

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, OCTOBER 18, 2023

5:30 PM - CLOSED SESSION

7:00 PM - OPEN SESSION

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MAYOR TRAN WILL BE PARTICIPATING REMOTELY FROM WALDORF ASTORIA, 1100 PENNSYLVANIA AVENUE NW, BUSINESS CENTER, WASHINGTON, DC 20004.

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.

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PLEASE VIEW THE LAST PAGES OF THE AGENDA FOR PUBLIC COMMENT OPTIONS, OR CLICK ON THE FOLLOWING

o **LINK: 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. 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.13

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** (Pursuant to Government Code Section 54956.9(a) and (d)
 - i. (1): *Juanita Martinez v. Home Depot*, et al., San Bernardino Superior Court Case No. CIVSB1936862
- B. PUBLIC EMPLOYEE APPOINTMENT** (Pursuant to Government Code Section 54957)
City Manager
- C. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Significant exposure to litigation (Pursuant to Government Code Section 54956.9(d)(2)):
One Item
- D. CONFERENCE WITH REAL PROPERTY NEGOTIATORS** Pursuant to Government Code Section 54956.8

Property: 300 North E Street Parcel Map 688, Parcel 12 Book 25 Page 47 Parcel Map 688 Parcel No. 12 formally known as City PTN Blk 12 and PTN 3rd St VAC

City Negotiator: City Manager or Designee

Negotiating Parties: El Corte Ingles

Under Negotiations: Price and Terms of Exclusive Negotiating Agreement

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

PRESENTATIONS

1. **Assemblymember James Ramos (D-San Bernardino) Check Presentation: \$5 Million to the City of San Bernardino to Develop a New 12.5 Acre Park, Community Garden, Emergency Shelter, and/or a Permanent Supportive Housing Facility for Homeless Individuals (Ward 1)** [p.14](#)
2. **Inland Empire 66ers Annual Report & Update** [p.15](#)
3. **October 2023 Citizen of the Month – Pastor Martin Martinez, Cornerstone Assemblies of God – 3rd Ward** [p. 29](#)
4. **October 2023 Citizen of the Month – Bertha Parra – 3rd Ward** [p. 31](#)
5. **Proclamation for Breast Cancer Awareness Month in the City of San Bernardino - October 2023 (All Wards)** [p. 33](#)
6. **City of San Bernardino Youth Civic Engagement Council Members** [p. 35](#)
7. **City Clean-up Efforts Update Presentation** [p. 36](#)

CONSENT CALENDAR

8. **Approval of Commercial and Payroll Disbursements (All Wards)** [p. 53](#)
Recommendation:
It is recommended that the Mayor and City Council of the City of San Bernardino, California approve the commercial and payroll disbursements for August-September 2023.
9. **Investment Portfolio Report for June 2023 (All Wards)** [p. 194](#)
Recommendation:
It is recommended that the Mayor and City Council of the City of San Bernardino, California, accept and file the Monthly Investment Portfolio Report for June 2023.

10. Strategic Initiatives – Approving Job Classifications and Amending the Salary Schedule [p. 204](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2023-157:

1. Establishing the Park Ranger Supervisor classification;
2. Establishing the Park Ranger classification;
3. Establishing the Ombudsperson classification;
4. Establishing the Legislative & Governmental Affairs Manager (U) classification;
5. Establishing the Deputy Director of Animal Services (U) classification;
6. Establishing the Veterinary Assistant classification;
7. Amending the salary for Deputy Director of Parks, Recreations and Community Services (U);
8. Amending the salary for Police Personnel & Training Technician;
9. Retitling the Agency Directors classifications; and
10. Amending the City-wide salary schedule for full-time, part-time, temporary, and seasonal positions.

11. Execution of a five-year agreement between the County of San Bernardino and the City of San Bernardino for Police Department access to the County Radio Communication System (All Wards) [p. 223](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2023-158 authorizing the City Manager to

1. Execute a five-year agreement between the City of San Bernardino and the County of San Bernardino, for Police Department access to the County’s digital radio communication system, and
2. Authorize the Director of Administrative Services to issue an annual purchase order to the County of San Bernardino for radio services, not to exceed \$2,343,228 over the duration of the agreement.

12. Construction Contract Award – Genevieve and Ralston Lighting Circuit Upgrades (Ward 7) [p. 245](#)

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 Elecnor Belco Electric, Inc., in the amount of \$2,045,193 for the construction of Genevieve and Ralston Lighting Circuit Upgrades (“Project”); and
2. Authorize the project construction, construction contingencies and engineering and inspections costs in the total amount of \$600,000 for construction for Genevieve and Ralston Lighting Circuit Upgrades (“Project”); and
3. Authorize the Agency Director of Administrative Services to issue a purchase order in an amount not to exceed \$2,645,193.

13. Agreement with Econolite for the Purchase of Traffic Signal Cabinets (All Wards) [p. 306](#)

Recommendation:

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

1. Authorize the City Manager to execute a Goods Purchase Agreement with Econolite Control Products, Inc., for the purchase of traffic signal cabinets and related components; and
2. Authorize the Director of Administrative Services to issue a purchase order in the amount of \$100,000; and
3. Authorize the City Manager or designee to extend the Goods Purchase Agreement with Econolite Control Products, Inc., for up to four additional one-year terms for an amount not to exceed \$100,000 annually.

