



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, JULY 19, 2023

5:30 PM

Closed Session was called to order at 5:34 PM by Mayor Helen Tran on Wednesday, July 19, 2023, 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 McNeely	Interim City Manager	Present
Sonia Carvalho	City Attorney	Present
Telicia Lopez	Chief Deputy City Clerk	Present
Courtney Bowen	Deputy City Clerk	

5:30 PM**CLOSED SESSION PUBLIC COMMENT**

There were no public comments for Closed Session.

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

(Pursuant to Government Code Section 54956.9(a) and (d)(1):

- i. The Estate of Rob Marquise Adams, by and through its Personal Representatives, Tamika King, et al. v. City of San Bernardino, United States District Court Case No. 5:22-cv-02206-JGB-SP
- ii. Andrea Miller v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVDS2015337 and Court of Appeals Case No. E080807
- iii. Promise Gracia, et al. v. City of San Bernardino, San Bernardino Superior Court Case No. CIVSB2301828
- iv. Brian Pellis, John Vasek v. City of San Bernardino, San Bernardino Superior Court Case No. CIVSB2226731.

- B) PUBLIC EMPLOYEE APPOINTMENT** (Pursuant to Government Code Section 54957)
City Manager

7:00 PM

The Regular Meeting was called to order at 7:16 PM by Mayor Helen Tran on Wednesday, July 19, 2023.

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Dr. Fred Adams from the Rock Church led the Invocation and Council Member Sandra Ibarra led the Pledge of Allegiance to the Flag.

Mayor Tran called the meeting to order in memory of “Charlie” Jacobs, a community member who recently passed away. A moment of silence was observed. Council Member Calvin and Neighborhood Association President Lynn Ware shared anecdotes of Ms. Jacobs.

CLOSED SESSION REPORT

City Attorney Sonia Carvalho stated there was no reportable action from Closed Session.

PRESENTATIONS**1. Economic Development Tools Presentation by Kosmont Companies (All Wards)**

Larry Kosmont and Joe Diegas of Kosmont Companies provided a presentation.

2. Citizen of the Month – Brandon Eldiab, Jimmy’s Liquor – 1st Ward**3. Citizen of the Month – Marti Christiansen, Business Watch – 1st Ward****4. Citizen of the Month – Gurpreet Singh, La Cadena Market – 1st Ward**

5. Citizen of the Month – Luis Ojeda, We Are The Change – 1st Ward

Council Member Sanchez presented certificates for Citizen of the Month to Brandon Eldiab, Marti Christiansen, Luis Ojeda, and Gurpreet “Peter” Singh.

APPOINTMENTS

With consensus from the Mayor and City Council, all appointments were approved by a single motion.

6. Animal Control Commission Appointment of Sharon A. Negrete (Ward 4)

7. Downtown Advisory Committee Appointment of Vincent D. Laster (Ward 4)

8. Arts and Historical Preservation Commission Appointment of Jeffreda Curry (Ward 4)

9. Measure S Citizens Oversight Committee Appointment of Jeffreda Curry (Ward 4)

10. Parks, Recreation and Community Services Commission Appointment of Esmeralda Negrete (Ward 4)

RESULT:	APPROVED APPOINTMENTS, AGENDA ITEM NOS 6-10 [8-0]
MOVER:	Fred Shorett, Council Member, Ward 4
SECONDER:	Theodore Sanchez, Council Member, Ward 1
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran

Mayor Pro-Tem Shorett presented certificates to Sharon Negrete, Vincent Laster, and Jeffreda Curry for their appointments. Esmeralda Negrete was not present at the meeting.

At 8:24 p.m., Mayor Tran re-ordered the agenda to ensure that the Public Hearings, Item No. 28 and Item No. 29, were heard at their published times.

