



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

**Mayor John Valdivia**  
**Council Members**  
*Theodore Sanchez*  
*Sandra Ibarra*  
*Juan Figueroa*  
*Fred Shorett*  
*Ben Reynoso*  
*Kimberly Calvin*  
*Damon L. Alexander*

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**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, OCTOBER 20, 2021**  
**5:30 PM**

Closed Session was called to order at 5:30 PM by Mayor Valdivia on Wednesday, October 20, 2021, at Feldheym Central Library, San Bernardino, CA.

**CALL TO ORDER**

<b>Attendee Name</b>	<b>Title</b>	<b>Status</b>
Theodore Sanchez	Council Member, Ward 1	Present
Sandra Ibarra	Mayor Pro-Tem, Ward 2	Present
Juan Figueroa	Council Member, Ward 3	Present
Fred Shorett	Council Member, 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
John Valdivia	Mayor	Present
Robert D. Field	City Manager	Present
Sonia Carvalho	City Attorney	Present
Genoveva Rocha	City Clerk	Present

**5:30 P.M.**

**CLOSED SESSION PUBLIC COMMENT**

Treasure Ortiz commented about cannabis licensing in the city and the corruption involved.

**CLOSED SESSION**

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

- i. Joe Dockery v. City of San Bernardino, et al., United States District Court Case No. Case No. 5:20-cv-1189-KK
- ii. Isaak Bruno, by and through his Guardian ad Litem, Ashley Dunning v. City of San Bernardino, San Bernardino Superior Court Case No. CIVDS1829121
- iii. Antonia Rincon, an individual, et al. v. City of San Bernardino, San Bernardino Superior Court Case No. CIVDS2015071
- iv. Pepe's Inc., a California Corporation dba Pepe's Towing v. City of San Bernardino, et al., United States District Court Case No. 5:21-cv-01646- JWH-SP
- v. EEL Holdings, Inc., LLC v. City of San Bernardino, San Bernardino Superior Court Case No. CIVDS1906467
- vi. Ashe Society SB, LLC v. City of San Bernardino, San Bernardino Superior Court Case No. CIVDS1911952
- vii. Rizinhead Inc., et al. v. City of San Bernardino, San Bernardino Superior Court Case No. CIVDS2005179
- viii. SB Pharma Holdings, Inc., et al. v. City of San Bernardino, San Bernardino Superior Court Case No. CIVDS1914576

**B) CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code Section 54957.6):**

Agency Designated Representative: City Manager;  
Employee Organizations: International Union of Operating Engineers, General Unit; San Bernardino Police Management Association; Teamsters, Middle Management Unit; San Bernardino Confidential-Management Association, San Bernardino Police Dispatchers Association

**C) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

**Significant exposure to litigation (Pursuant to Government Code Section 54956.9(d)(2))**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Reginald D. Young of Treasures of the Heart Ministry led the invocation and Mayor Valdivia led the pledge.

**CLOSED SESSION REPORT**

City Attorney Sonia Carvalho reported that there were 10 matters on closed session, eight of which were cases of existing litigation. Direction was given to various legal counsel with respect to the pending litigation. There was also a labor discussion.

The Mayor recused himself from participating from items 5 through 8 of item A.

**7:00 PM**

The Regular Meeting was called to order at 7:00 PM by Mayor John Valdivia on Wednesday, October 20, 2021, at Feldheym Central Library, San Bernardino, CA.

**CITY MANAGER UPDATE**

City Manager Robert Field provided city-wide updates. Highlights included the Emergency Rental Assistance Program Phase 1, and that the city reached 100% expenditure on it and helped 574 families. Three different sources of money would likely be received. He thanked the subcommittee for all of their work. There was \$6.4 million in total expenditures.

**MAYOR AND CITY COUNCIL UPDATES/REPORTS ON CONFERENCES/MEETINGS ATTENDED**

Councilmember Alexander gave an update that he attended Operation Standdown at Perris Hill Park, which was a successful event. He also attended a Trunk-or-Treat party.

Council Member Calvin stated that she attended the Veteran's standdown event and spoke on the overwhelming amount of veteran support that was fostered. Council Member Calvin asked for a moment of silence for Ms. Shirley Harland who passed. Council Member Calvin also attended IECAAC (Inland Empire Concerned African-American Churches). The 6<sup>th</sup> ward held its redistricting meeting. Council Member Calvin thanked assembly member Elouise Gomez Reyes who brought her assembly colleagues to discuss and tour the city of San Bernadino and its housing issue. She also met with the developers involved in the downtown redevelopment program. She reported that they were getting close to figuring out all the details of their DDA.

