Ahmad Ansari, Public Works Director stated that this is a joint public hearing for the design and construction of Frisbie Park Improvement Project Phase II. The final Master Plan of the park was approved January 2005. In phase I there was one existing ballfield that was extended, landscaping and minor improvements. As part of the 2008 RDA Bond Funds allocated for Phase II was consistent with the approved Master Plan. RHA Landscape Architects was selected at the most qualified for this project in the amount of $479,880 with a 28 week schedule to complete the design work.

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Council Member Scott stated in the staff report it talks about preliminary engineer estimates and project funding. It shows $7 million and then talks about Redevelopment funding for the Fire Station. What does it have to do with this item?

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Ahmad Ansari, Public Works Director stated that it's a typographical error and apologizes.

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Council Member Scott asked if the total budget of $7 million is for Frisbie Park.

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Ahmad Ansari, Public Works Director stated yes. $6.3 million from RDA bonds and $700,000 from the Park Development Fund.

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Council Member Baca Jr. stated that he is passionate about this project. It will alleviate a lot of issues and enhance the quality of life in the community.

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Mayor Vargas declared the public haring open. No one came forward.

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Motion by Council Member Baca Jr., second by Council Member Scott and carried by unanimous vote to close the public hearing.

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PUBLIC HEARING

TAB 3 – Design and Construction of Frisbie Park Improvement Project Phase II

Motion by Council Member Scott, second by Council Member Baca Jr. and carried by unanimous vote to adopt **Resolution No. *5649*** and **RDA Resolution No. *654*** to approve Cooperation Agreement between the City of Rialto and the Redevelopment Agency for the design and construction of public improvements pursuant to Health and Safety Code Sections 33445 and 33679 (2) award Professional Services Agreement to RHA Landscape Architects – Planners Inc. for the Design of Frisbie Park Improvement Project – Phase II in the amount of $479,880.

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Council Member Robertson left the dais at 7:00 p.m.

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TAB 4 – Design and Construction of Rialto Library

Ahmad Ansari, Public Works Director stated that this is a joint public hearing for the design of the san Bernardino County Rialto Branch Library Expansion. Due to the growth and the public need to access computers and for training purposes, the existing library is in need of computer room and meeting/training room. The existing courtyard has been considered for this expansion. David Evans and Associates was selected as the most suitable for the project in the amount of $59,384 with a 16 week schedule to complete the design work.

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

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Motion by Council Member Scott, second by Council Member Baca Jr. and carried by a 4-0 vote to close the public hearing. Council Member Robertson was absent.

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Motion by Council Member Scott, second by Council Member Baca Jr. and carried by a 4-0 vote to adopt **Resolution No. *5656*** and **RDA Resolution No. *656*** to approve Cooperation Agreement between the City of Rialto and the Redevelopment Agency for the design and construction of public improvements to Rialto Library pursuant to Health and Safety Code Sections 33445 and 33679 (2) award a Professional Services Agreement to David Evans and Associates for the design services in the amount of $59,384 (3) adopt **Resolution No. *5657*** approving the appropriation of $362,000 (4) approve inclusion of the project in the Capital Improvement Program. Council Member Robertson was absent.

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Council Member Robertson returned to the dais at 7:05 p.m.

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Council Member Scott stated that he would need to abstain from voting on TAB 5 because the property is within 500 ft. of his property. He left the dais at 7:05 p.m.

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Council Member Baca Jr. left the dais at 7:06 p.m.

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NEW BUSINESS

TAB 5 – Purchase and Sale Agreement for acquisition of 224 S. Orange Ave.

John Dutrey, Housing Program Manager, stated that this item is in regards to the acquisition of property. Staff and City Council have been working on a Downtown Vision and Strategic Plan. Part of this is a transit oriented district in the downtown between Rialto Ave. and the Metrolink Station. The City and Agency currently own several properties. The property at 224 S. Orange is currently for sale and the Agency has made an offer on the property of $140,000. They look at potentially renting this house, until at some future date when a project arises they will then demolish the house.

