

# CITY OF SAN BERNARDINO

## REVISED 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, AUGUST 16, 2023

5:30 PM - CLOSED SESSION

7:00 PM - OPEN SESSION

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**Council Member Alexander will be participating remotely via Zoom from  
18 Pennacook Ave. Oak Bluffs, MA 02557**

**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



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

**Charles E. McNeely**  
INTERIM CITY MANAGER

**Sonia Carvalho**  
CITY ATTORNEY

**Genoveva Rocha**  
CITY CLERK

**Helen Tran**  
MAYOR

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Welcome to a meeting of the Mayor and City Council of the City of San Bernardino.

- o **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)**
- o

*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

**5:30 P.M.**

## **CLOSED SESSION PUBLIC COMMENT**

### **CLOSED SESSION**

#### **A) CLOSED SESSION**

##### **Recommendation:**

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

- i. City of San Bernardino v. Fox Property Holdings LLC, et al. San Bernardino Superior Court Case No. CIVSB2218532
- ii. Blanca Gamez v. Jonathan Plummer, et al., San Bernardino Superior Court Case No. CIVSB21115842

##### **B) PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code Section 54957)**

- i. City Manager

**7:00 P.M.**

## **INVOCATION AND PLEDGE OF ALLEGIANCE**

### **CLOSED SESSION REPORT**

#### **PRESENTATIONS p. 15**

1. Proclamation for California Native American Day in the City of San Bernardino – September 22, 2023 (All Wards)
2. Demand Management Incentive Program Check Presentation: San Bernardino Valley Municipal Water District (Valley District) (All Wards)
3. Proclamation for International Overdose Awareness Day in the City of San Bernardino – August 31, 2023 (All Wards)
4. Lead Connector Update to the Mayor and City Council (Ward 6)

## **APPOINTMENTS p. 25**

5. **Library Board Appointment of James C. Pierson.**

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

### **CITY MANAGER UPDATE**

### **CONSENT CALENDAR**

6. **Pre-Approval of Mayor Travel for FY 2023/2024 (All Wards), p.39**

**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 2023/24.

7. **City Board, Commission, and Citizen Advisory Committee Minutes Approved in June/July 2023 p. 65**

**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 June and July 2023.

8. **Authorization to Apply and Accept the Community Resiliency Centers (CRC) Program Planning Grant (All Wards) p. 122**

**Recommendation:**

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

1. Adopt Resolution No. 2023-128 authorizing the City Manager or designee to submit an application to the Strategic Growth Council for the Community Resiliency Centers (CRC) Program Planning Grant and execute all related documents if awarded; and
2. If awarded funding, authorize the Agency Director of Administrative Services to appropriate up to \$500,000 in revenues and expenditures for eligible project activities through the CRC Planning Program Grant.

9. **Approving the Capital Improvement Project Manager Job Classification and Amending the Salary Schedule p. 128**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2023-129:

1. Establishing the Capital Improvement Project Manager job classification;
2. Authorizing the City Manager or his designee to add one (1) FTE for Fiscal Year 23/24; and
- ~~2.3. Amending the City-wide salary schedule for full-time, part-time, temporary, and seasonal positions~~

10. ~~Amending the City-wide salary schedule for full-time, part-time, temporary, and seasonal positions~~ **Library Literacy Program Grant-Funded Full-Time Staff Technical Correction (All Wards) p. 143**

**Recommendation:**

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

1. A technical correction of the grant funding that was accepted on November 2, 2022 (Resolution No. 2022-231).
2. Increase the Library Department authorized staffing by two full-time positions, one Assistant Literacy Program Coordinator and one Library Assistant for FY 2023/24.

**11. Inghram Library Lease Agreement (Ward 6) p. 154**

**Recommendation:**

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

1. Approve a thirty-six (36) month lease agreement for \$110,484 (\$3,069 per month) with three, (3), 12-month options to extend for the Inghram Branch Library space at the New Hope Family Life Center at 1505 W. Highland Ave., San Bernardino, California, 92411.
2. Authorize the Agency Director of Administrative Services to issue an annual purchase order not to exceed the amount of \$36,828.

**12. Amendment No. 1 to Library Internet Service Agreement with Columbia Telecommunications Corporation (All Wards) p. 177**

**Recommendation:**

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

1. Ratify the Library Director's execution of Amendment No. 1 to the agreement between San Bernardino Public Library (SBPL) and Columbia Telecommunications Corporation (CTC) for the provision, installation, and maintenance of advanced network (data) services; and
2. Authorize the Agency Director of Administrative Services to approve a Fiscal Year 2023/24 purchase order in an amount not to exceed \$84,000.

