

# 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, DECEMBER 07, 2022**

**5:30 PM - CLOSED SESSION**

**7:00 PM - OPEN SESSION**

FELDHEYM CENTRAL LIBRARY • SAN BERNARDINO, CA 92410 • WWW.SBCITY.ORG

**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](https://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.16**

**A) CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION** (Pursuant to Government Code Section 54956.9(a) and (d)(1): a. Kayla G. Johnson v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVSB2124482

**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. Citizen of the Month – Joy Anderson – Ward 5 (December 2022) **P. 17**
2. Proclamation for San Bernardino’s Miracle on Court Street Day **P. 19**

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

## **DISCUSSION**

### **3. Election of Mayor Pro Tempore (All Wards) P. 21**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, either: Open nominations for a member of the City Council to serve as Mayor Pro Tempore, with an effective date of December 21, 2022, until the second regularly scheduled Mayor and City Council meeting in December 2023; or Postpone the nomination and election of the Mayor Pro Tempore until the next regularly scheduled meeting in January, which is January 18, 2023.

### **4. Presentation on the local and regional economy by Dr. Christopher Thornberg, PHD, Director of the University of California, Riverside School of Business Center for Economic Forecasting and Development (All Wards) P. 24**

#### **Recommendation:**

It is recommended that the Mayor and City Council receive and file a presentation on the local and regional economy from Dr. Christopher Thornberg, PhD, Adjunct Professor and Director of the University of California, Riverside (UCR) School of Business Center for Economic Forecasting and Development.

### **5. Fiscal Year 2022/23 1st Quarter Report (All Wards) P. 47**

#### **Recommendation:**

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

1. Accept the Fiscal Year 2022/23 1st Quarter Report;
2. Authorize the Agency Director of Administrative Services to Amend the Fiscal Year (FY) 2022/23 Budget as outlined in the FY 2022/23 1st Quarter Report;
3. Adopt Resolution No. 2022-268 of the Mayor and City Council of the City of San Bernardino, California, approving the 1<sup>st</sup> Quarter General Fund Budget Amendments totaling \$2,088,110; allocating \$1,000,000 of Measure S funds for further development of the Investment Playbook; and allocating \$20,150,000 of American Rescue Plan Act Funds for the Housing Initiative and Navigation Center; and Temporary Housing Funds for American Sports University Tenants.
4. Approve the following:
  - a. Deputy Director of Operations (U) job classification;
  - b. Salary range increases to the following positions: Equipment Mechanic I (Flex), Equipment Mechanic II, Programming/Traffic Assistant, IT Analyst I (Flex), Senior IT Technician, Community Service Officer, Forensics Specialists II, Lead Forensics Specialist, and Forensics Supervisor;
  - c. Amendment of the city-wide salary schedule for full-time, part-time, temporary, and seasonal positions.

### **6. Receive and file update on the former American Sports University student dormitory located at 340 West 4th Street. P. 267**

#### **Recommendation:**

Staff recommends that the Mayor and City Council of the City of San Bernardino, California, receive and file an update on the former American Sports University student dormitory located at 340 West 4th Street.

### **7. Update on the Citywide Truck Route Study P. 282**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file an update on the draft Citywide Truck Route Study.

**8. Notice of Intent to Conduct a Public Hearing on December 7, 2022, to Consider Adjusting the Maximum Permitted Service Rates for Integrated Solid Waste Collection, and Organic Waste Collection, Processing and Disposal Services, Street Sweeping, and Right-of-Way Cleanup Services P. 382**

**Recommendation:**

Provide staff direction on its preferred rate structure option (from among Options 1, 2, and 3) in order for staff to finalize and mail the Proposition 218 notice for solid waste service rate increases.

Adopt Resolution No. 2022-244 of the Mayor and City Council of the City of San Bernardino, California, declaring its intention to conduct a Public Hearing on February 15, 2023, to consider adjusting the Maximum Permitted Service Rates for Integrated Solid Waste Collection, Processing and Disposal Services.

