

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, AUGUST 7, 2024

3:00 PM - CLOSED SESSION

5:00 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

Rochelle Clayton
ACTING 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
Acting City Manager Rochelle Clayton
City Attorney Sonia Carvalho
City Clerk Genoveva Rocha

3:00 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)(1):

- i.) City of San Bernardino, et al. v. Fox Property Holdings, LLC, et al., San Bernardino Superior Court Case No. CIVSB2218532
- ii.) Steve Carrigan v. City of San Bernardino and Kimberly Calvin, Superior Court of the County of San Bernardino Case No. CIVSB 2419810
- iii.) James Tyson, et al. v. City of San Bernardino, United States District Court Case No. 5:23-cv-01539-TJH (KKx)
- iv.) Gary Saenz, et al. v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVDS2003802
- v.) Aaron Ortega v. Cuauhtemoc Harvey, et al., San Bernardino Superior Court Case No. CIVSB2306518
- vi.) Maria Segura, Individually and as Successor in Interest to Nicholas Segura, deceased et al. v. City of San Bernardino, United States District Court Case No. 5:22-cv-00277-JGB-SP and United States Court of Appeals for Ninth District Case No. 24-2445
- vii.) Brian Lewis v. City of San Bernardino, Workers' Compensation Case Nos. ADJ14779163 and ADJ11677581
- viii.) Marco Granado v. City of San Bernardino, Workers' Compensation Case No. ADJ15192206
- ix.) Idilio Sanchez v. City of San Bernardino, Workers' Compensation Case Nos. ADJ17648923 and ADJ17646856

B) CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8

- i.) **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 Sale
ii.) Property: 1750 S. Waterman Avenue (APN 0141-412-48-0-000)
City Negotiator: City Manager or Designee
Negotiating Parties: Jay Ashree Krishna, Inc.
Under Negotiations: Price and Terms of Sale

5:00 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

PUBLIC HEARING

1. Proposed Fourth Substantial Amendment to Fiscal Years 2020-2021 Annual Action Plan Associated with Community Development Block Grant Coronavirus Relief Funds (All Wards) [P.16](#)

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 proposed Fourth Substantial Amendments to the 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; and
3. Approve the Technical Correction and Adopt Resolution number 2024-180; and authorize the Director of Finance to amend the Fiscal Year 2024/25 Operating Budget with an appropriation of \$316,992.70 to both revenues and expenditures in accordance with the Fourth Substantial Amendment to the 2020-2021 Annual Action Plan; 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 Amendments to Fiscal Year 2020-2021 Annual Action Plan.

CITY MANAGER UPDATE

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

CONSENT CALENDAR

2. Regional Partnership Purchase of Modular Kennel Buildings for Animal Services (All Wards) [P.429](#)

Recommendation:

Adopt Resolution No. 2024-170 of the Mayor and City Council of the City of San Bernardino, California:

1. Authorizing the City Manager to Execute a Goods Purchase Agreement with Horizon Structures in the amount of \$2,096,324.00 for the purchase of modular kennel buildings for animal services, and
2. Authorizing the Director of Finance and Management Services to issue a purchase order to Horizon Structures, in an amount not to exceed \$2,096,324.00

3. Regional Partnership Modular Office Building Purchase for Animal Services (All Wards) [P.467](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2024-151:

1. Authorizing the City Manager to Execute a Goods Purchase Agreement with William Scotsman, Inc. in the amount of \$406,492.00 for the purchase of a modular building for Animal Services, and
2. Authorizing the Director of Finance and Management Services to issue a purchase order to William Scotsman, Inc., in an amount not to exceed \$406,492.00.

4. Investment Portfolio Report for May 2024 (All Wards) [P. 499](#)

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 May 2024.

5. Approval of Commercial and Payroll Disbursements (All Wards) [P . 5 3 2](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California approve the commercial and payroll disbursements for June 2024.

6. Resolution to Approve the City Investment Policy for FY 2024/25 (All Wards) [P.615](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-172, approving the current investment policy for FY 2024/25.

7. Review of Administrative Budget Transfers (All Wards) [P.639](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review and file all listed administrative budget transfers from Jan 1, 2024 through March 31, 2024.

8. Pre-Approval of Mayor and City Council Travel for FY 2024/25 (All Wards) [P . 6 4 7](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, pre-approve travel for elected officials for FY 2024/25 as outlined.

9. Resolution appointing an Interim Assistant City Manager (U) and Approving Employment Agreement (All Wards) P.668

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-171:

1. Appointing Frederick M. Lewis as Assistant City Manager (U) on an interim basis; and
2. Approving the Employment Agreement.