**13. Accept the California Department of Developmental Services - Social Recreation Grant in the amount of \$156,0000 (All Wards) p. 204**

**Recommendation:**

It is recommended that the of the Mayor and City Council of San Bernardino, California adopt resolution No. 2023-130 to:

1. Authorize the City Manager to accept the grant award in the amount of \$156,000;
2. Authorize the City Manager or their designee to conduct all negotiations, signing, and submittals of necessary documents to receive grant awards; and
3. Authorize the Agency Director of Administrative Services to amend the budget to appropriate the grant funds for Fiscal Year 2023/24.

**14. Amendment to the Professional Services Agreements between City of San Bernardino and Redwood Private Security for Park Patrol at City Parks and Citywide Events (All Wards) p. 250**

**Recommendation:**

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

1. Authorize the City Manager to execute the Amendment to the Professional Services Agreement with Redwood Private Security for Park Patrol at City Parks and Citywide Events.
2. Adopt Resolution No. 2023-131 authorizing the Agency Director of Administrative Services to amend the FY2023/24 Budget by \$180,000 from the Cultural Development Fund for Park Patrol at City Parks and Citywide Events.
3. Authorize the Agency Director of Administrative Services to issue a purchase order not to exceed \$180,000.

**15. Accept donation from Hillwood in the amount of \$20,000 (All Wards)p. 275**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2023-132 to:

1. Authorize City Manager to accept the donation from Hillwood in the amount of \$20,000; and
2. Authorize the Agency Director of Administrative Services to amend the FY 2023/24 General Fund Operating Budget in both revenue and expenditures by \$20,000; and allocate the expenditures to Youth Sports (\$10,000) and the Symphony Concert (\$10,000) in their respective expenditure accounts.

**16. Technical Revision for the Purchase of Cellular Site Simulator Equipment (All Wards) p. 282**

**Recommendation:**

Adopt Resolution No. 2023-133 of the Mayor and City Council of the City of San Bernardino, California, authorizing:

1. The City Manager to execute a goods purchase agreement between the City of San Bernardino and Tactical Support Equipment.
2. The Agency Director of Administrative Services to issue a Purchase Order to Tactical Support Equipment in an amount not exceeding \$687,000.

**17. Award Design Services Agreement for Sierra Way Storm Drain Project (Ward 7)\_ p. 332**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the award of a Design Services Agreement with Ludwig Engineering Associates, Inc. in the negotiated amount of \$179,820 for the Sierra Way Storm Drain Project.

**18. Approve the Rail Storage and Maintenance Facility (“Arrow Maintenance Facility”) Operation and Maintenance Covenant Agreement for Storm Water Treatment Devices and Control Measures between the City and San Bernardino County Transportation Authority (SBCTA) for the Water Quality Management Plan (WQMP) (All Wards) p. 373**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager, or designee, execute the Rail Storage and Maintenance Facility (aka “Arrow Maintenance Facility”) Operation and Maintenance Covenant Agreement for Storm Water Treatment Devices and Control Measures between the City and San Bernardino County Transportation Authority (SBCTA) for the Water Quality Management Plan (WQMP).

**19. Amendment No. 4 to Agreement with ERSC for State Street Extension (Ward 6)p. 396**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager to execute Amendment No. 4 to the Professional Engineering Services Agreement with Engineering Resources of Southern California (ERSC), adding engineering and construction support services in the amount of \$83,485 and increasing the purchase order to a total amount not-to-exceed of \$349,995 for the State Street extension from Baseline Street to 16th Street.

**20. Agreement with Vulcan Materials Company p. 460**

**Recommendation:**

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

1. Authorize the Interim City Manager to execute a Goods Services Agreement with Vulcan Materials Company for the purchase of asphalt concrete materials and related supplies; and
2. Authorize the Agency Director of Administrative Services to issue a purchase order not to exceed the amount of \$100,000.

**21. Adoption of Ordinance No. MC-1596 - Granting Citation Authority to Security Guard Personnel for Violations of the San Bernardino Municipal Code on City Property (All Wards) p. 500**

**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California, adopt Ordinance No. MC-1596, amending Chapter 9.90 of the San Bernardino Municipal Code, granting citation authority to security guard personnel for violations of the San Bernardino Municipal Code on City property.