Council Member Reynoso stated that the Kendall slope stabilization project seemed to be running long. Highlights included an upcoming Trunk-or-Treat, the Blair Park renovation project, and a Myers Rd/Magnolia Ave item. He also highlighted that LED solar lights were beginning to be used city-wide, which would save money.

Council Member Shorett also recognized Shirley Harland. He thanked the North Park neighborhood association, which held a successful community cleanup.

Council Member Figueroa updated that his ward would be having an electoral redistricting community input workshop on October 21 at 6 pm at Lytle Creek Park Community Center. Council Member Figueroa suggested a mid-year Capital Improvement Project (CIP) update, discussed SB 1383 regarding recycling organic waste, and reported that the Rancho West neighborhood association would be having a meeting on October 27<sup>th</sup>.

Mayor Pro-Tem Ibarra shared updates, on the Emprendedor@s graduation and the redistricting meetings. She stressed the importance of attending redistricting meetings and reported that there was an upcoming downtown-specific plan workshop.

Council Member Sanchez updated on the military banner program and reported that the bylaws had been changed. He stated that people could call 909-384-5188 for information on how to submit their applications to get one of those military banners put up in their name. The dedication will take place in mid-November.

Mayor Valdivia commended the Public Works Department. He reported that he attended the homeless outreach event at Perris Hill Park and spoke on the event's success.

## **PRESENTATIONS**

### **1. Hindu Heritage Month (All Wards)**

Mayor Valdivia recognized Hindu Heritage Month and presented the Proclamation to Vee, a local small business owner and member of the Hindu faith.

### **2. National Disabilities Employment Month (All Wards):**

Mayor Valdivia presented the proclamation to the Regional Operations Manager for Goodwill of Southern California, Lowell King.

### **3. October 2021 Citizen of the Month - Juan Vasquez, President Rancho West Neighborhood Association:**

Councilmember Figueroa presented the award to Juan Vasquez, President of the Rancho West Neighborhood Association.

### **4. September 2021 Citizen of the Month - Lynne Wear, Muscupiabe Neighborhood Association:**

Councilmember Ibarra presented the award to Rich Vasquez and Jeff Carter with the Muscupiabe Neighborhood Association.

## **PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA**

Treasure Ortiz commented on corruption in the city and pay-to-play politics.

Denise Santos, representing Extreme Pallets, commented that pallet yards are essential. She discussed that fire precautions were taken seriously, and there had not been a fire since they had been there in 2016.

Gil Navarro, resident of Ward 1, commented that the agenda did not specifically say item No. 24 was about pallet yards. He commented that all businesses do not receive permits unless they pass fire-safety protocols.

Luis Ojeda spoke in opposition to item No. 24 regarding pallet yards and the need for dialogue around the issue.

Lena Montes, a small business pallet company owner, spoke about item No. 24. She spoke on the strict guidelines they follow under the fire department. She stated that the pallet yards were an important part of the supply chain and asked to be considered when the council considers applying new city municipal codes that affect the pallet yards.

Jessica Torres, on behalf of two different pallet companies, spoke on item No. 24 and the need for pallet companies.

Jackie Garduno, a landowner off Kendall, commented on the difficulty of obtaining county approval for projects she had planned for her lands. She discussed the issue regarding poor communication between various municipal bodies.

Roberto Salas spoke about having diversity in the community and speaking Spanish comfortable. He also spoke about item No. 24 as a Pallet company business owner and it's importance.

Yamel Monjuarez, who owns Pallet Recycle, spoke regarding item No. 24 and the city's reliance on pallet companies. He stated that they were considered an essential job during COVID-19.

Zafiro Teres thanked Council Members Reynoso and Sanchez for meeting with her on the Mobile Homes Tenants Bill Act.

Juan Perez spoke about item No. 24, representing a pallet company and inviting council members to visit the pallet companies.

Constituent Thomas spoke on the city's actions regarding the homeless population in Succumbe Park. She commented that the city's homeless population needed a place to stay if they were forced out of the park.

Dolores Armstead advocated for paid staffing assistants for council members. She asked for help receiving the information she requested.

Reverend Cardoza spoke in support of the Violence Intervention Program and agenda item No. 7.

Harry Hatch spoke about the LAFCO agreement and how it related to item No. 24. He also commented on the lack of safety enforcement officers in the city.

