

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, NOVEMBER 02, 2022

5:30 PM - CLOSED SESSION

7:00 PM - OPEN SESSION

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Theodore Sanchez
COUNCIL MEMBER, WARD 1

John Valdivia

MAYOR

Damon L. Alexander
COUNCIL MEMBER, WARD 7

Sandra Ibarra
COUNCIL MEMBER, WARD 2

Robert D. Field
CITY MANAGER

Juan Figueroa
COUNCIL MEMBER, WARD 3

Sonia Carvalho
CITY ATTORNEY

Fred Shorett
COUNCIL MEMBER, WARD 4

Genoveva Rocha
CITY CLERK

Ben Reynoso
COUNCIL MEMBER, WARD 5

Kimberly Calvin
COUNCIL MEMBER, WARD 6



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: [TINYURL.COM/MCCPUBLICCOMMENTS](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, use this link: tinyurl.com/agendabackup. Select the corresponding year and meeting date folders to view documents.*

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 p. 12

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

- a. *Jackie Aboud v. John Valdivia, et al.*, San Bernardino Superior Court Case No. CIVDS2013562
- b. *Karen Cervantes v. John Valdivia, et al.*, San Bernardino Superior Court Case No. CIVDS2012538
- c. *Mirna Cisneros v. John Valdivia, et al.*, San Bernardino Superior Court Case No. CIVDS2012926
- d. *Donald Smith v. John Valdivia, et al.*, San Bernardino Superior Court Case No. CIVSB2025375
- e. *Matthew Brown v. City of San Bernardino, et al.*, San Bernardino Superior Court Case No. CIVSB2025900
- f. *City of San Bernardino v. Fox Property Holdings LLC, et al.*, San Bernardino Superior Court Case No. CIVSB2218532

B) CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code Section 54957.6):

Agency Designated Representative: City Manager

Employee Organization: San Bernardino Police Management Association

C) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation (Pursuant to Government Code Section 54956.9(d) (2)): One case: EEOC Complaint No. 480-2022-03838.

D) PUBLIC EMPLOYEE EVALUATION (Pursuant to Government Code Section 54957 (b)(1)): City Manager

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. **Community Member Recognition: Edwin Johnson, Chords Enrichment Program for Festival p. 14**

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

DISCUSSION

2. **Award Design/Build Contract for the Carousel Mall Demolition (Ward 1) p. 15**

Recommendation:

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

1. Determine approval of the Design/Build Contract is statutorily exempt from environmental review pursuant to Sections 15268 and 15269 of the State's guidelines implementing the California Environmental Quality Act; and
2. Approve an award of a Design/Build Contract with Resource Environmental, Inc. in the amount of \$7,734,000 adding an allowance in the amount of \$2,266,000, for a total amount of \$10,000,000; and
3. Authorize the Agency Director of Administrative Services to amend the FY2022/24 CIP to include Carousel Mall Demolition Project ("Project") in the total project cost amount of \$10,000,000; and
4. Authorize the City Manager or designee to execute all documents related to the Project.

3. **Administrative Policy for the Sale of Real Property (All Wards) p. 181**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review and approve the proposed Administrative Policy for the Sale of Real Property as presented.

PUBLIC HEARING

4. **Public Hearing on Annexation No. 6 to Community Facilities District 2018-1 (Safety Services), (TR 20494), Adoption of Resolutions for Annexing into the Community Facilities District (Ward 6) p. 191**

Recommendation:

The Mayor and City Council of the City of San Bernardino, California

1. Hold a Public Hearing; and
2. Adopt Resolution No. 2022-226 of the Mayor and City Council of the City of San Bernardino, California, acting as the legislative body of the City of San Bernardino Community Facilities District No. 2018-1 (Safety Services), annexing territory to Community Facilities District No. 2018-1 (Safety Services), and calling elections therein; and

3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2022-227 of the Mayor and City Council of the City of San Bernardino, California, acting as the legislative body of the City of San Bernardino Community Facilities District No. 2018-1 (Safety Services) certifying the results of the November 2, 2022, annexation, and special tax election.

5. Public Hearing on Annexation No. 7 to Community Facilities District 2018-1 (Safety Services), (TR 20495), Adoption of Resolutions for Annexing into the Community Facilities District (Ward 4) p. 218

Recommendation:

The Mayor and City Council of the City of San Bernardino, California:

1. Hold a Public Hearing; and
2. Adopt Resolution No. 2022-228 of the Mayor and City Council of the City of San Bernardino, California, acting as the legislative body of the City of San Bernardino Community Facilities District No. 2018-1 (Safety Services), annexing territory to Community Facilities District No. 2018-1 (Safety Services), and calling elections therein; and
3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2022-229 of the Mayor and City Council of the City of San Bernardino, California, acting as the legislative body of the City of San Bernardino Community Facilities District No. 2018-1 (Safety Services) certifying the results of the November 2, 2022, annexation and special tax election.