**9. Award Design/Build Contract for the Carousel Mall Demolition (Ward 1) P. 400**

**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. (Resource) in the amount of \$7,734,000; and
3. Approve a not to exceed amount of \$350,000 to be awarded to an authorized On-Call Consultant for Project Management and Inspection; and
4. 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 \$8,084,000; and
5. Authorize the City Manager or designee to execute all documents related to the Project; and
6. Approve determination by Building Official that declares the Carousel Mall is dangerous and constitutes an imminent threat to public health and safety per Chapter 15.37 of the San Bernardino Municipal Code.

**PUBLIC HEARING**

**10. Belmont Residential Subdivision Project P. 3146**

**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-1603 of the Mayor and City Council of the City of San Bernardino, California, adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approving Development Code Amendment (Zoning Map Amendment) 21-05 changing the Zoning District Classification of a parcel (APN: 0261-151-10) containing approximately 6.10 acres from Residential Low (RL) to Residential Suburban (RS) (Attachment 1);
2. Adopt Resolution No. 2022-245 of the Mayor and City Council of the City of San Bernardino, California, approving Subdivision 21-12 (Tentative Tract Map 20421) allowing the subdivision of a parcel (APN: 0261-151-10) containing approximately 6.10 acres into twenty-five (25) single-family residential lots ranging in size from 7,372 to 9,700 square feet located on the southwest corner of W. Belmont Avenue and N. Olive Avenue, pursuant to a Mitigated Negative Declaration (Attachment 2); and
3. Schedule the adoption of the above Ordinance to the regularly scheduled meeting of the Mayor and City Council on January 18, 2023.

**11. Urgency Ordinance – Development Code Amendment 22-07 (SB 897) P. 3572**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Urgency Ordinance No. MC-1604 of the Mayor and City Council of the City of San Bernardino, California, approving Development Code Amendment 22-07 amending Chapter 19.04 (Residential Zones); Section 19.04.030(2)(P) (Accessory Dwelling Units) of Title 19 (Development Code) of the City of San Bernardino Municipal Code); and finding such action statutorily exempt under the California Environmental Quality Act (Attachment 1).

**12. Adopt New Purchasing Policy and Introduce Ordinance No. MC-1605 amending Section 3.04 of the Municipal Code. (All Wards) P. 3611**

**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-1605 amending Section 3.04 of the Municipal Code of the City of San Bernardino, California, and
2. Adopt Resolution 2022-246 adopting the Purchasing Policy for the City of San Bernardino.

**13. Public Hearing on Annexation No. 25 to Community Facilities District 2019-1 (Ward 4) P. 3690**

**Recommendation:**

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

1. Hold a Public Hearing; and
2. Adopt Resolution No. 2022-247 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. 25); and
3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2022-248 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. 25); and
5. Introduce, read by title only, and waive further reading of Ordinance No. MC-1606 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
6. Schedule the adoption of Ordinance No. MC-1606 for January 18, 2023.

**14. Public Hearing on Annexation No. 21 to Community Facilities District 2019-1 (Ward 1) P. 3759**

**Recommendation:**

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

1. Hold a Public Hearing; and
2. Adopt Resolution No. 2022-249 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. 21); and
3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2022-250 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. 21); and

5. Introduce, read by title only, and waive further reading of Ordinance No. MC-1607, 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
6. Schedule the adoption of Ordinance No. MC-1607 for January 18, 2023.

## **CONSENT CALENDAR**

### **15. Maddy Act Local Appointments List [P. 3831](#)**

#### **Recommendation:**

Adopt Resolution No. 2022-251 of the Mayor and City Council of the City of San Bernardino, California, approving the Local Appointments List.

### **16. City Board, Commission, and Citizen Advisory Committee Minutes Approved in September/ October/ November 2022 [P. 3842](#)**

#### **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 September, October, and November 2022.

### **17. Memorandum of Understanding Between the City of San Bernardino and San Bernardino City Unified School District for the Youth Council Program (All Wards) [P. 3897](#)**

#### **Recommendation:**

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

1. Approve the Memorandum of Understanding (MOU) between San Bernardino City Unified School District (SBCUSD) and the City of San Bernardino (City) for the Youth Council Program; and
2. Authorize the City Manager, or designee, to execute the MOU between the City and San Bernardino City Unified School District (SBCUSD) for the Youth Council Program with additional authorization, in consultation with the City Attorney's office, to make amendments and execute said MOU consistent with Mayor and City Council direction and to ensure appropriate program oversight.