Robert Porter dedicated his speech to Shirley Harland and announced an upcoming art walk and other events. He asked the council to appoint a new commissioner to the Art and Historical Preservation Commission so they will have a quorum and requested funds for the Preservation Commission. He spoke on the need for more neighborhood associations.

Margaret Hill spoke in support of the Violence Intervention Program.

Anthony Noriega, with the League of United Latin American Citizens, spoke in opposition to the mobile home park industry and referenced in-house mortgage lending and hefty park regulations.

Tanya Rhodes Hensley spoke about the north-end community clean-up project and stated that more people attended than was stated earlier. She requested the newly cleaned corridor be made into a historical park to honor the Pacific Electric history. She commented that citizens would like to start hanging solar Christmas lights.

At this time the City Clerk, Genoveva Rocha, read ADA comments.

The city clerk read Hardy Brown's public comment regarding the American Rescue Plan Update and the budget amendment to fund the Violence Intervention Program. He was against adding another agency into the mix to fight violence and preferred expanding the capacity of existing organizations. He suggested declaring a public safety month.

The council attempted to hear a public comment made remotely but due to technical difficulties, had to proceed with the agenda without hearing the comment.

## **APPOINTMENTS**

### **5. Electoral Redistricting Advisory Committee Appointment (Ward 5)**

#### **Recommendation**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the appointment of Ms. Peggi Hazlett to the Electoral Redistricting Advisory Committee representing Ward 5 with the term ending when the City's ward map based upon the 2020 U. S. Census date is adopted by the Mayor and City Council. Council Staff has verified that the appointee is a registered voter within the city.

<b>RESULT:</b>	<b>APPROVED THE APPOINTMENT OF PEGGI HAZLETT TO THE ELECTORAL REDISTRICTING ADVISORY COMMITTEE [7-0]</b>
<b>MOVER:</b>	Theodore Sanchez, Council Member, Ward 1
<b>SECONDER:</b>	Ben Reynoso, Council Member, Ward 5
<b>AYES:</b>	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander
<b>ABSENT:</b>	None

City Clerk Rocha issued the Oath of Office to Peggi Hazlett.

## **DISCUSSION**

The City Manager requested that item No. 8 be continued. A procedural error was made when it was placed on the agenda.

### **6. Cash Handling and Revenue Control Policy (All Wards)**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review the proposed administrative policy and provide direction for

modifications or adopt Resolution No. 2021-246 as presented establishing the Cash Handling and Revenue Control Policy.

Finance Director, Barbara Whitehorn provided a brief staff report and stated that the policy intended to address the cash handling.

Council Member Alexander asked why the policy did not include more specifics regarding the periodic review. Finance Director, Barbara Whitehorn confirmed that the department wanted the reviews to remain unexpected and random, but they agreed to set a minimum number of reviews they would do each year.

Council Member Alexander asked why another part of the policy stated that businesses with excessive overages or underages 'may' trigger an additional audit when he felt it should state that an additional audit 'will' be triggered. Finance Director, Barbara Whitehorn agreed to this change.

<b>RESULT:</b>	<b>AMENDED MOTION TO APPROVE STAFF RECOMMENDATION, WITH THE ADDITION OF INCLUDING A MINIMUM OF THREE FINANCIAL REVIEWS PER DEPARTMENT PER YEAR, AS WELL AS CHANGING LANGUAGE REGARDING EXCESSIVE DISCREPANCIES FROM "MAY RESULT IN AN AUDIT" TO "WILL RESULT IN AN AUDIT" [7-0]</b>
<b>MOVER:</b>	Theodore Sanchez, Council Member, Ward 1
<b>SECONDER:</b>	Juan Figueroa, Council Member, Ward 3
<b>AYES:</b>	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander
<b>ABSENT:</b>	None

## **7. American Rescue Plan (ARP) Update and Budget Amendment (All Wards)**

### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2021-247 authorizing the City Manager to amend the Fiscal Year 2021/22 Operating and Capital Budget by \$7,160,000 to fund the Violence Intervention Program, the Graffiti Abatement, Clean-up, and Paintbrush Program, and the Lead Connector Replacement Program through American Rescue Plan funds; and review, discuss and provide feedback on further investment of the American Rescue Plan funds.

