

# CITY OF SAN BERNARDINO

## AGENDA

FOR THE

REGULAR MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO,  
MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO ACTING AS THE SUCCESSOR  
AGENCY TO THE REDEVELOPMENT AGENCY, MAYOR AND CITY COUNCIL OF THE CITY OF SAN  
BERNARDINO ACTING AS THE SUCCESSOR HOUSING AGENCY TO THE REDEVELOPMENT  
AGENCY, AND MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO ACTING AS THE  
HOUSING AUTHORITY, AND MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO  
ACTING AS THE SAN BERNARDINO JOINT POWERS FINANCING AUTHORITY

### WEDNESDAY, AUGUST 17, 2022

5:30 PM - CLOSED SESSION

7:00 PM - OPEN SESSION

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**Theodore Sanchez**  
COUNCIL MEMBER, WARD 1

**Sandra Ibarra**  
COUNCIL MEMBER, WARD 2

**Juan Figueroa**  
COUNCIL MEMBER, WARD 3

**Fred Shorett**  
COUNCIL MEMBER, WARD 4

**Ben Reynoso**  
COUNCIL MEMBER, WARD 5

**Kimberly Calvin**  
COUNCIL MEMBER, WARD 6

**John Valdivia**

MAYOR



**Damon L. Alexander**  
COUNCIL MEMBER, WARD 7

**Robert D. Field**  
CITY MANAGER

**Sonia Carvalho**  
CITY ATTORNEY

**Genoveva Rocha**  
CITY CLERK

Welcome to a meeting of the Mayor and City Council of the City of San Bernardino.

**PLEASE VIEW THE LAST PAGES OF THE AGENDA FOR PUBLIC  
COMMENT OPTIONS OR CLICK ON THE FOLLOWING LINK:**

<https://tinyurl.com/mccpubliccomments>

Please contact the City Clerk's Office (909) 384-5002 two working days prior to the meeting  
for any requests for reasonable accommodation to include interpreters.

To view PowerPoint presentations, written comments, or any revised documents for this  
meeting date, select the link <https://tinyurl.com/agendabackup081722>

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on the **Navigation** menu select **Search for Records Online** -> **Council Agendas** ->  
**Current Year 2022** -> **Meeting Date**

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## **CALL TO ORDER**

### **Attendee Name**

Council Member, Ward 1 Theodore Sanchez  
Council Member, Ward 2 Sandra Ibarra  
Mayor Pro-Tem, Ward 3 Juan Figueroa  
Council Member, Ward 4 Fred Shorett  
Council Member, Ward 5 Ben Reynoso  
Council Member, Ward 6 Kimberly Calvin  
Council Member, Ward 7 Damon L Alexander  
Mayor John Valdivia  
City Manager Robert D. Field  
City Attorney Sonia Carvalho  
City Clerk Genoveva Rocha

### **5:30 P.M.**

## **CLOSED SESSION PUBLIC COMMENT**

### **CLOSED SESSION**

**A) CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to Government Code Section 54957.6) (HR):

Agency Designated Representative: City Manager or designee

Employee Organizations: San Bernardino Police Management Association

**B) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** (Pursuant to Government Code Section 54956.9(a) and (d)(1)) (Risk):

a. Faith Stewart v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVSB2100620

b. Melody Duro v. County of San Bernardino, et al., San Bernardino Superior Court Case No. CIVDS2022639

c. Gary Saenz, et al. v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVDS2003802

### **7:00 P.M.**

## **INVOCATION AND PLEDGE OF ALLEGIANCE**

### **CLOSED SESSION REPORT**

### **CITY MANAGER UPDATE**

## **MAYOR & CITY COUNCIL UPDATES/REPORTS ON CONFERENCES & MEETINGS**

### **PRESENTATIONS**

1. Citizen of the Month – Amanda Arroyo Maldonado [p. 14](#)

## **PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA**

## **DISCUSSION**

### **2. Annual Update on the Commercial Cannabis Regulatory Program p. 16**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file the oral report.

