

# 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, FEBRUARY 15, 2023**

**NO 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**  
MAYOR PRO TEM, WARD 4

**Ben Reynoso**  
COUNCIL MEMBER, WARD 5

**Kimberly Calvin**  
COUNCIL MEMBER, WARD 6

**Helen Tran**

MAYOR



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

**Charles E. McNeely**  
INTERIM 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.*

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## **CALL TO ORDER**

### **Attendee Name**

Council Member, Ward 1 Theodore Sanchez  
Council Member, Ward 2 Sandra Ibarra  
Council Member, Ward 3 Juan Figueroa  
Mayor Pro-Tem, Ward 4 Fred Shorett  
Council Member, Ward 5 Ben Reynoso  
Council Member, Ward 6 Kimberly Calvin  
Council Member, Ward 7 Damon L. Alexander  
Mayor Helen Tran  
Interim City Manager Charles E. McNeely  
City Attorney Sonia Carvalho  
City Clerk Genoveva Rocha

**7:00 P.M.**

## **INVOCATION AND PLEDGE OF ALLEGIANCE**

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

## **CITY MANAGER UPDATE**

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

## **PRESENTATIONS**

1. February 2023 Citizen(s) of the Month – Norma Baltich, Robert Porter, Julie Quezada and John Schollenberger – 7th Ward Constituents [p. 10](#)

## **APPOINTMENTS**

2. Public Safety and Human Relations Commission Appointment (Ward 4) [p. 15](#)

## **CONSENT CALENDAR**

3. Amendment No. 1 to the Professional Services Agreement with Environmental Klean-up Services, Inc. for the Abatement of Nuisance Properties located at 247-267 East Ennis Street and 147 South E Street (Wards 1 and 3) [p. 24](#)

### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve Amendment No. 1 to the Professional Services Agreement with Environmental Klean-up Services, Inc. for the abatement of nuisance properties located at 247-267 East Ennis Street and 147 South E Street.

**4. Legislative Affairs Update (All Wards) p. 52**

**Recommendation:**

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

1. Receive and file a report on the City of San Bernardino Legislative and Regulatory Platform; and
2. Receive and file an update on the projects to be included in the City of San Bernardino FY 2023/2024 state and federal budget requests; and
3. Receive and file a report on the City's state and federal legislative advocacy efforts in 2022; and
4. Ratify the FY 2023/2024 Assembly District Budget Request; and
5. Receive and file a draft itinerary for the 2023 National League of Cities Congressional City Conference.

**5. Approval of Commercial and Payroll Disbursements (All Wards)\_p. 97**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California approve the commercial and payroll disbursements for January 2023.

**6. Approval of Amended Form of Funding and Acquisition Agreement Pertaining to Community Facilities District No. 2020-1 (Rancho Palma) of the City of San Bernardino (Ward 5) p. 165**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2023-021 of the Mayor and City Council of the City of San Bernardino, California, Approving an Amended Form of Funding and Acquisition Agreement Pertaining to Community Facilities District No. 2020-1 (Rancho Palma) of the City of San Bernardino, County of San Bernardino, State of California.

**7. Amendment to Increase Purchase Order with Adamson Police Products (All Wards) p. 203**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager to increase the existing purchase order with Adamson Police Products to an amount not to exceed \$110,000 for the 2022/23 fiscal year to allow for the purchase of ballistic vests, safety equipment and supplies.

**8. Task Order Issued to Transtech Engineers for Augmented Engineering Services Pursuant to Professional Service Agreement for On-Call Engineering Services (All Wards) p. 208**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve a Task Order Transtech001 to Transtech Engineers to provide augmented Capital Improvement Program Programmatic Services pursuant to the approved Professional Services Agreement (PSA) for On-Call Engineering Services and authorize the Agency Director of Administrative Services to issue a purchase order in the amount of \$135,850.

**DISCUSSION**

**9. Ranked Choice Voting p. 347**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file the report and presentation or provide direction to staff regarding the next steps.