Council Member Figueroa made a motion to separate the discussion regarding the Violence Intervention Program from the other two budget topics to vote on them separately, due to a personal conflict of interest

<b>RESULT:</b>	<b>MOTION TO SEPARATE THE DISCUSSION REGARDING THE VIOLENCE INTERVENTION PROGRAM FROM THE GRAFFITI ABATEMENT, CLEAN-UP, AND PAINTBRUSH PROGRAM, AND THE LEAD CONNECTOR REPLACEMENT PROGRAM THROUGH AMERICAN RESCUE PLAN FUNDS [7-0]</b>
<b>MOVER:</b>	Juan Figueroa, Council Member, Ward 3
<b>SECONDER:</b>	Theodore Sanchez, Council Member, Ward 1
<b>AYES:</b>	Sanchez, Ibarra, Figueroa, Shorett, Reynoso, Calvin, Alexander
<b>ABSENT:</b>	None

Mayor Valdivia asked Council to first move forward on discussion of the Graffiti Abatement, Clean-up, and Paintbrush Program, and the Lead Connector Replacement Program through American Rescue Plan (ARP) funds with Council Member Figueroa present.

City Manager Robert Field provided an update on the American Rescue Plan (ARP) and budget amendment.

Finance Director, Barbara Whitehorn, presented updates on the American Rescue Plan (ARP) discussions and planning. She presented other investments for the Council to consider funding with the ARP funds: Built Environment and Water Infrastructure. The total budget FY2021/22 amendment being requested was \$7.16 million.

Council Member Reynoso asked why the Hudson Park restrooms were not included. City Manager Field stated that there were other CIP fund sources that were more flexible than ARP dollars and that there were ways to address the issues without waiting until the next year's budget.

Council Member Reynoso stated that, regarding micro-grants, he advocated for setting the highest amount per applicant possible. He suggested a \$25,000 maximum. He stated that \$3,000,000 was a healthy allotment.

Council Member Sanchez referred to the land south of the Guadalupe Baseball field that he wanted to see turned into a pocket park using ARP funds. He explained that this answers the funding's bylaws which call for equitability in underrepresented neighborhoods. Council Member Sanchez stated that he would also like to see the paintbrush program funded at \$2 million instead of \$1 million.

Council Member Figueroa suggested that the city should partner with the water department when cleaning up after roads are torn up for the Lead Connector Replacement program and that they should avoid patchwork road improvements. The Director of Finance confirmed that they planned to work with the water department during the clean-up process and agreed to a curb-to-curb approach.

Council Member Figueroa advocated for a northern parking lot in the Lytle Creek Park area to be turned into a recreational area, like a soccer field or pickleball courts.

Council Member Ibarra approved of the Built Environment amount of \$2,000,000, but she asked if it was possible to add 'Welcome' signs to more major city arteries, like the highland exit or on Baseline Rd. She stated that she supported the water infrastructure and small business assistance programs. She suggested the city start to offer Micro-Enterprise classes to English and other language-speaking San Bernardino residents as well.

Council Member Ibarra commented that it would be nice to provide rental application assistance to non-COVID-affected individuals who need it. She advocated helping citizens with their mortgages. She commented that the council should consider their investment in the city's unhoused. She asked if more frequent street sweeping could be covered in the clean-up part of the ARP funds. Director Whitehorn responded that street sweeping was not a qualifying expense and was considered part of Operations and Maintenance.

Council Member Calvin stated that Lytle Creek Park had a major gopher problem that must be addressed. She said that the Micro Grant program was worth their focus on helping small businesses bounce back and said that \$25,000 was appropriate.

City Manager Field stated that they had money set aside for the nuisance abatement program, but they had not had to use any of it yet.

Mayor Valdivia stated that the Sears Lawnmower shop looked terrible and deserved a citation. The City Manager reported that they were still staffing up their code-enforcement division but would address it as soon as possible.

Council Member Alexander commented that micro grants should start at \$10,000 and go up to \$45,000. He added that Shandin Hills needed to be added to the project scope because it was in disarray. He proposed a specific railroad overpass that should be targeted with graffiti abatement.

Council Member Calvin recommended adding signage to State Street as it was the easternmost entry into the city.

Council Member Shorett commented in support of the micro grants but not on the \$45,000 amount. He agreed to a minimum of \$10,000. He questioned the definition of "clean-up" and what that entailed. He echoed the need to look at beautifying the different entrances to the city, particularly the corridor near the Waterman and 210 intersections.

City Manager Robert Field responded that staff would interpret "clean-up" as broadly as the funding would allow. They adopted the mission of making the city a prettier place to live and visit. Regarding the Waterman and 210, the city recently agreed to participate in a Cal-Trans project to replace that interchange, so it was reported that this could be a catalyst for doing additional work heading North.

