



City of San Bernardino
201 North E Street
San Bernardino, CA 92401
<http://www.sbcity.org>

Mayor Helen Tran
Council Members
Theodore Sanchez
Sandra Ibarra
Juan Figueroa
Fred Shorett
Ben Reynoso
Kimberly Calvin
Damon L. Alexander

DRAFT MINUTES

FOR THE
SPECIAL AND REGULAR MEETINGS 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, 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, FEBRUARY 21, 2024
5:00 PM

The Special Meeting of the Mayor and City Council of the City of San Bernardino was called to order at 5:07 PM by Mayor Helen Tran on Wednesday, February 21, 2024, at Feldheym Central Library, San Bernardino, CA.

CALL TO ORDER

Attendee Name	Title	Status
Theodore Sanchez	Council Member, Ward 1	Present
Sandra Ibarra	Council Member, Ward 2	Present
Juan Figueroa	Council Member, Ward 3	Present
Fred Shorett	Mayor Pro-Tem, Ward 4	Present
Ben Reynoso	Council Member, Ward 5	Present
Kimberly Calvin	Council Member, Ward 6	Present
Damon L Alexander	Council Member, Ward 7	Present
Helen Tran	Mayor	Present
Charles Montoya	City Manager	Present
Sonia Carvalho	City Attorney	Present
Telicia Lopez	Chief Deputy City Clerk	Present
Courtney Bowen	Deputy City Clerk	Present

5:00 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Joshua Beckley of Ecclesia Christian Fellowship led the invocation and Nicholas Wagenseller from Cypress Elementary School led the Pledge of Allegiance to the Flag.

PRESENTATIONS

1. Proclamation of Black History Month in the City of San Bernardino – February 2024 (All Wards)

Mayor Tran and the City Council presented the proclamation to Tammy Martin-Ryles and other members of the Black Chamber of Commerce Inland Empire.

2. Presentation of New San Bernardino County Fire District Assistant Fire Chief Gary Jager (All Wards)

San Bernardino County Fire Deputy Chief of Operations Martin Serna introduced the new Assistant Fire Chief, Gary Jager.

PUBLIC COMMENT FOR ITEMS ON THE SPECIAL MEETING AGENDA ONLY

David Friedman spoke in favor of Item 21: Downtown San Bernardino Property Based Improvement District (PBID) Feasibility Study and Formation Process.

Treasure Ortiz spoke in opposition to Item 21.

Junior Carrillo thanked Fire Chief Serna for his leadership, and stated he looks forward to working with Assistant Chief Jager as part of the Public Safety Commission.

CITY MANAGER UPDATE

Jeff Kraus, Public Information Officer provided city wide updates, including Lunar New Year events, pothole repairs, and the Homeless Point in Time Count.

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and are voted on in a single motion unless a council or staff member has pulled the item for more discussion.

RESULT:	APPROVED THE CONSENT CALENDAR [7-0]
MOVER:	Fred Shorett, Council Member, Ward 4
SECONDER:	Juan Figueroa, Council Member, Ward 3
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

3. Amendment No. 1 to the Master Agreement with the Fair Political Practices Commission for Campaign Law Enforcement

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve Amendment No. 1 to the Master Agreement with the Fair

Political Practices Commission (FPPC) for campaign enforcement and extend the term of the agreement term through June 30, 2025.

RESULT: **APPROVED STAFF'S RECOMMENDATION [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

4. Quitclaim Deed with Arrowhead Credit Union Regarding APN 0136-171-44 (Ward 3)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, acting as the Successor Agency to the Redevelopment Agency for the City of San Bernardino, authorize the City Manager to execute a Quitclaim Deed with Arrowhead Credit Union, terminating the City's interest in the Real Property located at 580 W Mill Street, also known as APN: 0136-171-44, in the City of San Bernardino, California.