- 10. Consider the appropriate staffing levels for both the Office of the Mayor and the City Council Office (All Wards) p. 366**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, Approved the proposed staffing for both the Office of the Mayor and the City Council Office, and Adopt Resolution No. 2023-031 authorizing the Agency Director of Administrative Services to amend the FY 2022/23 General Fund Operating Budget in the amount of \$143,387

**PUBLIC HEARING**

- 11. Public Hearing Regarding Solid Waste Rate Increases and Resolution Adopting Rates for Solid Waste Services, Approving Third Amendment to the City's Exclusive Franchise Agreement for Integrated Solid Waste Collection, Processing and Disposal Services with Burrtec Waste Industries, Inc., and Finding the Action Exempt from the California Environmental Quality Act (All Wards) p. 373**

**Recommendation:**

It is recommended that the Honorable Mayor and City Council members execute the following actions:

1. Conduct a Public Hearing to receive comments on the proposed rate increases and Third Amendment to the City's Exclusive Franchise Agreement for Integrated Solid Waste Collection, Processing and Disposal Services with Burrtec Waste Industries, Inc. ("Burrtec"); and
  2. Close the Public Hearing after all public comments have been heard; and
  3. Determine if written protests have been received from the owners and tenants from parcels which are subject to the solid waste service rate increases, and, if a majority protest is not received; and
  4. Adopt Resolution No. 2023-030, a Resolution of the Mayor and City Council of the City of San Bernardino, California, adopting rates for Solid Waste Services, Approving Third Amendment to the City's Exclusive Franchise Agreement to adjust the Maximum Permitted Service Rates for Integrated Solid Waste Collection, Processing and Disposal Services with Burrtec Waste Industries, Inc., and Finding the Action Exempt from the California Environmental Quality Act.
- 12. Resolution Approving 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. 559**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2023-003 of the Mayor and City Council of the City of San Bernardino, California, approving 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.

**ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS**

- 13. Presentation of Sustainable Renewable Green Energy Initiative – The AWE System – Mayor Tran p. 574**
- 14. To consider formalizing an annual partnership with San Bernardino Valley College and CBOs who host the annual Juneteenth event with financial support up to \$50,000 (Ward 3) – Council Member Reynoso p. 575**
- 15. State of Emergency: Duties, Powers and Responsibilities of the Mayor's Office and Council (All Wards) – Council Member Alexander p. 576**


**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 March 01, 2023 at the Feldheim 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 February 15, 2023, 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 San Bernardino Public Library located at 555 West 6th Street, San Bernardino, California, and on the City's website sbcity.org on Friday, February 10, 2023.

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 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 on the agenda or not on the agenda, 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 during the period reserved for public comments.

In accordance with Resolution No. 2018-89 adopted by the Mayor and City Council on March 21, 2018, the following are the rules set forth for Public Comments and Testimony:

**Public Comments and Testimony:**

**Rule 1.** Public comment shall be received on a first come, first served basis. If the presiding officer determines that the meeting or hearing may be lengthy or complicated, the presiding officer may, in his or her discretion, modify these rules, including the time limits stated below.

**Rule 2.** All members of the public who wish to speak shall fill out a speaker's reservation card and turn in the speaker reservation card to the City Clerk prior to the time designated on the agenda. Comments will be received in the order the cards are turned in to the City Clerk. Failure of a person to promptly respond when their time to speak is called shall result in the person forfeiting their right to address the Mayor and City Council.

**Rule 3.** The presiding officer may request that a member of the public providing comment audibly state into the microphone, if one is present, his or her name and address before beginning comment. If that person is representing a group or organization the presiding officer may request that the speaker identify that group or organization, including that group or organization's Address.

**Rule 4.** Notwithstanding the provisions of Rule 2 and 3 above, a person shall not be required to provide their name or address as a condition of speaking.

**Rule 5. Time Limits:**

**5. 01** Each member of the public shall have a reasonable time, not to exceed three ( 3) minutes per meeting, to address items on the agenda and items not on the agenda but within the subject matter jurisdiction of the Mayor and City Council.

**5. 02** Notwithstanding the time limits set forth in subsection 5. 01 above, any member of the public desiring to provide public testimony at a public hearing shall have a reasonable time, not to exceed ( 3) minutes, to provide testimony during each public hearing.

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://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:2023**

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.

**Continued next page...**

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



<https://sbcity-org.zoom.us/j/6778459453?pwd=WHduYlU3cUxRklxTFJ2M2xtUjZlZz09>

**Meeting ID: 677 845 9453**

**Passcode:2023**

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:2023**

**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.