

**Mayor**  
L. Dennis Michael

**Mayor Pro Tem**  
Lynne B. Kennedy

**Members of the City Council:**  
Ryan A. Hutchison  
Kristine D. Scott  
Sam Spagnolo

**CITY OF RANCHO CUCAMONGA  
REGULAR MEETING AGENDA  
September 15, 2021  
10500 Civic Center Drive  
Rancho Cucamonga, CA 91730**



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

**CLOSED SESSION  
REGULAR MEETINGS**

**TRI-COMMUNITIES ROOM  
COUNCIL CHAMBERS**

**4:30 P.M.  
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).

**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 MANAGEMENT ASSOCIATION, EXECUTIVE MANAGEMENT GROUP, RANCHO CUCAMONGA FIREFIGHTERS LOCAL 2274, FIRE SUPPORT SERVICES AND FIRE MANAGEMENT EMPLOYEES GROUP – (CITY/FIRE)**

**CITY COUNCIL VISION STATEMENT**

*“Our Vision is to build on our success as a world class community, to create an equitable, sustainable, and vibrant city, rich in opportunity for all to thrive.”*

- D2. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION PURSUANT TO PARAGRAPH (1) OF SUBDIVISION (D) 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)
- D3. CONFERENCE WITH LEGAL COUNSEL — EXISTING LITIGATION PURSUANT TO PARAGRAPH (1) OF SUBDIVISION (D) OF SECTION 54956.9; NAME OF CASE: PEPE'S INC. V. CITY OF RANCHO CUCAMONGA, UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA, CASE NO. 5:20CV02506JGBSP – (CITY)
- D4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT 12467 BASE LINE ROAD IDENTIFIED AS PARCEL NUMBERS 1090331030000, 1090331040000, 1089581040000; 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)
- D5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY GENERALLY LOCATED ALONG THE WEST SIDE OF THE SAN SEVAINE CHANNEL, PARALLEL TO TORREY PINE COURT, FURTHER IDENTIFIED AS SAN BERNARDINO COUNTY TAX ASSESSOR'S PARCEL NUMBER 0228-044-24; NEGOTIATING PARTIES, JOHN GILLISON, CITY MANAGER, REPRESENTING THE CITY OF RANCHO CUCAMONGA, AND CHAO PING YANG, PROPERTY OWNER, REGARDING A PERMANENT EASEMENT FOR MULTI-USE PATH PURPOSES. – CITY
- D6. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION: INITIATION OF LITIGATION PURSUANT TO PARAGRAPH (4) OF SUBDIVISION (D) OF GOVERNMENT CODE SECTION 54956.9: 1 CASE INVOLVING RJM DESIGN GROUP, TOVEY-SCHULTZ CONSTRUCTION, INC., AND OTHER PARTIES ARISING OUT OF ALLEGED DESIGN AND CONSTRUCTION DEFECTS AT THE RC SPORTS CENTER – CITY
- D7. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT 8783 ETIWANDA AVENUE/12949 WHITTRAM AVENUE, FURTHER IDENTIFIED AS SAN BERNARDINO COUNTY TAX ASSESSOR'S PARCEL NUMBER 0229-162-14; NEGOTIATING PARTIES, JOHN GILLISON, CITY MANAGER, AND OVERLAND, PACIFIC AND CUTLER, REPRESENTING THE CITY OF RANCHO CUCAMONGA, AND KULAR TRUCK LINE, INC., OWNER; REGARDING INSTRUCTIONS TO NEGOTIATORS CONCERNING PRICE. NEGOTIATING PARTIES MAY NEGOTIATE WITH THE PROPERTY OWNERS SET FORTH ABOVE. – CITY
- D8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT 9333 ETIWANDA AVENUE, FURTHER IDENTIFIED AS SAN BERNARDINO COUNTY TAX ASSESSOR'S PARCEL NUMBER 0229-162-23; NEGOTIATING PARTIES, JOHN GILLISON, CITY MANAGER, AND OVERLAND, PACIFIC AND CUTLER, REPRESENTING THE CITY OF RANCHO CUCAMONGA, AND SOUTHERN CALIFORNIA EDISON, OWNER; REGARDING INSTRUCTIONS TO NEGOTIATORS CONCERNING PRICE. NEGOTIATING PARTIES MAY NEGOTIATE WITH THE PROPERTY OWNERS SET FORTH ABOVE. – CITY