RESULT: **APPROVED STAFF'S RECOMMENDATION [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

5. Imposing Liens on Certain Real Property to Recover Costs for Code Enforcement Abatements

Recommendation:

Adopt Resolution No. 2024-031 of the Mayor and City Council of the City of San Bernardino, California, imposing liens on certain real property located within the City of San Bernardino for the cost of public nuisance abatements.

RESULT: **APPROVED STAFF'S RECOMMENDATION [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

6. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 37, Tax Zone No. 38 (Mill Street) (Ward 3)

Recommendation:

It is recommended that the Mayor and City Council of San Bernardino, California, adopt Resolution No. 2024-030 of the Mayor and City Council of San Bernardino, California, declaring its intention to annex territory into Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino, adopting a map of the area to be proposed (Annexation No. 37) and authorizing the levy of a special taxes therein.

RESULT: ADOPTED RESOLUTION NO. 2024-030 [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

7. Approval of Commercial and Payroll Disbursements (All Wards)

Recommendation:

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

RESULT: APPROVED STAFF'S RECOMMENDATION [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

8. Approving Job Classifications and Amending the City-wide Salary Schedule

Recommendation:

It is recommended that the Mayor and City Council adopt Resolution No. 2024-032 of the Mayor and City Council of the City of San Bernardino, California:

1. Establishing the Auditor I job classification;
2. Establishing the Auditor II job classification;
3. Establishing the Deputy Director of Economic Development (U) job classification;
4. Establishing the Economic Development Manager job classification;
5. Authorizing the City Manager or their designee to add three (3) FTE for Fiscal Year 2023/24;
6. Amending the City-Wide Salary Schedule for full time, part-time, temporary, and seasonal positions

RESULT: ADOPTED RESOLUTION NO. 2024-032 [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

9. Establish a Revised Auto Allowance for Eligible City Employees (All Wards)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-034, approving a revised auto allowance for eligible City employees and repealing Resolution No. 2018-171.

RESULT: ADOPTED RESOLUTION NO. 2024-034 [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

Human Resources & Risk Management Department Staffing**Recommendation:**

Adopt Resolution No. 2024-033 of the Mayor and City Council of the City of San Bernardino, California, approving the addition of the following positions to support the employee relations functions of the Human Resources & Risk Management Department:

1. One (1) Supervising Human Resources Analyst
2. One (1) Human Resources Analyst II

RESULT: ADOPTED RESOLUTION NO. 2024-033 [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

11. Request for Purchase Authorization for Backup Storage Replacement (All Wards)**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 Software Services Agreement with Sidepath, Inc. for purchasing backup hardware, as approved for funding through the FY 2023/24 Operating Budget
2. Authorize the Director of Finance to issue a purchase order in the amount not to exceed \$151,000.00 to Sidepath, Inc.

RESULT: APPROVED STAFF'S RECOMMENDATION [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

12. Request for Purchase Authorization for Data Center Replacement (All Wards)**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 Software Purchase Agreement with Sidepath Inc. for purchasing data center hardware and service, as approved for funding through the FY 2023/24 Operating Budget;
2. Authorize the Director of Finance to issue a purchase order in the amount not to exceed \$466,000.00 to Sidepath, Inc. for hardware and support including a purchase order in the amount not to exceed \$49,000.00 to Dell for Microsoft licensing.

RESULT: APPROVED STAFF'S RECOMMENDATION [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

Request for Purchase Authorization for Network Refresh (All Wards)**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 Goods Purchase Agreement with Sehi Computer Products, Inc. for purchasing network hardware using the NASPO contract, as approved for funding through the FY 2023/24 Operating Budget:
2. Authorize the Director of Finance to issue a purchase order in the amount not to exceed \$640,000 to Sehi Computer Products, Inc.

