



CITY OF RANCHO CUCAMONGA REGULAR MEETING AGENDA

October 21, 2020

10500 Civic Center Drive
Rancho Cucamonga, CA 91730

**FIRE PROTECTION DISTRICT BOARD – CITY COUNCIL
HOUSING SUCCESSOR AGENCY- SUCCESSOR AGENCY – PUBLIC FINANCE AUTHORITY**

CLOSED SESSION	TRI-COMMUNITIES ROOM	4:30 P.M.
REGULAR MEETINGS	COUNCIL CHAMBERS	7:00 P.M.

The City Council meets regularly on the first and third Wednesday of the month at 7:00 p.m. in the Council Chambers located at 10500 Civic Center Drive. It is the Intent to conclude the meeting by 10:00 p.m. unless extended by the concurrence of the City Council. Agendas, minutes, and recordings of meetings can be found at www.cityofrc.us (<http://www.cityofrc.us>) or by contacting the City Clerk's Office at 909-774-2023. Live Broadcast available on Channel 3 (RCTV-3).

In response to the Governor's Executive Orders, the San Bernardino County Department of Public Health requirements, and to ensure the health and safety of our residents by limiting contact that could spread the COVID-19 virus, there will be no members of the public in attendance at the City Council/Fire District Meetings. Members of the City Council/Fire District and staff may participate in this meeting via a teleconference. In place of in-person attendance, members of the public are encouraged to watch from the safety of their homes in one of the following ways:

Live Streaming on the City's website at
<https://www.cityofrc.us/your-government/city-council-agendas> or
Local Cable: RCTV3 Programming

Members of the public wishing to speak during public communication may call at the start of the meeting by dialing (909)774-2751, if speaking on a Public Hearing item, please dial in when the Public Hearing is being heard at (909)774-2751 to be added to the queue for public comment. Calls will be answered in the order received.

The City of Rancho Cucamonga thanks you in advance for taking all precautions to prevent spreading the COVID-19 virus.

If you are an individual with a disability and need a reasonable modification or accommodation pursuant to the Americans with Disabilities Act ("ADA"), please contact the City Clerk's Office at (909) 774-2023, 24 hours prior to the meeting so that the City can make reasonable arrangements.

