

CITY OF SAN BERNARDINO

AGENDA

FOR THE
JOINT 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 THE MAYOR
AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO ACTING AS THE SAN BERNARDINO JOINT POWERS
FINANCING AUTHORITY

MONDAY, JANUARY 9, 2017

2:00 PM – CLOSED SESSION

4:00 PM – OPEN SESSION

COUNCIL CHAMBER • 300 NORTH "D" STREET (LOBBY) • SAN BERNARDINO, CA 92418 • WWW.SBCITY.ORG

Virginia Marquez

COUNCIL MEMBER, WARD 1

Benito Barrios

COUNCIL MEMBER, WARD 2

John Valdivia

COUNCIL MEMBER, WARD 3

Fred Shorett

COUNCIL MEMBER, WARD 4

Henry Nickel

COUNCIL MEMBER, WARD 5

Bessine L. Richard

COUNCIL MEMBER, WARD 6

R. Carey Davis

MAYOR



James L. Mulvihill

COUNCIL MEMBER, WARD 7

Mark Scott

CITY MANAGER

Gary D. Saenz

CITY ATTORNEY

Georgeann "Gigi" Hanna

CITY CLERK

David Kennedy

CITY TREASURER

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

- Anyone who wishes to speak during public comment or on a particular item will be required to fill out a speaker slip. Speaker slips must be turned in to the City Clerk by 4:30 pm the day of the meeting.
- You may email your request to speak to publiccomments@sbcity.org if you cannot turn it in in person prior to 4:30 pm. Each request will cover one speaker. Those who wish to speak must submit their own request to be called on by the Mayor.
- Public comments for agenda items that are not public hearings will be limited to three minutes.
- **There is a 6-minute-per-person time limit for all comments, excluding public hearings.**
- All who wish to speak, including Council members and staff, need to be recognized by the Mayor or Mayor Pro Tempore before speaking.
- Please contact the City Clerk's Office (384-5002) two working days prior to the meeting for any requests for reasonable accommodation to include interpreters.
- All documents for public review are on file with the City Clerk's Office or may be accessed online by going to <http://www.sbcity.org>.
- Please turn off or mute your cell phone while the meeting is in session.
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- Please turn off or mute your cell phone while the meeting is in session.

Call to Order

Attendee Name	Present	Absent	Late	Arrived
Council Member, Ward 1 Virginia Marquez	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member, Ward 2 Benito J. Barrios	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member, Ward 3 John Valdivia	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member, Ward 4 Fred Shorett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member, Ward 5 Henry Nickel	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member, Ward 6 Bessine L. Richard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Council Member, Ward 7 James Mulvihill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Mayor R. Carey Davis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
City Clerk Georgeann "Gigi" Hanna	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
City Attorney Gary D. Saenz	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
City Manager Mark Scott	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

1. CLOSED SESSION

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

A three-minute limitation shall apply to each member of the public who wishes to address 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.

Pursuant to Government Code Sections(s):

1A. Conference with legal counsel - existing litigation - pursuant to Government Code Section 54956.9(a) and (d)(1):

In re: City of San Bernardino - U.S. Bankruptcy Court Case No. 6:12-bk-28006 MJ;

Demetric Battle v. City of San Bernardino – WCAB Case Nos. ADJ9194217, ADJ8707098, ADJ9184316, ADJ9188052, ADJ7668234 and ADJ3292956;

James Wrynski, Paula Robbins, Plaintiffs v. Carlos Vargas Meza, City of San Bernardino, and Does 1 to 50 – San Bernardino Superior Court, Case No. CIVDS1311254

1B. Conference with legal counsel - anticipated litigation - significant exposure to litigation - pursuant to Government Code Section 54956.9(d)(2).

Curtis Shaw v. City of San Bernardino

1C. Conference with legal counsel - anticipated litigation - initiation of litigation - pursuant to Government Code Section 54956.9(d)(4).

City v. Wells Fargo

2. CLOSED SESSION REPORT
3. COUNCIL APPOINTMENTS
- 3A. Appointment of William Cioci to the Fine Arts Commission – Council Member Benito Barrios
4. PRESENTATIONS
- 4A. Chamber of Commerce & Local Elected Officials Announcements

PUBLIC COMMENTS FOR ITEMS LISTED ON THIS AGENDA

A three-minute limitation shall apply to each member of the public who wishes to address the Mayor and City Council on any item on the agenda, excluding public hearings. There is no limit to the number of items that may be discussed within the three-minute time limit. To be called on by the Mayor, please turn in individual speaker slips to the City Clerk by 4:30 p.m. the day of the meeting. If you wish, you may email your speaking request publiccomments@sbcity.org prior to the beginning of the meeting. Emailed requests to speak will not be accepted from anyone but the person requesting to speak.

5. CONSENT CALENDAR

There will be no separate discussion of Consent Calendar items unless a Council member requests that the item be considered in its normal sequence on the agenda. Public comment on Consent Calendar items is limited to three minutes total per person. There is no limit on the items that can be discussed within that time.

5A. City Clerk

Waive Full Reading of Resolutions and Ordinances

Recommendation: Waive full reading of resolutions and ordinances on the agenda dated January 9, 2017.

5B. City Clerk

Council Minutes -- December 19, 2016

Recommendation: Approve the minutes of the Mayor and City Council meeting of the December 19, 2016, as submitted.