Mayor Valdivia referenced packet page 58 of the staff report (Potential Areas of Investment) and stated that the city hall was left out. City Manager Robert Field responded that it was ineligible with ARP Funds.

Mayor Valdivia asked if anyone from staff had interacted with the US Senate, and if they had had meetings with them. Director Whitehorn reported that she had met with multiple members of the US Department of the Treasury who were clear that they did not anticipate city facilities becoming eligible with the final rule except to the extent of any revenue loss of a government entity. Because the City of San Bernardino did not have a net revenue loss, its city hall facilities were not eligible.

Mayor Valdivia referenced packet page 62 (Built Environment: Clean-Up, Painting, Graffiti) and requested to use some of the allotted funds for a San Bernadino Mural project. He also pointed to the current monuments around the city and their dilapidated nature and requested Maintenance and Operations funds to update the acrylic portions of the monuments. He asked which portions of the ARP could be used to help the police and fire departments. Director Whitehorn confirmed that those funds could be used for supplemental pay or hero-pay bonuses to police, fire, nursing, and grocery store clerks. She stated that it was up to the council whether they wanted staff to investigate it.

Mayor Valdivia requested that staff move forward with initiating action on appropriating funds for the police and fire departments and figuring out the necessary next steps to get it done.

Council Member Ibarra suggested the group use funds to revitalize Route 66. City Manager Robert Field reported that Route 66 was a Cal-trans right-of-way but that there could be an opportunity to work with them on it.

**RESULT:** APPROVED STAFF'S RECOMMENDATIONS WITH AN ADDITIONAL \$1 MILLION ALLOCATED TO THE GRAFFITI ABATEMENT, CLEAN-UP, AND PAINTBRUSH PROGRAM (FOR A TOTAL OF \$2 MILLION) AND APPROVED THE LEAD CONNECTOR REPLACEMENT PROGRAM AS PRESENTED THROUGH AMERICAN RESCUE PLAN FUNDS [7-0]

**MOVER:** Theodore Sanchez, Council Member, Ward 1

**SECONDER:** Fred Shorett, Council Member, Ward 4

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

**ABSENT:** None

Council Member Figueroa then recused himself for the duration of the discussion related to the Violence Intervention Program.

Council Member Ibarra asked for an explanation of the RFP process referenced on packet page 61 of the staff report. Staff explained that organizations would provide proposals for the services, and the proposals would be evaluated.

Council Member Shorett asked what the contingency plan would be if they did not receive quality responses to their RFP. He asked if the city would then be able to use those funds to ramp up the two programs that already exist within the city.

Finance Director, Barbara Whitehorn confirmed it would be possible for those organizations to obtain the funds if they submitted quality proposals.

Council Member Calvin asked for clarification on which ARP projects require competitive RFPs and whether the council would be permitted to review the RFP. Director Whitehorn responded that they would all require RFPs and that the council could review the RFP if they desired.

<b>RESULT:</b>	<b>APPROVED STAFF'S RECOMMENDATIONS FOR FUNDING THE VIOLENCE INTERVENTION PROGRAM [6-0]</b>
<b>MOVER:</b>	Theodore Sanchez, Council Member, Ward 1
<b>SECONDER:</b>	Ben Reynoso, Council Member, Ward 5
<b>AYES:</b>	Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander
<b>ABSENT:</b>	Figueroa

#### **8. Charter Review Committee Recommendation (All Wards)**

##### **Recommendation**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, discuss the Charter Review Committee's recommendation to have the Committee review all proposals to amend the City Charter in advance of consideration by the Mayor and City Council.

*City Manager Field asked for Item No. 8 to be pulled off the consent calendar, as it was placed on the agenda in error.*

#### **PUBLIC HEARING**

##### **9. Imposing Liens on Certain Parcels of Real Property for Uncollected Business Registration Fees (All Wards)**

##### **Recommendation:**

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

1. Conduct a public hearing to receive public comment on the matter; and
2. Adopt Resolution No. 2021-245 of the Mayor and City Council of the City of San Bernardino, California, imposing liens on certain parcels of real property for unpaid business registration taxes and penalties; and
3. Direct the Director of Finance to remove any properties from the Business Registration Lien List (Exhibit A to the Resolution) which are resolved prior to the hearing.

Mayor Valdivia opened the public hearing at 9:51 PM.

Vanessa Burton, Business Registration Inspector, provided a brief staff update.

