

**5. Approval of Various 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 meeting minutes for the following dates:

1. April 5, 2023, Special Closed Session Meeting of the Mayor and City Council
2. April 5, 2023, Regular Meeting of the Mayor and City Council
3. April 19, 2023, Regular Meeting of the Mayor and City Council
4. August 18, 2023, Special Closed Session Meeting of the Mayor and City Council
5. August 21, 2023, Special Closed Session Meeting of the Mayor and City Council



## CONSENT CALENDAR

### City of San Bernardino Request for Council Action

**Date:** August 21, 2024

**To:** Honorable Mayor and City Council Members

**From:** Genoveva Rocha, City Clerk

**Department:** City Clerk

**Subject:** **Approval of Various Mayor and City Council Meeting Minutes.**

**Recommendation:**

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5. August 21, 2023, Special Closed Session Meeting of the Mayor and City Council



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

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

## **Draft Minutes**

FOR THE  
SPECIAL 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 5, 2023**  
**5:00 PM**

The Special Closed Session Meeting of the Mayor and City Council of the City of San Bernardino was called to order at 5:01 PM by Mayor Helen Tran on Wednesday, April 5, 2023, 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	Council Member, Ward 2	Absent
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
Thomas Rice	Assistant City Attorney	Present
Genoveva Rocha	City Clerk	Present
Courtney Bowen	Deputy City Clerk	Present

**5:00 P.M.**

**CLOSED SESSION PUBLIC COMMENT**

Treasure Ortiz spoke about the City Manager recruitment, the Carousel Mall property. She stated that the whole country is watching the City. She also stated that BB&K (Best, Best, & Krieger) attorneys should be terminated as City Attorneys.

Paula Plunk commented about the Carousel Mall property and developing a “river walk” in Downtown.

**The following remote public comment was then heard via Zoom:**

The speaker, name unintelligible, asked that RDICO (Renaissance Downtown USA/ICO Real Estate Group) remain the primary redeveloper of the Carousel Mall property. He also asked the Mayor and City Council to carefully consider the next City Manager candidate.

**At the conclusion of Public Comments, Assistant City Attorney Thomas Rice, made an announcement that per the Brown Act, the city is responsible for stating the Facts and Circumstances surrounding Item B of Closed Session. He stated that the Facts and Circumstances were that the City received a Notice of Violation from HCD (Housing and Community Development), which was detailed in the public Staff Report for Item No. 25 of the April 5, 2023 Regular Meeting Agenda.**

**CLOSED SESSION**

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

Significant exposure to litigation (Pursuant to Government Code Section 54956.9(d)(2): One Item

**B) CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8**

Property: Carousel Mall Property, 43 acres

Agency Negotiator: Charles McNeely, Interim City Manager, or designee

Negotiating Parties: SBDC (Renaissance Downtown USA/ICO Real Estate Group)

Under Negotiation: Price and Terms

**C) PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code Section 54957) City Manager (Recruitment Process)**

**CLOSED SESSION REPORT**

Assistant City Attorney Rice stated that the City Council gave staff direction to staff regarding the Closed Session Items, but there was no reportable action.

**ADJOURNMENT**

The Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency adjourned to the Regular Meeting on April 5, 2023, at the Feldheym Central Library located at 555 West 6th Street, San Bernardino, California 92401 at 7:08 p.m. Open Session was scheduled to begin at 7:00 PM.

By:   
Genoveva Rocha, CMC



**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 5, 2023**

**7:00 PM**

The Regular Meeting of the Mayor and City Council of the City of San Bernardino was called to order at 7:12 PM by Mayor Helen Tran on Wednesday, April 5 2023, 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	Council Member, Ward 2	Absent
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
Genoveva Rocha	City Clerk	Present

**7:00 PM**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Paul E. Jones of Independent Trinity Benjamin E. Jones Community Resource Center led the Invocation and Jazmyn Goumashyan of Cajon High School led the Pledge of Allegiance to the Flag.

At this time, Mayor Tran re-ordered the agenda. The 'City Manager Update' and 'Mayor and City Council Updates/Reports on Conferences and Meetings' were heard after 'Items to be Considered for Future Meetings'. 'Presentations' were heard before 'Public Comments.'

**PRESENTATIONS**

**1. Proclamation for Volunteer Appreciation Month in the City of San Bernardino – April 2023 (All Wards)**

Parks and Recreation staff members accepted the proclamation.

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

**Mayor Tran announced that due to the fact that there were 67 public comment requests received, each speaker would be limited to one minute and 30 seconds, in accordance with Resolution No. 2018-81.**

Deany Gallaher (*phonetic spelling*), expressed thanks to the Parks and Recreation department for planning family-oriented events. She also stated that the City needs to prepare for disasters such as what happened in the local mountain areas after the recent storm.

Prophet Dominic Antonez stated that there are many homeless people at Seccombe Lake. There are also many squirrels, which can spread disease.

Frank Montes informed that many citizens have trouble contacting their council members. He stated that he reached out to Council Member Sanchez and was dismissed.

Paul Sanborn said that San Bernardino is the Number 3 dirtiest city in the Country. He stated that the City should hire people to clean up the streets.