**CLOSED SESSION – 4:30 P.M.
TRI-COMMUNITIES ROOM**

ROLL CALL: Mayor Michael

Mayor Pro Tem Kennedy

Council Members Hutchison, Scott, and Spagnolo

A. ANNOUNCEMENT OF CLOSED SESSION ITEM(S)

B. PUBLIC COMMUNICATIONS ON CLOSED SESSION ITEM(S)

C. CITY MANAGER ANNOUNCEMENTS

D. CONDUCT OF CLOSED SESSION

- D1.** CONFERENCE WITH LABOR NEGOTIATOR ROBERT NEIUBER, HUMAN RESOURCES DIRECTOR PER GOVERNMENT CODE SECTION 54954.2 REGARDING LABOR NEGOTIATIONS WITH THE RANCHO CUCAMONGA CITY EMPLOYEES ASSOCIATION (RCCEA), TEAMSTERS LOCAL 1932, RANCHO CUCAMONGA FIREFIGHTERS LOCAL 2274 AND EXECUTIVE MANAGEMENT GROUP - CITY [OPEN PDF'S](#)
- D2.** CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY LOCATED AT THE RANCHO CUCAMONGA METROLINK STATION IDENTIFIED AS PARCEL NUMBERS 0209-272-11, 0209-143-21, AND 0209-272-22; NEGOTIATING PARTIES CITY MANAGER JOHN GILLISON, CITY MANAGER, REPRESENTING THE CITY OF RANCHO CUCAMONGA, CARRIE SCHINDLER REPRESENTING SBCTA, AND SARAH WATERSON, PRESIDENT, REPRESENTING DESERTXPRESS ENTERPRISES; REGARDING PRICE AND TERMS. – CITY [OPEN PDF'S](#)
- D3.** CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY LOCATED AT 12977-12993 ARROW ROUTE IN THE CITY OF RANCHO CUCAMONGA AND FURTHER IDENTIFIED AS SAN BERNARDINO COUNTY TAX ASSESSOR'S PARCEL NUMBERS 0229-141-04 & 12. NEGOTIATING PARTIES, JOHN GILLISON, CITY MANAGER, REPRESENTING THE CITY OF RANCHO CUCAMONGA, REGARDING INSTRUCTIONS TO NEGOTIATORS CONCERNING PRICE. NEGOTIATING PARTIES MAY NEGOTIATE WITH THE PROPERTY OWNERS SET FORTH ABOVE. – CITY [OPEN PDF'S](#)
- D4.** CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY LOCATED AT 8583 ETIWANDA AVENUE, RANCHO CUCAMONGA, CA AND FURTHER IDENTIFIED AS SAN BERNARDINO COUNTY TAX ASSESSOR'S PARCEL NUMBER 0229-141-13. NEGOTIATING PARTIES, JOHN GILLISON, CITY MANAGER, REPRESENTING THE CITY OF RANCHO CUCAMONGA, REGARDING INSTRUCTIONS TO NEGOTIATORS CONCERNING PRICE. NEGOTIATING PARTIES MAY NEGOTIATE WITH THE PROPERTY OWNERS SET FORTH ABOVE. – CITY [OPEN PDF'S](#)
- D5.** CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 REGARDING THE FOLLOWING REAL PROPERTY: (1) REAL PROPERTY OWNED BY THM ENTERPRISES, LLC AND LOCATED AT 12449 FOOTHILL BOULEVARD IN THE CITY OF RANCHO CUCAMONGA AND FURTHER IDENTIFIED AS SAN BERNARDINO COUNTY TAX ASSESSOR'S PARCEL NUMBER 0229-031-41. NEGOTIATING PARTIES, JOHN GILLISON, CITY MANAGER, ON BEHALF OF THE CITY OF RANCHO CUCAMONGA, REGARDING INSTRUCTIONS TO NEGOTIATORS CONCERNING PRICE. NEGOTIATING PARTIES MAY NEGOTIATE WITH THE PROPERTY OWNERS SET FORTH ABOVE - CITY [OPEN PDF'S](#)

- D6.** CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8 [OPEN PDF'S](#)
REGARDING THE FOLLOWING REAL PROPERTY: (1) REAL PROPERTY OWNED BY WAL-MART REAL ESTATE BUSINESS TRUST AND LOCATED AT 12549 FOOTHILL BOULEVARD IN THE CITY OF RANCHO CUCAMONGA AND FURTHER IDENTIFIED AS SAN BERNARDINO COUNTY TAX ASSESSOR'S PARCEL NUMBERS 0229-032-38 & 44. NEGOTIATING PARTIES, JOHN GILLISON, CITY MANAGER, ON BEHALF OF THE CITY OF RANCHO CUCAMONGA, REGARDING INSTRUCTIONS TO NEGOTIATORS CONCERNING PRICE. NEGOTIATING PARTIES MAY NEGOTIATE WITH THE PROPERTY OWNERS SET FORTH ABOVE. - CITY
- D7.** CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION: INITIATION OF LITIGATION PURSUANT TO [OPEN PDF'S](#)
PARAGRAPH (4) OF SUBDIVISION (D) OF SECTION 54956.9: (1 CASE)
- D8.** CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION PURSUANT TO PARAGRAPH (1) OF SUBDIVISION (D) [OPEN PDF'S](#)
OF SECTION 54956.9; NAME OF CASE: HIMNEL USA, INC. d/b/a ST. MARY'S MONTESSORI SCHOOL AND GLOBAL PROPERTY HOLDINGS LLC VS. CITY OF RANCHO CUCAMONGA, SBSC CASE NO.: CIVDS 2014554- CITY
- D9.** CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION PURSUANT TO PARAGRAPH (1) OF SUBDIVISION (D) [OPEN PDF'S](#)
OF SECTION 54956.9; NAME OF CASE: CITY OF RANCHO CUCAMONGA V. DR LANDMARK, INC.; POWER MEDIC TECHNOLOGIES, INC.; HOFER PROPERTIES, LLC; AND DOES 1 THROUGH 5 INCLUSIVE, SBSC CASE NO.: CIVDS 1904713 – CITY
- D10.** CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY [OPEN PDF'S](#)
LOCATED AT 12467 BASELINE ROAD IDENTIFIED AS PARCEL NUMBERS 1090-331-03-0000, 1090-331-04-0000, 1089-581-04-0000; NEGOTIATING PARTIES JOHN GILLISON, CITY MANAGER REPRESENTING THE CITY OF RANCHO CUCAMONGA, AND JOSEPH FILIPPI, JOSEPH FILIPPI WINERY AND VINEYARDS; REGARDING PRICE AND TERMS. – CITY
- D11.** PUBLIC EMPLOYEE PERFORMANCE EVALUATION PER GOVERNMENT CODE SECTION 54957 (TITLE: CITY [OPEN PDF'S](#)
MANAGER)