## **CONSENT CALENDAR**

### **3. California Animal Welfare Funders Collaborative Grant p. 20**

#### **Recommendation:**

Adopt Resolution No 2022-177 of the Mayor and City Council of the City of San Bernardino, California:

1. Accepting a grant award in the amount of \$20,000 from UC Davis for animal shelter programs; and
2. Authorizing the City Manager to conduct all negotiations signings and submittals of all necessary documents to receive the grant award; and
3. Authorizing the Director of Finance to amend the FY 2022/23 Budget to appropriate \$20,000 of the grant funding for animal shelter programs and services.

### **4. City Board, Commission, and Citizen Advisory Committee Minutes Approved in June/July 2022 p. 30**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino receive and file the minutes from the City board, commission, and citizen advisory committee meetings approved in June and July 2022.

### **5. Congressional Black Caucus Foundation's 51st Annual Legislative Conference Travel Authority and Expense Request for Council Member Kimberly Calvin p. 72**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California approve the Travel Authority and Expense Request for Council Member Kimberly Calvin to attend the Congressional Black Caucus Foundation's 51st Annual Legislative Conference from September 28 through October 2, 2022 in Washington, D.C.

### **6. Approval of Commercial and Payroll Disbursements (All Wards) p. 88**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California approve the commercial and payroll disbursements for July 2022.

### **7. Amendment to Initiation of Proceedings to Form Proposed Community Facilities District No. 2022-1 (Highland/Medical) (Ward 4) p. 166**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Adopt Resolution No. 2022-186 of the Mayor and City Council of the City of San

Bernardino, California, Amending and Supplementing the Resolution Declaring Intention to Establish Proposed Community Facilities District No. 2022-1 (Highland/Medical) of the City of San Bernardino; and

2. Adopt Resolution No. 2022-187 of the Mayor and City Council of the City of San Bernardino, California, Amending and Supplementing the Resolution Declaring Necessity to Incur a Bonded Indebtedness of Proposed Community Facilities District No. 2022-1 (Highland/Medical) of the City of San Bernardino

**8. Review of Administrative Budget Transfers p. 199**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review and file all listed administrative budget amendments from April 5, 2022 through June 30, 2022.

**9. Health Benefits Plan Year 2023 p. 203**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the City's health benefit plans for plan year 2023 and authorize the City Manager to execute any agreements necessary to effectuate the medical, dental, vision, life, short and long-term disability and other ancillary and voluntary plans that the City offers as part of its benefits package to employees.

**10. Amendments to Professional Services Agreements p. 232**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager to execute:

1. The Third Amendment to the Professional Services Agreement with Lynberg & Watkins for representation in the San Bernardino Superior Court Case No. CIVDS1919509
2. The Second Amendment to the Professional Services Agreement with Graves & King for representation in the San Bernardino Superior Court Case No. CIVSB2100620
3. The First Amendment to the Professional Services Agreement with Graves & King for representation in the San Bernardino Superior Court Case No. CIVDS2022639
4. The First Amendment to the Professional Services Agreement with Lawrence, Beach, Allen & Choi for representation in the San Bernardino Superior Court Case No. 5:21-cv-00454

**11. Approving Job Classifications and Amending the Salary Schedule p. 289**

**Recommendation:**

Adopt Resolution No. 2022-179 of the Mayor and City Council of the City of San Bernardino, California, approving the following:

1. Police Call Taker (PT) job classification
2. Permit Services Supervisor job classification
3. Amendment of the City-wide salary schedule for full-time, part-time, temporary, and seasonal positions

**12. Add Additional Microsoft Office Licenses as needed for new employees (All Wards) p. 304**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the Finance Director to execute the purchase of additional licenses of Microsoft Office 365 from Insight at \$234.06 per user with a contingency of 10%, as needed, for price adjustment not to exceed the IT annual software support budget as new employees are hired for the City of San Bernardino.

