

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, NOVEMBER 01, 2023

5:30 PM - CLOSED SESSION

7:00 PM - OPEN SESSION

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COUNCIL MEMBER IBARRA WILL BE PARTICIPATING IN PERSON.

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 A. Montoya
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 accommodations
- 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
City Manager Charles A. Montoya
City Attorney Sonia Carvalho
City Clerk Genoveva Rocha

5:30 P.M.**CLOSED SESSION PUBLIC COMMENT****CLOSED SESSION p.11****A) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**

(Pursuant to Government Code Section 54956.9(a) and (d)(1):

- i. Sedna Moseley v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVDS2022209

B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION Initiation of litigation (Pursuant to Government Code Section 54956.9(d)(4)) : One Item

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 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. **Update to Council on Animal Services Programs and Initiatives p.12**

CONSENT CALENDAR

2. **Consideration of Supporting Federal “Supporting our Shelters” Act p.24**

Recommendation:

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

1. Approve the draft letter in support of Representative Aguilar’s proposed “Supporting our Shelters Act”
2. Authorize the City Manager to send the letter in support of the “Supporting our Shelters Act” to the United States Congress

3. **Award On-Call Professional Services Agreement with Eagle Eye Demolition, Inc. p.30**

Recommendation:

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

1. Approve the award of a Professional Service Agreement with Eagle Eye Demolition, Inc. for on-call board-up and securement abatement services.
2. Authorize the Director of Administrative Services to issue an annual Purchase Order to Eagle Eye Demolition, Inc. in total amount not to exceed \$200,000.

4. **Accept The Homeless Housing, Assistance, and Prevention (HHAP) Round 3 Grant Funds from the County of San Bernardino in the amount of \$808,358.87 p. 56**

Recommendation:

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

1. Adopt Resolution No. 2023-160, to accept the Homeless Housing, Assistance, and Prevention (HHAP 3) Round 3 Grant funding awarded to the City of San Bernardino through the County of San Bernardino, Office of Homeless Services;
2. Approve the execution of the HHAP 3 Grant Agreement between the City of San Bernardino and the San Bernardino County Office of Homeless Services as the Administrative Entity authorized to act on behalf of the County;
3. Authorize the Director of Finance and Management Services to amend FY2023/24 Adopted Budget for the HHAP Round 3 Grant, appropriating \$808,385.87 in both revenues and expenditures; 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 administration of the HHAP 3 Grant.

5. Resolutions updating the Bank and Investment Account Signature Authority (All Wards) p. 101

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, and the Mayor and City Council of the City of San Bernardino, California acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City of San Bernardino adopt the attached Resolutions updating the City's and Successor Agency's bank and investment account signature authority.

6. Professional Services Agreement with AdminSure for Workers' Compensation Third Party Administrator Services p. 131

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager, or designee, to execute a Professional Services Agreement with AdminSure for workers' compensation claims administrator services.

7. Strategic Initiatives – Approving Job Classifications and Amending the Salary Schedule p. 149

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2023-170:

1. Establishing the Director of Economic Development (U) classification;
2. Establishing the Director of Community Development and Housing (U) classification; and
3. Amending the City-wide salary schedule for full-time, part-time, temporary, and seasonal positions.

8. Accept the Anonymous Donation of \$40,000 for the Verdemont Community Center p. 164

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2023-171 to:

1. Authorize City Manager to accept the Anonymous Donation in the amount of \$40,000, and
2. Authorize the Director of Finance and Management Services to amend the FY2023/24 General Fund Operating Budget in both revenue and expenditures by \$40,000; and allocate the expenditures to the following, Senior Programming at the Verdemont Community Center (\$10,000), Movies in the Parks at Verdemont (\$10,000) and After School Homework Help (\$20,000).

9. Amendment No. 1 to Agreement with Environmental Project Services, Inc. (All Wards) p. 170

Recommendation:

1. It is recommended that the Mayor and City Council of the City of San Bernardino, California:
2. Authorize the City Manager to execute Amendment No. 1 to Maintenance Services Agreement with Environmental Project Services, Inc. for Concrete Maintenance Services; and
3. Authorize the Director of Finance and Management Services to issue a purchase order in the amount not to exceed \$2,000,000.

10. Amendment No. 1 to Agreement with Horizons Construction Company International (All Wards) p. 194

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. 1 to Maintenance Services Agreement with Horizons Construction Company International for Asphalt Maintenance and Repair Services; and
2. Authorize the Director of Finance and Management Services to issue a purchase order in the amount of \$2,450,000.

DISCUSSION

11. Proposed Administrative Policy Establishing the Municipal Volunteer Program (MVP) for the Offices of Elected Officials (All Wards) p. 228

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review and consider the proposed administrative policy and provide direction for modifications or adopt Resolution No. 2023-172 as presented establishing the Municipal Volunteer Program (MVP) – Offices of the Elected Officials Policy.

ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS

12. Consider the installation of a stop light on the corner of 35th Street and E street to enhance school safety (Wards 5, 7) - Council Member Reynoso p. 244

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 15, 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 **November 1, 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, October 27, 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)**

To call into the meeting and provide public comment via Zoom, register by clicking the following link before 4:00 p.m. on the day of the meeting:

<https://tinyurl.com/mccremotepubliccomments>

Any registrations received after 4:00 p.m. will not be approved.

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.

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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