RESULT: **APPROVED STAFF'S RECOMMENDATION [7-0]**

MOVER: Fred Shorett, Council Member, Ward 4

SECONDER: Juan Figueroa, Council Member, Ward 3

AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

14. CALNET Contract for Verizon and ATT (All Wards)**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt the CALNET contract with ATT and Verizon authorizing:

1. The City Manager or designee to execute the ATT CALNET contracts.
The ATT CALNET contract is estimated to be \$1,000.00 per year.
2. The City Manager or designee to execute the Verizon CALNET contracts.
The Verizon CALNET contract is estimated to be \$16,178.40 per year.

RESULT: **APPROVED STAFF'S RECOMMENDATION [7-0]**

MOVER: Fred Shorett, Council Member, Ward 4

SECONDER: Juan Figueroa, Council Member, Ward 3

AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

15. Request for Purchase Authorization for VOIP phone system for Animal Services (All Wards)**Recommendation:**

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

1. Authorize the City Manager to execute a Vendor Service Agreement with Intelesys for purchasing VOIP (voice over internet protocol) services using the TIPS agreement, as approved for funding through the FY 2023/24 Operating Budget:
2. Authorize the Director of Finance to issue purchase orders in the amount not to exceed \$25,000 for the first year. The billing will be \$4,217.17 to GoTo for phone hardware, \$17,130.84 to GoTo for the first year of phone service, and \$3,000 to Intelesys for installation.

RESULT: APPROVED STAFF'S RECOMMENDATION [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

16. Agreement with Cal Stripe, Inc., for Street Striping and Pavement Marking Services (All Wards)

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 Maintenance Services Agreement with Cal Stripe Inc., for street striping and pavement marking services; and
2. Authorize the Agency Director of Finance and Management Services to issue a purchase order in the amount of \$420,000.

RESULT: APPROVED STAFF'S RECOMMENDATION [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

17. Approval of Agreement for Construction Management and Inspection Services for the Nicholson Park Improvements (Ward 6)

Recommendation:

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

1. Approve the award of an Agreement with Z&K Consultants in the amount of \$471,876 for Nicholson Neighborhood Park Improvements (Project); and
2. Authorize the project contingencies in the total amount of \$47,187 for construction of the Project; and
3. Authorize the City Manager or designee to execute all documents with Z&K Consultants; and
4. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

RESULT: APPROVED STAFF'S RECOMMENDATION [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

18. Approval of Design Services Agreement for the Roosevelt Bowl Rehabilitation Improvements (Ward 2)

Recommendation:

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

1. Approve the award of a Design Services Agreement with Dunbar Architecture in the amount of \$394,320 for Roosevelt Bowls Rehabilitation Improvements (Project); and
2. Authorize the project design cost and contingency cost for unforeseen

- conditions costs for a potential agreement in the total amount of \$39,432.
3. Authorize the City Manager or designee to execute all documents with Dunbar Architecture; and
 4. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

RESULT: **APPROVED STAFF'S RECOMMENDATION [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

19. Purchase of Avant (Mini-Loader) from Volvo Construction Equipment and Services for Encampment Clean-Up Services (All Wards)

Recommendation:

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

1. Authorize the City Manager to execute the purchase of the Avant Compact Wheel Loader (mini loader) and related equipment attachments, as approved for funding through the FY 2023/24 Operating Budget;
2. Authorize the Director of Finance to issue a purchase order in the amount of \$170,000 to Volvo Construction Equipment and Services for the purchase of the Avant Compact Wheel Loader and related attachments.

RESULT: **APPROVED STAFF'S RECOMMENDATION [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS

20. Revisit Tow / Tow Yard Contracts and Parameters for Enforcement (All Wards) – Council Member Reynoso

21. Downtown San Bernardino Property Based Improvement District (PBID) Feasibility Study and Formation Process (Ward 1) – City Manager

City Manager Charles Montoya advised that these items would be moved forward to a future meeting, due to needing more work from staff. City Attorney Sonia Carvalho further advised that these items should not be discussed due to current litigation.

