



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
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, 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, SEPTEMBER 4, 2024
4:00 PM

Closed Session was called to order at 4:09 PM by Mayor Helen Tran on Wednesday, September 4, 2024, at Feldheim Central Library, San Bernardino, CA.

CALL TO ORDER

Attendee Name	Title	Status	Arrived
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	
Rochelle Clayton	Acting City Manager	Present	
Jason Baltimore	Assistant City Attorney	Present	
Genoveva Rocha	City Clerk	Present	
Courtney Bowen	Deputy City Clerk	Present	

4:00 P.M.**CLOSED SESSION PUBLIC COMMENT**

There were no public comments for Closed Session.

CLOSED SESSION**A) PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS**

Titles: City Manager; City Attorney; City Clerk (Initiation of Process)

B) PUBLIC EMPLOYEE APPOINTMENT (PURSUANT TO GOVERNMENT CODE SECTION 54957)

Title: Interim City Manager

C) CONFERENCE WITH LABOR NEGOTIATORS (PURSUANT TO GOVERNMENT CODE SECTION 54957.6)

Agency designated representatives: Mayor or other Mayor and Council designee

Unrepresented employee: Acting City Manager/Interim City Manager

D) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (PURSUANT TO GOVERNMENT CODE SECTION 54956.8)

Property: 300 North E Street (Parcel Map 688, Parcel 12 Book 25 Page 47 Parcel Map 688 Parcel No. 12 formally known as City PTN Blk 12 and PTN 3rd St VAC)

City Negotiator: City Manager or Designee

Negotiating Parties: El Corte Ingles

Under Negotiations: Price and Terms

5:00 P.M.

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Kimberly Calvin	Council Member, Ward 6	Present	
Damon L. Alexander	Council Member, Ward 7	Present	
Helen Tran	Mayor	Present	
Rochelle Clayton	Acting City Manager	Present	
Sonia Carvalho	City Attorney	Present	
Genoveva Rocha	City Clerk	Present	
Courtney Bowen	Deputy City Clerk	Present	

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Paul E. Jones from Independent Trinity Benjamin E. Jones Community Resource Center led the invocation, and Sarai Goumashyan from Cajon High School led the Pledge of Allegiance.

CLOSED SESSION REPORT

There was no reportable action from Closed Session. However, City Attorney Sonia Carvalho did advise that Closed Session would reconvene after the conclusion of Open Session to discuss items B and C.

PRESENTATIONS**1. Proclamation for National Library Card Sign-Up & Literacy Month in the City of San Bernardino – September 2024 (All Wards)**

The Mayor and City Council presented the proclamation to Nikki Villalobos, Library Program Coordinator.

PUBLIC HEARING**2. PUBLIC HEARING ON ANNEXATION NO. 28 TO COMMUNITY FACILITIES DISTRICT 2019-1 (WARD 5)****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. 2024-190 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 the amended special tax within the area proposed to be annexed to Community Facilities District No. 2019-1 (Maintenance Services) (Annexation No. 28, Tax Zone 29); and
3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2024-191 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. 28, Tax Zone 29); and
5. Introduce, read by title only, and waive further reading of Ordinance No. MC-1642 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 2024-2025 to pay 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
6. Schedule the adoption of Ordinance No. MC-1642 for September 18, 2024.

Mayor Tran opened the Public Hearing at 5:17 PM.

There were no comments or requests to speak.

The public hearing was closed at 5:19 PM.

RESULT: ADOPTED RESOLUTION NO. 2024-190 [7-0]
MOVER: Theodore Sanchez, Council Member, Ward 1
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES: None

RESULT: ADOPTED RESOLUTION NO. 2024-191 [7-0]
MOVER: Ben Reynoso, Council Member, Ward 5
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES: None

RESULT: INTRODUCED ORDINANCE NO. MC-1642 [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES: None

CITY MANAGER UPDATE

Public Information Officer Jeff Kraus provided updates. Highlights included the recent heatwave, Ribbon Cutting events for new businesses, and a free spay and neuter program offered by Animal Services.

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

Mauricio Arellano, Superintendent of Schools for San Bernardino Unified School District, thanked the Mayor and City Council and staff for their support of the school district. He asked everyone to promote the District's vision for 2030 and beyond.

Georgia L. spoke about deficiencies at the animal shelter.

Mike Hartley expressed his love and hope for San Bernardino.

Jose Mendoza, Commander for Disabled American Veterans Chapter 12, thanked staff for going above and beyond for veterans, and thanked the Mayor for attending his organization's barbecue.

Al Palazzo he would be hosting seminars discussing his vision for the City.

Sharon Negrete asked the Mayor and City Council to conduct a thorough investigation into the animal shelter and how funds are being spent.

