

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 16, 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: [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. 11

- A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS** (Pursuant to Government Code Section 54956.8)
Property: Carousel Mall Property, 43 acres
Agency Negotiator: Robert D. Field, City Manager, or designee
Negotiating Parties: SBDC (Renaissance Downtown USA/ICO Real Estate Group)
Under Negotiation: Price and Terms
- B. 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. A presentation by Southern California Edison on programs and services offered to support fleet electrification. P. 12
2. Citizen of the Month - Gonzalo B. Carrillo (Junior) - Ward 4 (November 2022) P. 21

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

DISCUSSION

3. Discussion of Recent State Law that Provides Tenant Protection and Consideration of Establishing Local Tenants Bill of Rights P. 23

Recommendation:

Discuss the Tenant Protection Act of 2019, Assembly Bill 1482 (“AB 1482”), and consider further studies related to establishing a local Tenants Bill of Rights.

PUBLIC HEARING

4. Resolution to Declare 42 City-owned Properties as Surplus Land (Wards 1, 2, 3, 4, 6, 7) P. 70

Recommendation:

Adopt Resolution No. 2022-234 of The Mayor and City Council of the City of San Bernardino, California, declaring City-owned properties, identified by the following assessor parcel numbers: 0134-071-19, 0134-071-24, 0134-071-58, 0134-071-26, 0134-221-43, 0134-101-09, 0134-101-10, 0134-014-24, 0134-014-25, 0134-014-26, 0134-014-27, 0134-021-26, 0134-021-27, 0134-021-28, 0134-021-29, 0146-072-02, 0281-341-10, 0281-341-04, 0154-125-07, 0154-126-02, 0154-126-01, 0154-126-30, 0143-191-74, 0143-191-75, 0142-522-08, 0142-522-09, 0142-522-11, 0142-522-12, 0142-522-35, 0142-522-36, 0142-522-37, 0142-522-38, 0142-522-25, 0142-522-42, 0142-522-41, 0142-522-13, 0142-522-14, 0142-522-15, 0142-522-16, 0142-522-17, 0143-012-44, 0155-451-10, as surplus land; authorizing the issuance of the notice of availability forms and directing the City Manager to comply with the Surplus Land Act, Government Code section 54220 et seq., and finding the action exempt from CEQA for the disposition of City-owned properties.

5. Development Code Amendment 22-05 P. 244

Recommendation:

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

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
2. Schedule the adoption of Ordinance No. MC-1601 to the regularly scheduled meeting of the Mayor and City Council on December 7, 2022.

6. Public Hearing on Annexation No. 27 to Community Facilities District 2019-1 (Ward 3) P. 272

Recommendation:

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

1. Hold a Public Hearing; and
2. Adopt Resolution No. 2022-235 of the Mayor and City Council of the City of San Bernardino, California, calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2019-1 (Maintenance Services) (Annexation No. 27); and
3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2022-236 of the Mayor and City Council of the City of San Bernardino, California, declaring election results for Community Facilities District No. 2019- 1 (Maintenance Services) (Annexation No. 27); and

5. Introduce, read by title only, and waive further reading of Ordinance No. MC-1602 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 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); and Schedule the adoption of Ordinance No. MC-1602 for December 7, 2022.

CONSENT CALENDAR

7. Professional Services Agreement with Hurst Brooks Espinosa (HBE) LLC for State Legislative Advocacy Services (All Wards) P. 328

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager, or his designee, to execute a two-year (2) agreement, (with the option to extend the agreement by one-year (1) administratively), with Hurst Brooks Espinosa (HBE) LLC for state legislative advocacy services.

8. Aspen Institute City Learning Action Lab and City of San Bernardino Investment Playbook Update (All Wards) P. 395

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file an update on the City's participation in the Aspen Institute City Learning Action Lab, and development of the City of San Bernardino Investment Playbook.

9. Investment Portfolio Report for September 2022 (All Wards) P. 474

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 September 2022.

10. Approval of Commercial and Payroll Disbursements (All Wards) P. 486

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.

11. San Bernardino Police Management Association Compensation and Benefits Plan P. 524

Recommendation:

Adopt Resolution No. 2022-237 of the Mayor and City Council of the City of San Bernardino, California, repealing Resolution No. 2015-225, and adopting the Compensation and Benefits Plan between the City of San Bernardino and the San Bernardino Police Management Association (SBPMA), and updating the city-wide salary schedule.

12. Allocation of \$110,000 from the Cultural Development Impact Fund to fund facility upgrades at the Norton Gym and Jerry Lewis Swim Center Pump Room and to fund the Veterans Stand Down event and employee recognition event P. 560

Recommendation:

Adopt Resolution No. 2022-238 of the Mayor and City Council of the City of San Bernardino, California, approving the allocation of \$110,000 from the Cultural Development Impact Fund to be allocated to facility upgrades at Norton Gym (\$30,000), Jerry Lewis Swim Center Pump Room (\$50,000), Veterans Stand Down event (\$20,000), and employee recognition event (\$10,000).

13. Approve the Awards of \$98,000 for Visual and Performing Arts Grant to Winning Applications P. 566

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize Visual and Performance Art Grant awards to winning applications totaling \$98,000.