### **18. Administrative Policies - Clean Fleet, Media Relations, and Communication and Incident Notification to Elected Officials (All Wards) [P. 3908](#)**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review and approve the following proposed administrative policies and adopt the resolutions as presented:

1. Clean Fleet Policy (Resolution No. 2022-252)
2. Media Relations Policy (Resolution No. 2022-253)
3. Communication and Incident Notification to Elected Officials Policy (Resolution No. 2022-254)

### **19. Emergency Rental Assistance Program Update and Obligating ERA 1 Reallocated Funds (All Wards) [P. 3932](#)**

#### **Recommendation:**

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

1. Receive and file an update on the City's Emergency Rental Assistance Program ("ERAP"), including direct service funds administered by Inland SoCal United Way 211+ ("Inland SoCal 211+").

2. Adopt Resolution 2022-255, accepting (2) two disbursements of Emergency Rental Assistance 1 (ERA 1) Reallocated Funds received from the U.S. Department of Treasury (“Treasury”) in the amount totaling \$352,383.14, and authorizing the City Manager to execute an amendment to the ERA 1 Professional Services Agreement with Inland SoCal 211+ for the full administration of ERA 1 Reallocated funds (\$341,811.65), increasing the total not to exceed amount by \$24,666.82, for a new not to exceed amount of \$713,814.99 for program administrative expenses by Inland SoCal 211+. All other ERA 1 Reallocated Funds will be spent on direct payment assistance as required by law.
3. Authorize the Agency Director for Administrative Services to process a budget amendment for revenues and expenditures in the amount of \$352,383.14, and increase the ERA 1 program purchase order accordingly, subject to any future ERA 1 Reallocated Funds received from the Treasury.
4. Adopt the Emergency Rental Assistance Sub-Committee recommendations to prioritize 1) Utility Debt, and 2) Eviction Prevention Services with any remaining or future disbursements of emergency rental assistance reallocated funds.

**20. First Amendment to Subrecipient Agreement with Asociación de Emprendedor@s P.4023**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino approve the First Amendment to the Subrecipient Agreement with the Asociación de Emprendedor@s to extend the period in which to expend Community Development Block Grant (CDBG) funds to March 31, 2023.

**21. Development Code Amendment 22-05 P. 4062**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1601 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 (Attachment 1); and finding that the Amendment is Exempt under the California Environmental Quality Act.

**22. Approval of Commercial and Payroll Disbursements (All Wards) P. 4070**

**Recommendation:**

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

**23. Approving a Contract with Columbia Capital to Provide Financial Services for Community Facility Districts (Wards 3, 4, 6) P. 4109**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve a contract with Columbia Capital in an amount not to exceed \$55,000 that will be paid by developers and from bond proceeds for financial services related to Community Facility Districts, and authorize the City Manager or his designee to execute the agreement.

**24. Accept the Project Safe Neighborhoods Grant (All Wards) P. 4116**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2022-243:

1. Authorizing the City Manager to accept the FY 2019 Project Safe Neighborhoods Grant, and
2. Authorizing the Agency Director of Administrative Services to amend the FY 2022/23 Adopted Budget appropriating \$177,154.51 in both revenue and expenditures.

**25. Notification to Civilian Governing Body and Local Community for the potential intent to request controlled equipment from the Federal Government (All Wards) [P. 4123](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review and approve the proposed "Notification to Civilian Governing Body and Local Community" letter, as required by Presidential Executive Order 14074 governing the potential acquisition of controlled federal government property.

**26. Execution of Amendment 2 to Professional Services Agreement to PM Group, DBA The Printery, in the amount of \$83,500 for the design, print, and mail preparation of City of San Bernardino Parks, Recreation and Community Services Department trimester brochure for FY2022-2023 [P. 4128](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution 2022-256 authorizing the City Manager or his designee to execute Amendment 2 to Professional Services Agreement (PSA) between the City and the PM Group, DBA The Printery ("Printery"), for the design, print, and mail preparation services of the Parks, Recreation and Community Services Department ("PRCSD") trimester brochure for FY2022-2023.