6. Approval of the Draft Fiscal Year 2021-2022 Consolidated Annual Performance and Evaluation Report (CAPER) to the US Department of Housing and Urban Development p. 258

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, conduct a public hearing on the draft Fiscal Year 2021-2022 Consolidated Annual Performance and Evaluation Report and authorize its submission to the United States Department of Housing and Urban Development (HUD).

7. Community Facilities District No. 2021-1 (Ferree Street) 2022 Special Tax Bonds (Ward 3) p. 305

Recommendation:

Adopt Resolution No. 2022-225 of the Mayor and City Council of the City of San Bernardino, California, authorizing the issuance of, not to exceed \$4,000,000, aggregate principal amount of Community Facilities District No. 2021-1 (Ferree Street) of the City of San Bernardino Special Tax Bonds, Series 2022; approving a form of preliminary official statement, a form of the fiscal agent agreement, a form of bond purchase agreement, and a form of continuing disclosure agreement; making certain determinations relating thereto; and authorizing certain other action in connect therewith.

8. Property Tax Exchange Agreement for the Annexation of Mountain View Avenue Bridge into the City of San Bernardino and detachment from the City of Redlands p.514

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, Adopt Resolution No. 2022-224 of the Mayor and City Council of the City of San Bernardino, California, determining there will be no property tax revenues to be exchanged between the City of San Bernardino, the City of Redlands, and the San Bernardino County Fire Protection District resulting from the jurisdictional change described by LAFCO case

number 3258 for portions of real property of approximately 6.27 acres in total area located at the Mountain View Avenue Bridge (portions of APN 0292-011-37-0000, APN 0292-011-42-0000, and portion of the road bridge) (Attachment 1).

CONSENT CALENDAR

9. Adopt Ordinance No. MC-1593 p. 539

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1593 approving Development Code Amendment (Zoning Map Amendment) 21-03 changing the Zoning District Classification of one (1) parcel (APN: 0266-041-40) containing approximately 3.94 acres from Commercial General (CG-1) to Industrial Heavy (IH), pursuant to a Mitigated Negative Declaration (Attachment 1).

10. Agreement with San Bernardino International Airport Authority (All Wards) p. 547

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 Service Agreement between the San Bernardino International Airport Authority and the City of San Bernardino for Law Enforcement Services.

11. Adoption of Ordinance No. MC-1598 Levying Special Taxes in Community Facilities District No. 2022-2 (Palm) (Ward 3) p. 561

Recommendation:

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

1. Adopt Ordinance No. MC-1598 of the Mayor and City Council of the City of San Bernardino, California, acting as the Legislative Body of Community Facilities District No. 2022-2 (Palm), authorizing the Levy of Special Taxes in such Community Facilities District.

12. Adoption of Ordinance No. MC-1599 Levying Special Taxes in Community Facilities District No. 2022-1 (Highland/Medical) (Ward 3) p. 580

Recommendation:

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

1. Adopt Ordinance No. MC-1599 of the Mayor and City Council of the City of San Bernardino, California, acting as the Legislative Body of Community Facilities District No. 2022-1 (Highland/Medical), authorizing the Levy of Special Taxes in such Community Facilities District.

13. Approval of Commercial and Payroll Disbursements (All Wards) p. 599

Recommendation:

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

14. Amendment No. 1 to the Master Agreement with Renne Public Policy Group (RPPG) (All Wards) p. 641

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 agreement between the City of San Bernardino and Renne Public Policy Group (RPPG), to extend and increase the agreement for grant consultation services for an amount not to exceed \$57,250 for the extension period of December 2, 2022, through June 30, 2023.

15. Approving Salary Ranges and Amending the Salary Schedule p. 665

Recommendation:

Adopt Resolution No. 2022-230 of the Mayor and City Council of the City of San Bernardino, California:

1. Increasing the salary range for the classification of Shelter Veterinarian;
2. Approving a one-time, non-pensionable lump sum payment of \$20,000 as a hiring incentive for the Shelter Veterinarian position; and
3. Amending the City-wide salary schedule for full-time, part-time, temporary, and seasonal positions.

16. Adoption of Ordinance Amending Chapter 2.82.020 of the San Bernardino Municipal Code to increase City Council Member Compensation p. 680

Recommendation:

Adopt Ordinance No. MC-1595 of the Mayor and City Council of the City of San Bernardino, California, amending Chapter 2.82.020 of the San Bernardino Municipal Code to increase City Council Member Compensation.