PUBLIC HEARING

28. Public Hearing on Fiscal Year 2023/24 Assessment Levies for Previously Formed Assessment Districts. (All Wards)

Recommendation:

Hold public hearing and:

1. Adopt Resolution No. 2023-108 of the Mayor and City Council of the City of San Bernardino, California, Confirming the Diagram and Assessment for Assessment District No. 1022 and Zones 1, 2 and 3 thereof for Fiscal Year 2023-24;
2. Adopt Resolution No. 2023-109 of the Mayor and City Council of the City of San Bernardino, California, Confirming the Diagram and Assessment for Assessment District Nos. 1017, 1019, 1020, 1023 and 1024 for Fiscal Year 2023-24;
3. Adopt Resolution No. 2023-110 of the Mayor and City Council of the City of

- San Bernardino, California, Confirming the Diagram and Assessment for Assessment District Nos. 1028, 1029, 1030, 1031, 1032, 1035 (ZONE 1), 1035 (ZONE 2), 1036,1037, 1038, 1039, 1040, 1041, 1042, 1043 (ZONE 1), 1043 (ZONE 2), 1045, 1046, 1047, 1048, 1050, 1052, 1054, 1055, 1056, 1057, 1059, 1060, 1063, 1064 and 1068 for Fiscal Year 2023-24;
4. Adopt Resolution No. 2023-111 of the Mayor and City Council of the City of San Bernardino, California, Confirming the Diagram and Assessment for Assessment District Nos. 951 (ZONE 1), 951 (ZONE 2), 952 (ZONES 1, 2 AND 2A), 952 (ZONE 3),953, 956, 959 (ZONE 1), 962, 963, 968, 974, 975, 976, 981, 982, 986, 989, 991, 993, 997, 1001, 1002, 1005, 1007, 1012 and 1016 for Fiscal Year 2023-24; and
 5. Adopt Resolution No. 2023-112 of the Mayor and City Council of the City of San Bernardino, California, Confirming the Diagram and Assessment for Assessment District Nos. 1025 and 1027 for Fiscal Year 2023-24.

Mayor Tran opened the public hearing at 8:24 p.m.

A presentation was provided by Shane Spicer of Spicer Consulting.

There were no public comments or requests to speak.

The public hearing was closed at 8:29 p.m.

RESULT:	ADOPTED RESOLUTION NOS. 2023-108, 2023-109, 2023-110, 2023-111, and 2023-112 [7-0]
MOVER:	Theodore Sanchez, Council Member, Ward 1
SECONDER:	Damon L. Alexander, Council Member, Ward 7
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

29. Public Hearing Regarding Solid Waste Rate Increases and Resolution Adopting Rates for Solid Waste Services, Approving Third Amendment to the City’s Exclusive Franchise Agreement for Integrated Solid Waste Collection, Processing and Disposal Services with Burrtec Waste Industries, Inc., and Finding the Action Exempt from the California Environmental Quality Act (All Wards)

Recommendation:

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

1. Proceed with the continued Public Hearing to receive comments on the proposed rate increases and Third Amendment to the City’s Exclusive Franchise Agreement for Integrated Solid Waste Collection, Processing and Disposal Services with Burrtec Waste Industries, Inc. (“Burrtec”); and
2. Close the Public Hearing after all public comments have been heard; and
3. Determine if written protests have been received from the owners and tenants from parcels which are subject to the solid waste service rate increases, and, if a majority protest is not received; and

4. Adopt either:
 - a. Resolution No. 2023-113, a Resolution of the Mayor and City Council of the City of San Bernardino, California, Approving Third Amendment to the Exclusive Franchise Agreement for Integrated Solid Waste Collection, Processing, and Disposal Services with Burrtec Waste Industries, Inc., Adopting Maximum Permitted Service Rates, and Finding this Action Exempt from the California Environmental Quality Act (Option A, previously referred to as Rate Option 2), or
 - b. Resolution No. 2023-114, a Resolution of the Mayor and City Council of the City of San Bernardino, California, Approving Third Amendment to the Exclusive Franchise Agreement for Integrated Solid Waste Collection, Processing, and Disposal Services with Burrtec Waste Industries, Inc., Adopting Maximum Permitted Service Rates, and Finding this Action Exempt from the California Environmental Quality Act (Option B, previously referred to as Rate Option 4).

