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. You may email your request to speak to publiccomments@sbcity.org prior to 5:30 p.m. Each request will cover one speaker. Those who wish to speak must submit their own request to be called on by the Mayor.
- There is a 3-minute-per-person time limit for all comments, excluding public or quasi-judicial hearings.
- Written comment on any item may also be submitted to the City Clerk to be included in the meeting record. It will not be read aloud by the City Clerk.
- Those who wish to speak on public or quasi-judicial hearing items will have three minutes for each item.
- 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 (909)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 www.sbcity.org.
- Please turn off or mute your cell phone while the meeting is in session.
CALL TO ORDER

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<th>Attendee Name</th>
<th>Present</th>
<th>Absent</th>
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<td>Council Member, Ward 1 Theodore Sanchez</td>
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<td>Council Member, Ward 2 Sandra Ibarra</td>
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<td>Council Member, Ward 3 Juan Figueroa</td>
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<td>Council Member, Ward 6 Bessine L. Richard</td>
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<td>Council Member, Ward 7 James Mulvihill</td>
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<td>City Attorney Gary D. Saenz</td>
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<td>City Manager Teri Ledoux</td>
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5:30 P.M.

CLOSED SESSION

(A) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (Pursuant to Government Code Section 54956.9(a) and (d)(1)):


ii. Susan Davis v. City of San Bernardino, Workers’ Comp. Claim No. 18-137053

iii. Anthony Castro v. City of San Bernardino, Workers’ Comp. Claim No. 19-141450

iv. Rodney Topping v. City of San Bernardino, Workers’ Comp. Claim No. CSBY-9766

v. Amanda Castaneda v. City of San Bernardino, Workers’ Comp. Claim No. 19-139488

vi. Jeffrey Novinger v. City of San Bernardino, Workers’ Comp. Case Nos. ADJ1092715, ADJ3728783, ADJ4657808, ADJ693593, ADJ9657857, ADJ10586998, ADJ1058699, and ADJ10771058

vii. Aaron Ortiz v. City of San Bernardino, Workers’ Comp. Claim No. 18-139398

viii. Gilbert Ruvalcaba v. City of San Bernardino, Workers’ Comp. Claim No. CSBY-10306

ix. Jarrod Burguan v. City of San Bernardino, Workers’ Comp. Claim No. 18-137447

x. David Miller v. City of San Bernardino, Workers’ Comp. Claim No. CSBY-10204

xi. Alan Olachea v. City of San Bernardino, Workers’ Comp. Claim No. CSBY-10058
xii. Von Verbanic v. City of San Bernardino, Workers’ Comp. Claim No. 19-139488
xiii. Andrea Miller v. City of San Bernardino, San Bernardino Superior Court Case No. CIVDS1926878
xiv. Gary Saenz and Georgeann Hanna v. City of San Bernardino, San Bernardino Superior Court Case No. CIVDS1919509

(B) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of litigation (Pursuant to Government Code Section 54956.9(d)(4)): Two cases

(C) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation (Pursuant to Government Code Section 54956.9(d)(2)): One case

7:00 P.M.
INVOCATION AND PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

PRESENTATIONS

1. Proclamation - National Mentoring Month - San Bernardino County Children’s Network - Mayor John Valdivia

2. Certificate of Recognition - CSUSB Women’s Volleyball Team - Mayor John Valdivia

3. Certificate of Recognition - Citizen of the Month - Martin Valencia - Mayor Pro Tem/Sixth Ward Council Member Bessine Richard

4. Chamber of Commerce & Local Elected Officials Announcements

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

STAFF REPORTS

5. Election of Mayor Pro Tempore
   Recommendation
   Open nominations for a member of the City Council to serve as Mayor Pro Tempore until the second regularly scheduled City Council meeting in December 2020.

6. Authorization to Issue 10-Day Notice of Termination to Federal Advocates Inc. for Federal Legislative Advocacy Services
   Recommendation
   It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager to issue a 10-Day Notice of Termination to
Federal Advocates Inc., pursuant to Section 21 of the Agreement between the City and Federal Advocates Inc.; and direct the City Manager to negotiate with Townsend Partner, the Federal legislative advocacy service, recommended by staff at the October 2, 2019, meeting.

7. **Oral Report-Public Safety Updates**
   **Recommendation**
   It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive an oral report providing updates regarding Public Safety.

8. **Violence Intervention Program (VIP) Update**
   **Recommendation**
   It is recommended that the Mayor and City Council of the City of San Bernardino, California:
   
   1. Receive and file an update report on the Violence Intervention Program (VIP); and
   
   2. Adopt Resolution No. 2020-3, authorizing the City Manager to submit a funding proposal to the California Board of State and Community Corrections, California Violence Intervention & Prevention Grant Program (BSCC, CalVIP) to continue the City’s Violence Intervention Program supportive services.