**DISCUSSION**

**22. Designation of Voting Delegates and Alternates - 2023 League of California Cities Annual Conference & Expo September 20-22, 2023 (All Wards) p. 506**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the selection of one voting delegate and two alternate voting delegates to the 2023 League of California Cities Annual Conference & Expo on September 20-22, 2023 in Sacramento, California.

**23. Administrative Policies – Updated Naming and Renaming of City Parks, Recreational Facilities, and Amenities Policy (All Wards) p. 513**

**Recommendation:**

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

1. Review and consider the proposed revisions to the Naming and Renaming of City Parks, Recreational Facilities, and Amenities Policy; and
2. Adopt Resolution No. 2023-134 as presented, repealing Resolution No. 2010-342 and adopting the revised policy; OR
3. Provide direction for modifications to the proposed policy.

**24. Appropriation and City Manager Authorization to Approve Various Emergency Nuisance and Building Health and Safety Abatement Costs (All Wards) p. 536**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2023-135:

1. Proclaiming the need to prioritize nuisance and building and safety abatement costs and authorizing the City Manager to approve various code enforcement and Health and Safety Code assistance to displaced individuals' expenses related thereto;
2. Approving the appropriation in the amount of \$500,000 in American Rescue Plan Act (ARPA) funds related to various nuisance and property abatement costs and assistance to displaced individuals;
3. Authorizing the Agency Director of Administrative Services, or designee, to amend the City of San Bernardino's FY 23/24 Operating Budget by \$500,000.

**25. Consideration of Premium Pay for the Mayor and City Council (All Wards)\_ p. 543**

**Recommendation:**

Determine if the Mayor and City Council shall or shall not receive the premium pay that is being provided to employees from ARPA funds.

**PUBLIC HEARING**

**26. Proposed Substantial Amendment to Fiscal Year 2020-2021 Annual Action Plan Associated with Community Development Block Grant Coronavirus Relief Funds (All Wards) p. 561**

**Recommendation:**

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

1. Conduct a second Public Hearing to obtain citizens' comments on the proposed Substantial Amendment to Fiscal Year 2020-2021 Annual Action Plan for the Community Development Block Grant Coronavirus Relief Funds; and
2. Approve the Substantial Amendment to Fiscal Year 2020-2021 Annual Action Plan for the Community Development Block Grant Coronavirus Relief Funds; and
3. Approve the termination of the Community Development Block Grant Coronavirus Subrecipient Agreement between the City of San Bernardino and the Housing Authority of the County of San Bernardino; and
4. Authorize the City Manager or designee to take any further actions and execute any further agreements or documents as necessary to effectuate the submittal of the Proposed Substantial Amendment to Fiscal Year 2020-2021 Annual Action Plan.

**ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS**

**27. Review contracts of all City owned revenue generating properties to see if the terms are beneficial to the City (i.e., Shandin Hills Golf Course, etc.) by the September 20, 2023, meeting (All Wards) - Council Member Alexander p. 773**

**28. Neighborhood Pride Program (All Wards) - Council Member Sanchez p. 774**

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

**ADJOURNMENT**

The Mayor and City Council will adjourn to a Special Closed Session to be held on Friday, August 18, 2023, in the Multi-Purpose Room (2<sup>nd</sup> Floor) located at 201 North E Street (Suite B), San Bernardino, California 92401. Closed Session will begin at 2:00 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 **August 16, 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](http://sbcity.org) on Friday, August 11, 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, 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.

## ALTERNATE MEETING VIEWING METHOD:

If there are issues with the main live stream for the Mayor and City Council you may view the alternate stream on TV3

<https://reflect-sanbernardino.cablecast.tv/CablecastPublicSite/watch/1?channel=6>

## 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)**

Submit a request to speak by 4:00 p.m. to <https://tinyurl.com/mccpubliccomments> or email [publiccomments@sbcity.org](mailto:publiccomments@sbcity.org). Please indicate whether you are speaking on an item on the agenda (identify the item number) or providing a general comment.

Please use identifying information when submitting your request to speak such as a name or last four digits of your phone number so that staff can call on you.

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.

**For the Regular Meeting please log on no later than 15 minutes after the meeting start time.**

- 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
- 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. 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=WHduYIU3cIJxRklxTFJ2M2xtUIZhZz09>

**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 whether you are speaking remotely or in person you have an opportunity to speak until the Public Hearing has been closed.