There were no public comments.

Mayor Valdivia closed the public hearing at approximately 9:53 PM for deliberation and action.

<b>RESULT:</b>	<b>ADOPTED RESOLUTION NO. 2021-245 [7-0]</b>
<b>MOVER:</b>	Theodore Sanchez, Council Member, Ward 1
<b>SECONDER:</b>	Fred Shorett, Council Member, Ward 4
<b>AYES:</b>	Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa
<b>ABSENT:</b>	None

#### **10. Annexation No. 9 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 open and then continue the public hearing until November 3 at 7:00 p.m.

Mayor Valdivia opened the public hearing at 9:54 PM.

Alex Qishta, Acting Public Works Director, requested that the public hearing be continued to November 3, 2021

There were no public comments.

<b>RESULT:</b>	<b>APPROVED STAFF'S RECOMMENDATIONS TO CONTINUE THE PUBLIC HEARING TO NOVEMBER 3 AT 7:00 PM [7-0]</b>
<b>MOVER:</b>	Sandra Ibarra, Mayor Pro-Tem, Ward 2
<b>SECONDER:</b>	Ben Reynoso, Council Member, Ward 5
<b>AYES:</b>	Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa
<b>NOES:</b>	None

#### **11. Annexation No. 10 to Community Facilities District 2019-1 (Maintenance Services) (Ward 3)**

##### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California open and then continue the public hearing until November 3, 2021 at 7:00 p.m.

Mayor Valdivia opened the public hearing at 9:55 PM.

Alex Qishta, Acting Public Works Director, requested that the public hearing be continued to November 3, 2021.

There were no comments.

**RESULT:** APPROVED STAFF'S RECOMMENDATIONS CONTINUE THE PUBLIC HEARING TO NOVEMBER 3 AT 7:00 PM [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

### **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 CONSENT CALENDAR AND PULLED ITEMS NO. 21 AND NO. 23 FOR A SEPARATE VOTE [7-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Damon Alexander, Council Member, Ward 6  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

### **12. Approval of the Mayor and City Council Meeting Minutes (All Wards)**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve the minutes from the May 20, 2020, Regular meeting of the Mayor and City Council.

**RESULT:** APPROVED STAFF'S RECOMMENDATION [7-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Damon Alexander, Council Member, Ward 6  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

### **13. Amendment No. 1 to the HOME Investment Partnerships Program (HOME) Infill Housing Development Master Agreement Between the City of San Bernardino and NPHS San Bernardino Developments, LLC (Ward 2)**

#### **Recommendation:**

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

1. Adopt Resolution No. 2021-248 authorizing the execution of Amendment No. 1 to the HOME Investment Partnerships Program (HOME) Infill Housing Development Master Agreement between the City of San Bernardino and Neighborhood Partnership Housing Services (NPHS) San Bernardino Developments, LLC that would allow NPHS to retain program income for additional HOME eligible activities; and

2. Authorize the City Manager or designee to take any further actions and execute any further documents as necessary to effectuate the agreements.

**RESULT:** ADOPTED RESOLUTION NO. 2021-248 [7-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Damon Alexander, Council Member, Ward 6  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

#### **14. Subordination of a Deed of Trust in Connection with 2674 W. Via San Carlos, San Bernardino, California (Ward 3)**

##### **Recommendation:**

Adopt Resolution No. 2021-249 of the Mayor and City Council of the City of San Bernardino, California, acting as the Successor Housing Agency to the Redevelopment Agency of the City of San Bernardino approving the Subordination of a Deed of Trust in connection with a refinancing of the Senior Mortgage relating to real property located at 2674 W. Via San Carlos, San Bernardino, California.

**RESULT:** ADOPTED RESOLUTION NO. 2021-249 [7-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Damon Alexander, Council Member, Ward 6  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

#### **15. June, July & August 2021 City Board, Commission, and Citizen Advisory Committee Approved Minutes**

##### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file the minutes from the City board, commission, and citizen advisory committee meetings approved in July, August, and September 2021.