14. Purchase of Cellular Site Simulator Equipment (All Wards) P. 587

Recommendation:

Adopt Resolution No. 2022-239 of the Mayor and City Council of the City of San Bernardino, California, approving the Cellular Site Simulator Usage and Privacy Policy and authorizing the Agency Director of Administrative Services to amend the Adopted FY2022/2024 budget by \$460,000, and issue a Purchase order to Tactical Support Equipment in an amount not to exceed \$860,000.

15. Authorize a Budget Amendment to the Adopted 2022/2023 Budget and Enter into a Professional Service Agreement for a Police Dispatch Consultant (All Wards) P. 656

Recommendation:

Adopt Resolution No. 2022-240 of the Mayor and City Council of the City of San Bernardino, California, authorizing:

1. The Agency Director of Administrative Services to amend the adopted 2022/2023 budget by increasing both revenue and expenditure by \$158,670, and issue a purchase order to Kim Turner, LLC in an amount not to exceed \$158,670.
2. The City Manager to enter into a professional service agreement with Kim Turner, LLC, for police dispatch consulting and training manual preparation.

16. Accept the 2022 COPS Hiring Program Grant P. 684

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2022-241 authorizing:

1. The City Manager to Accept the 2022 Department of Justice Community Oriented Policing Services Grant.
2. The Agency Director of Administrative Services to amend the FY 2022/23 Adopted Budget with an appropriation of \$1,250,000 in both revenues and expenditures in grant funds and \$348,870.90 in General Fund expenditures in grant match requirements.
3. The police department to increase sworn staffing from 287 to 297.

17. Citywide Bus Stop Improvements Change Order (All Wards) P. 713

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager or designee to execute Contract Change Order (CCO) #1 to Project No. 13507 with Tryco General Engineering, in the amount of \$238,759 for a total contract not to exceed amount of \$501,259.

18. Maintenance Agreement with Southern California Regional Rail Authority (SCRRA) and Amendment No. 1 to Agreement with San Bernardino County Transportation Agency (SBCTA) and Omni Transportation (Omnitrans) (All Wards) P. 721

Recommendation:

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

1. Approve the Maintenance Agreement for At-Grade Crossings with the Southern California Regional Rail Authority (SCRRA); authorize the City Manager to execute said Agreement; and

2. Approve Amendment No. 1 to Agreement No. 17-1001666 between the City of San Bernardino, San Bernardino County Transportation Agency (SBCTA) and Omni Transportation (Omnitrans) for the operation and maintenance of the San Bernardino Transit Center, authorize the City Manager to execute said Amendment No.1

19. Agreement with McCain, Inc., for Traffic Signal Controllers (All Wards) P. 1031

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 McCain, Inc., for traffic signal controllers and related components; and
2. Adopt resolution No. 2022-242 authorizing the Agency Director of Administrative Services to amend the FY 2022/23 General Fund Operating Budget in the amount of \$200,000; and
3. Authorize the Agency Director of Administrative Services to issue a purchase order to McCain, Inc. for the purchase of traffic signal controllers in the amount not to exceed \$200,000.

20. Issuance of a Purchase Order to National Auto Fleet Group for CNG Dump Truck (All Wards) P. 1070

Recommendation:

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

1. Authorize the purchase of a CNG Dump truck 2024 Freightliner 114SD from National Auto Fleet Group in the amount of \$302,499.71; and
2. Authorize the Agency Director of Administrative Services to appropriate \$302,499.71 to purchase the Freightliner Dump Truck using the AB2766 fund; and
3. Authorize the Agency Director of Administrative Services to issue a purchase order for National Auto Fleet Group in the amount not to exceed \$302,499.71.

21. Amendment No. 3 to Agreement with Z&K Consultants, Inc. (All Wards) P . 1 0 9 2

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the execution of Amendment No. 3 to Professional Services Agreement with Z&K Consultants, Inc., extending the agreement until June 30, 2023.

22. Professional Services Agreements for On-Call Pre-Qualified Engineering Services P. 1130

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the award of five-year Professional Services Agreements with various engineering firms and authorize the City Manager, or designee, to sign and execute the agreements.

23. Amendment No. 1 to the Professional Services Agreement with Tetra Tech BAS, Inc. (All Wards) P. 1154

Recommendation:

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

1. Authorize the City Manager to execute Amendment No. 1 to the Professional Services Agreement with Tetra Tech BAS, Inc., to install upgrades to the existing landfill gas collection and treatment system at the City's inactive Waterman Landfill; and
2. Authorize the Agency Director of Administrative Services to issue a purchase order to Tetra Tech BAS, Inc. in the amount not to exceed \$418,160.

ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS

24. Resolution Declaring Homelessness a State of Emergency (All Wards) – Council Member Reynoso P. 1201

25. Airbnb Policy (All Wards) – Council Member Alexander P. 1202

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 December 07, 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, Geneveva Rocha, CMC, City Clerk for the City of San Bernardino, California, hereby certify that the agenda for the November 16, 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 Thursday, November 10, 2022.

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



Geneveva 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.

Printed on 11/10/2022