Lydia Savala stated that funds for the animal shelter have been misused, and the shelter is overcrowded.

Luis Ojeda asked about the status of Seccombe Lake park, and stated he could help clean up the park.

Pastor Paul E. Jones thanked the Mayor and City Council for what they have allowed the Benjamin E. Jones Community Resource Center to do. He informed that the center offers various services to low income and displaced individuals.

Scott Olson spoke about bad politics, recalls, and what the Council Members and Mayor have done for the City.

Dolores Armstead discussed the Carrigan lawsuit, an update on the Oxbow project, and asked why the Police Department is not open on Fridays.

Desiree Sanchez with the American Civil Liberties Union (ACLU) spoke in support of Item No. 12. She stated that the City needs to do something to help the homeless during the heatwave. She encouraged working on housing solutions.

Robert Porter stated that he feels that there is a prevailing negative feel among the local media.

Treasure Ortiz spoke about the homeless emergency, the navigation center, and offering additional affordable housing options.

John Shollenberger commented about the settlement with Steve Carrigan. He stated that the City must be more fiscally responsible.

Dominic Antunez stated that people should be respectful and not swear during their public comments.

Tawnya Rhoades-Hensley spoke on behalf of Gwen Dowdy-Rodgers' family. She stated that the family asked her to thank everyone for their support. She also announced an upcoming backpack giveaway.

Bridget Harness spoke about supporting and helping each other and the homeless in the community.

Edwin Delgado spoke on behalf of San Bernardino County Supervisor Joe Baca, Jr. He expressed appreciation for opening the navigation center to help vulnerable residents, with the assistance of \$3 million contributed by the County.

At this time, City Clerk Rocha announced that written correspondence had also been received from Jennifer Bird, Janae Hernandez, and Christine Hart and these written correspondences were added to the online agenda backup.

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.

Prior to hearing the Consent Calendar, Acting City Manager Rochelle Clayton stated that Item No. 6 was being pulled and would be brought back at a future meeting.

RESULT:	APPROVED THE CONSENT CALENDAR, EXCEPT FOR ITEM NO. 6 WHICH WAS PULLED FROM THE AGENDA BY THE CITY MANAGER [7-0]
MOVER:	Theodore Sanchez, Council Member, Ward 1
SECONDER:	Fred Shorett, Council Member, Ward 4
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES:	None

3. IRREVOCABLE AGREEMENT TO ANNEX NO. 2024-379 (WARD 6)**RECOMMENDATION:**

It is recommended that the Mayor and City Council of San Bernardino, California adopt Resolution No. 2024-193 of the Mayor and City Council of the City of San Bernardino, California, approving the application to the Local Agency Formation Commission to provide City sewer services to a property located at 2210 Ogden Street, San Bernardino, California, within the unincorporated County of San Bernardino territory of Muscoy; and authorizing the City Manager to execute an Irrevocable Agreement to Annex.

RESULT:	ADOPTED RESOLUTION NO. 2024-193 [7-0]
MOVER:	Theodore Sanchez, Council Member, Ward 1
SECONDER:	Fred Shorett, Council Member, Ward 4
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES:	None

4. IRREVOCABLE AGREEMENT TO ANNEX NO. 2024-380 (WARD 6)**RECOMMENDATION:**

It is recommended that the Mayor and City Council of San Bernardino, California adopt Resolution No. 2024-192 of the Mayor and City Council of the City of San Bernardino, California, approving the application to the Local Agency Formation Commission to provide City sewer services to a property located at 2179 Blake Street, San Bernardino, California, within the unincorporated County of San Bernardino territory of Muscoy; and authorizing the City Manager to execute an Irrevocable Agreement to Annex.

RESULT: ADOPTED RESOLUTION NO. 2024-192 [7-0]
MOVER: Theodore Sanchez, Council Member, Ward 1
SECONDER: Fred Shorett, Council Member, Ward 4
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES: None

5. SAN BERNARDINO SOCCER COMPLEX LEASE ASSIGNMENT WITH WORLD SPORTS ARENA, LLC (WARD 2)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-194, authorizing the City Manager to execute the Lease Assignment Agreement for the San Bernardino Soccer Complex, located at 2500 Pacific Street, San Bernardino, California; assigning the Lease with San Bernardino Soccer, LLC, to World Sports Arena, LLC.

RESULT: ADOPTED RESOLUTION NO. 2024-194 [7-0]
MOVER: Theodore Sanchez, Council Member, Ward 1
SECONDER: Fred Shorett, Council Member, Ward 4
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES: None

6. APPROVE THE PROPOSED BOARD FOR THE “FRIENDS OF SAN BERNARDINO PARKS, RECREATION AND OPEN SPACES FOUNDATION” (ALL WARDS)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution 2024-196 approving the proposed list of community members to serve on the board of the recently approved California Non-Profit “Friends of San Bernardino Parks, Recreation and Open Spaces Foundation.”

