

# 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

### TUESDAY, FEBRUARY 21, 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](mailto: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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**CALL TO ORDER**

<b>Attendee Name</b>	<b>Present</b>	<b>Absent</b>	<b>Late</b>	<b>Arrived</b>
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"/>	

**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 Common Council and the Mayor and Common 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

*Clayton Smith v. City of San Bernardino*, WCAB Case No. ADJ8917616

*Arturo Diaz v. City of San Bernardino*, WCAB Case No. ADJ8848130

*Mark Plonski v. City of San Bernardino* WCAB Case Nos. ADJ4678640; ADJ6647317; ADJ9037048; and ADJ9843328

*AMF 1278, LLC v. City of San Bernardino, et al.*, San Bernardino Superior Court Case No. CIVDS 1702219

*Kush Concepts, et al v. City of San Bernardino* CIVDS 1702131

**1B. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

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

City v. Bayview Loan Servicing LLC  
City v. Ericka Munoz Salgado

City v. Amarsanped, LLC  
City v. Amaxi Investments Co.

**1C. PERSONNEL – Pursuant to *Government Code* Section 54957(b):**

City Manager

**1D. Conference with Real Property Negotiator - pursuant to *Government Code* Section 54956.8.**

Property: 333 N. "H" Street (APN 0134-182-04)  
Negotiator: Mark Scott/Andrea Miller

**2. CLOSED SESSION REPORT****3. PRESENTATIONS****3A. Presentation to NENA – John Hillman – Mayor R. Carey Davis****3B. Presentation to San Gorgonio High School Football Team – CIF Champions – Council Member Barrios****3C. Student of the Month – Giovanni Lozano, San Gorgonio High School – Council Member Mulvihill****3D. Certificate of Recognition - First Congregational United Church of Christ 150th Anniversary****3E. Citizen(s) of the Month – Carlos Gomez, Alex Artiaga and Darrell & Dorothy Farwick - Council Member Valdivia****3F. Bankruptcy Update -- Management Partners****3G. 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 Common 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](mailto: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.

**4. CONSENT CALENDAR**

*All Consent Calendar items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests that the item be removed from the Consent Calendar and 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 the three-minute time limit.*

**4A. City Clerk**

Waive Full Reading of Resolutions and Ordinances

**Recommendation:** Waive full reading of resolutions and ordinances on the agenda dated February 21, 2017.

**4B. City Clerk**

Council Minutes - February 8, 2017

**Recommendation:** Approve the minutes of the Mayor and Common Council meeting of the February 8, 2017, as submitted.

**4C. Finance**

Commercial and Payroll Checks

**Recommendation:** Approve the commercial and payroll checks for February 2017.

**4D. Police Department**

Purchase of Police Vehicles from Fairview Ford

**Recommendation:** Adopt Resolution of the Mayor and City Council of the City of San Bernardino, California, authorizing the Director of Finance to transfer \$628,996 to the General Fund Capital Expense account and issue a Purchase Order to Fairview Ford Sales, Inc. in the amount of \$813,540.

**4E. Police Department**

Purchase of Police Motorcycles from BMW Motorcycles

**Recommendation:** Adopt the Resolution of the Mayor and City Council of the City of San Bernardino, California, authorizing the issuance of a Purchase Order to BMW Motorcycles in the amount of \$83,300.00.

**4F. Police Department**

Appropriation of Funding for the Public Safety Academy

**Recommendation:** Adopt Resolution of the Mayor and City Council of the City of San Bernardino, California, authorizing the execution of a Memorandum of Understanding (MOU) between the City of San Bernardino and the Public Safety Academy of San Bernardino, Inc., and amending the FY2016/17 Adopted Budget by appropriating \$125,880 of grant funds.

**4G. Police Department**

Advanced Pet Care Animal Hospital

**Recommendation:** Adopt Resolution of the Mayor and City Council of the City of San Bernardino, California, authorizing the Director of Finance to increase the Purchase Order issued to Advanced Pet Care Animal Hospital to \$78,000.

**4H. Police Department**

Vendor Service Agreement with Taser International, Inc.

**Recommendation:** Adopt Resolution of the Mayor and City Council of the City of San Bernardino, California, authorizing the City Manager to Execute a Vendor Service Agreement with Taser International, Inc. and authorizing the Director of Finance to issue a Purchase Order to Taser International Inc. in the amount of \$341,230.

**4I. City Attorney**

Employment Agreement with City Manager

**Recommendation:** Adopt a Resolution of the Mayor and City Council of the City of San Bernardino, California, authorizing the Mayor to execute an Employment Agreement for the position of City Manager with Mark Scott.

**4J. Successor Agency**

Subordination of a Deed of Trust at 1094 West 59th Street

**Recommendation:** Adopt the Resolution of the Mayor and City Council of the City of San Bernardino, California, acting as the Successor Housing Agency to the Redevelopment Agency of the City of San Bernardino approving the Subordination of a Deed of Trust in connection with a refinancing of the Senior Mortgage relating to real property located at 1094 West 59th Street, San Bernardino, California.

**4K. Community Development**

Housing Related Parks Program Grant Application for Arrowhead Grove

**Recommendation:** Adopt Resolution approving submission of a grant application for the Housing Related Parks Program (HRP Program) for Arrowhead Grove (formerly known as Waterman Gardens).

**5. PUBLIC HEARINGS****5A. City Clerk**

Business Registration Liens

**Mayor to open the hearing.**

**Recommendation:** Conduct a public hearing; direct the City Clerk to administratively remove any properties from the Business Registration Liens List (Exhibit A) which have been paid prior to the hearing; and adopt the Resolution of the Mayor and City Council of the City of San Bernardino, California, imposing liens on certain parcels of real property located within the City of San Bernardino for Uncollected Business Registration Fees.

**6. STAFF REPORTS****6A. Finance**

Mid-Year Budget Update for Fiscal Year 2016/17 and Budget Amendment

**Recommendation:** Review the Fiscal Year 2016/17 Mid-Year Budget analysis and adopt a Resolution amending the Adopted Budget by making an adjustment of \$450,000 for the expenditures related to administering the properties formerly owned by the Economic Development Agency.

**6B. City Manager**

Lease Agreement for 600 North Arrowhead Avenue Building

**Recommendation:** Adopt a Resolution of the Mayor and City Council of the City of San Bernardino Directing the City Manager to Execute a Lease Agreement Between the City of San Bernardino and Arrowhead Professional Center, LP for the Lease of Office Space in the 600 North Arrowhead Avenue Building.

**7. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA****8. ITEMS TO BE REFERRED TO COUNCIL COMMITTEES****9. ANNOUNCEMENTS BY MAYOR, CITY COUNCIL AND EXECUTIVE STAFF****10. ADJOURNMENT**

The next joint **regular** meeting of the Mayor and Common Council and the Mayor and Common Council Acting as the Successor Agency to the Redevelopment Agency is scheduled for **2:00 p.m., Monday, March 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 Common Council and the Mayor and Common 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 Common Council and the Mayor and Common 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 Common Council and the Mayor and Common 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 Common Council and the Mayor and Common 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 Common Council and the Mayor and Common 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 Common Council and the Mayor and Common 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 Common Council and the Mayor and Common Council Acting as the Successor Agency to the Redevelopment Agency. However, no other action shall be taken nor discussion held by the Mayor and Common Council and the Mayor and Common 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.