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Motion by Mayor Pro Tem Hanson, second by Council Member Robertson and carried by a 3-0 vote to adopt a **RDA Resolution No. *657*** approving a Purchase and Sale Agreement for the acquisition of 224 S. Orange Ave. Council Members Scott and Baca Jr. were absent.

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Council Member Scott returned to the dais at 7:07 p.m.

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TAB 6 – Construction Contract with Econolite Traffic Engineering for the traffic signal loop replacement

Ahmad Ansari, Public Works Director stated that this is related to a Construction Contract to Econolite Traffic Engineering and Maintenance for replacing the traffic signal loop detectors with video detection device. The City owns and operates 60 signalized intersections. Each intersection has approximately 16-48 detector loops in the pavement detecting the approaching traffic and the adjustment for the timing of the traffic signal response. When a loop fails, the traffic signal defaults into a fixed time which causes delays and frustrates the driver. This project will replace existing loops with video detection at four identified intersections along Riverside Ave., at Valley, Slover, Jurupa and Resource. The engineer's estimate was $129,600 and the lowest bidder was Econolite in the amount of $128,793. This is the same company currently contracted with the City for their ongoing traffic signal maintenance throughout the City.

NEW BUSINESS

TAB 6 – Construction Contract with Econolite Traffic Engineering for the traffic signal loop replacement

Ahmad Ansari, Public Works Director stated for this project construction time of 30 days plus 8-12 weeks of the material lead time and they estimate to complete the work by January. Funding for this project comes from the first allocation of the Prop. 1B funds in the amount of $200,000.

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Council Member Baca Jr. returned to the dais at 7:10 p.m.

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Council Member Robertson asked if there is a warranty on this project.

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Ahmad Ansari, Public Works Director stated yes, there is, he will verify what the warranty is and give City Council the information.

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Council Member Robertson stated that they need to remember that there will be construction at Riverside and Valley.

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Ahmad Ansari, Public Works Director stated that this will simplify the work being done for the Riverside I/10 project.

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Motion by Council Member Scott, second by Council Member Robertson and carried by unanimous vote to award a Construction Contract to Econolite Traffic Engineering & Maintenance for the traffic signal loop replacement with video detection project in the amount of $128,793 and amend the City's Capital Improvement Program to include this project.

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TAB 7 – Contract with the Law Firm Stradling Yocca Carlson & Rauth

City Attorney Gutierrez stated that this is a request to hire the Law Firm Stradling, Yocca Carlson & Rauth to represent the City in a third lawsuit against the City regarding Walmart project. The reason for this is because they are already representing the City in the two other lawsuits. Under the terms of the development agreement, Walmart is required to reimburse the City for all its expenses.

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Motion by Council Member Scott, second by Council Member Robertson and carried by unanimous vote to approve a contract with the Law Firm of Stradling Yocca Carlson & Rauth to represent the City of Rialto in the lawsuit of Marcus L. Roberson v. City of Rialto, et. al. Case No. CIVSS 814327.

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NEW BUSINESS

Tab 8 – Agreement with the Law Firm of Ferguson, Praet & Sherman

City Attorney Gutierrez stated that this is a request to hire the Law Firm of Ferguson, Praet & Sherman to represent Rialto Police Officers regarding motions made by defense attorneys attempting to seek their personnel files. These are commonly known as pitches motions. When a defense attorney seeks to defend a person who is charged by an act that the police department investigated, many time they seek to raise defenses pertaining to the past conduct of police officers or their credibility. For that purpose they seek to intrude into their personnel files which are highly regulated by statute in case law and most of the time they are not authorized but they still make the effort. The city has already hired this law firm in a couple of cases already brought against the city involving police matters.

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Motion by Council Member Scott, second by Council Member Robertson and carried by unanimous vote to approve the Agreement with the Law Firm of Ferguson, Praet & Sherman.