RESULT: NO ACTION TAKEN; THIS ITEM WAS PULLED FROM THE AGENDA BY STAFF

7. ACCEPTANCE AND APPROVAL OF OLDER CALIFORNIANS NUTRITION PROGRAM GRANT AWARD FY 2024/25 (ALL WARDS)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2024-195:

1. Authorizing the City Manager to approve a 2024/2025 Budget for year three of a three-year Older Californians Nutrition Program grant through the Department of Aging and Adult Services – Public Guardian (DAAS-PG); and
2. Authorizing the City Manager to accept the 2024/2025 Congregate Meal Program Grant Budget in the amount of \$392,541; and
3. Authorizing the City Manager or their designee to conduct all

- negotiations, signing and submittals of necessary documents to receive grant budget awards;
4. Approving certain related purchase orders to Sysco Foods (\$215,600) and Hollandia Dairy (\$24,530) and Consulting Health and Nutrition Services for continued operation of the Older Californians Nutrition Program; and
 5. Authorizing the Director of Finance and Management Services to amend the grant funds for the period of July 1, 2024 through June 30, 2025.

RESULT: **ADOPTED RESOLUTION NO. 2024-195 [7-0]**
MOVER: Theodore Sanchez, Council Member, Ward 1
SECONDER: Fred Shorett, Council Member, Ward 4
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES: None

8. RECOMMENDATION TO INCREASE THE CONSTRUCTION CONTINGENCY AND CONSTRUCTION MANAGEMENT BUDGET FOR NICHOLSON PARK IMPROVEMENTS PROJECT (WARD 6)

RECOMMENDATION:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2024-197:

1. Authorizing the Director of Finance and Management Services to amend the FY 2024/25 CIP Budget with an additional \$745,128 for the Nicholson Park Improvements Project using the Measure S fund balance; and
2. Authorizing the Director of Finance and Management Services to increase the construction contingency and construction management budget from \$1,290,000 to the total amount of \$2,139,564.87; and
3. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

RESULT: **ADOPTED RESOLUTION NO. 2024-197 [7-0]**
MOVER: Theodore Sanchez, Council Member, Ward 1
SECONDER: Fred Shorett, Council Member, Ward 4
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES: None

9. AWARD OF CONSTRUCTION AGREEMENT TO F.E.C. ELECTRIC INC. (WARD 2, WARD 4)

RECOMMENDATION:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2024-199:

1. Approving the award of an Agreement with F.E.C. Electric, Inc. for \$1,653,396.02 for the Construction of Speicher Park Multipurpose Field

- and Newmark Park Ballfields Improvements (Projects); and
2. Authorizing the project construction contingencies, and administrative costs in the amount of \$550,000 for construction of the Project; and
 3. Authorizing the Director of Finance and Management Services to utilize \$2,000,000 from the Ballfield Accessory Upgrades Project as follows: \$1,130,254 to Newmark Ballfield Lighting and \$869,746 to Speicher Park Multipurpose Field Lighting and
 4. Authorizing the City Manager or designee to execute all documents with F.E.C. Electric, Inc. necessary to carry out the Projects; and
 5. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the Projects.
 6. Finding the Project exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines § 15302 ("Replacement or Reconstruction").

RESULT: ADOPTED RESOLUTION NO. 2024-199 [7-0]
MOVER: Theodore Sanchez, Council Member, Ward 1
SECONDER: Fred Shorett, Council Member, Ward 4
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES: None

10. APPROVING AMENDMENT NO. 2 TO COOPERATIVE AGREEMENT NO. 22-1002720 WITH THE SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY (SBCTA) FOR THE STATE ROUTE 210/ WATERMAN AVENUE INTERCHANGE PROJECT (WARD 7)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-198:

1. Authorizing the Director of Finance and Management Services to amend the State Route 210/Waterman Avenue Interchange Project budget in the amount of \$322,806 from the Measure I Fund, for a total not-to-exceed amount of \$1,948,934 and;
2. Authorizing the City Manager to execute Amendment No. 2 to Cooperative Agreement No. 22-1002720 with the San Bernardino County Transportation Authority (SBCTA) for Waterman Avenue at State Route 210 (SR-210) interchange Project.