RESULT: ITEMS NO. 20 AND NO. 21 WILL BE CONSIDERED AT A FUTURE MAYOR AND CITY COUNCIL MEETING. NO VOTE WAS TAKEN ON THESE ITEMS.

SPECIAL MEETING ADJOURNMENT

The Special Meeting of the Mayor and City Council was adjourned on Wednesday, **February 21, 2024**, at 5:54 p.m. The Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency will adjourn to the Regular Meeting on February 21, 2024, at the Feldheim Central Library located at 555 West 6th Street, San Bernardino, California 92401. The Regular Meeting will begin at 7:00 p.m.

**REGULAR MEETING
WEDNESDAY, FEBRUARY 21, 2024**

7:00 PM

The Regular Meeting was called to order at 7:05 PM by Mayor Helen Tran on Wednesday, February 21, 2024, at Feldheim Central Library, San Bernardino, CA.

CALL TO ORDER

Attendee Name	Title	Status
Theodore Sanchez	Council Member, Ward 1	Present
Sandra Ibarra	Council Member, Ward 2	Present
Juan Figueroa	Council Member, Ward 3	Present
Fred Shorett	Mayor Pro-Tem, Ward 4	Present
Ben Reynoso	Council Member, Ward 5	Present
Kimberly Calvin	Council Member, Ward 6	Present
Damon L Alexander	Council Member, Ward 7	Present
Helen Tran	Mayor	Present
Charles Montoya	City Manager	Present
Sonia Carvalho	City Attorney	Present
Telicia Lopez	Chief Deputy City Clerk	Present
Courtney Bowen	Deputy City Clerk	Present

7:00 P.M.

After the meeting was called to order, City Attorney Sonia Carvalho made an announcement regarding the rules of decorum and guidelines for Public Meetings according to the Brown Act. She advised that every meeting shall allow the public to speak about items that the City has jurisdiction over. She reminded the public to refrain from comments that are "campaign related".

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE REGULAR MEETING AGENDA

Dolores Armstead spoke in opposition to Item No. 12. She also expressed concern for the City Hall redevelopment project bond and Item No. 4, Ordinance No. MC-1626 relating to the time and location of regular meetings.

Junior Carrillo spoke in favor of Item No. 4.

Treasure Ortiz commented in opposition to Item No. 4. She also questioned the City Manager regarding the City Hall redevelopment project.

Mike Hartley spoke about the City Charter, the City Hall redevelopment project, and issues with Code Enforcement.

Al Palazzo stated that he has applied and would like to be considered for the vacant Deputy City Manager position.

James Smith recognized Parks and Recreation Director Lydie Gutfeld for her work on the Roosevelt Bowl Project, and congratulated new Assistant Fire Chief Jager.

L'Rea Robinson spoke in opposition to the City going into debt for the City Hall redevelopment project. She also stated that she is not satisfied with Code Enforcement in the City.

Ulysez Benitez asked for the Mayor and City Council's support for a "tiny home" village for the homeless in San Bernardino.

John Shollenberger spoke in support of Council Member Calvin being re-elected in the March 5th, 2024 Primary Election.

Ollie Espinoza also spoke in favor of a "tiny home" community for the homeless.

Keith Benitez also spoke in favor of "tiny homes". They stated that the City of Victorville has a similar project, and it has been successful. They also asked for the City Council's support of their endeavors in the City.

Steve Mitchell commented about the homeless crisis, the upcoming election, and dead bodies being found in the City.

Mykayah McKenzie echoed previous comments in support of a tiny home community.

Christian Shaughnessy spoke about his campaign for 3rd Ward Council Seat in the upcoming election.

Joshua Lechuga stated that he is concerned about a lack of community representation by Council Member Figueroa. He spoke against gentrification, developers, and warehouses in the City.

Jayson Jones stated that the police department is perpetuating systemic inequalities. He also spoke in favor of re-electing Council Members Reynoso and Calvin.

Sharon Negrete spoke about the animal shelter and the recent adoption event.