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TAB 9 – Ordinance No. 1436 – business owners to maintain shopping carts on business premises

City Attorney Gutierrez stated that this is a request to introduce a new Ordinance. This Ordinance regulates shopping carts within the City of Rialto. The current Ordinance seeks to address a problem once the carts are already abandoned and spread throughout the City. This Ordinance requires the business owners to take measures to retain the shopping carts on their premises to identify them so there is a system by which the City can call them to pick up their shopping carts. It also requires them to adopt a removal prevention plan so the City can help enforce it. It imposes the entire burden on the business to be responsible to keep the shopping carts onsite and poses a series of penalties. It's an effort to put the responsibility on the businesses that actually utilizes these services. It also makes an offense for any individual to remove a shopping cart from an establishment, retain a shopping cart and/or to damage a shopping cart.

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Council Member Baca Jr. thanked the City Attorney and Code Enforcement for working on this issue.

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NEW BUSINESS

TAB 9 – Ordinance No. 1436 – business owners to maintain shopping carts on business premises

City Attorney Gutierrez read the title of the Ordinance:

ORDINANCE NO. *1436*

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, THAT REPEALS CHAPTER 9.98 OF THE RIALTO MUNICIPAL CODE AND ADDS A NEW CHAPTER 9.98 TO THE RIALTO MUNICIPAL CODE REQUIRING THAT SHOPPING CARTS BE MAINTAINED ON BUSINESS PREMISES

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Motion by Council Member Robertson, second by Council Member Hanson and carried by unanimous vote to introduce Ordinance **No. *1436*** adding a new chapter 9.98 of the Rialto Municipal Code requiring business owners to maintain shopping carts on business premises. The vote was AYES: Mayor Vargas, Council Members Robertson, Hanson, Scott and Baca Jr. NOES: none. ABSTAIN: none. ABSENT: none.

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TAB 10 – Ordinance No. 1434 – penalizes violations of the Rialto Municipal Code

City Attorney Gutierrez stated that this item is the second reading and adoption of Ordinance No. 1434.

ORDINANCE NO. 1434

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO CALIFORNIA, THAT AMENDS SECTION 1.16.010 OF THE RIALTO MUNICIPAL CODE THAT PENALIZES VIOLATIONS OF THE RIALTO MUNICIPAL CODE.

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ORAL COMMUNICATIONS

Shawn O'Connell, 2500 block of West Windhaven, expressed his concerns regarding the adoption of this Ordinance.

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City Attorney Gutierrez stated that Government Code makes any violation of the Municipal Code a misdemeanor anyway. Rialto's Ordinance had a number of provisions that were infractions as opposed to a misdemeanor. The prior Code changed the State law by changing the violations from a misdemeanor to an infraction. This provision changes it back but it still allows some discretion to have infractions. The reason why they are doing this is that there are a number of sections within the Rialto Municipal Code that classify various offenses as infractions. Rather than going back and changing each one he took to the broad brush and changed it in one section by saying any violation of the Rialto Municipal Code is a misdemeanor.

NEW BUSINESS

TAB 10 – Ordinance No. 1434 – penalizes violations of the Rialto Municipal Code

City Attorney Gutierrez stated that the real reason is to give flexibility of enforcement because they have a number of persons and businesses in the city who are not complying with the gentle approach that Rialto utilized. This gives them the discretion to first advise people first that they are in violation to get them to comply which is a standard practice. Its only when they don't comply that the written citation becomes a misdemeanor. His approach as a prosecuting officer of the City is only to get compliance and not to put people in jail.

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ORAL COMMUNICATIONS

Toby Polinger, 858 E. Margarita Rd., expressed his concern regarding the adoption of this Ordinance.

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City Attorney Gutierrez stated that the experience that Mr. Polinger had with the City is the preferred course. This is what they do in every case. They communicate and work with the individuals to solve the issue. There are some individuals who will not comply after many notices and phone calls. In some cases he recommended that they file citations for misdemeanor prosecution. In other case 23 apartment owners who are not paying their business licenses to the City he recommended that they issue administrative fine citations to move them. In each case they are not looking for the revenue or coercion but compliance. If they respond and want to comply they are not going to pursue any further. They only pursue those individuals who are not responding. They understand that there are differences between individuals and those are the differences they address not on a crime by crime or violation by violation issue. They address on a person by person issue. When a person responds they get things solved. When a person doesn't respond they need to get some additional encouragement, so they send them a fine, and if this doesn't work they send them a notice that they will prosecute them criminally. The District Attorney doesn't prosecute those, but he will prosecute them. They haven't had very many they have filed because its not a preferred course.

