

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, MAY 17, 2023

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
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. 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
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

5:30 P.M.

CLOSED SESSION PUBLIC COMMENT

CLOSED SESSION [p. 11](#)

- A) PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code Section 54957)**
City Manager (Recruitment Process)

7:00 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

CITY MANAGER UPDATE

MAYOR & CITY COUNCIL UPDATES/REPORTS ON CONFERENCES & MEETINGS

PRESENTATIONS

- 1. Proclamation for National Public Works Week in the City of San Bernardino – May 21st –27th, 2023 (All Wards) [p. 12](#)**
- 2. Proclamation for National Salvation Army Week in the City of San Bernardino – May 15th – 21st, 2023 (All Wards) [p. 14](#)**

APPOINTMENTS

- 3. Public Safety and Human Relations Commission Reappointment (Ward 2) [p.16](#)**

CONSENT CALENDAR

4. Management Agreement with Local Golf Management LLC p. 25

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2023-063, approving a Management Agreement with Local Golf Management LLC.

5. Fiscal Year 2023-24 Assessment Levies for Previously Formed Assessment Districts. (All Wards) p. 95

Recommendation:

It is recommended that the Mayor and City Council adopt Resolution Nos. 2023-064, 2023-065, 2023-066, 2023-067, and 2023-068 of the Mayor and City Council of the City of San Bernardino, California, declaring intention to levy and collect assessments for Fiscal Year 2023-24 within various assessment districts within the City of San Bernardino, approving engineer's reports for each assessment district and providing notice of the time and place of hearing on proposed assessments in each assessment district.

6. Approve the Professional Services Agreement with Kosmont Companies for Economic Development Advisory Services (All Wards) p. 125

Recommendation:

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

1. Approve a Professional Services Agreement with Kosmont Companies for Economic Development Advisory Services; and
2. Authorize the City Manager, or designee, to execute the Professional Services Agreement with Kosmont Companies; and
3. Adopt Resolution No. 2023-069 authorizing the Agency Director of Administrative Services to amend the Adopted FY 2022/2023 General Fund Operating Budget in the amount of \$75,000; and
4. Authorize the Agency Director of Administrative Services to issue a Purchase Order in an amount not to exceed \$75,000 to Kosmont Companies.

7. Approval of Commercial and Payroll Disbursements (All Wards) p. 259

Recommendation:

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

8. Adoption of Resolution No. 2023-070 Appointing an Interim Agency Director of Community, Housing, and Economic Development (All Wards) p. 303

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California: Adopt Resolution No. 2023-070 appointing Mary E. Lanier as Agency Director of Community, Housing, and Economic Development on an interim basis Approve a Retired Annuitant Employment Agreement.

9. Approve Final Tract Map No. 20494 for the Warmington Residential Project (Ward 6)

Recommendation: p. 315

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

1. Adopt Resolution No. 2023-071 of the Mayor and City Council of the City of San Bernardino, California, approving Final Tract Map No. 20494 (Subdivision 21-12) involving the subdivision of one parcel (APN 0143-191-59) containing approximately 9.9 acres into ninety-five (95) single-family residential lots and nine (9) lettered lots for common facility improvements, located on the south side of W. Highland Avenue, approximately 600 feet west of N. Medical Center Drive; and

2. Accepting the public dedications as set forth on said map; and
3. Authorizing execution of the standard form of agreement for the subdivision improvements.

10. Amendment No. 1 to Agreement with Anser Advisory Management, LLC (All Wards)

Recommendation: p. 444

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the execution of Amendment No. 1 to Professional Services Agreement with Anser Advisory Management, LLC for construction management and inspection services extending the agreement until May 17, 2024.

11. Concept Plan Approval for Eastside Skate Park Improvements at Speicher Park (Ward 2) p. 465

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2023-072:

Authorizing the Agency Director of Administrative Services to amend the FY 2022/23 Capital Improvement Plan to record a supplemental appropriation in the amount of \$230,000.00 from the AB 1600 Parkland and Op (Fund 268) for the Skate Park Improvements at Speicher Park ("Project").

12. Pre-Approval of Mayor Travel for FY 2022/2023 (All Wards) p. 475

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, pre-approve the Mayor's specified travel for Fiscal Year 2022/23.

DISCUSSION

13. Adopt a Policy Designating a Meeting Minute Taker and Procedures for the Taking and Storing of Minutes Pertaining to Closed Session meetings of The Mayor and City Council p. 502

Recommendation:

It is recommended that the City Council provide direction to staff or approve Resolution No. 2023-073 adopting the policy designating a meeting minute taker and procedures for the taking and storing of minutes pertaining to closed session meetings of the Mayor and City Council.

14. Responding to the City's Urgent Homeless Crisis p. 511

Recommendation:

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

1. Adopt Resolution No. 2023-075 authorizing the City of San Bernardino to submit a joint application with Hope the Mission to apply for Homekey 3.0 grant funding for the development SB HOPE Campus and authorize the City Manager, or designee, to sign any documents that may be required to apply for funding, including making minor and non-substantive changes;
2. Approve the Professional Service Agreement with Hope the Mission to oversee the City's Homeless Outreach Project;
3. Authorize staff to negotiate and bring back a contract with Hope the Mission to act as developer and lead operator of the Navigation Center (SB HOPE Campus);
4. Approve the Mobile Shower Pilot Agreement between the City of San Bernardino (City) and Community Action Partnership of San Bernardino County (CAPSBC), from June 1, 2023, to May 31, 2024, in a total amount not to exceed \$150,000 of American Rescue Plan Act (ARPA) funding;

5. Approve the reallocation of \$973,500 in ARPA funds from San Bernardino Valley College and the City's Relocation Assistance Program to provide interim housing for unhoused individuals during the development of the SB HOPE Campus; and
6. Adopt Resolution No.2023-076, the City of San Bernardino Homelessness State of Emergency Implementation Plan.

PUBLIC HEARING

15. 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. 717

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California 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. 2023-074, a Resolution of the Mayor and City Council of the City of San Bernardino, California, Approving Third Amendment to the Exclusive Franchise Agreement for Integrated Solid Waste Collection, Processing, and Disposal Services with Burrtec Waste Industries, Inc., Adopting Maximum Permitted Service Rates, and Finding this Action Exempt from the California Environmental Quality Act.

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 June 07, 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 May 17, 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 Feldheim Central Library located at 555 West 6th Street, San Bernardino, California, and on the City's website sbcity.org on Friday, May 12, 2023.

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

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. 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: <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://us06web.zoom.us/j/6778459453?pwd=ZTkzdUJtcDMrbmFNQnVDSFhvaXQxZz09>

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.