



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, APRIL 3, 2024
4:00 PM

Closed Session was called to order at 4:08 PM by Mayor Helen Tran on Wednesday, April 3, 2024, at Feldheym 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	
Charles A. Montoya	City Manager	Present	
Sonia Carvalho	City Attorney	Present	
Telicia Lopez	Chief Deputy City Clerk	Present	

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

There were no public comments.

CLOSED SESSION**A) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Significant Exposure to litigation (Pursuant to Government Code Section 54956.9(d)(2): Notice of claim, Steve Carrigan, dated November 28, 2023, Claim No. GHC0065668

CLOSED SESSION REPORT

City Attorney Sonia Carvalho stated there was reportable action from Closed Session. The Mayor and City Council met at 4:00 p.m. to discuss a claim filed by Mr. Steve Carrigan against the City in relation to the City Manager recruitment process. The City initiated an investigation of that claim and voted four to two to release portions of the investigative report:

Council Members Sanchez, Ibarra, Figueroa, and Mayor Pro-Tem Shorett voted yes.

Council Members Alexander and Calvin voted no.

Council Member Reynoso was absent.

5:00 PM

The Regular Meeting was called to order at 5:08 PM by Mayor Helen Tran on Wednesday, April 3, 2023, at Feldheym Central Library, San Bernardino, CA.

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Paul E. Jones of Independent Trinity Benjamin E. Jones Community Center led the invocation, and Melissa Gastelum from Dominguez Elementary School led the Pledge of Allegiance to the Flag.

PRESENTATIONS**1. Proclamation for National Library Week in the City of San Bernardino – April 7th - April 13th, 2024 (All Wards)**

Mayor Tran presented the Proclamation to Ed Erjavek, Library Director, and Library Board President Jim Pierson.

2. Proclamation for Sexual Assault Awareness Month in the City of San Bernardino – April 2024 (All Wards)

Mayor Tran presented the Proclamation to Program Director for Partners Against Violence, Arlinda Wilson.

3. Proclamation for Volunteer Appreciation Month in the City of San Bernardino – April 2024 (All Wards)

Mayor Tran presented the Proclamation to Director of Parks, Recreation, and Community Services, Lydie Gutfeld, and various City staff.

At this time, the items were taken out of order and Item No. 5 was heard before Item No. 4.

5. Presentation of California Parks and Recreation Society 2023 Award of Excellence for Creating Community through Arts and Cultural Services

CPRS State Board Secretary Victoria Reyna, Deputy Director, City of Lancaster Mayor & Director of Parks, Recreation, and Community Services, presented the award to Lydie Gutfeld and staff.

4. Presentation of California Parks and Recreation Society Community Champion Award to Terry Boykins of Project Fighting Chance

Director of Parks, Recreation, and Community Services Lydie Gutfeld gave a presentation and presented an award to Terry Boykins.

CITY MANAGER UPDATE

Jeff Kraus, Public Information Officer, provided city wide updates. Highlights included the opening of a Tesla body shop in the City, activities with San Bernardino's "Sister City" in Korea, and awards received by the Parks and Recreation Department.

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

Al Palazzo spoke about the many ideas he has for improvement and development in the City.

At this time, the following students from the Cal State University San Bernardino (CSUSB) Bachelor's Degree Social Work Program stated that they would be speaking as a group. Each member spoke about their efforts to assist the homeless population in the City, and asked for the Mayor and City Council's support:

Rochelle Hernandez	Tiffany Stafford
Jodi Brown	Griselda Patron
Leslie Depozo	Sylvia Rios

Dolores Armstead spoke in opposition to Item No 8, car washes and warehouses in the City, and the "Oxbow" debris pile.

Dominic Antonez commented about the "rave" that happened recently in the City.

Jim Mulvihill spoke about Items Nos. 10 and 11.

Albert Hopkins commented about street paving, streetlights, and homelessness. .

Lydia Savala spoke about the animal shelter not accepting owner-surrendered dogs.

Mike Hartley spoke about Code Enforcement addressing blight in the City.

Georgia informed about animal companion issues in the City.