10. Authorize the issuance of purchase orders for the ongoing maintenance and support services for annual software and hardware usage fees with Atel Communications, Solutions Simplified for DocuSign Software Services, Tyler Technologies, Harris Computers, NPA Computers, Verizon, Frontier and 5-year subscription with Neogov (All Wards) P.680

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 Professional Services Agreement with Atel Communications; and
2. Authorize the Interim Director of Finance to execute the ongoing purchase orders for Annual Usage Fees, Software Maintenance, and Hardware Maintenance with Atel Communications, Solutions Simplified for DocuSign, Tyler Technologies, Harris Computers, NPA Computers, NeoGov 5-year subscription, Verizon and Frontier. The combined total should not exceed \$1,785,621.47 for fiscal year 2024/25.

11. 2024-2025 Senior Companion Program (SCP) – 1st Year of a 3-Year Grant Award; All Wards P.713

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2024-173:

1. Ratifying the submission of the application for year one of a three-year grant through the Corporation for National and Community Service's Senior Companion Program; and
2. Authorizing the City Manager to accept the grant award in the amount of \$335,162; and
3. Authorizing the City Manager or their designee to conduct all negotiations, signing and submittals of necessary documents to receive grant awards; and
4. Authorizing the Director of Finance and Management Services to appropriate the grant funds for the period of July 1, 2024 through June 30, 2025; \$355,162 in revenue and expenses and \$120,633 in General Fund grant match requirements, for a total of \$455,795.

12. Execute Amendment No. 1 to the Redwood Private Security PSA (All Wards) [P.754](#)

Recommendation:

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

1. The City Manager to execute Amendment No. 1 to the professional services agreement with Redwood Private Security, LP, expanding the scope of services and increasing the not to exceed compensation by \$515,188, for a total not-to-exceed amount of \$2,427,264 annually, and subsequent amendments.
2. The City Manager to adopt subsequent amendments within spending authority that expand the scope of services for future City needs.

13. Executive Order 14074 Notification to Civilian Governing Body (All Wards) [P. 806](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review and approve the proposed "Notification to Civilian Governing Body and Local Community" letter, as required by Presidential Executive Order 14074 governing the potential acquisition of controlled federal government property.

14. Acceptance of Fiscal Year 2023 Emergency Management Performance Grant (All Wards) [P.811](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-174, authorizing:

1. The acceptance of the Fiscal Year 2023 Emergency Management Performance Grant; and
2. The amendment of the Fiscal Year 2024/2025 Adopted Budget in both revenue and expenditures by \$28,864.

15. Amendment No. 1 to the Vendor Services Agreement with West Coast Lights and Sirens Inc. [P.820](#)

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. 1 to the vendor services agreement with West Coast Lights and Sirens Inc., expanding the scope of services and extending the term of the agreement.

16. Award of Agreement for Construction of Speicher Park Ballfields Improvements Project with Bilbro Construction Company, Inc., and approval of Task Order Number 001 for Construction Management and Inspection Services (Ward 2) [P.860](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2024-175:

1. Approving the award of an Agreement with Bilbro Construction Company, Inc. in the amount of \$2,915,258.44 for the Construction of the Speicher Park Ballfields Improvements (Project); and
2. Approving Task Order Number 001 with TKE Engineering, Inc., in the amount of \$415,019 for construction management and inspection services for the project; and
3. Authorizing the project construction contingencies, professional services contingencies, and administrative costs in the amount of \$744,981 for construction of the Project; and
4. Authorizing the Director of Finance and Management Services to amend the FY 2024/25 CIP Budget by \$2,574,670.02 using the Cultural Development fund balance to bring the current project budget to \$4,075,258.44.

Authorizing the City Manager or designee to execute all documents with Bilbro Construction Company Inc., and TKE Engineering Inc. necessary to carry out the Project; and

5. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the Project.
6. Finding the Project exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines § 15302 ("Replacement or Reconstruction").