RESULT: ADOPTED RESOLUTION NO. 2024-198 [7-0]
MOVER: Theodore Sanchez, Council Member, Ward 1
SECONDER: Fred Shorett, Council Member, Ward 4
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, and Alexander
NOES: None

DISCUSSION**11. ACCEPT THREE MILLION DOLLARS IN GRANT FUNDS FROM THE COUNTY OF SAN BERNARDINO FOR THE CITY'S NAVIGATION CENTER (ALL WARDS)****Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-200:

1. Authorizing the City Manager, or designee, to accept grant funds in the amount of \$3,000,000 from the County of San Bernardino; and
2. Authorizing the City Manager, or designee, to execute the Revocable Grant Agreement; and
3. Authorizing the City Manager, or designee, to conduct all additional negotiations, signings, and submittals of necessary documents to receive the grant funds; and
4. Authorizing the Director of Finance and Management Services to amend the FY 2024/25 budget in both revenues and expenditures, and appropriate \$3,000,000 in grant funds to be used towards the City's Navigation Center.

Acting City Manager Rochelle Clayton presented the item.

Council Member Sanchez stated that the agreement should be amended to include language that guarantees the City's homeless have priority consideration before individuals from other cities within the County. He said that the way the agreement currently reads, the County has the power to control who is admitted to the navigation center. He made a motion to direct staff to re-confer with the County to affirm this.

Council Member Figueroa agreed and seconded the motion.

Acting City Manager Clayton stated that although the City has yet to develop a plan as to how to populate the shelter, she would meet with the County again to include priority for the City's homeless in the grant agreement.

Council Member Calvin asked that instead of using the \$3 million for the future navigation center, that the City use it for temporary housing right now. She made a motion to plan to utilize the grant funding to provide immediate shelter for the homeless.

Acting City Manager Clayton confirmed that the \$3 million was strictly dedicated to the navigation center, and that staff were still working on a temporary solution and will be bringing options forward to the Mayor and City Council. She advised that this item was being brought forward at this time because the County requested that the item be approved before the Board of Supervisors Meeting on September 24th.

Council Member Shorett asked Council Member Sanchez to amend his motion to bring this item back on September 18th. Council Member Sanchez amended the motion and Council Member Shorett seconded.

RESULT: DIRECTED STAFF TO BRING THIS ITEM BACK AT THE SEPTEMBER 18, 2024 MEETING, AFTER RE-CONFERRING WITH THE COUNTY, WITH REVISIONS TO THE CONTRACT TO EXPLICITLY GUARANTEE ALLOCATION OF THE MAJORITY OF THE NAVIGATION CENTER BEDS TO CITY OF SAN BERNARDINO RESIDENTS [7-0]

MOVER: Theodore Sanchez, Council Member, Ward 1

SECONDER: Fred Shorett, Council Member, Ward 4

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

NOES: None

12. REAFFIRMATION OF HOMELESSNESS STATE OF EMERGENCY DECLARATION (ALL WARDS)

RECOMMENDATION:

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

1. Adopt Resolution No. 2024-201, reaffirming the declaration of a Homelessness State of Emergency; and
2. Direct the City Manager or designee the ability to take certain administrative actions to streamline the provision of shelter to people experiencing homelessness, including the waiver of purchasing or bidding for physical shelter space.

Acting City Manager Clayton presented this item. She stated that the previous Resolution declaring a State of Emergency sunset in February 2024. She advised that reaffirming the State of Emergency would allow the City to move forward after the current injunction is lifted.

Council Member Sanchez suggested that the Municipal Code be amended to address the State of Emergency.

Acting City Manager Clayton responded that there is a deadline to commit ARPA (American Rescue Plan Act) funds, and this resolution would help accomplish allocating those funds in a more efficient manner. The Municipal Code could be addressed at a later date.

RESULT: ADOPTED RESOLUTION NO. 2024-201 [6-0]

MOVER: Theodore Sanchez, Council Member, Ward 1

SECONDER: Fred Shorett, Council Member, Ward 4

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

NOES: None

ABSENT: Ibarra

MAYOR & CITY COUNCIL UPDATES/REPORTS ON CONFERENCES & MEETINGS

At this time, the Mayor and City Council provided updates. Highlights included street improvement updates, the Library's Fall Book Sale, and appreciation to staff.

At the conclusion of Mayor and Council Updates, the Mayor and City Council convened back to Closed Session to discuss the remaining items.

SECOND CLOSED SESSION REPORT

There was no reportable action upon the return to Open Session.

ADJOURNMENT

The meeting of the Mayor and City Council was adjourned on Wednesday, September 4, 2024, at 8:02 PM, in honor of retired police Captain Ronald C. Garcia, and Mrs. Vashtie Margie Dowdy.

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, September 18, 2024, in the Council Chamber located at 555 West 6th Street**, San Bernardino, California 92410. Closed Session will begin at 4:00 p.m. and Open Session will begin at 5:00 p.m.

By: 
Genoveva Rocha, CMC, City Clerk