

# CITY OF SAN BERNARDINO

## AGENDA

FORTHE

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, OCTOBER 19, 2022

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://sbcity.tiny.us/publiccommentoptions>

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/agendabackup101922>

From the City's homepage [www.sbcity.org](http://www.sbcity.org) select the **Government** category -> **City Clerk** -> on the **Navigation** menu select **Search for Records Online** -> **Council Agendas** -> **Current Year 2022** -> **Meeting Date**

## **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

**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. Proclamation for American Pharmacists Month – October 2022 (All Wards) [p. 10](#)
2. October 2022 Citizen of the Month – Mohammed (Moe) Ali – Ward 3 [p. 12](#)

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

### **APPOINTMENTS**

3. Charter Review Committee Appointment (Ward 2) [p. 14](#)

### **PUBLIC HEARING**

4. Ordinance Adding Chapter 9.10 to Title 9 of the San Bernardino Municipal Code (All Wards) [p. 22](#)

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, introduce, read by title only, and waive further reading of Ordinance No. MC-1600, adding Chapter 9.10 to Title 9 of the San Bernardino Municipal Code, prohibiting possession of firearms on City Property and within City Buildings.

5. Development Code Amendment 22-05 [p. 32](#)

#### **Recommendation:**

It is recommended that the Mayor and City Council take the following actions:

1. Introduce, read by title only, and waive further reading of Ordinance No. MC-1601 of the Mayor and City Council of the City of San Bernardino, California, amending Section 19.02.020 (Definitions), Chapter 19.06 (Commercial Zones), and Chapter 19.10 (Industrial Zones) of the City of San Bernardino Municipal Code (Title 19) to update development standards for Commercial Cannabis Activities in accordance with Chapter 5.10

(Commercial Cannabis Activities) City of San Bernardino Municipal Code; and finding that the Amendment is Exempt under the California Environmental Quality Act (Attachment 1); and

Schedule the adoption of the above Ordinance to the regularly scheduled meeting of the Mayor and City Council on November 16, 2022.

**6. Imposing Liens on Parcels of Real Property for Uncollected Business Registration Fees (All Wards) p. 57**

**Recommendation:**

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

1. Conduct a public hearing to receive public comment on the matter; and
2. Adopt Resolution No. 2022-220 of the Mayor and City Council of the City of San Bernardino, California, imposing liens on certain parcels of real property for unpaid business registration taxes and penalties; and
3. Direct the Agency Director of Administrative Services to remove any properties from the Business Registration Lien List (Resolution No. 2022-220- Exhibit A) which are resolved prior to the hearing.

**7. Ordinance Adjusting the Salary and Benefits for the Position of City Council Member p.73**

**Recommendation:**

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

1. Review and consider the information provided for adjusting the salary and benefits for the position of City Council Member, provide direction for modification, adopt the recommendation from the Elected Official Compensation Advisory Commission as presented, or receive and file; and
2. If decided by the Mayor and City Council: introduce, read by title only, and waive further reading of Ordinance No. MC-1595 of the Mayor and City Council of the City of San Bernardino, California, amending Section 2.82.020 of the San Bernardino Municipal Code to increase City Council Member compensation.

**CONSENT CALENDAR**

**8. City Board, Commission, and Citizen Advisory Committee Minutes Approved in August/September 2022 p. 84**

**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 August and September 2022.

**9. San Bernardino Joint Powers Financing Authority (All Wards) p. 131**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file an informational report on the San Bernardino Joint Powers Financing Authority.

**10. Pre-Approval of Travel for FY 2022/23 (All Wards) p. 171**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, pre-approve travel to all events that are sponsored by the California League of Cities, National League of Cities, and the Southern California Association of Governments for the

**11. Proposed 2023 Regular Mayor & City Council Meeting Schedule (All Wards) [p.190](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt the proposed 2023 Regular Mayor and City Council Meeting Schedule.

**12. Award On-Call Professional Services Agreement for board-up and securement abatement services to Eagle Eye Demo and Land Clearing. [p. 196](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the award of a Professional Service Agreement with Eagle Eye Demo and Land Clearing, for on-call board-up and securement abatement services; and authorize the Agency Director of Administrative Services to issue a Purchase Order to Eagle Eye Demo and Land Clearing in an annual total amount not to exceed \$200,000.

**13. Amendment No.1 to the ESG Subrecipient Agreement with Mary's Mercy Center [p. 240](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino approve Amendment No.1 to the Emergency Solutions Grant (ESG) - Program Subrecipient Agreement with Mary's Mercy Center for an extension to expend the ESG funds through March 31, 2023.

**14. Approval of Commercial and Payroll Disbursements (All Wards) [p. 365](#)**

**Recommendation:**

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

**15. Investment Portfolio Report for August 2022 (All Wards) [p. 406](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, accept and file the Monthly Investment Portfolio Report for August 2022.

**16. Approving Job Classifications and Amending the Salary Schedule [p. 418](#)**

**Recommendation:**

Adopt Resolution No. 2022-221 of the Mayor and City Council of the City of San Bernardino, California:

1. Establishing the Assistant Building Official job classification; and
2. Amending the City-wide salary schedule for full-time, part-time, temporary, and seasonal positions.

**17. Agreement with Insight Polygraph and Private Investigations (All Wards) [p. 432](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager to execute an agreement between the City of San Bernardino and Insight Polygraph and Private Investigations for pre-employment polygraph services.

**18. Agreements with Prestigious Investigations Services, Inc and North American Security and Investigations, Inc. [p. 478](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager to execute agreements between the City of San Bernardino and Prestigious Investigation Services, Inc and North American Security and Investigations, Inc. and authorize the Agency Director of Administrative Services to issue Purchase Orders in amounts up to \$25,000 for each vendor.

**19. Agreement with Bio Tox Laboratories for Forensic Toxicology Services (All Wards) [p. 543](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager to execute an agreement between the City of San Bernardino and Bio Tox Industries, and authorize the Agency Director of Administrative Services to issue a purchase order in an amount not to exceed \$100,000.

**20. Adoption of Ordinance No. MC-1597 (Ward 6) [p. 568](#)**

**Recommendation:**

Adopt Ordinance No. MC-1597 of the 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).

**21. Irrevocable Agreement to Annex No. 2022-371(Ward 4) [p. 578](#)**

**Recommendation:**

Adopt Resolution No. 2022-222 of the Mayor and City Council of the City of San Bernardino, California, approving the application to the Local Agency Formation Commission to provide City sewer services to property located within the unincorporated territory at 4260 North "H" Street, San Bernardino, California; and authorizing the City Manager to execute an Irrevocable Agreement to Annex.

**22. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 21, Tax Zone No. 22 (The Landing) (Ward 1) [p. 594](#)**

**Recommendation:**

Adopt Resolution No. 2022-223 of the Mayor and City Council 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. 21) and authorizing the levy of a special taxes therein.

**23. LED Citywide Street Lighting Upgrade - Phase 2 [p. 630](#)**

**Recommendation:**

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

1. Approve the award of a Construction Contract with Sierra Pacific Electrical Contracting, Inc., in the amount of \$642,350.00 to provide LED Citywide Lighting Upgrade – Phase 2; and

2. Authorize construction, contingencies, and inspection costs in the total amount of \$720,000 to provide LED Citywide Lighting Upgrade – Phase 2; and
3. Authorize the City Manager or designee to execute all documents for the construction of the LED Citywide Lighting Upgrade - Phase 2 with Sierra Pacific Electrical Contracting, Inc., and
4. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

### **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 November 02, 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 October 19, 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 October 14, 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.

Printed on 10/14/2022