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Qurious Owens, P.O. Box 2326, expressed her concern regarding code enforcement stopping people from selling items to make money.

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Council Member Robertson suggested that they defer adopting this Ordinance for another 30-60 days to allow for more input. They did have a Code Enforcement Workshop.

NEW BUSINESS

TAB 10 – Ordinance No. 1434 – penalizes violations of the Rialto Municipal Code

Council Member Robertson stated that the concern from Code Enforcement staff with out having the teeth and the strength they often feel they do not have which is why the City Attorney went out and tried to strengthen the Ordinance. She understands the individual persons concerns on these violations will be handled and applied. Will it be okay to hold off adoption and have one more discussion with the public to see if this is the way they need to go.

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City Attorney Gutierrez stated that they can wait. He has talked to code enforcement and they all have a very gentle approach to residents who have violated and who have repeatedly asked people to comply. He doesn't sense any overreaching on the part of staff. He doesn't see the need to wait but they can wait.

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Council Member Robertson stated that the other part is that there continues to be misrepresentation. As long as someone is pursuing a business license that allows them to do activities outside the City is in support of that. Vendors on the corners are a concern with the citizens of Rialto.

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Council Member Baca Jr. stated that it's not their intent to rule with an iron fist. They want to continue to be customer service friendly, work closely with residents. When they have slum lords that do not live or care about this City but using Rialto as a cash cow and taking advantage and creating a poor quality of life.

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Council Member Scott stated that he agrees but also understands people concern on being unfairly targeted. He wouldn't have a problem waiting and his suggestion would be to bring this back at the next meeting. He will vote for the adoption of this Ordinance unless someone can convince him not to vote for it. They had a workshop with Code Enforcement and City Council expressed concerns on how residents are treated. The individuals who refuse to do anything this is a different situation.

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Mayor Vargas stated that she doesn't mind tabling this item for the next meeting.

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TAB 10 was tabled until the November 12, 2008 City Council Meeting.

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ORAL COMMUNICATIONS

Joe Ayala, 5879 Sycamore Ave., expressed his concern regarding an offensive political flier mailed out to registered voters in Rialto.

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Amos Young, Representative of Assemblymember Carter, announced a Free Tax Seminar for non-profit and exempt organizations on November 13, 2008 at the Lewis Library in Fontana.

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Rotimi Lawani, 1277 W. Wabash St., expressed his concern regarding the offensive political flier that was mailed out to registered voters in Rialto.

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Walter Hawkins, 5822 Olive Ave., expressed his concern regarding the offensive political flier that was mailed out to registered voters in Rialto and how it relates to the Rialto Unified School District.

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Rikke Van Johnson, San Bernardino Council Member, expressed his concern, as a former Rialto resident, regarding the offensive political flier that was mailed out to registered voters in Rialto.

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Edgar Montes, 1494 N. Iris Ave., expressed his concerns regarding the change needed in the City and Nation.

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Rodolfo Cordoba, 1689 N. Via Bello Dr., expressed his concern regarding the offensive political flier that was mailed out to registered voters in Rialto.

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Shawn O'Connell, 2500 block of West Windhaven, voiced his opinion regarding gang violence in Rialto and campaign season.

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Sara Garcia, 245 E. 1st St., expressed her concern regarding the offensive political flier that was mailed out to registered voters in Rialto.

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Toby Polinger, 858 E. Margarita Rd., expressed his support for Mayor Grace Vargas.

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REPORTS

Council Member Robertson stated that she attended the Citrus Grove Grand Opening which was a great success.

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Council Member Scott appreciated that San Bernardino Council Member Rikke Van Johnson came to express his views.

Council Member Scott stated that he is sorry that Mr. Hawkins chose to come and direct his comments to him and the Mayor and take their conversations out of context. He never attends a School Board Meeting to attack him. He stated that he will be happy to sit and talk to him after the elections about his frustrations with the School District.