E. RECESS – Closed Session to Recess to the Regular City Council Meeting at 7:00 P.M. in the Council Chambers at City Hall, 10500 Civic Center Drive, Rancho Cucamonga, California.

REGULAR MEETING – 7:00 P.M. COUNCIL CHAMBERS

PLEDGE OF ALLEGIANCE

ROLL Mayor Michael

CALL: Mayor Pro Tem Kennedy

Council Members Hutchison, Scott, and Spagnolo

A. AMENDMENTS TO THE AGENDA

B. ANNOUNCEMENT / PRESENTATIONS

B1. Presentation of Certificate of Sympathy in honor of Charles Edward Morton, Crew Boss, Big Bear Hot Shots.

[OPEN PDF'S](#)

B2. Presentation of a Proclamation to the Rotary Club of Rancho Cucamonga Celebrating their 50th Charter Anniversary.

[OPEN PDF'S](#)

B3. Presentation of a Proclamation to Katie Roberts for her Retirement from the Chaffey Community College District Governing Board.

[OPEN PDF'S](#)

B4. Presentation of a Proclamation for the Friends of the Library 25th Anniversary.

[OPEN PDF'S](#)

B5. Healthy RC Compassionate Community COVID-19 Efforts.

[OPEN PDF'S](#)

B6. Announcement of the Furry Friends Howl-O-Ween Virtual Walk for the Animals, Saturday October 31, 2020.

[OPEN PDF'S](#)

C. PUBLIC COMMUNICATIONS

Members of the City Council also sit as the Fire Board, Housing Successor Agency, Successor Agency, and Public Finance Authority. This is the time and place for the general public to address the Fire Protection District, Housing Successor Agency, Successor Agency, Public Financing Authority Board, and City Council on any item listed or not listed on the agenda. State law prohibits the Fire Protection District, Housing Successor Agency, Successor Agency, Public Financing Authority Board, and City Council from addressing any issue not previously included on the Agenda. The Fire Protection District, Housing Successor Agency, Successor Agency, Public Financing Authority Board, and City Council may receive testimony and set the matter for a subsequent meeting.

Comments are to be limited to five minutes per individual or less, as deemed necessary by the Mayor, depending upon the number of individuals desiring to speak. All communications are to be addressed directly to the Fire Board, Agencies, Successor Agency, Authority Board, or City Council not to the members of the audience. This is a professional business meeting and courtesy and decorum are expected. Please refrain from any debate between audience and speaker, making loud noises, or engaging in any activity which might be disruptive to the decorum of the meeting.


The public communications period will not exceed one hour prior to the commencement of the business portion of the agenda. During this one hour period, all those who wish to speak on a topic contained in the business portion of the agenda will be given priority, and no further speaker cards for these business items (with the exception of public hearing items) will be accepted once the business portion of the agenda commences. Any other public communications which have not concluded during this one hour period may resume after the regular business portion of the agenda has been completed.