17. Library Literacy Program Grant Funding p. 688

Recommendation:

Adopt Resolution No. 2022-231 of the Mayor and City Council of the City of San Bernardino, California:

1. Accepting grant funding in the amounts of \$141,840 from the California Department of Education; \$67,465 for Adult Literacy Services, \$22,906 for Family Literacy Services and \$53,642 for English as a Second Language from the California State Library for Literacy Program services.
2. Authorizing the Agency Director of Administrative Services to amend the FY 2022/23 Adopted Budget for the Literacy Program including appropriating \$53,642 in both revenues and expenditures for the new English as a Second Language Program and adjusting the Grant Fund budget to account for differences in estimated grant funding and actual grant funds received.

18. Award Professional Services Agreement to Environmental Klean-up Services Inc. for commercial building demolition, abatement, and cleanup services p. 774

Recommendation:

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

1. Approve the award of a Professional Service Agreement with Environmental Klean-up Services Inc. for residential and commercial building demolition, abatement, and cleanup services; and
2. Authorize the Agency Director of Administrative Services to issue a Purchase Order to Environmental Klean-up Services, Inc. in a total amount not to exceed \$142,570 including contingencies.

19. Pioneer Memorial Cemetery Rules and Regulations p. 800

Recommendation:

It is recommended that the Mayor and City Council of San Bernardino, California, adopt the Pioneer Memorial Cemetery Rules and Regulations.

20. Agreement with Z & T Ventures, Inc p.824

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 Z & T Ventures, Inc.

21. 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. 868

Recommendation:

Adopt Resolution No. 2022-232 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. 25) and authorizing the levy of a special taxes therein.

22. Agreement with St. Francis Electric, LLC., for Traffic Signal and Related Component Knockdown Services (All Wards) p. 924

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 Maintenance Services Agreement with St. Francis Electric, LLC., for traffic signal supplies and related component knockdown services; and
2. Authorize the Agency Director of Administrative Services to appropriate funds in the amount of \$251,500 to the Public Works Operations and Maintenance General Fund and Gas Tax Fund; and
3. Authorize the issuance of a purchase order in the amount not to exceed \$251,500.

23. Issuance of a Purchase Order to Arts Connection for Professional Services for the 4th Street Alley Beautification Project (Ward 1) p. 1185

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 Professional Services Agreement with Arts Connection for 4th Street Alley Beautification Project; and
2. Authorize the Agency Director of Administrative Services to issue a purchase order to Arts Connection for Professional Services in an amount not to exceed \$137,000 for the 4th Street Alley Beautification Project

24. Resolution Authorizing the City Manager to Execute an Encroachment Permit and Covenant Agreement with the San Manuel Band of Mission Indians (Ward 4) p.1210

Recommendation:

Adopt Resolution No. 2022-233 of the Mayor and City Council of the City of San Bernardino, California, authorizing the City Manager to execute an Encroachment Permit and Covenant Agreement with the San Manuel Band of Mission Indians, a federally recognized Indian tribe, for the encroachment of improvements that include above ground way-finding signage located at Victoria Avenue north of Piedmont Drive, San Bernardino, California.

25. Cooperative Maintenance Agreement with the City of Redlands for the Mountain View Avenue Mission Creek Bridge (Ward 3) p. 1240

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the Cooperative Maintenance Agreement with the City of Redlands for the Mountain View Avenue Mission Creek Bridge.

26. Award Design Services Agreement for Skate Park Design at Speicher Park (Wards 2) p. 1252

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the award of a Design Services Agreement with Newline Skateparks for the design of the skate park.

ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS

27. City's Participation in the Annual Rendezvous Back to Route 66 (All Wards) – Council Member Alexander p. 1373

28. Process for Renaming Seccombe Park (Ward 1) – Council Member Sanchez p. 1374

29. Establishing a Citywide Neighborhood Watch Program (Ward 2) - Council Member Ibarra

30. Providing Appointed Commissioners a per Meeting Stipend (All Wards) – Council Member Calvin p. 1375

31. Initiate a Request for Proposals seeking a consultant to prepare a feasibility study for an electric trolley system in the Downtown area (Wards 1, 3) – Council Member Reynoso p. 1376


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 16, 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 November 02, 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, October 28, 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. 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 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: tinyurl.com/mccpubliccomments.

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://sbcity-org.zoom.us/j/6778459453?pwd=ZTkzdUJtcDMrbmFNQnVDSFhvaXQxZz0>

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.