City Attorney Carvalho read the requirements for Proposition 218 governing the Public Hearing into the record.

Agency Director of Public Works, Operations, and Maintenance Daniel Hernandez provided background information and a presentation.

Mayor Tran read the rules for public comments for the Public Hearing.

Mayor Tran opened the public hearing at 8:47 p.m.

There were four public speakers for the hearing:

Eva Hazard, Community Manager of Mountain Shadows Senior Mobile Home Community; Chris Trevino of Valencia Mobile Home Park; “Malibu”; and “Les”; spoke in opposition to the Burrtec solid waste increase.

Chief Deputy City clerk Telicia Lopez announced that there were 144 written protests received. She stated that a majority would have to consist of 21,460 valid protests, and this threshold was not met.

The City Council was then invited by Mayor Tran to deliberate and act on the item.

There was discussion regarding the length of the contract extension, the cost of the rate increase, senior rates, Senate Bill 1383, and rates in comparison to other cities.

Council Member Alexander made a motion to bring the item back for consideration at the next regular meeting on August 2, 2023, changing the Senior Discount from 10% to 20%. There was no support for his motion.

City Attorney Carvalho clarified with the Mayor and City council that as long as they are showing a “good faith” effort to comply with the new law, they are in compliance for the time being.

There was a consensus amongst the Council that negotiations continue with Burrtec, or

a Request for Proposals be submitted to obtain a new solid waste service provider.

The public hearing was closed at 8:56 p.m.

Council Member Reynoso motioned to continue the item to the September 6, 2023 Mayor and City Council Meeting, so that staff may continue to negotiate the rate increase with Burrtec and incorporate the suggestions from the City Council.

RESULT: APPROVED TO CONTINUE THE ITEM TO THE MAYOR AND CITY COUNCIL MEETING OF SEPTEMBER 6, 2023, AND DIRECTED STAFF TO CONTINUE NEGOTIATIONS WITH BURRTEC [7-0]

MOVER: Ben Reynoso, Council Member, Ward 5

SECONDER: Damon Alexander, Council Member, Ward 7

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

At this time, the Mayor and City Council proceeded with Open Session Public Comments.

James Smith made an announcement about upcoming community events for the “Native Sons of the Golden West” organization.

Al Palazzo spoke in favor of developing the downtown area of the City, and stated he has many ideas for affordable housing.

Luis Ojeda stated that he had over 50 people accompany him to the meeting to make a public comment, but many of them had to leave due to the late hour. He also said that having special meetings at odd times does not help community engagement.

Jose Cortez, with the assistance of an interpreter, stated in Spanish that he is being intimidated by a Code Enforcement officer regarding his home and property.

Junior Carrillo commented that City staff, police officers, commissioners, and the Mayor and City Council deserve commendation and appreciation from the public.

Harry Hatch requested that more enforcement be implemented regarding illegal fireworks.

Edgar Montes spoke representing the North American Pallet Association regarding arson fires. He asked to work with local law enforcement to help prevent fires.

AJ Singh commented regarding Code Enforcement harassing his small trucking business. He also asked for assistance with the homeless situation.

Sam Catalano thanked staff for cleaning up city parks.

Warren Marcucci also expressed appreciation for the parks clean up.

Ernie Briones also thanked the City for cleaning up Perris Hill Park.

An unnamed speaker commented that an NPDES (National Pollutant Discharge Elimination System) Inspector was rude and confrontational to him at his business.

Mike Hartley spoke about “street sweeping” and “no parking” signs throughout the City.

Malibu asked that the Mayor and City Council Regular Meetings be changed to an earlier time. She thanked staff and council members for working on the city parks.

Karen Suarez spoke in support of Uplift San Bernardino, a local organization. She stated that the organization supports small and diverse-led developers in the City.

Violetta Mendez expressed opposition to building more ADUs (Accessory Dwelling Units) in the City.

Christian Flores spoke in support of the previous speaker, Violetta Mendez.

John Hillman commented in support of keeping city parks clean and helping the homeless population.

John Luna asked for support for his immigrant rights organization, the Coalition for Humane Immigrant Rights.