9. **Strategic Planning Work Session Report and 2020 Action Plan**
   **Recommendation**
   Adopt Resolution No. 2020-5 of the Mayor and City Council of the City of San Bernardino, California, approving the Strategic Planning Work Session Report and the 2020 Action Plan.

10. **Consider an Amendment to the Boundary of the NAFB Nexus Study Zone Expansion Area**
    **Recommendation**
    Adopt Resolution No. 2020-24 of the Mayor and City Council of the City of San Bernardino, California amending the boundary of the Norton Air Force Base Nexus Study Zone Expansion Area.

11. **Police Management Association Salary Survey**
    **Recommendation**
    It is recommended that the Mayor and City Council of the City of San Bernardino, California:
    
    1. Direct the City Manager to re-negotiate the salary survey with the Police Management Association;
    
    -OR-
    
    2. Adopt Resolution No. 2020-13 updating the salary for the San Bernardino Police Department Range P-6 (Assistant Chief) effective August 1, 2019 and approving a basic compensation plan for the Police Department; and
3. Authorize the Director of Finance to amend the FY 2019-20 budget and transfer $37,503.00 from account number 001-210-0084-5014 (dispatch part-time salaries) to account number 001-210-0001-50xx (police administration full-time salary and benefits).

12. Request to Amend Commercial Cannabis Business Permit to Provide a Change in Location from 4130 W. Hallmark Parkway to 390 N. H Street

**Recommendation**
It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the commercial cannabis business permit location change requested by Nibble This, LLC.

**PUBLIC HEARINGS**

13. Annexation No. 3 to CFD 2019-1 (Maintenance Services) for Tax Zone No. 4, APN 0266-041-39, Adoption of Resolutions for Annexing into the Community Facilities District, and First Reading of an Ordinance Amending Ordinance Levying Special Taxes for Fiscal Year 2020-21

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

1) Hold a Public Hearing; and

2) Adopt Resolution No. 2020-20 of the Mayor and City Council of the City of San Bernardino, California, calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2019-1 (Maintenance Services) (Annexation No. 3); and

3) Hold a special landowner election and canvass the election; and

4) Adopt Resolution No. 2020-21 of the Mayor and City Council of the City of San Bernardino, California, declaring election results for Community Facilities District No. 2019-1 (Maintenance Services) (Annexation No. 3); and

5) Introduce Ordinance No. MC-1528 of the Mayor and City Council of the City of San Bernardino, California, amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2020-21 to pay the annual costs of the maintenance and servicing of landscaping, lighting, water quality improvements, graffiti, streets, street sweeping, parks and trail maintenance, a reserve fund for capital replacement, and administrative expenses with respect to City of San Bernardino Community Facilities District No. 2019-1 (Maintenance Services); and

14. Extend a Moratorium on the Approval of Land Use Entitlements Related to Urgency Ordinance No. MC-1527

Recommendation
It is recommended that the Mayor and City Council of the City of San Bernardino, California, read by title only, waive further reading, and adopt Urgency Ordinance No. MC-1529, extending a moratorium by 10 months and 15 days on the approval of land-use entitlements and license or permit applications, allowing for the operation of public or private social service uses or welfare operations at any location within 750 feet of any residentially-zoned property within the City.

CONSENT CALENDAR

15. October and November 2019 City Board, Commission, and Citizen Advisory Committee Approved Minutes

Recommendation
Receive and file the minutes from the City board, commission, and citizen advisory committee meetings approved in November and December 2019.

16. Approval of Commercial and Payroll Disbursements

Recommendation
It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the commercial and payroll disbursements for November and December 2019.

17. Monthly Report of Investment Transactions as of November 30, 2019

Recommendation
It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file the Monthly Report of Investment Transactions for the month ending November 30, 2019.

18. Inland Center Mall Police Substation Lease

Recommendation
Adopt Resolution No. 2020-12 of the Mayor and City Council of the City of San Bernardino, California:

1. Authorize the City Manager to execute an agreement to lease a space for a police substation at the Inland Center Mall according to the terms of the lease agreement; and

2. Authorize the Director of Finance to appropriate $20,000 from the Asset Forfeiture Fund Balance into the FY 2019/2020 adopted budget.