CONSENT CALENDARS:


The following Consent Calendar items are expected to be routine and noncontroversial. They will be acted upon without discussion unless an item is removed by Council Member for discussion.


Members of the City Council also sit as the Fire Board, Housing Successor Agency, Successor Agency, and Public Finance Authority. Due to the relatively few items typically pending before the Housing Successor Agency, Successor Agency, and Public Finance Authority, the City Council may act on the consent calendar for those bodies as part of a single motion with the City Council consent calendar.


D. CONSENT CALENDAR - FIRE PROTECTION DISTRICT


-  **D1.** Consideration of Meeting Minutes for the Regular Meetings of October 7, 2020. [OPEN PDF'S](#)

-  **D2.** Consideration to Approve Bi-Weekly Payroll in the Amount of \$933,208.99 and Weekly Check Registers (Excluding Checks Issued to Southern California Gas Company) in the Amount of \$905,063.34 Dated September 28, 2020 Through October 11, 2020 and Electronic Debit Register for the Month of September in the Amount of \$555,569.62. [OPEN PDF'S](#)

-  **D3.** Consideration to Approve Weekly Check Registers for Checks Issued to Southern California Gas Company in the Amount of \$56.27 Dated September 28, 2020 Through October 11, 2020. [OPEN PDF'S](#)

-  **D4.** Consideration to receive and file current Investment Schedule as of September 30, 2020. [OPEN PDF'S](#)

-  **D5.** Consideration to Award a Contract to OCC Builders, Inc. in the Amount of \$79,000, plus a 10% Contingency in the Amount of \$7,900, and Authorization of an Appropriation in the amount of \$120,170 for the RCFPD Fire Station No. 176 Site Improvements Project. [OPEN PDF'S](#)

-  **D6.** Consideration to Authorize the Appropriation in the Amount of \$422,000 from the Fire Capital Fund for Capital Outlay at the Public Safety Facility. [OPEN PDF'S](#)

E. CONSENT CALENDAR - CITY COUNCIL

- E1.** Consideration of Meeting Minutes for the Regular Meetings of October 7, 2020. [OPEN PDF'S](#)
-  **E2.** Consideration to Approve Bi-Weekly Payroll in the Amount of \$975,100.58 and Weekly Check Registers (Excluding Checks Issued to Southern California Gas Company) in the Amount of \$3,634,775.32 Dated September 28, 2020 Through October 11, 2020 and Electronic Debit Register for the Month of September in the Amount of \$536,440.63. [OPEN PDF'S](#)
-  **E3.** Consideration to Approve Weekly Check Registers for Checks Issued to Southern California Gas Company in the Amount of \$1,911.39 Dated September 28, 2020 Through October 11, 2020. [OPEN PDF'S](#)
-  **E4.** Consideration to receive and file current Investment Schedule as of September 30, 2020. [OPEN PDF'S](#)
-  **E5.** Consideration to Approve the Use of Cambridge Seven Associates to Provide Design Services for Museum Exhibit Platforms and Themes Including the Creation of Bid Packages for Tenant Improvements and Exhibit Fabrication and Installation for the Rancho Cucamonga Public Library Second Story and Beyond® Project. [OPEN PDF'S](#)
-  **E6.** Consideration to Approve a Single Source Procurement of Iteris Inc. Video Detection System Equipment from RodefX Inc. of Claremont, California in the Amount of \$75,000. [OPEN PDF'S](#)
-  **E7.** Consideration to Award the Purchase of Fertilizer and Pesticides Supplies on an "As Needed" Basis from Nutrien AG Solutions, Wilbur-Ellis Co. and SiteOne Landscape Supply, in Accordance with Request for Bids (RFB) #20/21-107 in an Amount Not to Exceed \$140,000 Annually to be Funded from Various City and Special Districts Accounts. [OPEN PDF'S](#)
-  **E8.** Consideration of Temporary Park Permitting for City of Rancho Cucamonga Businesses Displaced by Covid-19 Pandemic Program. **(RESOLUTION 2020-108)** [OPEN PDF'S](#)
-  **E9.** Consideration of a Request from Northtown Housing Development Corporation to Partner on a Weekly Baseball Clinic. [OPEN PDF'S](#)
-  **E10.** Consideration of the Fourth Amendment to the Ground Lease Agreement with Goals Soccer Centers, Inc. [OPEN PDF'S](#)
-  **E11.** Consideration to Approve a Professional Services Agreement with Silver & Wright LLP for Legal Services Related to the Municipal Code and Other Civil Matters. [OPEN PDF'S](#)
-  **E12.** Consideration of Amendment to Memorandum of Understanding Between the City of Rancho Cucamonga and the Rancho Cucamonga Community and Arts Foundation. [OPEN PDF'S](#)