Matthew Abrego, San Bernardino Police Dispatch Association, asked for dispatchers to be offered hazard pay or premium pay, as part of Federal ARPA (American Rescue Plan) COVID relief funding.

“Lessy” spoke in opposition to more warehouses in the City, the I-10 express lane project, and “slumlords”.

At this time, the following remote speakers were heard via Zoom:

Georgia thanked Council Member Shorett for appointing someone to the Animal Control Commission. She expressed that many calls to animal services for loose stray animals go unanswered, and many animals are being killed at the shelter.

An unnamed speaker spoke about Closed Session public comments. He stated that the Mayor and City Council are silencing the voice of the community.

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

Hardy Brown thanked the Police Department for their enforcement of illegal firearms. He also expressed opposition to the Burrtec solid waste rate increase.

CITY MANAGER UPDATE

At this time, Public Information Officer Jeff Kraus provided community updates to the Mayor and City Council, including property and parks clean ups and seizure of illegal firearms.

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: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

11. Approval of Mayor and City Council Meeting Minutes**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the minutes for the following meetings: January 11, 2023 Special Meeting, January 18, 2023 Special Meeting; January 18, 2023 Regular Meeting; March 1, 2023 Regular Meeting.

RESULT: APPROVED MINUTES [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

12. Agreement with Center for Employment Opportunities (CEO) (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 the Center for Employment Opportunities, (CEO), for City-wide right-of-way maintenance services, litter/illegal dumping collection, and weed abatement.
2. Adopt Resolution No. 2023-116 authorizing the Agency Director of Administrative Services to amend the FY2023/24 Gas Tax Operating Budget Revenue and Expenditures by \$464,340 for right-of-way clean-up services and weed abatement; and
3. Authorize the Agency Director of Administrative Services to issue a purchase order not to exceed the amount of \$1,014,340.

RESULT: APPROVED AGREEMENT AND ADOPTED RESOLUTION NO. 2023-116 [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

13. Co-Applicant for Round 5 Transformative Climate Communities Program Grant Funding (Ward 1, Ward 2)

Recommendation:

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

1. Authorize the Interim City Manager, or designee, to submit an application as a co- applicant of the Housing Authority of San Bernardino County to the Round 5 Transformative Climate Communities Program for the Arrowhead Grove Redevelopment Project; and
2. Authorize the Interim City Manager, or designee, to enter into a partnership agreement as part of the application process detailing the collaborative stakeholder structure, and signing subsequent, necessary, and related documents to implement the agreement.

RESULT:	APPROVED SUBMITTING THE GRANT APPLICATION [7-0]
MOVER:	Fred Shorett, Council Member, Ward 4
SECONDER:	Ben Reynoso, Council Member, Ward 5
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

14. Approve the Purchase of Handheld Transceiver Radios from Motorola Solutions for Code Enforcement Officers

Recommendation:

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

1. Authorize the City Manager to approve a Goods Purchasing Agreement with Motorola Solutions, Inc.; and
2. Authorize the Agency Director of Administrative Services to issue a purchase order in the amount of \$130,164.29 for Handheld Transceiver Radios for Code Enforcement Officers.

RESULT:	APPROVED THE AGREEMENT [7-0]
MOVER:	Fred Shorett, Council Member, Ward 4
SECONDER:	Ben Reynoso, Council Member, Ward 5
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

15. Imposing Liens on Certain Real Property to Recover Costs for Code Enforcement Abatements of Public Nuisance

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2023-115, imposing liens on certain real property located within the City of San Bernardino to recover costs for Code Enforcement abatement of public nuisance.

RESULT: **ADOPTED RESOLUTION NO. 2023-115 [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

16. Resolution and Amendment to the California Department of Housing and Community Development Standard Agreement for Permanent Local Housing Allocation Funds Spending Plan and Allocations (All Wards)

Recommendation:

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

1. Adopt Resolution 2023-097 of the Mayor and City Council of the City of San Bernardino, amending Resolution 2020-92, as required by the California Department of Housing and Community Development, authorizing the Director of Community Housing and Economic Development, and the Deputy Director of Housing and Homelessness to execute the Permanent Local Allocation Program documents, and amending the Permanent Local Housing Allocation Funds Section 302 (c)(4) plan; and
2. Authorize termination of the Permanent Local Housing Allocation Program Subrecipient Agreement between the City of San Bernardino and Step Up on Second Street, Inc.