**RESULT:** APPROVED STAFF'S RECOMMENDATION [7-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Damon Alexander, Council Member, Ward 6  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

#### **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 September 2021.

<b>RESULT:</b>	<b>APPROVED STAFF'S RECOMMENDATION [7-0]</b>
<b>MOVER:</b>	Fred Shorett, Council Member, Ward 4
<b>SECONDER:</b>	Damon Alexander, Council Member, Ward 6
<b>AYES:</b>	Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa
<b>NOES:</b>	None

### **17. Memorandum of Understanding with the San Bernardino Police Officers Association (All Wards)**

#### **Recommendation:**

Adopt Resolution No. 2021-251 of the Mayor and City Council of the City of San Bernardino, California, approving the Memorandum of Understanding (MOU) between the City of San Bernardino and the San Bernardino Police Officers Association (SBPOA), updating the city-wide salary schedule, and amending Resolution No. 2021-232.

Council Member Calvin commented that she believed a member of the council recently received a donation from the Police Officers Association and requested that the Council Member disclose that to the public.

Mayor Pro-Tem Ibarra asked for clarification of what time frame should be disclosed.

Council Member Calvin responded within the last six months.

<b>RESULT:</b>	<b>ADOPTED RESOLUTION NO. 2021-251 [7-0]</b>
<b>MOVER:</b>	Fred Shorett, Council Member, Ward 4
<b>SECONDER:</b>	Damon Alexander, Council Member, Ward 6
<b>AYES:</b>	Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa
<b>NOES:</b>	None

### **18. 2021-2022 Retired and Senior Volunteer Program (RSVP) – 3RD Year of a 3 - Year Grant Award (All Wards)**

#### **Recommendation:**

Adopt Resolution No. 2021-252 of the Mayor and City Council of the City of San Bernardino, California approving the ratification of the submission of a continuation grant application for year three of a three-year grant with the Corporation for National and Community Service's Retired and Senior Volunteer Program (RSVP), accepting the Grant Award in the amount of \$54,809, and appropriating \$73,989 in matching funds for the continued operation of RSVP for a total amount of \$128,798, for the Period of April 1, 2021, through March 31, 2022.

Council Member Calvin commented that the budget for this program was lessened each year and requested to know why. She also asked why RSVP, Senior Services, and Senior Companions were all listed as separate departments in Park's and Rec. Community Services. She wanted to know how those programs differed.

Jim Tickemyer Park's Rec. Director responded that he would need to research that information and get back to council at a later time.

**RESULT:** ADOPTED RESOLUTION NO. 2021-252 [7-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Damon Alexander, Council Member, Ward 6  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

**19. Execution of PSA to PM Group in the Amount of \$67,635 for the Design, Print, and Mail of City of San Bernardino PRCSD Trimester Brochure for FY2021- 2022**  
**Recommendation:**

Adopt Resolution No. 2021-253 of the Mayor and City Council of the City of San Bernardino, California authorizing the City Manager or designee, to execute a professional services agreement (PSA) between the City and the PM Group (PMG) for the design, print, and mail services of the Parks, Recreation and Community Services Department (PRCSD) trimester brochure for Fiscal Year 2021/22.

**RESULT:** ADOPTED RESOLUTION NO. 2021-253 [7-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Damon Alexander, Council Member, Ward 6  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

**20. Purchase Order for Six Cubic Yard Back Rear Loader (All Wards)**  
**Recommendation:**

Adopt Resolution No. 2021-257 of the Mayor and City Council of the City of San Bernardino, California, authorizing the City Manager to execute the purchase of the Public Works equipment approved for funding through Fiscal Year 2021/22 Operating Budget Report: one new, 6 cubic yard, Diamond Back Rear Loader in the amount of \$133,686.15.

**RESULT:** ADOPTED RESOLUTION NO. 2021-257 [7-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Damon Alexander, Council Member, Ward 6  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

**21. Stop Sign Installation at the Intersection of Magnolia Avenue and Meyers Road (Ward 5)****Recommendation:**

Adopt Resolution No. 2021-256 of the Mayor and City Council of the City of San Bernardino, California, amending Resolution No. 655 entitled, in part, “A Resolution... designating certain streets or portions thereof as through highways...” and authorizing the establishment of an all-way (4-way) stop control at the intersection of Magnolia Avenue and Meyers Road.

Council Member Figueroa asked which metrics were being used to measure distances within the project. Acting Public Works Director, Alex Qishta, responded that a wheel measuring in feet was used most of the time. Council Member Figueroa discussed the warrant petition and whether it had been met.

Acting Public Works Director, Alex Qishta, confirmed that stop signs cannot be used to control speed.

Council Member Figueroa pointed out that the petition itself states that the request is being made to resolve several neighborhood issues, such as speeding. He asked the city attorney if the council could move forward given the petition is not following the vehicle code.

City Attorney Carvalho recommended the council request from staff justification for why the stop sign is needed beyond speeding.