14. Agreement with JTB Supply Co, Inc. for the Purchase of Traffic Intersection Signal Supplies (All Wards) [p. 347](#)

Recommendation:

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

1. Authorize the City Manager to execute a Goods Purchase Agreement with JTB Supply Co., Inc., for the purchase of traffic signal supplies and related components; and
2. Authorize the Director of Administrative Services to issue a purchase order in the amount of \$200,000; and
3. Authorize the City Manager or designee to extend the Goods Purchase Agreement with JTB Supply Co., Inc., for up to four additional one-year terms for an amount not to exceed \$200,000 annually.

15. Amendment No. 1 to Agreement with Infrastructure Engineers, A Bowman Company (Wards 1, 2, 3, 6 & 7) [p. 391](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the extension of Amendment No. 1 Professional Services Agreement with Infrastructure Engineers, A Bowman Company, until October 18, 2024, for construction management and inspections services for the creation and installation of Advanced Dilemma Zone Detection system at 49 signalized intersections on three corridors: Baseline Street, Mount Vernon Avenue, and Highland Avenue.

DISCUSSION

16. Employment Agreement for the Position of City Manager [p. 449](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the Mayor to execute an employment agreement for the position of City Manager with Charles A. Montoya to commence on October 30, 2023.

17. San Bernardino Regional Housing Trust Letter of Intent_ [p. 468](#)

Recommendation:

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

1. Receive and file presentation from San Bernardino Council of Governments; and
2. Authorize the City to join the San Bernardino Regional Housing Trust by submitting a Letter of Intent to the San Bernardino Council of Governments.

18. Introduction of Ordinance No. MC-1622: Floodplain Ordinance (FPO) (All Wards) p. 504

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, introduce, read by title, and waive further reading of Ordinance No. MC-1622: adopting a new Chapter 8.79 of the City of San Bernardino municipal code; adopting flood hazard maps; designating a floodplain administrator; and repealing Chapter 19.16 of the City of San Bernardino municipal code.

19. Amendment No. 1 to Memorandum of Understanding for Temporary License between the City of San Bernardino and the San Bernardino City Unified School District, and Southern California Gas Company; and Approve a Task Order for Design Services for the Cross Street Bridge Emergency Replacement (Ward 2)

Recommendation: p. 546

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

1. Approve Amendment No. 1 to the Memorandum of Understanding (“MOU”) for the Temporary License between the City of San Bernardino and the San Bernardino City Unified School District and Southern California Gas Company (“SoCal Gas”) for use of property on Fairfax Elementary School; and
2. Authorize the Agency Director of Administrative Services to approve a task order for design services to the City’s on-call consultant, IMEG Consultants Corp., in the amount of \$190,190 for the Cross Street Bridge Emergency Replacement project.

20. Approving Amendment No. 2 to Cooperative Agreement No. 19-1002205 with the San Bernardino County Transportation Authority (SBCTA) for the Interstate 215/University Parkway Interchange Project (SS04-019) (Wards 5,6) p. 592

Recommendation:

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

1. Authorize the City Manager to execute Amendment No. 2 to Cooperative Agreement No. 19-1002205 with the San Bernardino County Transportation Authority (SBCTA) for the Interstate 215/University Parkway Interchange Project (SS04-019); and
2. Adopt Resolution No. 2023-159 authorizing the Director of Administrative Services to amend the Interstate 215/University Parkway Interchange Project budget in the amount of \$864,908 through the General Fund Balance.

21. Professional Services Agreement with Redwood Private Security, LP, for Citywide Armed and Unarmed Security Guard Services (All Wards) p. 636

Recommendation:

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

1. Authorize the City Manager or designee, to execute a Professional Services Agreement with Redwood Private Security, LP, for citywide armed and unarmed security guard services; and
2. Authorize the Director of Administrative Services to issue a purchase order to Redwood Private Security, LP, in the amount of \$1,912,076.

PUBLIC HEARING

22. Pathways to Removing Obstacles to Housing (PRO Housing) Grant Application p. 744

Recommendation:

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

1. Conduct a Public Hearing to obtain citizens' comments on the draft Pathways to Removing Obstacles to Housing (PRO Housing) grant application to the Department of Housing and Urban Development (HUD); and
2. Authorize the City Manager, or designee, to take necessary steps to effectuate the submittal of the proposed Pathways to Removing Obstacles to Housing (PRO Housing) grant application, and related documents, to the Department of Housing and Urban Development (HUD).

MAYOR & CITY COUNCIL UPDATES/REPORTS ON CONFERENCES & MEETINGS


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 November 01, 2023, at the Feldheym Central Library located at 555 West 6th Street, San Bernardino, California 92401. Closed Session will begin at 5:30 p.m. and Open Session will begin at 7:00 p.m.

CERTIFICATION OF POSTING AGENDA

I, Genoveva Rocha, CMC, City Clerk for the City of San Bernardino, California, hereby certify that the agenda for the **October 18, 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 Feldheym Central Library located at 555 West 6th Street, San Bernardino, California, and on the City's website sbcity.org on **Friday, October 13, 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. 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)**

Submit a request to speak by 4:00 p.m. to <https://tinyurl.com/mccpubliccomments> or email 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.

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

<https://sbcity-org.zoom.us/j/6778459453?pwd=WHduYIU3clJxRkIxTFJ2M2xtUIZhZz09>

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.

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