F. CONSENT CALENDAR ORDINANCE(S) SECOND READING/ADOPTION

The following Ordinance(s) have been introduced for First Reading. Second Readings are expected to be routine and noncontroversial. The City Council will act upon them at one time without discussion. The City Clerk will read the title. Any item can be removed for discussion by a Council Member.

G. ADMINISTRATIVE HEARING ITEM(S)

H. ADVERTISED PUBLIC HEARING ITEM(S)–CITY/FIRE DISTRICT

I. CITY MANAGER'S STAFF REPORT(S)

11. Consideration to Approve an Allocation Agreement between the County of San Bernardino and the City of Rancho Cucamonga related to the CARES Act Coronavirus Relief Fund for Local Governments. [OPEN PDF'S](#)
12. Consideration to Approve a Resolution Requesting Modifications to the Governor's Blueprint for a Safer Economy in Order to Allow for Sub-Regional Flexibility and a More Consistent and Expeditious Process for Reopening the Economy. **(RESOLUTION NO. 2020-106)** [OPEN PDF'S](#)
13. Consideration to Approve a Resolution Supporting California's Proposition 20 on the November 2020 Ballot. **(RESOLUTION NO. 2020-107)** [OPEN PDF'S](#)
14. Consideration of a Resolution Adopting a Joint Powers Agreement and Bylaws for the California Intergovernmental Risk Authority, which permits the joining of Public Agency Risk Sharing Authority of California and the Redwood Empire Municipal Insurance Fund. **(RESOLUTION NO. 2020-109)** [OPEN PDF'S](#)
15. Consideration of a Resolution Adopting a Joint Powers Agreement and Bylaws for the California Intergovernmental Risk Authority, which permits the joining of Public Agency Risk Sharing Authority of California and the Redwood Empire Municipal Insurance Fund. **(RESOLUTION NO. FD2020-019)** [OPEN PDF'S](#)
16. Consideration of Donation of Public Art. [OPEN PDF'S](#)

J. COUNCIL BUSINESS**J1. COUNCIL ANNOUNCEMENTS** [OPEN PDF'S](#)

(Comments to be limited to three minutes per Council Member.)

J2. INTERAGENCY UPDATES [OPEN PDF'S](#)

(Update by the City Council to the community on the meetings that were attended.)

K. CITY ATTORNEY ITEMS:**L. IDENTIFICATION OF ITEMS FOR NEXT MEETING****M. ADJOURNMENT**

Adjournment in Memory of Charles Edward Morton, Crew Boss, Big Bear Hot Shots. [OPEN PDF'S](#)

CERTIFICATION

I, Linda A. Troyan, MMC, City Clerk Services Director of the City of Rancho Cucamonga, or my designee, hereby certify under penalty of perjury that a true, accurate copy of the foregoing agenda was posted on at least Seventy-Two (72) hours prior to the meeting per Government Code 54954.2 at 10500 Civic Center Drive, Rancho Cucamonga, California and on the City's website.

LINDA A. TROYAN, MMC
CITY CLERK SERVICES DIRECTOR



If you need special assistance or accommodations to participate in this meeting, please contact the City Clerk's office at (909) 477-2700. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility. Listening devices are available for the hearing impaired.