Georgia Lykouratzos stated that she was troubled by the current state of the animal shelter and limited visitation with animals.

Lydia Savala requested that the animal shelter hire a full-time veterinarian.

Ana Gonzales spoke in opposition to Item No. 4. She explained that changing the meeting time creates an obstacle for people that want to attend but can't.

Ruben Mendoza thanked the community, City staff, and Council Members for working toward a compliant housing element. He asked that the City work toward diversifying housing.

Chief Deputy City Clerk Telicia Lopez then read the following written comment into the record, per ADA accommodation:

Tim Dorame expressed support for electing Christian Shaughnessy, Kimberly Calvin, and Treasure Ortiz at the upcoming election.

At 8:04 p.m., Mayor Tran re-ordered the agenda to ensure that the Public Hearings, Item No. 4, Item No. 5, and Item No. 6 were heard at their published times:

PUBLIC HEARING

4. Development Code Amendment 23-01 (Short-Term Rental Program)

Recommendation:

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

1. Introduce for first reading, read by title only, and waive further reading of Ordinance No. MC-1628 of the Mayor and City Council of the City of San Bernardino, California, adopting the Short-Term Rental Program, and approving Development Code Amendment 23-01 amending Section 19.02.020 (Basic Provisions – Definitions) and Chapter 19.04 (Residential Zones) of the City of San Bernardino Development Code (SBMC Title 19) in order to establish a Short-Term Rental Program in the City of San Bernardino; and finding that Development Code Amendment 23-01 is exempt from review under the California Environmental Quality Act;
2. Conduct the Public Hearing; and
3. Schedule the adoption of the above Ordinance to the regularly scheduled meeting of the Mayor and City Council on March 6, 2024.

Mayor Pro Tem Shorett opened the Public Hearing at 8:04 p.m.

Interim Director of Community and Economic Development Mary Lanier and Project Manager Stephanie Castro provided a presentation.

There was one public comment for this item:

Ana Gonzalez expressed full opposition to this item, stating that short-term rentals disrupt peace in residential neighborhoods and contribute to the lack of affordable housing.

The Public Hearing was closed at 8:19 p.m.

There was discussion amongst the City Council regarding enforcement of this Ordinance, fine amounts, and the amount of annual revenue this item will generate.

Council Member Alexander made a motion to adopt the staff recommendation, which was seconded by Council Member Sanchez.

Council Member Ibarra made a substitute motion to direct staff to bring the item back at a future meeting, with additional information regarding the impact of allowing short-term rentals on other housing elements in the City. She also requested that staff further assess how the restrictions of this ordinance will be enforced.

There was a consensus of the Council to direct staff to bring the item forward again at the first meeting in May (May 1st, 2024).

RESULT:	HELD THE PUBLIC HEARING, AND DIRECTED STAFF TO BRING THE ITEM BACK ON MAY 1, 2024, WITH AN ANALYSIS OF: 1. THE POTENTIAL IMPACT OF SHORT-TERM RENTALS ON OTHER TYPES OF HOUSING IN THE CITY AND 2. HOW THE SHORT-TERM RENTAL PROGRAM REQUIREMENTS WILL BE ENFORCED [7-0]
MOVER:	Sandra Ibarra, Council Member, Ward 2
SECONDER:	Theodore Sanchez, Council Member, Ward 1
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

5. General Plan Amendment 24-01 and Development Code Amendment 24-01 (2021- 2029 Housing Element)

Recommendation:

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

1. Adopt Resolution No. 2024-035 of the Mayor and City Council of the City of San Bernardino, California, adopting the Addendum to Final Environmental Impact Report (SCH No. 2004111132) under the California Environmental Quality Act, approving General Plan Amendment 24-01 establishing the Residential Medium High (RMH-30) and Residential High (RH-50) Zones and changing the General Plan Land Use Designation of specific parcels to meet the City's Regional Housing Needs Allocation (RHNA), and adopting and implementing the City of San Bernardino 2021-2029 Housing Element (General Plan – Chapter 3) (Attachment 1);
2. Introduce the first reading of Ordinance No. MC-1627 of the Mayor and City Council of the City of San Bernardino, California, approving Development Code Amendment 24- 01 changing the Zoning District Classification of specific parcels to meet the City's Regional Housing Needs Allocation (RHNA), pursuant to the Addendum to Final Environmental Impact Report (SCH No. 2004111132) (Attachment 2) ; and
3. Schedule the second reading of the above Ordinances to the regularly scheduled meeting of the Mayor and City Council on March 6, 2024.

Mayor Tran opened the Public Hearing at 8:59 p.m.

Interim Director Lanier provided a brief presentation.

There were two public comments for this item:

Ana Gonzales expressed appreciation for the item and support for mixed-use housing.

Daniel Jivandee spoke about this item in relation to the General Plan, asked the City to take responsibility for planning decisions, and expressed support for community gardens and agricultural zones.

The Public Hearing was closed at 9:07 p.m.

RESULT:	ADOPTED RESOLUTION NO. 2024-035 AND INTRODUCED ORDINANCE NO. MC-1627 [7-0]
MOVER:	Ben Reynoso, Council Member, Ward 6
SECONDER:	Theodore Sanchez, Council Member, Ward 1
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

6. Development Code Amendment 2303 (Density Bonus)

Recommendation:

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

1. Introduce for first reading, read by title only, and waive further reading of Ordinance No. MC-1629 of the Mayor and City Council of the City of San Bernardino, California, approving Development Code Amendment 2303 amending Chapter 19.04 (Residential Zones) Section 19.04.030 (Density Bonus) of the City of San Bernardino Development Code (SBMC Title 19) in order to update the Density Bonus section in compliance with State law; and finding that Development Code Amendment 2303 is exempt from review under the California Environmental Quality Act;
2. Conduct the Public Hearing; and
3. Schedule the adoption of the above Ordinance to the regularly scheduled meeting of the Mayor and City Council on March 6, 2024.

Mayor Tran opened the Public Hearing at 9:13 p.m.

Interim Director Lanier provided a presentation.

There were no public speakers for this item.

Mayor Tran closed the Public Hearing at 9:20 p.m.

RESULT:	INTRODUCED ORDINANCE NO. MC-1629 [7-0]
MOVER:	Theodore Sanchez, Council Member, Ward 1
SECONDER:	Sandra Ibarra, Council Member, Ward 2
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

At this time, the Mayor and City Council returned to the agenda's original format and heard the Consent Calendar, Item No. 1 and Item No. 2.

CONSENT CALENDAR

Items on the Consent Calendar are considered routine and are voted on in a single motion unless a council or staff member has pulled the item for more discussion.

RESULT: **APPROVED THE CONSENT CALENDAR [5-2]**
MOVER: Theodore Sanchez, Council Member, Ward 1
SECONDER: Fred Shorett, Council Member, Ward 4
AYES: Sanchez, Ibarra, Figueroa, Shorett, Alexander
NOES: Ben Reynoso, Kimberly Calvin

1. Adopt Ordinance No. MC-1626 Amending Section 2.58.010 of the Municipal Code Relating to the Time and Location of Regular Meetings (All Wards)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1626 amending Section 2.58.010 of Chapter 2.58 of Title 2 of the San Bernardino Municipal Code relating to the time and location of regular meetings.