**13. Authorization to extend Granicus MinuteTraq contract from 7/1/2022 to 12/31/2022 (All Wards) p. 308**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the Finance Director to execute the contract with Granicus from 7/1/2022 to 12/31/2022 for \$25,253.17 in order to allow time to transition to the new agenda management software, PrimeGov.

**14. Skate Parks, Events, and Collaborations Update p. 321**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file.

**15. Ratification of Grant Application for the Corporation for National and Community Service's Senior Companion Program p. 325**

**Recommendation:**

Adopt Resolution No. 2022-180 of the Mayor and City Council of the City of San Bernardino, California, approving the ratification of the submission of a grant application for Year Two of a 3-Year grant with the Corporation for National and Community Service's Senior Companion Program, Accept the Grant Award in the amount of \$332,662, and Appropriate the Grant Funds for the Period of July 1, 2022 through June 30, 2023.

**16. Purchase of Laser Scanning Equipment p. 358**

**Recommendation:**

Adopt Resolution No. 2022-181 of the Mayor and City Council of the City of San Bernardino, California, authorizing the City Manager to execute an agreement with FARO Technologies in an amount not to exceed \$95,000 for the purchase of laser scanning technology and authorizing the Finance Director to issue a purchase order in connection with said agreement.

**17. Construction Contract Award for Various Improvements (AllWards) p. 424**

**Recommendation:**

Adopt Resolution No. 2022-182 of the Mayor and City Council of the City of San Bernardino, California:

1. Approving the award of a construction contract with Tryco General Engineering in the amount of \$238,780 to provide City Wide Bus Stop Improvements; and

2. Authorizing the Agency Director of Administrative Services to record an amendment from the Measure I Fund to allocate an additional \$94,500 to fund the project; and

3. Authorizing construction, contingencies, and inspection costs in the total amount of \$271,500 for City Wide Bus Stop Improvements; and

4. Authorizing the City Manager or designee to execute all documents for the construction of the bus stops, the Blair Park fitness pad and the Mobile Veterinary Vehicle parking pad; and

Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the projects.

**18. Professional Services Agreements - On-Call Inspection Services p. 465**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the award of a one-year Professional Services Agreements with the firms of Z&K Consultants, GK & Associates, and Infrastructure Engineers, to provide as-needed, on-call Inspection Services and authorize the City Manager, or designee, to sign and execute the agreements.

**19. Agreement with San Bernardino Paint and Supply, Inc. for the Purchase of Paint and Related Materials for City-wide Graffiti Abatement (All Wards) p. 602**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Authorize the City Manager to execute a Goods and Services Agreement with San Bernardino Paint and Supply, Inc., for the purchase of paint and related materials; and

2. Authorize the Agency Director of Finance, Human Resources, and Information Technology to appropriate funds in the amount of \$130,000 to the Public Operations and Maintenance General Fund; and issue a purchase order in the amount of \$130,000.

**20. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 25, Tax Zone No. 26 (Palm) (Ward 4) p. 640**

**Recommendation:**

Adopt Resolution No. 2022-140 of the Mayor and City Council of the City of San Bernardino, California, declaring its intention to annex territory into Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino, adopting a map of the area to be proposed (Annexation No. 25) and authorizing the levy of a special taxes therein.

**21. Amendment to Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 24, Tax Zone No. 25 (Highland/Medical Center) (Ward 6) p. 624**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, adopt Resolution No. 2022-183 of the Mayor and City Council of the City of San Bernardino, California, amending and supplementing the resolution declaring its intention to annex territory into Community Facilities District No. 2019-1 (Maintenance



Services) of the City of San Bernardino, adopting a map of the area to be proposed (Annexation No. 24) and authorizing the levy of a special taxes therein.

**22. Five-Year Capital Project Needs Analysis (2022/2023 through 2026/2027) for Measure "I" 2010-2040 Expenditures (Ward: All) p. 705**

**Recommendation:**

Adopt Resolution No. 2022-184 of the Mayor and City Council of the City of San Bernardino, California approving the Five-Year Capital Project Needs Analysis (FY 2022/2023 through FY 2026/2027) for Measure "I" 2010-2040 Expenditure.