**27. Allocation of \$25,000 from the Cultural Development Impact Fund for the repair and maintenance of City-wide memorial plaques and statues for FY 2022-2023 [P. 4161](#)**

**Recommendation:**

Adopt Resolution No. 2022-257 of the Mayor and City Council of the City of San Bernardino, California: Authorizing the Agency Director of Administrative Services to allocate funds in the amount of \$25,000 from the Cultural Development Impact Fund for the repair and maintenance of City-wide memorial plaques and statues for FY 2022-2023.

**28. Approve the awards for Visual and Performing Arts Grant to winning applications (\$72,700) and future grant options for non 501c(3) applicants (\$25,300) for \$98,000 in total [P. 4168](#)**

**Recommendation:**

Adopt Resolution No. 2022-258 of the Mayor and City Council of the City of San Bernardino, California, authorizing the Visual and Performance Art Grant awards to winning applications (\$72,700) and future grant options for non 501c(3) applicants (\$25,300) for \$98,000 in total.

**29. Agreement with Cal Stripe, Inc., for Street Striping and Pavement Marking Services (All Wards) [P. 4265](#)**

**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 Cal Stripe Inc., for street striping and pavement marking services; and
2. Authorize the Agency Director of Administrative Services to issue a purchase order in the amount of \$270,000.

**30. Agreement with Yunex, LLC., for Streetlight Pole Replacement Services (All Wards)**

**P. 4329**

**Recommendation:**

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

- 1. Adopt resolution No. 2022-259 authorizing the Agency Director of Administrative Services to amend the FY 2022/23 General Fund Operating Budget in the amount of \$450,000; and
- 2. Authorize the City Manager to execute a Maintenance Services Agreement with Yunex, LLC., for streetlight pole replacement services; and
- 3. Authorize the Agency Director of Administrative Services to amend the FY22/23 budget in the amount of \$450,000 to the Public Works Operations and Maintenance General Fund; and
- 4. Authorize the Agency Director of Administrative Services to issue a purchase order to Yunex, LLC., in the amount not to exceed \$450,000.

**31. Adoption of Ordinance No. MC-1602 (Ward 3) P. 4390**

**Recommendation:**

Adopt 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 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).

**32. Approve Final Tract Map No. 20258 (Ward 6) P. 4400**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No 2022-260, approving the Final Map for Tract No. 20258 (Subdivision 18-17) involving the subdivision of a parcel containing approximately 1.06 acres into six (6) single family residential lots for a future planned residential development located at 575 N. Meridian Avenue (APN: 0142-325-04) within the Residential Suburban (RS) Zone; and accepting the public dedications as set forth on said map; and authorizing execution of the standard form of agreement for the subdivision improvements.

**33. Construction Contract Award – Paul Villasenor and Howard Rowe Libraries Improvements (Wards 1, 7) P. 4485**

**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 US Builders and Consultants of Irvine in the amount of \$355,900 for Paul Villasenor and Howard Rowe libraries improvements; and
- 2. Authorize construction, construction contingency, and inspection costs in the total amount of \$401,000 for Paul Villasenor and Howard Rowe libraries improvements; and
- 3. Authorize the City Manager or designee to execute all documents for Paul Villasenor and Howard Rowe libraries improvements with US Builders and Consultants; and
- 4. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

**34. Maintenance Agreement with San Bernardino County Transportation Authority (SBCTA) for Tippecanoe Station Operations and Maintenance Agreement (Ward 1)-**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approving the Maintenance Agreement with San Bernardino County Transportation Authority (SBCTA) for Tippecanoe Station Operations and Maintenance Agreement. Authorize the City Manager to execute the maintenance agreement.

