

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 23, 2017

2:00 PM – CLOSED SESSION

4:00 PM – OPEN SESSION

ECONOMIC DEVELOPMENT AGENCY (EDA) BOARD ROOM • 201 NORTH "E" STREET
• SAN BERNARDINO, CA 92401 • 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

State of California, Regents of the University of CA, ex rel. OnTheGo Wireless v. Cello Partnership, et al., Sacramento Superior Court Case No. 34-2012-00127517

Bank of New York Mellon v. City of San Bernardino, et al., United States District Court Case No. 16-CV-01791 –JGB-SP

1B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation – Pursuant to *Government Code* Section 54956.9(d)(4):

City v. Group IX BP Properties LP

1C. CLOSED SESSION – PERSONNEL – PURSUANT TO GOVERNMENT CODE SECTION 54957(B):

City Manager

2. CLOSED SESSION REPORT
3. COUNCIL APPOINTMENTS
4. PRESENTATIONS
 - 4A. Proclamation Declaring January as National Mentoring Month – Mayor R. Carey Davis
 - 4B. Certificate of Recognition – Lutheran Church of Our Savior 50th Anniversary – Council Member Shorett
 - 4C. Student of the Month – Sabrina Velardez, Arroyo Valley High School - Council Member Richard
 - 4D. Citizen of the Month – Jesse Carrillo - Council Member Barrios
 - 4E. SB International Airport Update – Mike Burrows, Executive Director – Council Member Marquez
 - 4F. Bankruptcy/Strategic Planning Update – Management Partners
 - 4G. 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 23, 2017.

5B. City Clerk

Council Minutes – January 9, 2016

Recommendation: Approve the minutes of the Mayor and City Council meeting of the January 9, 2016, as submitted.

5C. Finance

Commercial and Payroll Checks

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

5D. City Manager

Property Assessed Clean Energy (PACE) Program Providers

Recommendation: Adopt a Resolution of the Mayor and City Council of the City of San Bernardino, California, approving associate membership in the California Enterprise Development Authority (CEDA), authorizing and directing the execution of an Associate Membership Agreement, authorizing the City to join the Figtree Property Assessed Clean Energy (PACE) Program, and authorizing CEDA to conduct contractual assessment proceedings and to levy contractual assessments within the City.

5E. City Manager

Change Signatories of Former Redevelopment Agency Bank Accounts

Recommendation: Adopt a Resolution of the Mayor and City Council of the City of San Bernardino, acting as the Successor Agency of the Redevelopment Agency of the City of San Bernardino, designating signatories of Successor Agency bank accounts and superseding any previous resolutions.

5F. City Manager

First Amendment to the Consultant Services Agreement between the City of San Bernardino and Flores & Associates

Recommendation: Adopt a Resolution of the Mayor and City Council of the City of San Bernardino, California, approving the First Amendment to the Consultant Services Agreement between the City of San Bernardino and Flores & Associates.

6. STAFF REPORTS**6A. City Attorney**

Professional Services Agreement with Jones & Mayer for Charter Implementation Services

Recommendation: Adopt a Resolution of the Mayor and City Council of the City of San Bernardino, California, authorizing the City Manager to execute a Professional Services Agreement with Jones & Mayer for legal services related to Charter implementation.

6B. Community Development

Parking Lease Agreement for the Andreson Building located at 320 N. "E" Street

Recommendation: Adopt a Resolution of the Mayor and City Council of the City of San Bernardino, California, approving a Parking Lease Agreement for the Andreson Building located at 320 N. "E" Street with 320 N. E Street, LLC.

6C. City Manager

Fiscal Year 2016/17 Capital Improvement Plan

Recommendation: Review and discuss the proposed Fiscal Year 2016/17 Capital Improvement Plan and provide any direction as to suggested revisions.

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, February 6, 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.