RESULT: **ADOPTED ORDINANCE NO. MC-1626 [5-2]**
MOVER: Theodore Sanchez, Council Member, Ward 1
SECONDER: Fred Shorett, Council Member, Ward 4
AYES: Sanchez, Ibarra, Figueroa, Shorett, Alexander
NOES: Ben Reynoso, Kimberly Calvin

2. Adopt Ordinance No. MC-1625 Amending Chapter 2.10 and Chapter 2.15, Adding Chapter 2.83, and Amending Sections 3.16.060 and 19.70.036(D)(14)(D) of the San Bernardino Municipal Code Regarding Updating Titles and Organizational Duties of Various City Departments and Department Heads (All Wards)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1625 amending Chapter 2.10 and Chapter 2.15, adding Chapter 2.83, and amending Sections 3.16.060 and 19.70.036(D)(14)(D) of the San Bernardino Municipal Code regarding updating titles and organizational duties of various City departments and department heads.

RESULT: **ADOPTED ORDINANCE NO. MC-1625 [5-2]**
MOVER: Theodore Sanchez, Council Member, Ward 1
SECONDER: Fred Shorett, Council Member, Ward 4
AYES: Sanchez, Ibarra, Figueroa, Shorett, Alexander
NOES: Ben Reynoso, Kimberly Calvin

DISCUSSION

3. Adopt Resolution No. 2024-029 Establishing the Times of Regular Meetings (All Wards)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-029 establishing the time of regular meetings.

Assistant City Manager Edelia Eveland provided a presentation.

There was discussion about the history of meeting start times, the practices of surrounding cities, and the type of items considered at regular meetings.

Council Member Sanchez made a motion to adopt staff's recommendation for Closed Session to begin at 4:00 p.m., Open Session at 5:00 p.m., and add the provision that the Mayor and City Council must make every effort to begin Closed Session at 4:00 p.m.

Council Member Alexander made a substitute motion to begin Open Session at 6:00 p.m. and hold Closed Session immediately after.

RESULT:	ESTABLISH REGULAR MEETINGS BEGINNING AT 6:00 P.M., WITH CLOSED SESSION HELD IMMEDIATELY AFTERWARD – FAILED [3-4]
MOVER:	Damon L. Alexander, Council Member, Ward 7
SECONDER:	Kimberly Calvin, Council Member, Ward 6
AYES:	Sanchez, Ibarra, Figueroa, Shorett
NOES:	Ben Reynoso, Kimberly Calvin, Damon L. Alexander

At this time, a vote was taken on the original motion made by Council Member Sanchez.

RESULT:	APPROVED RESOLUTION NO. 2024-029 WITH AMENDMENTS: ESTABLISHING THE START TIME OF CLOSED SESSION AT 4:00 P.M. AND OPEN SESSION AT 5:00 P.M., WITH LANGUAGE ADDED TO THE RESOLUTION THAT EVERY EFFORT BE MADE TO START CLOSED SESSION AT 4:00 P.M. [4-3]
MOVER:	Theodore Sanchez, Council Member, Ward 1
SECONDER:	Fred Shorett, Council Member, Ward 4
AYES:	Sanchez, Ibarra, Figueroa, Shorett
NOES:	Ben Reynoso, Kimberly Calvin, Damon L. Alexander

The Mayor and City Council did not make any amendments to the proposed start time of the "Study Sessions" mentioned in the resolution.

The Mayor and City Council convened to Closed Session at this time.

CLOSED SESSION

7. Closed Session

Recommendation:

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

i. Kim Mannion v. City of San Bernardino, San Bernardino Superior Court Case No. CIVSB2215977

B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation (Pursuant to Government Code Section 54956.9(d)(2)): Notice of Claim, Enrique Gonzalez, dated June 27, 2023, Claim No. GHC0059695

CLOSED SESSION REPORT

There was no reportable action from Closed Session.

ADJOURNMENT

The meeting of the Mayor and City Council was adjourned on Wednesday, February 21, 2024, at 10:09 p.m. The next meeting of the Mayor and City Council will adjourn to the Regular meeting to be held on Wednesday, March 6, 2024, at the Feldheym Central Library located at 555 West 6th Street, San Bernardino, California 92401. The Meeting will begin at 5:00 P.M.

By: 
Genoveva Rocha, CMC