<b>RESULT:</b>	<b>ADOPTED RESOLUTION NO. 2021-256 [7-0]</b>
<b>MOVER:</b>	Juan Figueroa, Council Member, Ward 3
<b>SECONDER:</b>	Fred Shorett, Council Member, Ward 4
<b>AYES:</b>	Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa
<b>NOES:</b>	None

**22. Construction Contract Award – Installation of LED Solar Powered Street Lights on “E” Street Between Baseline Street and Highland Avenue (Ward 2)****Recommendation:**

Adopt Resolution No. 2021-254 of the Mayor and City Council of the City of San Bernardino, California:

1. Approving the award of a Construction Contract with Quality Light and Electric in an amount not to exceed \$249,282 for the construction and installation of LED solar powered streetlights on “E” Street between Baseline Street and Highland Avenue;
2. Authorizing project construction, construction contingencies, and inspection costs in the total amount of \$35,000 for installation of LED solar powered streetlights; and

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

**RESULT:** ADOPTED RESOLUTION NO. 2021-254 [7-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Damon Alexander, Council Member, Ward 6  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

### **23. Purchase Order for Installation of a Battery Backup System (Wards 1,2,3,4,6)**

#### **Recommendation:**

Adopt Resolution No. 2021-255 of the Mayor and City Council of the City of San Bernardino, California, authorizing the City Manager to execute a Vendor Services Agreement with NexTech Systems, and authorizing the Director of Finance to issue a purchase order in an amount not to exceed \$59,786.96 for the installation of a Backup Battery System (BBS) at six locations in various areas of the City.

Council Member Reynoso asked Acting Public Works Director, Alex Qishta, why Wards 5 and 7 were left out of this. He specifically asked about Kendall/Little Mountain and Kendall/University because he had personally experienced street light blackouts at those intersections.

Acting Public Works Director, Alex Qishta responded that this decision was dictated by identifying which areas had greater need. He commented that he believed the two intersections mentioned by Council Member Reynoso already had battery backup systems and that he would investigate their functionality.

Mayor Valdivia asked if there was the possibility of adding a reflective backer to the intersection lights that go out most frequently. He recommended the City Manager to proceed with this as a cheaper alternative.

**RESULT:** ADOPTED RESOLUTION NO. 2021-255 [7-0]  
**MOVER:** Ben Reynoso, Council Member, Ward 5  
**SECONDER:** Theodore Sanchez, Council Member, Ward 1  
**AYES:** Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa  
**NOES:** None

### **ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS**

**24. Fire Safety Measures and Potential Implementation/Addition to the City Municipal Code as it Relates to Pallet Yards (All Wards) - Council Member Reynoso**

Council Member Reynoso clarified that he wanted fire prevention methods and pallet yards to be included, but that now he could not vote for this item based on testimony received at the meeting.

<b>RESULT:</b>	<b>APPROVED ADDING THE ITEM TO A FUTURE AGENDA BUT REMOVE THE MENTION OF PALLET YARDS [7-0]</b>
<b>MOVER:</b>	Ben Reynoso, Council Member, Ward 5
<b>SECONDER:</b>	Juan Figueroa, Council Member, Ward 3
<b>AYES:</b>	Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa
<b>NOES:</b>	None

**25. Instruct Staff to Evaluate Options for Adjusting the Salary of the Mayor to Appropriately Reflect the Duties of the Office Following the 2016 Amendment of the City Charter. - Council Member Shorett**

Mayor Valdivia provided comments regarding the proposed item. Council Member Shorett clarified his request and motioned for staff to evaluate options for adjusting the salary of the Mayor.

<b>RESULT:</b>	<b>APPROVED ADDING ITEM TO A FUTURE AGENDA [7-0]</b>
<b>MOVER:</b>	Fred Shorett, Council Member, Ward 4
<b>SECONDER:</b>	Kimberly Calvin, Council Member, Ward 6
<b>AYES:</b>	Sanchez, Ibarra, Shorett, Reynoso, Calvin, Alexander, Figueroa
<b>NOES:</b>	None

**ADJOURNMENT**

The meeting of the Mayor and City Council was adjourned on Wednesday, October 20, 2021, at 10:21pm.

The next special 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, October 27<sup>th</sup>, 2021**, in the Council Chamber located at 555 West 6<sup>th</sup> Street, San Bernardino, California, 92401. Open Session will begin at 8:00 a.m.



Genoveva Rocha, CMC, City Clerk