**23. Issuance of a Purchase Order to Willdan Engineering, Inc. for On-Call Plan Check Services (All Wards) p. 720**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California authorize the Agency Director of Administrative Services to issue a purchase order to Willdan Engineering, Inc., in an amount not to exceed \$550,000 in accordance with the On-Call Professional Services Agreement.

**24. Award Construction Contract for State Street Extension, Phase I - 16th Street to Baseline Street Project (Ward 6) p. 749**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2022-185:

1. Approving the award of a construction contract with Riverside Construction Company, Inc. in the amount of \$7,436,165.00 to construct State Street Extension Project; and

2. Authorizing the Agency Director of Administrative Services to amend the FY 2022/23 Capital Improvement Plan Budget in the Regional Circulation System fund to allocate an additional \$3,039,786 to the State Street Extension Project; and

3. Authorizing construction, construction contingencies and inspection costs in the total amount of \$8,500,000 for State Street Extension project; and

4. Authorizing the City Manager or designee, to execute all documents for the construction of State Street extension, Phase I -16th Street to Baseline Street project with Riverside Construction Company, Inc.; and

5. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

6. Finding the Project is covered by the Mitigated Negative Declaration previously approved for the State Street Extension Project pursuant to the California Environmental Quality Act.

**25. Amendment No. 1 to Agreement with DLR Group for Preliminary Design of New Animal Shelter (Ward 3) p. 793**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager to execute Amendment No. 1 to the Professional Service Agreement with DLR Group increasing contractor travel expenses by the amount of \$3,863.15; and authorizing the Agency Director of Administrative Services to increase the purchase order to a total amount not to exceed \$165,630.15 for the preliminary design of the new animal shelter.

**26. Amendment to Initiation of Proceedings to Form Proposed Community Facilities District No. 2022-2 (Palm) (Ward 4) p. 835**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California:

1. Adopt Resolution No. 2022-177 of the Mayor and City Council of the City of San Bernardino, California, Amending and Supplementing the Resolution Declaring Intention to Establish Proposed Community Facilities District No. 2022-2 (Palm) of the City of San Bernardino;
2. Adopt Resolution No. 2022-178 of the Mayor and City Council of the City of San Bernardino, California, Amending and Supplementing the Resolution Declaring Necessity to Incur a Bonded Indebtedness of Proposed Community Facilities District No. 2022-2 (Palm) of the City of San Bernardino

**27. Adoption of Ordinance MC-1590, CFD 2019-1 - Annexation No. 18 p. 869**

**Recommendation:**

Adopt Ordinance No. MC-1590 of Mayor and City Council of the City of San Bernardino, California, amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2022-2023 to pay the annual costs of the maintenance and servicing of landscaping, lighting, water quality improvements, graffiti, streets, street sweeping, parks and trail maintenance, a reserve fund for capital replacement, and administrative expenses with respect to City of San Bernardino Community Facilities District No. 2019-1 (Maintenance Services).

**ADJOURNMENT**

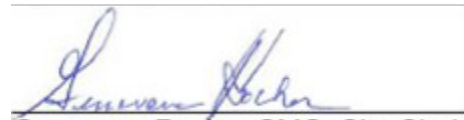
The next joint regular meeting of the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency will be held on September 21, 2022, at the Feldheym Central Library located at 555 West 6th Street, San Bernardino, California 92401. Closed Session will begin at 5:30 p.m. and Open Session will begin at 7:00 p.m.



## CERTIFICATION OF POSTING AGENDA

I, Genoveva Rocha, CMC, City Clerk for the City of San Bernardino, California, hereby certify that the agenda for the August 17, 2022 Regular Meeting of the Mayor and City Council and the Mayor and City Council acting as the Successor Agency to the Redevelopment Agency was posted on the City's bulletin board located at 201 North "E" Street, San Bernardino, California, at the Feldheym Central Library located at 555 West 6th Street, San Bernardino, California, and on the City's website sbcity.org on Friday, August 12, 2022.