**35. Progressive Design Build - California Theatre Improvements Project (Ward 1) P. 4552**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2022-261:

1. Approving an award of \$4,561,400 to Tilden-Coil Constructors, Inc. for the renovation of the California Theatre Improvement Project in accordance with the executed Progressive Design-Build Contract; and
2. Authorizing the Agency Director of Administrative Services to record a budget amendment in the amount of \$2,370,431 from Measure S Fund to increase the purchase order with an amount not to exceed \$4,870,431.

**36. Construction Contract Award – Old City Hall Building and Regal Theater Air Conditioning Units Replacement (Ward 1) P. 4672**

**Recommendation:**

Adopt Resolution No. 2022-262 of the Mayor and City Council of the City of San Bernardino, California:

1. Authorizing the Agency Director of Administrative Services to amend the FY 2022/24 Capital Improvement Plan, recording a supplemental appropriation in the amount of \$211,067.14 to the Public Use Facilities Fund for the Old City Hall Building and Regal Theater Air Conditioning Unit Replacement; and
2. Approving the award of a construction contract with Quality Light and Electrical in the amount of \$545,161.20 for Old City Hall Building and Regal Theater Air Conditioning Replacement; and
3. Authorizing construction, construction contingencies, and inspection costs in the total amount of \$610,000.00 for Old City Hall Building and Regal Theater Air Conditioning Replacement; and
4. Authorizing the City Manager or designee to execute all documents for the construction of Old City Hall Building and Regal Theater Air Conditioning Replacement with Quality Light and Electrical; and
5. Authorizing the City Manager or his designee to expend the contingency fund, if necessary, to complete the project.

**37. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 28, Tax Zone No. 29 (Verdemont Ranch) (Ward 5) P. 4706**

**Recommendation:**

Adopt Resolution No. 2022-263 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. 28) and authorizing the levy of a special taxes therein.

**38. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 29, Tax Zone No. 30 (Valley View Industrial) (Ward 3) P. 4749**

**Recommendation:**

Adopt Resolution No. 2022-264 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. 29) and authorizing the levy of a special taxes therein.

- 39. Resolution Declaring Intent to Conduct Public Hearing to Order Street Vacation of a Portion of E Drake Drive between E Central Avenue and E Mill Street, and West of S Foisy Street and Reservation of Utilities Therein (Ward 3) [P.4792](#)**

**Recommendation:**

Adopt Resolution No. 2022-265 of the Mayor and City Council of the City of San Bernardino, California, declaring its intent to conduct a public hearing to order the vacation of a portion of E Drake Drive between E Central Avenue and E Mill Street, and West of S Foisy Street and reservation of utilities therein.

- 40. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 32, Tax Zone No. 33 (SB Travel Center) (Ward 6) [p. 4801](#)**

**Recommendation:**

Adopt Resolution No. 2022-266 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. 32) and authorizing the levy of a special taxes therein.

- 41. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 30, Tax Zone No. 31 (Popeyes LL) (Ward 5) [p. 4837](#)**

**Recommendation:**

Adopt Resolution No. 2022-267 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. 30) and authorizing the levy of a special taxes therein.

**ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS**

- 42. Explore options for increasing both bike and pedestrian lanes of existing roadways in the downtown area as part of the General Plan Update and the Downtown Specific Plan (Wards 1,3) – Council Member Reynoso [p. 4874](#)**
- 43. Resolution to realign the California Big City Mayors Coalition to include cities with a minimum population of 220,000 (All Wards) - Council Member Alexander [p. 4875](#)**
- 44. Urban forestry program that includes a tree-planting program, a review of city rules regarding the preservation of trees on both private property and within the public right of way, and urban greening/foresteing events (All Wards) – Council Member Sanchez [p. 4876](#)**
- 45. Moratorium on Truck Terminals/Parking (All Wards) – Council Member Calvin [p. 4877](#)**

**ADJOURNMENT**

The Mayor and City Council will adjourn to a Special Meeting held on Wednesday, December 21, 2022, at the Feldheym Central Library located at 555 West 6th Street, San Bernardino, California 92401. The meeting will begin at 6:00 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 December 07, 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](http://sbcity.org) on Friday, December 2, 2022.

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

**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:[tinyurl.com/mccpubliccomments](http://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 12/02/2022