RESULT: **ADOPTED RESOLUTION NO. 2023-097 AND AUTHORIZED TERMINATION OF THE AGREEMENT [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

17. Fiscal Year 2023-24 Special Tax Levies for Previously Formed Community Facilities Districts (Wards 3 and 5)

Recommendation:

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

1. Adopt Resolution No. 2023-098 of the Mayor and City Council of the City of San Bernardino, California, Levying Special Taxes to be Collected During Fiscal Year 2023-24 to Pay the Annual Cost of Public Safety Services and Administrative Expenses within Community Facilities District No. 2018-1 (Safety Services) of the City of San Bernardino;
2. Adopt Resolution No. 2023-099 of the Mayor and City Council of the City of San Bernardino, California, Levying Special Taxes to be Collected During Fiscal Year 2023-24 to Pay for Facilities or to Pay Principal and Interest on Bonds and Administrative Expenses within Community Facilities District No 2018-2 (Verdemont Ranch) of the City of San Bernardino;
3. Adopt Resolution No. 2023-100 of the Mayor and City Council of the City of San Bernardino, California Levying Special Taxes to be Collected During Fiscal Year 2023- 24 to Pay the Annual Cost of Maintenance Services and Administrative Expenses within Community Facilities District No. 2019-1

- (Maintenance Services) of the City of San Bernardino;
4. Adopt Resolution No. 2023-101 of the Mayor and City Council of the City of San Bernardino, California, Levying Special Taxes to be Collected During Fiscal Year 2023-24 to Pay for Facilities or to Pay Principal and Interest on Bonds and Administrative Expenses within Community Facilities District No. 2020-1 (Rancho Palma) of the City of San Bernardino;
 5. Adopt Resolution No. 2023-102 of the Mayor and City Council of the City of San Bernardino, California, Levying Special Taxes to be Collected During Fiscal Year 2023-24 to pay for Facilities or to Pay Principal and Interest on Bonds and Administrative Expenses within Community Facilities District No. 2021-1 (Ferree Street) of the City of San Bernardino; and
 6. Adopt Resolution No. 2023-103 of the Mayor and City Council of the City of San Bernardino, California, Levying Special Taxes to be Collected During Fiscal Year 2023-24 to Pay for Facilities or to Pay Principal and Interest on Bonds and Administrative Expenses within Community Facilities District No. 2022-2 (Palm) of the City of San Bernardino.

RESULT: ADOPTED RESOLUTION NOS. 2023-098, 2023-099, 2023-100, 2023-101, 2023-102, AND 2023-103 [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

18. 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 June 2023.

RESULT: APPROVED DISBURSEMENTS [7-0]
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

19. Appropriation of AQMD Funds for Vanpool Program (All Wards)

Recommendation:

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

1. Authorize the Agency Director of Administrative Services to appropriate a total of \$37,000 using the AB2788 Air Quality fund; and,
2. Adopt Resolution No. 2023-104 authorizing the Agency Director of Administrative Services to amend the FY 2022/23 and FY 2023/24 Operating Budget by \$13,000 and \$24,000, respectively.

RESULT: **APPROVED FUNDS FOR VANPOOL PROGRAM [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

20. Review of Administrative Budget Transfers (All Wards)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review and file all listed administrative budget transfers from April 1, 2023 through June 30, 2023.

RESULT: **APPROVED BUDGET TRANSFERS [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

21. Authorize the issuance of purchase orders for the on-going maintenance and support services for annual software and hardware usage fees with Atel Communications, Solutions Simplified for DocuSign Software Services, Tyler Technologies, Granicus, Harris Computers, NPA and Verizon.