PUBLIC HEARING

6. Public Hearing on Annexation No. 37 to Community Facilities District 2019-1 (Ward 3)

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. 2024-063 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. 37); and
3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2024-064 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. 37); and
5. Introduce, read by title only, and waive further reading of Ordinance No. MC- 1634 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 2023-2024 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-1634 for April 17, 2024.

Mayor Tran opened the public hearing at 6:16 p.m.

Shane Spicer from Spicer Consulting provided a presentation.

There were no public speakers or requests to speak.

City Clerk Rocha reported that there were no written protests received.

The public hearing was closed at 6:20 p.m.

RESULT: ADOPTED RESOLUTION NO. 2023-063 [6-0]
MOVER: Sandra Ibarra, Council Member, Ward 2
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

RESULT: ADOPTED RESOLUTION NO. 2023-064 [6-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

RESULT: INTRODUCED FOR FIRST READING ORDINANCE NO. MC-1634 [6-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

DISCUSSION

7. City of San Bernardino Parks Master Plan Update

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file the oral report on the Parks Master Plan Update.

Representatives from Next Practice Partners provided a presentation.

RESULT: Receive and File; No action taken.

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 AND PULLED ITEMS NO.8, NO. 10, AND NO. 11 FOR A SEPARATE VOTE [6-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander
ABSENT: Ben Reynoso

8. Establish a California Nonprofit Public Benefit Corporation named The City of San Bernardino Foundation for Community & Economic Growth (All Wards)

Recommendation:

It is recommended that the Mayor and City Council of San Bernardino, California, adopt Resolution No. 2024-060 authorizing the City Manager or designee to take the necessary steps to establish a California nonprofit public benefit corporation named The City of San Bernardino Foundation for Community & Economic Growth to support the opening and operation of a business and visitor center in the city.

There was discussion amongst the City Council regarding the purpose of establishing this foundation, the proposed “welcoming center”, and who will be on the board of directors.

City Manager Montoya stated that the foundation was being established to allow the local business community to sponsor special events in the City, such as the “State of the City” event. He stated that the City was already receiving sponsorships for events. He advised that an item will be coming forward at the next Mayor and City Council meeting on April 17, 2024 to appoint members to the board of the corporation, which will be recommended by staff, appointed by the Mayor and approved by the City Council.

Council Member Calvin made a motion to bring the item back as a discussion item when the board positions are ready to be appointed. There was no support for the motion.

Council Member Sanchez then made a motion to approve staff’s recommendation. There was a second from Mayor Pro Tem Shorett.

RESULT:	APPROVED STAFF’S RECOMMENDATION [5-1]
MOVER:	Theodore Sanchez, Council Member, Ward 1
SECONDER:	Fred Shorett, Council Member, Ward 4
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Alexander
NOES:	Kimberly Calvin
ABSENT:	Ben Reynoso

9. Irrevocable Agreement to Annex No. 2024-377 (Ward 6)**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California adopt Resolution No. 2024-061 of the Mayor and City Council of the City of San Bernardino, California:

1. Approving the application to the Local Agency Formation Commission to provide City sewer services to a property located at 19915 Cajon Boulevard, San Bernardino, California, (APN 0262-042-44), within the unincorporated territory of Muscoy;
2. Authorizing the City Manager to execute an Irrevocable Agreement to Annex.

RESULT: **APPROVED STAFF'S RECOMMENDATION [6-0]**

MOVER: Fred Shorett, Council Member, Ward 4

SECONDER: Theodore Sanchez, Council Member, Ward 1

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

ABSENT: Ben Reynoso

10. 2022 Housing Element Annual Progress Report**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino receive and file the 2022 Housing Element Annual Progress Report (Attachment 1).

Council Member Calvin asked why Items No. 10 and 11 were on the Consent Calendar, rather than being presented to the General Plan Committee or Downtown Redevelopment Committee first.

Community Development and Housing Director Gabriel Elliott confirmed that the items were providing an update on the Housing Element only, as mandated by the State of California. These do not have any correlation to the General Plan or Downtown Redevelopment Plan.