19. Agreement for Legal Services with Lynberg & Watkins

Recommendation
Adopt Resolution No. 2020-22 of the Mayor and City Council of the City of San Bernardino, California, ratifying the Retention Agreement with Lynberg & Watkins and authorizing the City Manager to execute the Amendment to the Retention Agreement.
20. Basic Compensation Plan for Temporary/Part-Time and Seasonal Employees of the City of San Bernardino

Recommendation
Adopt Resolution No. 2020-6 of the Mayor and City Council of the City of San Bernardino, California, establishing a basic compensation plan for temporary/part-time and seasonal employees of the City of San Bernardino and repealing Resolution No. 2019-28.

21. Salary Schedules for Full-Time Miscellaneous Classifications

Recommendation
Adopt Resolution No. 2020-7 of the Mayor and City Council of the City of San Bernardino, California, approving revised salary schedules for the full-time miscellaneous classifications of the City of San Bernardino for Fiscal Years 2015/16, 2017/18, 2018/19 and 2019/20 in compliance with the California Public Employees' Retirement System (CalPERS) regulations and amending Resolution No. 2019-269.


Recommendation
It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file the audited Comprehensive Annual Financial Report of the San Bernardino Water Department’s Water, Sewer Treatment, and Sewer Collection utilities for the Fiscal Year ended June 30, 2019.

23. Senior Services Trust Accounts Transfer to the General Fund for FY 2019/20

Recommendation
Adopt Resolution No. 2020-8 of the Mayor and City Council of the City of San Bernardino, California, approving Senior Services Trust Accounts Transfer to the General Fund for FY 2019/20.

24. Amendment No. 3 to Consulting Services Agreement with Moore Iacofano Goltsman, Inc for Signage Regulations

Recommendation
Adopt Resolution No. 2020-9 of the Mayor and City Council of the City of San Bernardino, California, authorizing the City Manager to execute Amendment No. 3 to the Consulting Services Agreement with Moore Iacofano Goltsman, Inc. (MIG) to extend the term to December 31, 2020, for the completion of the Comprehensive Signage Regulations Update.

25. Repayment to Local HOME Account for 2011 Housing Acquisition, Rehabilitation & Resale Property

Recommendation
It is recommended that the Mayor and City Council of the City of San Bernardino, California:
1. Approve the repayment of $207,030 in HOME funds expended on the property at 140 13th Street, San Bernardino; and

2. Direct the Finance Director to transfer $207,030 from the Successor Agency Housing Cash account (127-1001-001) to the HOME Program Income account (117-180-0000*4699), immediately upon approval of this recommendation; and

3. Direct the Finance Director to provide proof of such transfer in a form acceptable to the US Department of Housing and Urban Development and authorize the Finance Director to amend the FY 2019-20 Adopted Budget accordingly.

26. Consider Initiating an Annexation of the Remaining Unincorporated Island of Land Abutting the Spring Trails Specific Plan Area

**Recommendation**
Adopt Resolution No. 2020-11 of the Mayor and City Council of the City of San Bernardino, California, declaring its intention to annex a 26-acre area containing six parcels in the unincorporated County that is totally-surrounded by the City of San Bernardino, and direct the City Manager to submit the Resolution to the Executive Officer of LAFCO.

27. 2019 Building Code Adoption Final Reading

**Recommendation**
Accept for final reading and adopt Ordinance No. MC-1525 of the Mayor and City Council of the City of San Bernardino, California, approving the adoption of the 2019 California Building Codes as proposed and amended.


**Recommendation**
It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file the staff report regarding the status of the 2010A and 2010B Series Tax Allocation Bonds proceeds.

29. Anne Shirrells Park and Community Center Capital Improvement Project and Lease Amendment

**Recommendation**
Adopt Resolution No. 2020-14 of the Mayor and City Council of the City of San Bernardino, California:

1. Authorizing the City Manager to amend the Lease between the City of San Bernardino and Akoma Unity Center for use of Anne Shirrells Community Center facility at 1367 North California Street, San Bernardino, California from July 1, 2018 through June 30, 2026; and

2. Amending the FY 2019/20 Adopted Budget to include the Anne Shirrells Community Center Improvements Project; authorizing the Director of Finance to accept the $135,000 contribution from the MAC Foundation; and appropriating $83,308 from the Cultural Development Fund Balance (Fund 247) to the Capital Improvements Project to complete the project.
30. **Award of Construction Contract for Lytle Creek Community Center Park Roof Replacement**

**Recommendation**
It is recommended that the Mayor and City Council of the City of San Bernardino, California, provide direction to staff regarding the Lytle Creek Community Center Park Roof Replacement Project (“Project”) and adopt Resolution No. 2020-15:

1. Authorizing the Director of Finance to amend the FY 2019/20 CIP to include Lytle Creek Community Center Park Roof Replacement Project (“Project”) in the total project cost amount of $62,000; and

2. Approving the award of a Construction Contract with San Marino Roof Co. Inc. in the amount of $51,837 with a contingency in the amount of $5,413 for construction of the Project; and

3. Authorizing the City Manager or designee to execute contract documents and purchase orders in support of the Project; and

4. Authorizing the Finance Director to reallocate unused Community Development Block Grant Funds from this project to other approved CDBG eligible Public Works projects.