**CITY COUNCIL VISION STATEMENT**

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**D9.** CONFERENCE WITH REAL PROPERTY NEGOTIATORS PER GOVERNMENT CODE SECTION 54956.8 FOR PROPERTY LOCATED AT 8949 ETIWANDA AVENUE, FURTHER IDENTIFIED AS SAN BERNARDINO COUNTY TAX ASSESSOR'S PARCEL NUMBER 0229-162-22; NEGOTIATING PARTIES, JOHN GILLISON, CITY MANAGER, AND OVERLAND, PACIFIC AND CUTLER, REPRESENTING THE CITY OF RANCHO CUCAMONGA, AND SOUTHERN CALIFORNIA EDISON, OWNER; REGARDING INSTRUCTIONS TO NEGOTIATORS CONCERNING PRICE. NEGOTIATING PARTIES MAY NEGOTIATE WITH THE PROPERTY OWNERS SET FORTH ABOVE. – CITY

**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 CALL:** Mayor Michael  
Mayor Pro Tem Kennedy  
Council Members Hutchison, Scott, and Spagnolo

**A. AMENDMENTS TO THE AGENDA**

**B. ANNOUNCEMENT / PRESENTATIONS**

- B1.** Presentation of Certificate of Recognition Recognizing Delaney Spaulding, Team USA Softball Olympian and Rancho Cucamonga Resident.
  
- B2.** Presentation of Proclamations of Recognition to Library Board of Trustees Members Luella G. Hairston, Esq. and Mary Hannah, and Library Foundation Director Heidi Soehnel for Their Service to the Rancho Cucamonga Public Library.
  
- B3.** Presentation of a Proclamation Proclaiming the Month of September as Suicide Prevention Month.

**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.

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## **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 and may act on the consent calendar for those bodies as part of a single motion with the City Council consent calendar.*

### **D. CONSENT CALENDAR**

- D1.** Consideration of Meeting Minutes for the Regular Meetings of July 21, 2021 and Special Meeting of September 1, 2021.
- D2.** Consideration to Approve City and Fire District Bi-Weekly Payroll in the Total Amount of \$1,834,980.73 and City and Fire District Weekly Check Registers (Excluding Checks Issued to Southern California Gas Company) in the Total Amount of \$6,633,672.06 Dated August 23, 2021 Through September 06, 2021. (CITY/FIRE)
- D3.** Consideration to Approve City and Fire District Weekly Check Registers for Checks Issued to Southern California Gas Company in the Total Amount of \$677,663.21 Dated August 23, 2021 Through September 06, 2021. (CITY/FIRE)
- D4.** Consideration of Reimbursement for the Etiwanda/San Sevaine Area Master Plan Drainage Improvements Program for Fiscal Year 2020/2021 and an Appropriation of \$5,394 from the Etiwanda/San Sevaine Drainage Fund (Fund 116). (CITY)
- D5.** Consideration to Approve an Amendment to a Special Services Agreement between the City of Rancho Cucamonga and Liebert Cassidy Whitmore, a Professional Law Corporation. (CITY)
- D6.** Consideration of a Professional Services Agreement with Dapeer Rosenblit Litvak, LLP for Legal Services Related to the Municipal Code and Other Civil Matters. (CITY)
- D7.** Consideration of an Improvement Agreement Extension for Case No. DRC2018-00430, Located East of Vineyard Avenue North of 8th Street, Submitted by Richard Collins Jr. (CITY)
- D8.** Consideration to Accept as Complete, File a Notice of Completion, and Authorize Release of Retention, and Bonds for the School Crosswalk Improvements Project, Contract No. 2021-054. (CITY)
- D9.** Consideration to Accept as Complete, File the Notice of Completion and Authorize Release of Retention and Bonds for the Hellman Avenue Sidewalk Improvements and ADA Ramps at Various Locations, Contract No. 2021-053. (CITY)
- D10.** Consideration to Accept Public Improvements Located in the Village Commercial (VC) District of the Victoria Planned Community, South of Attwood Court and West of Victoria Park Lane, Related to Case No. DRC2017-00889, as Complete, File the Notice of Completion, and Authorize Release of Bonds. (CITY)