5C. Civil Service

Classified Personnel Actions

Recommendation: Approve the classified personnel actions, as submitted by the Chief Examiner, in accordance with Civil Service rules and Personnel policies adopted by the Mayor and City Council of the City of San Bernardino.

5D. Human Resources

Personnel Actions - Unclassified

Recommendation: Approve the unclassified personnel actions, as submitted by the Interim Director of Human Resources, in accordance with City policies and procedures adopted by the Mayor and City Council of the City of San Bernardino.

5E. Successor Agency

Purchase and Sale Agreement and Joint Escrow Instructions between E. Cooley Avenue Industrial Property

Recommendation: Adopt a Resolution, in the capacity as the Successor Agency to the Redevelopment Agency of the City of San Bernardino. approving the Purchase and Sale Agreement and Joint Escrow Instructions between the Successor Agency and Cooley Properties, L.P. with respect to two vacant parcels located along Cooley Avenue, San Bernardino, California (APNs 0281-031-52 and 0281-021-30), and approving certain related actions.

5F. Police Department

Emergency Management Performance Grant Allocation

Recommendation: Adopt a Resolution of the Mayor and City Council of the City of San Bernardino authorizing the receipt, obligation and appropriation of the FY16 Emergency Management Performance Grant allocation and issuance of a purchase order to Mallory Safety Equipment and Supply LLC.

5G. Finance

Check Register Approval

Recommendation: Approve the commercial and payroll checks for December 2016.

5H. Public Works

Proposed Street Vacation of Portions of Home Avenue, "I" Street, and Montgomery Street

Recommendation: Authorize City staff to proceed with the investigation of the request to vacate portions of Home Avenue, "I" Street, and Montgomery Street for Plan No. 13099.

5I. Public Works

Proposed Street Vacation of Portions of Genevieve Street

Recommendation: Authorize city staff to proceed with the investigation of the request to vacate a portion of Genevieve Street for Plan No. 13102.

5J. Public Works

Proposed Street Vacation of Portions of Century Avenue Between Showcase Drive and Camino Real

Recommendation: Authorize City staff to proceed with the investigation of the request to vacate Century Avenue for Plan No. 13093.

5K. Public Works

9th Street and Sierra Way Signal Upgrade

Recommendation: Adopt the Resolution of the Mayor and City Council of the City of San Bernardino Authorizing the City Manager to Execute a Contract with DBX, Inc., for 9th Street and Sierra Way Signal Upgrade [Highway Safety Improvement Program HSIPL-5033(050), Advantage Project ID 0812000003, Per Plan No. 12810 (TC12-001)]

5L. Public Works

9th Street and Arrowhead Avenue Signal Upgrade

Recommendation: Adopt a Resolution of the Mayor and City Council of the City of San Bernardino Authorizing the City Manager to Execute a Contract to DBX, Inc., for 9th Street and Arrowhead Avenue Signal Upgrade, Highway Safety Improvement Program [HSIPL-5033(051), Advantage Project ID 0812000004, Per Plan No. 12811 (TC12-002)].

5M. Public Works

Street Widening Project for 40th Street from Johnson Street to Electric Avenue

Recommendation: Adopt the Resolution of the Mayor and City Council of the City of San Bernardino Authorizing the Execution of an Agreement for Professional Engineering Services with Engineering Resources of Southern California, Inc. to Provide Environmental and Civil Engineering Design Services for the Widening of 40th Street from Johnson Street to Electric Avenue.

5N. Community Development

Waterman Baseline Neighborhood Transformation Specific Plan

Recommendation: Accept for final reading and adopt an Ordinance approving the Waterman Baseline Neighborhood Transformation Specific Plan (SP 15-01) (Attachment 1).

6. STAFF REPORTS**6A. Parks and Recreation**

Naming the Bryce Edward Hanes Park and Jon Cole Skate Park

Recommendation: Adopt Resolution of the Mayor and City Council of the City of San Bernardino, California, naming the new 2.5 acre public park at E Street and 9th Street the Bryce Edward Hanes Park and naming the Skate Park Amenity within the Park as the Jon Cole Skate Park.

6B. Water

Annual Financial Report of the Water Department's Water and Sewer Utilities

Recommendation: Receive and file the audited Annual Financial Report of the Water Department's water and sewer utilities for fiscal year ended June 30, 2016.

6C. Community Development

Second Annual Art Night

Recommendation: Adopt a Resolution of the Mayor and City Council of the City of San Bernardino, California approving the Second Annual Art Night on April 21 and 22, 2017, to be held at Court Street Square and Carousel Mall as a City-sponsored Special Event.

6D. City Attorney

Professional Services Agreement with Cota Cole LLP for Legal Services Related to Receiverships

Recommendation: Adopt the Resolution of the Mayor and City Council authorizing the City Manager to execute a Professional Services Agreement with Cota Cole LLP for legal services related to receiverships.

7. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**8. ITEMS TO BE REFERRED TO CITY COUNCIL COMMITTEES****9. ANNOUNCEMENTS BY MAYOR, CITY COUNCIL AND EXECUTIVE STAFF****10. 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 is scheduled for **2:00 p.m., Monday, January 23, 2017, in the Council Chamber of City Hall**, 300 North "D" Street, San Bernardino, California.

NOTICE: Any member of the public may address this meeting of the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency on any item appearing on the agenda by approaching the microphone in the Council Chamber when the item about which the member desires to speak is called and by asking to be recognized.

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 staff member responsible for collecting speaker request slips 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.