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the Agency Director of Administrative Services to execute the ongoing purchase orders for Annual Usage Fees, Software Maintenance, and Hardware Maintenance with Atel Communications, Solutions Simplified for DocuSign Software Services, Tyler Technologies, Granicus, Harris Computers, NPA Computers, and Verizon for a combined total not to exceed \$1,197,572.69.

RESULT: **APPROVED PURCHASE ORDERS [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

22. 2022-2025 Retired and Senior Volunteer Program (RSVP) – 2nd year of a 3-year Grant Award (All Wards)

Recommendation:

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

1. Adopt Resolution No. 2023-105 approving a continuation of submitted budget application for year two of a three-year grant through the National and Community Services Retired and Senior Volunteer Program; and
2. Authorize the City Manager to accept the grant award in the amount of \$54,809; and,

3. Authorize the Agency Director of Administrative services to amend the budget to appropriate the grant funds for the period of April 1, 2023, through March 31, 2024.

RESULT: **ADOPTED RESOLUTION NO. 2023-105 AND ACCEPTED THE GRANT AWARD [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

23. Accept 2021 Homeland Security Grant (All Wards)

Recommendation:

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

1. Adopt Resolution No. 2023-106 authorizing the City Manager to accept the 2021 Homeland Security Grant Program funds; and,
2. Authorize the Agency Director of Administrative Services to amend the Fiscal Year 2023/24 Adopted Budget revenue and expenditures by \$41,111.

RESULT: **ADOPTED RESOLUTION NO. 2023-106 [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

24. Authorize Agreement with Law Enforcement Medical Services (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 a Professional Services Agreement with Law Enforcement Medical Services, Inc. and authorize an annual Purchase Order in the amount of \$100,000 effective July 1st, 2023.

RESULT: **APPROVED THE AGREEMENT [7-0]**
MOVER: Fred Shorett, Council Member, Ward 4
SECONDER: Ben Reynoso, Council Member, Ward 5
AYES: Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

DISCUSSION

25. Regional Housing Trust Letter of Intent

Recommendation:

It is recommended that the Mayor and City Council approves the City joining the San Bernardino Regional Housing Trust, a Joint Powers Authority (JPA) formed among cities within the San Bernardino County Region to gain competitiveness and improve financial viability so that the City can increase affordable housing developments.

Assistant City Manager Edelia Eveland announced that this item was being pulled from the agenda.

RESULT: ITEM NO. 25 WAS PULLED BY STAFF AND WILL BE CONSIDERED AT A FUTURE MEETING.

26. American Rescue Plan Update (All Wards)

Recommendation:

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

1. Reallocate \$1,560,000 of funds from the Water Lead Service Connector Program and commit \$8,440,000 in additional American Rescue Plan Act (ARPA) funds for a total of \$10,000,000 to IT infrastructure and the City's Enterprise Resource Planning (ERP) system;
2. Adopt Resolution No. 2023-107 authorizing the Agency Director of Administrative Services to amend the FY 2022/23-2023/24 Biennial Budget by \$8,440,000 in American Rescue Plan funds; and
3. Receive and file this update on the ARP funds allocation, spending opportunities, investments and spending to date.

Mary Alvarez Gomez, Grants Division Manager, and Agency Director of Administrative Services Barbara Whitehorn provided a presentation to the Mayor and City Council.

There was a consensus by the City Council to vote on each element of the staff recommendation separately.

Staff Recommendation No. 1:

The \$1,560,000 reallocation from the Water Lead Service Connector Program will be re-presented to the Mayor and City Council on August 16, 2023. The Mayor and City Council requested the lead connector safety report from the San Bernardino Water Department prior to deciding on the reallocation of those funds.

RESULT: APPROVED THE COMMITMENT OF \$8,440,000 IN AMERICAN RESCUE PLAN ACT (ARPA) FUNDS TO INFORMATION TECHNOLOGY (I.T.) INFRASTRUCTURE AND THE CITY'S ENTERPRISE RESOURCE PLANNING (ERP) SYSTEM. THE REALLOCATION OF \$1,560,000 OF FUNDS FOR THE WATER LEAD SERVICE CONNECTOR PROGRAM IS ON HOLD, PENDING MORE INFORMATION FROM THE SAN BERNARDINO MUNICIPAL WATER DEPARTMENT.