31. **Burrtec Settlement and Release Agreement**

**Recommendation**
Staff recommends that the Mayor and City Council of the City of San Bernardino, California:

1. Adopt Resolution No. 2020-16 of the Mayor and City Council of the City of San Bernardino, California, approving the Settlement and Release Agreement between the City of San Bernardino and Burrtec Waste Industries, Inc.; and

2. Authorize the Finance Director to appropriate $630,194 from the Integrated Waste Management Fund to fund the settlement agreement with Burrtec Waste Industries.

32. **DIF Credit/Agreement ((Municipal Code §§ 3.27.140, 150) with CH Realty VIII/I San Bernardino Waterman, L.P for Storm Drain Improvements**

**Recommendation**
Adopt Resolution No. 2020-17 of the Mayor and City Council of the City of San Bernardino, California approving the Development Impact Fee Credit Agreement (“DIF Agreement”) with CH Realty VIII/I San Bernardino Waterman, L.P (CH), in recognition of CH’s construction of public storm drain improvements, which will benefit the City’s infrastructure and improve storm drain system in the area.

33. **Street Vacation of Portions of Home Avenue, "I" Street and Montgomery**

**Recommendation**
It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize City staff to proceed with the request to vacate portions of Home, "I" Street, and Montgomery Street for Plan No. 13099.
34. Purchase and Sale Agreement 340 W. 40Th Street

**Recommendation**
Adopt Resolution No. 2020-19 of the Mayor and City Council of the City of San Bernardino, California, authorizing the City Manager to execute a Partial Purchase and Sale Agreement with Bryan Henley and Sharland L. Henley for the property located at 340 W. 40th Street.

35. Award of Construction Contract to S&H Civil Works for Citywide Concrete Repairs

**Recommendation**
It is recommended that the Mayor and City Council of the City of San Bernardino, California, provide direction to staff regarding the Citywide Concrete Repairs Project (“Project”) and adopt Resolution No. 2020-23:

1. Approving the award of a Construction Contract with S&H Civil Works in the amount of $536,880 for citywide concrete repairs; and

2. Authorizing the Finance Director to increase the total project budget amount to $645,000, including the cost of the Construction Contract in the amount of $536,880, project contingency in the amount of $54,000, and engineering and inspection budgets in the amount of $54,120; and

3. Authorizing the Finance Director to amend the FY 2019/20 adopted budget to allocate $145,000 in Community Development Block Grant Funds from Lytle Creek Community Center Roof Replacement to the Project; and

4. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

36. Authorization to Proceed with Street Vacation of Portion of Artesia Street

**Recommendation**
It is respectfully recommended that the Mayor and City Council of the City of San Bernardino, California, authorize staff to proceed with an investigation and analysis for the proposed street vacation of a portion of Artesia Street.

37. Citywide Safety Camera Maintenance

**Recommendation**
It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2020-4, authorizing the City Manager to execute a Vendor Service Agreement between the City of San Bernardino and CellPlan Technologies, Inc., and to issue a purchase order in an amount not to exceed $165,000.
38. Fee Waiver Requests for the Martin Luther King Parade on January 20, 2020

**Recommendation**

Approve a fee waiver request from Youth Power Community Solutions and Youth Build IE for the Martin Luther King Parade Event on January 20, 2020 and authorize an appropriation totaling $3,000 from Fund 247-1001-002 (Cultural Development Fee) for Public Works- Street Maintenance overtime costs to provide assistance for event.

ITEMS TO BE REFERRED TO COMMITTEE

REPORTS ON CONFERENCES/METINGS ATTENDED

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 Wednesday, February 5, 2020 in the Council Chamber 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, Georgeann “Gigi” Hanna, MMC, City Clerk for the City of San Bernardino, California, hereby certify that the agenda for the January 15, 2020 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 San Bernardino Public Library located at 555 West 6th Street, San Bernardino, California, and on the City’s website www.sbcity.org on Thursday, January 9, 2020.

I declare under the penalty of perjury that the foregoing is true and correct.

[Signature]

Georgeann “Gigi” Hanna, MMC, City Clerk
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 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.