City Manager Montoya informed that the consultant was still working on the General Plan Update, and the Mayor and City Council would receive an update within two months.

At this time, there was consensus amongst the City Council to vote on Item 10 and 11 simultaneously.

RESULT: **APPROVED STAFF'S RECOMMENDATION [6-0]**

MOVER: Fred Shorett, Council Member, Ward 4

SECONDER: Juan Figueroa, Council Member, Ward 3

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

ABSENT: Ben Reynoso

11. 2023 Housing Element Annual Progress Report (All Wards)**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino receive and file the 2023 Housing Element Annual Progress Report (Attachment 1).

RESULT: **APPROVED STAFF’S RECOMMENDATION [6-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Juan Figueroa, Council Member, Ward 3
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

12. Adoption of Ordinance No. MC-1633 (Annexation 38) (Ward 1)**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1633, amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2023-2024 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).

RESULT: **APPROVED STAFF’S RECOMMENDATION [6-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

13. Adoption of Ordinance No. MC-1630 (Annexation 39) (Ward 1)**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1630, amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2023-2024 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).

RESULT: **APPROVED STAFF’S RECOMMENDATION [6-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

14. Adoption of Ordinance No. MC-1631 (Annexation 40) (Ward 5)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1631 amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2023-2024 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).

RESULT: **APPROVED STAFF’S RECOMMENDATION [6-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

15. Adoption of Ordinance No. MC-1632 (Annexation 41) (Ward 1)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1632 amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2023-2024 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).

RESULT: **APPROVED STAFF’S RECOMMENDATION**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

16. 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 February 2024.

RESULT: **APPROVED STAFF'S RECOMMENDATION**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

17. Recognizing Teamsters Local 1932 (Teamsters) and American Federation of State, County and Municipal Employees District Council 36 (AFSCME) as the Majority Representatives for the General Unit and Police General Unit for the Purposes of Employer - Employee Relations with the City.

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, Adopt Resolution No. 2024-065:

1. Recognizing Teamsters Local 1932 (Teamsters) as the majority representative for the General Unit;
2. Recognizing American Federation of State, County and Municipal Employees District Council 36 (AFSCME) as the majority representative for the Police General Unit;
3. Amending the City-Wide Salary Schedule for full-time, part-time, temporary, and seasonal positions.

RESULT: **APPROVED STAFF'S RECOMMENDATION [6-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

18. Adopt Resolution Approving Amendment No. 1 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. 2024-062, authorizing:

1. The Director of Finance and Management Services to amend the State Route 210/Waterman Avenue Interchange Project budget in the amount of \$227,858 from the Measure S Fund, and;
2. The City Manager to execute Amendment No. 1 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: APPROVED STAFF'S RECOMMENDATION [6-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

19. Approving Amendment No. 4 to the Joint Exercise of Powers Agreement with the San Bernardino Associated Governments (SANBAG) (All Wards)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager to execute Amendment No. 4 to the Joint Exercise of Powers Agreement with the San Bernardino Associated Governments (SANBAG).

RESULT: APPROVED STAFF'S RECOMMENDATION [6-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Theodore Sanchez, Council Member, Ward 1
AYES: Sanchez, Ibarra, Figueroa, Shorett, Calvin, Alexander
ABSENT: Ben Reynoso

MAYOR & CITY COUNCIL UPDATES/REPORTS ON CONFERENCES & MEETINGS

At this time the Mayor and City Council provided updates to the community. Highlights included the Grand Opening of the 5th Street Gateway project on April 11th, homeless services, the Easter "Egg-stravaganza" and the upcoming National Orange Show Fair.

ADJOURNMENT

The meeting of the Mayor and City Council was adjourned on Wednesday, **April 3, 2024**, at 7:28 p.m. The next 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 will be held on April 17, 2024, at the Feldheym Central Library located at 555 West 6th Street, San Bernardino, California 92401. Closed Session will begin at 4:00 p.m. and the Open Session will begin at 5:00 p.m.



Genoveva Rocha, CMC, City Clerk