Council Member Scott stated in regards to the political flier that went out, when an independent PAC send a flyer out it is a violation of law for that PAC to show that flyer to the candidate they are supporting or the candidate they are opposing. Therefore he has no question that the RPBA prior to sending those fliers out did not show them to the Mayor because it would have been a violation of State law. He truly believes the Mayor never saw those fliers. This is the same thing by the same group regarding the school board.

Council Member Scott stated that this community should not allow this election become an issue of race, it's all politics. He stated that currently this is the best City Council the City has had and they have the best hard working departments in the City.

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Mayor Pro Tem Hanson stated that she agrees they have great City and is proud to represent Rialto.

Mayor Pro Tem Hanson stated that Enertech began is first big load of materials to convert to an energy source.

Mayor Pro Tem Hanson stated that she attended the Memorial Service of Sergio Carrera Jr.

She went to the Friends of Rialto Citizen event where they voted on giving back to the senior center, money raised by the Friends to buy more equipment of the facility.

She stated that Anne Wolf, Rialto resident, started a roller skate park at an unused hockey facility at Fergusson Park.

She attended the Citrus Grove Grand Opening on Thursday.

She attended the Healthy Rialto Physical Fitness Day on Saturday.

She attended the Red Ribbon Celebration this morning.

REPORTS

Mayor Pro Tem Hanson announced the Grand Opening of the Alley Kat in Downtown Rialto.

She announced the Halloween Hi-Jinks being held downtown on Friday.

She announced a clean-up on Saturday at Frisbie Park on November 1st.

She announced November 4th is Election day and encouraged peopled to get out and vote.

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Council Member Baca Jr. stated that had a good meeting and accomplished a lot. This City Council has worked close together and this is what matters.

Council Member Baca Jr. stated that the Joe Baca Foundation donated to the Rialto Fire Department $20,000 worth of fire equipment.

He attended two Area Command Meetings where they heard constituent concerns and tried to address them.

He thanked Rosie from Rosie's Daycare for their participation with St. Catherine's School on the clean-up at Rialto City Park.

He stopped by the physical Fitness Day at Rialto City Park.

He attended the Citrus Grove Grand Opening.

He attended the Red Ribbon Celebration. He thanked all those that participated.

He encouraged residents to attend the Halloween Hi-Jinks on Friday.

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Mayor Vargas stated in response to the negative campaign flyers that were mailed out. She is not racist and she loves everybody. She was elected by the people and work for the people and she does the best she can for the community. They all need to keep working together. She supports all her employees and wants a positive environment for the employees which will in turn provide good customer service. It was their goal to clean up the City and they are doing this. It was their goal to deal with the perchlorate and they are doing this. She loves the police department because they are about safety which is one of her goals. She wants people to walk down the street and not worry about gangs or drugs. The turmoil that happened before with the police department is over and now they have a great department and chief. People have seen the change since she was Mayor and this current City Council.

REPORTS

Mayor Vargas stated that she knew absolutely nothing about the flyer that was put out. She said she was going to run a clean campaign and she has done it. The flyer did not come from her and she didn't know about it until it came out. She was shocked when Mr. Hawkins called and was angry at her for another flyer that was put out and once again it wasn't from her. He never gave her the opportunity to speak and still has not seen this flyer. The very first time she ran for City Council and she had a business as a Realtor her business was shot at. She has learned the hard way that this is all politics.

Mayor Vargas stated that the Red Ribbon Celebration was a success.

Mayor Vargas sent get well wishes to Regina Rangi, Chamber of Commerce President.

Mayor Vargas stated that she did not attend the last meeting because her son-in-law passed away, the husband of her daughter who passed away three years ago. She requested that they adjourn the meeting in memory of her son-in-law Ricky Mendez.

Mayor Vargas encouraged residents to come to the Halloween Hi-Jinks on Friday.

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ADJOURNMENT

Motion by Council Member Robertson, second by Council Member Baca Jr. and carried by unanimous vote to adjourn the Meeting in memory of:

Ricky Mendez

The City Council adjourned at 9:00 p.m.

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Grace Vargas

MAYOR GRACE VARGAS

ATTEST:

Barbara A. McGee

CITY CLERK BARBARA A. McGEE