17. Award of On-Call General Services Agreement and Approval of Task Order Number 001 for design of Drainage Improvements at 19th Street near Massachusetts Avenue (Ward 6) [P.1034](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2024-176:

1. Approving Task Order Number 001 with Consultants Hernandez, Kroone & Associates, Inc. in the amount of \$64,930 for design of 19th Street near Massachusetts Avenue Drainage Improvements. (Project); and
2. Authorizing the project design contingencies, project management, and administrative costs in the total amount of \$11,000 for design of the Project; and
3. Authorizing the Director of Finance and Management Services to amend the FY 2024/25 Capital Improvement Plan by re-allocating \$75,930 from the Storm Drain Upgrade project to the 19th Street Drainage Improvements near Massachusetts Ave project; and
4. Authorize the City Manager or designee to execute all documents necessary for the Task Order with Hernandez, Kroone & Associates, Inc.; and
5. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the project

18. Approval of On-Call Professional Services Agreement and approval of Task Order Number 001 for Drainage Improvements at W Hill Drive near N Acacia Avenue (Ward 4) P.1047

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2024-177:

1. Approving Task Order Number 001 with Rick Engineering Company, Inc., in the amount of \$108,980.00 for design of W Hill Drive near Acacia Drainage Improvements (Project); and
2. Authorizing design contingencies, project management, and administrative costs in the amount of \$17,000; and
3. Authorizing the Director of Finance and Management Services to amend the FY 2024/25 Capital Improvement Plan by re-allocating \$125,980 from the Storm Drain Upgrade project to the W Hill Drive near N Acacia Drainage Improvements project; and
4. Authorizing the City Manager or designee to execute an all documents necessary for the Task Order with Rick Engineering Company; and
5. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

19. Award of Professional Services Agreement for Consulting Services for the Administration of Special Districts, Assessment Districts, and Community Facility Districts (All Wards) P.1069

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-179:

1. Approving the award of a Professional Services Agreement with Spicer Consulting Group, LLC, for a three-year term through July 31, 2027, with two (2) twelve (12) month extension options, with the total Agreement amount not to exceed \$1,203,370, and authorize the City Manager to execute all documents to effectuate the Agreement; and
2. Authorize the Director of Finance & Management Services to issue a purchase order in the amount of \$1,203,370.

DISCUSSION

20. HOME Investment Partnership Program Infill Housing Master Development Agreement with Neighborhood Partnership Housing Services Community Redevelopment, Inc. (Wards 2) P.1128

Recommendation:

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

1. Adopt Resolution 2024-178, authorizing the execution of the HOME Investment Partnership Program Infill Housing Development Master Agreement between the City of San Bernardino and Neighborhood Partnership Housing Services Community Redevelopment, Inc.; and
2. Approve the HOME Investment Partnership Program Infill Housing Development Master Agreement between the City of San Bernardino and Neighborhood Partnership Housing Services, Inc., which:
 - a. Is in the amount of \$744,000.
 - b. Authorizes the transfer of ownership of 3 blighted parcels from the City of San Bernardino to NPHS Community Redevelopment, Inc.

3. Authorize the Director of Finance & Management Services to amend the Fiscal Year 2024-2025 Operating Budget by \$744,000 using HOME Investment Partnership fund balance; and
4. Authorize the City Manager, or designee, to take further actions and execute any further documents as necessary to effectuate the agreements.

21. Small Business Grant Program, Round Two: Proposed Award Amount Increase (All Wards) [P.1251](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California amend the Small Business Grant Program, Round Two, increasing the award amounts from \$5,000 & \$10,000 to \$10,000 & \$20,000.

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 August 21, 2024 at the Feldheym Central Library located at 555 West 6th Street, San Bernardino, California 92401. Closed Session will begin at 4:00 p.m. and Open Session will begin at 5:00 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 7, 2024** 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, August 2, 2024**.

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 any technical issues with the live stream or recording from the main agenda portal or if you require an option with Closed Captioning, you may view the meeting from the following location (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 2:30 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. **Written public comments will not be read aloud by city staff. Written correspondence can be accessed by the public online at tinyurl.com/agendabackup.**

2) Attend the meeting in person and fill out a speaker slip. Please note that the meeting Chair decides the cutoff 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: tinyurl.com/mccpubliccomments. Any requests to speak submitted electronically after the 2:30 p.m. deadline will not be accepted.

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 9093845002 or SBCityClerk@sbcity.org for assistance outside of this timeframe. Written correspondence submitted after the deadline will be provided to the Mayor and City Council at the following regular meeting.

MEETING TIME

NOTE: Pursuant to Resolution No. 2024-029, adopted by the Mayor and City Council on February 21, 2024:

“Section 3. All meetings are scheduled to terminate at 10:00 P.M. on the same day it began. At 9:00 P.M., the Mayor and City Council shall determine which of the remaining agenda items can be considered and acted upon prior to 10:00 P.M. and will continue all other items on which additional time is required until a future Mayor and City Council meeting. A majority vote of the Council is required to extend a meeting beyond 10:00 P.M. to discuss specified items.”