I declare under the penalty of perjury that the foregoing is true and correct.

  
Genoveva Rocha, CMC, City Clerk

**NOTICE:** Any member of the public may address this meeting of the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency on any item appearing on the agenda by approaching the microphone in the Council Chamber when the item about which the member desires to speak is called and by asking to be recognized.

Any member of the public desiring to speak to the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency concerning any matter not on the agenda but which is within the subject matter jurisdiction of the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency may address the body at the end of the meeting, during the period reserved for public comments. Said total period for public comments shall not exceed 60 minutes, unless such time limit is extended by the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency. A three minute limitation shall apply to each member of the public, unless such time limit is extended by the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency. No member of the public shall be permitted to "share" his/her three minutes with any other member of the public.

Speakers who wish to present documents to the governing body may hand the documents to the City Clerk at the time the request to speak is made.

The Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency may refer any item raised by the public to staff, or to any commission, board, bureau, or committee for appropriate action or have the item placed on the next agenda of the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency. However, no other action shall be taken nor discussion held by the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency on any item which does not appear on the agenda unless the action is otherwise authorized in accordance with the provisions of subdivision (b) of Section 54954.2 of the Government Code.

Public comments will not be received on any item on the agenda when a public hearing has been conducted and closed.

## **PUBLIC COMMENT OPTIONS**

Please use **ONE** of the following options to provide a public comment:

- 1) Written comments can be emailed to [publiccomments@sbcity.org](mailto:publiccomments@sbcity.org). Written public comments received up to 4:00 p.m. on the day of the meeting (or otherwise indicated on the agenda) will be provided to the Mayor and City council and made part of the meeting record. **They will not be read aloud unless you require an ADA accommodation.**

**Please note:** messages submitted via email and this page are only monitored from the publication of the final agenda until the deadline to submit public comments. Please contact the City Clerk at 909-384-5002 or [SBCityClerk@sbcity.org](mailto:SBCityClerk@sbcity.org) for assistance outside of this timeframe.

- 2) Attend the meeting in person and fill out a speaker slip. Please note that the meeting Chair decides the cut-off time for public comment, and the time may vary per meeting. If you wish to submit your speaker slip in advance of the meeting, please submit your request to speak using the form on the following page: <https://sbcity.tiny.us/PublicCommentOptions>.

### **3) REMOTE PARTICIPATION VIA ZOOM (For public comment only meeting will not be viewable on Zoom)**

- a) You can use a mobile phone or a landline to dial into a Zoom meeting.

- i) **Dial (669) 900-6833.** When prompted, enter the **Meeting ID: 677-845-9453**  
**Passcode:2021**

The public may begin joining the meeting on Zoom or by calling-in to be added to the speaker queue at 5:15 PM for Closed Session.

Once admitted to the Zoom Public Comment meeting to request to speak at the appropriate time:

- ii) **Dial \*9** from your phone to raise your hand via Zoom

If calling in staff will confirm the last four digits of the caller's phone number and unmute them, the caller must then press \*6 to speak from their device. Callers are encouraged, but not required, to identify themselves by name. Each caller will be provided three (3) minutes to speak. If you are calling in, please turn your volume down on your television or other devices to limit any feedback when you speak.

### **b) Join the Meeting by clicking on the Zoom link below:**

<https://us06web.zoom.us/j/6778459453?pwd=ZTkzdUJtcDMrbmFNQnVDSFhvaXQxZz09>

**Meeting ID: 677 845 9453**  
**Passcode:2021**

You can also Go to [Zoom.us](https://zoom.us) and click "Join a Meeting" at the top.

**Enter the Meeting ID: 677-845-9453**  
**Passcode:2021**

**Public Hearings:**

If you are commenting on a Public Hearing, please stay signed on to the Zoom session or sign on when the Public Hearing is announced. You will be prompted by staff when the item is being discussed.

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