- D11.** Consideration of a Resolution to Set Residential Bear Resistant Container Solid Waste Rate Within the City of Rancho Cucamonga. (RESOLUTION NO. 2021-099) (CITY)
- D12.** Consideration of a Resolution Approving an Amendment to the Rancho Cucamonga City Employees Association Salary Schedule for Fiscal Year 2021-2022, Including the Addition of Supervising Traffic Systems Specialist Classification. (RESOLUTION NO. 2021-105) (CITY)
- D13.** Consideration of the Improvement Agreement and Improvement Securities for Street Improvements, Order Annexation to Landscape Maintenance District No. 3B, Street Light Maintenance Districts Nos. 1 and 6 for Case No. DRC2020-00026, Located at the Southwest Corner of 6th Street and Hyssop Drive. (RESOLUTION NO. 2021-101), (RESOLUTION NO. 2021-102), (RESOLUTION NO. 2021-103) (CITY)
- D14.** Consideration of Resolutions of the Board of Directors of the Rancho Cucamonga Fire Protection District, Rancho Cucamonga, California, Amending Resolutions FD 2021-009, 2021-010, and 2021-011, and Approving Covenants and Restrictions for Real Property Pursuant to Government Code Section 54233.5. (RESOLUTION NOS. FD 2021-029, FD 2021-030 AND FD 2021-031) (FIRE)
- D15.** Consideration to Adopt a Resolution Approving Side Letter Agreements between the City of Rancho Cucamonga and City Bargaining Units, Including a Part-Time City Employee Benefit. (RESOLUTION NO. 2021-104) (CITY)
- D16.** Consideration to Adopt a Resolution Approving a Side Letter Agreement Between the Rancho Cucamonga Fire Protection District and Fire District Bargaining Units, Including a Part-Time Employee Benefit Update. (RESOLUTION NO. FD 2021-028). (FIRE)
- D17.** Consideration of an Amendment to the Agreement for Professional Services with SMG-Rancho Cucamonga Premier Food Services LLC for Comprehensive Event and Meeting Sales, Management, Catering, and Concession Services for Certain Spaces at the Victoria Gardens Cultural Center and Lewis Family Playhouse. (CITY)
- D18.** Consideration to Approve Amendment No. 001 to Contract No. 18-121 with KWall, LLC. for Additional Website Development. (CITY)

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## **E. CONSENT CALENDAR ORDINANCE(S) - SECOND READING/ADOPTION**

### **E1. Consideration of Second Reading and Adoption of the Following:**

#### **Ordinance No. 983**

An Ordinance of the City Council of the City of Rancho Cucamonga, California, Adopting Municipal Code Amendment DRC2021-00281 to Amend Table 17.26.020-1, Section 17.30.030, Table 17.30.030-1, and Section 17.36.030 of the Rancho Cucamonga Municipal Code to Establish Three New Zoning Districts and Adopt Associated Development Standards and Permitted Uses for Each New Zoning District, Adopting Zoning Map Amendment DRC2021-00283 to Rezone Certain Parcels as Set Forth Herein, Adopting an Addendum to the General Plan Program Environmental Impact Report Pursuant to the California Environmental Quality Act, and Making Findings in Support Thereof

#### **Ordinance No. 984**

An Ordinance of the City Council of the City of Rancho Cucamonga, California, Approving Planned Community Amendment DRC2021-00284 to Amend the Terra Vista Planned Community to Rezone 13 Parcels to the New Urban Corridor Zoning District, Adopting an Addendum to the General Plan Program Environmental Impact Report Pursuant to the California Environmental Quality Act, and Making Findings in Support Thereof

#### **Ordinance No. 985**

An Ordinance of the City Council of the City of Rancho Cucamonga, California, Adopting Planned Community Amendment DRC2021-00285 to Amend the Victoria Planned Community to Rezone Six Parcels Within the Specific Plan to the New Urban Center Zoning District, Adopting an Addendum to the General Plan Program Environmental Impact Report Pursuant to the California Environmental Quality Act, and Making Findings in Support Thereof

## **F. ADMINISTRATIVE HEARING ITEM(S)**

## **G. ADVERTISED PUBLIC HEARINGS ITEM(S) - CITY/FIRE DISTRICT**

- G1. 8:00 P.M. TIME CERTAIN - PUBLIC HEARING #1** - Consideration of City Council Election District Boundaries, to Include Discussion Regarding the Redistricting Process, Review of Permissible Criteria to be Considered to Redraw City Council Election District Boundaries, and Receiving Public Input on Communities of Interest and Potential District Boundaries. (CITY)
- G2.** Consideration to Approve the Community Development Block Grant (CDBG) Program Year 2020-2021 Consolidated Annual Performance and Evaluation Report (CAPER). (CITY)
- G3.** Consideration of a Resolution to Create a Residential Permit Parking District on Estacia Street, Elmhurst Avenue, Stafford Street, Dorset Court, Effen Street, and Cambridge Avenue Between Hermosa Avenue and Ramona Avenue Pursuant to Municipal Code Section 10.50. (RESOLUTION NO. 2021-100) (CITY)

## **H. CITY MANAGER'S STAFF REPORT(S)**

- H1.** Consideration of a Resolution Proclaiming October 6, 2021, as California Clean Air Day. (RESOLUTION NO 2021-098) (CITY)

## **I. COUNCIL BUSINESS**

- I1.** Consideration of Santa Tour Activities for 2021. (CITY)

### **I2. COUNCIL ANNOUNCEMENTS**

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

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**13. INTERAGENCY UPDATES**

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

**J. CITY ATTORNEY ITEMS**

**K. IDENTIFICATION OF ITEMS FOR NEXT MEETING**

**L. ADJOURNMENT**

**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.