MOVER: Fred Shorett, Council Member, Ward 4

SECONDER: Theodore Sanchez, Council Member, Ward 1

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

Staff Recommendation No. 2:

The resolution was adopted to execute the action recommended in recommendation No. 1.

RESULT:	ADOPTED RESOLUTION NO. 2023-107 AUTHORIZING THE AGENCY DIRECTOR OF ADMINISTRATIVE SERVICES TO AMEND THE FY 2022/23-2023/24 BIENNIAL BUDGET BY \$8,440,000 IN AMERICAN RESCUE PLAN FUNDS
MOVER:	Theodore Sanchez, Council Member, Ward 1
SECONDER:	Sandra Ibarra, Council Member, Ward 2
AYES:	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander

Staff Recommendation No. 3:

The Mayor and City Council received and filed the report and discussed different amounts of Premium Pay for staff members using ARPA funds.

Council Member Sanchez made a motion to offer a one-time Premium Payment of \$3,500 to all employees, whether full-time or part-time. The motion was seconded by Council Member Alexander.

A substitute motion was made by Council Member Reynoso, to provide a one-time Premium Payment of \$5,000 to all full-time employees, including the Water Department, and \$3,500 to all part-time employees.

RESULT:	DIRECTED STAFF TO ISSUE A ONE-TIME PAYMENT OF \$5,000 TO FULL-TIME EMPLOYEES, AND \$2,500 TO PART-TIME EMPLOYEES WHO WORKED AT ANY TIME DURING THE DECLARED PANDEMIC OF MARCH 13, 2020 THROUGH MAY 5, 2023 [4-3]
MOVER:	Ben Reynoso, Council Member, Ward 5
SECONDER:	Kimberly Calvin, Council Member, Ward 6
AYES:	Figueroa, Reynoso, Calvin, Alexander
NOES:	Theodore Sanchez, Sandra Ibarra, Fred Shorett

There was additional discussion regarding how the remaining American Rescue Plan Act (ARPA) funds should be spent, including micro grants, rental assistance, and parks and recreation improvements.

Staff will bring all the discussed items back for consideration by the Mayor and City Council at a future meeting.

27. Concept Plan Approval for Seccombe Lake Park Revitalization Project (Ward1)**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the concept plans prepared for Seccombe Lake Park Revitalization Project and direct staff to proceed with final design for the project.

Acting City Engineer Susan Pan provided a presentation of the concept design for Seccombe Lake.

Council Member Sanchez briefly left the dais prior to the vote being taken for this item.

RESULT:	APPROVED THE CONCEPT PLAN FOR SECCOMBE LAKE PARK AND DIRECTED STAFF TO PROCEED WITH FINAL DESIGN [6-0]
MOVER:	Sandra Ibarra, Council Member, Ward 2
SECONDER:	Kimberly Calvin, Council Member, Ward 6
AYES:	Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander
ABSENT:	Theodore Sanchez

Item Numbers 28 and 29 were Public Hearings, re-ordered by Mayor Tran to be heard earlier in the meeting.

ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS

30. San Bernardino Regional Housing Trust (All Wards) - Council Member Alexander

Council Member Alexander stated that this item was related to Item No. 25 on this agenda, and it was already being worked on. He withdrew his request for future consideration.

RESULT:	NO ACTION TAKEN
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MAYOR & CITY COUNCIL UPDATES/REPORTS ON CONFERENCES/MEETINGS

At this time, the Mayor and City Council provided updates to the community. Updates included community events, Sizzling Summer Nights, Movies in the Park, and cooling centers open during summer power outages.

ADJOURNMENT

The meeting of the Mayor and City Council was adjourned on Thursday, July 20, 2023, at 12:16 a.m.

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, August 2, 2023, in the Council Chamber located at 555 West 6th Street**, San Bernardino, California 92410. Closed Session will begin at 5:30 p.m. Open Session will begin at 7:00 p.m.

By: 