Shania Hill, Christian Flores, Shannin Schmitt, Amy Keith, Nicolette Maccanico, Robert Ortega, Vanessa Perez, Angie Rodriguez, Melanie Tillman, Lizzy Vancil, Marquita Hershkovitz, Sha-Ron Sauers, Anna Ramirez, Arianna Guerrero, Sarina Hill, Desiree Sanchez, Deborah Richardson, Debra J., and Nathan Kael all spoke in favor of Item No. 27. They supported repealing the Multi-Family Housing Crime Prevention Program, Ordinance No. MC-1351.

Paula Plunk stated that people are being bullied in Closed Session, and that the City Council is taking citizens' money and allowing the Consent Calendar to be "weaponized".

Silver Montero spoke about the housing crisis in San Bernardino. He also mentioned the violation notice received from the Department of Housing and Community Development (HCD) regarding the Carousel Mall property. He wants to see the Downtown area revitalized and would like a Community Benefits Agreement with the developer.

Victor Beacham, Assistant Director for Operation New Hope, informed that his organization has a three-year contract with the City for a youth reinvestment program. His program has helped to reduce crime and prevent substance abuse amongst youth.

Treasure Ortiz spoke about the violation notice received by the City from HCD. She stated that BB&K is failing as the City Attorney.

Terry Washington commented that he is a local boxer from San Bernardino and qualified for the Olympic Trials in December. He wanted to let other youths know that if he can do it, they can do it too.

Barbara Sky stated that San Bernardino is an embarrassment to the Inland Empire.

Alfred Palazzo said that he has a list of many ideas to share for rebuilding the City, including housing and economic development.

Ian Franklin, founder of Project Fighting Chance, informed about his amateur boxing program and what they offer for children.

Eliana Rodriguez spoke in support of Project Fighting Chance and said that her daughter Rachel is a State boxing champion.

Douglas Cameron stated that the traffic lights on Highland Avenue and Baseline St. should have a 5 to 10 second delay between red and green lights because there are lots of accidents on these streets.

Dave McCammack, business owner, stated that a potential commissioner took down other people's political signs and should not be a commissioner.

Paul Jones, Pastor of Independent Trinity, stated that his church feeds 2,000 families in the City each month. They started a program in January to help seniors and the homeless with food, showers, and other assistance.

Terry Boykins, Executive Director of Project Fighting Chance, encouraged support of youth mental wellness. He asked for the public's support of Project Fighting Chance.

Dolores Armstead said that the Planning Commission passed a resolution to not allow crushing and grinding of concrete in the City. These activities are not good for the citizens of the City.



Richard Hernandez stated that he recently moved to San Bernardino. He is concerned about police response time and the number of potholes in the City.

Dejonae Shaw, on behalf of United Steelworkers, commented that many residents are struggling to buy homes or pay rent. He stated that San Bernardino is experiencing a housing crisis.

Sarena, on behalf of Jevonee Smith, expressed support for Project Fighting Chance.

Martha Romero with Something Better for San Bernardino asked that the City move forward and continue with the Carousel Mall property development.

Sonya Gray-Hunn, housing organizer, asked that affordable housing be built on surplus land. She also spoke in support of Item No. 27.

Celene Perez commented about Item No. 25. She states that an ENA (Exclusive Negotiating Agreement) does not need to be in place to move forward with development. She asked for 25% of the development to be affordable housing.

Robert Porter stated that he has lived in San Bernardino for 47 years and recently there has been a large increase of complaints in the City. Some issues include homelessness, potholes, and the Carousel Mall development.

Kath Rogers, attorney with the ACLU, commented that affordable housing is desperately needed in the City. She also spoke in favor of Item No. 27, repealing Ordinance MC-1351.

Ra'Sheeda Ballard spoke in support of Project Fighting Chance.

Luis Ojeda advised that street vendors should come to his events on Court St., and he will help them get permits for their business.

Mike Hartley asked for more street sweeping to be done throughout the City.

Nohemi Lopez stated that there are lots of marginalized people in San Bernardino and they deserve affordable housing.

Ryan Stanly, Owner and Creative Director of the Enterprise Building, announced the 96<sup>th</sup> anniversary celebration of his building on May 12<sup>th</sup> and 13<sup>th</sup>, 2023. He asked that the City continue to work with RDICO to develop the Carousel Mall property.

Allen Stanly, Co-Owner of the Enterprise building, stated that they have small businesses in their building, and that the City was struggling when they came here.

Georgia Lykouratzos expressed that she hopes the plan for homelessness includes something to help their animals.

Clementina Pina Bernal commented that the City made a mistake by electing Mayor Tran.

Ricardo Cisneros, Inland Empire Labor Council, spoke in support of more affordable housing.

David E. appreciates the work being done with the Mt. Vernon Bridge and supports being able to grind concrete in the city.

Amy Malone said she recently moved to the City, and she would like the City to become more like how it used to be when people took pride in living here.

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

Jennifer Tilton, Inland Fair Chance Coalition, spoke in favor of Item No. 27.

Stevonna Evans also asked the City Council to approve Item No. 27.

Constance S. stated that the Mayor's appointment of Commissioner Tim Prince is wrong because he has abused his power in the past.

*Three additional remote speakers were called upon but did not answer.*

*City Clerk Rocha announced that the Mayor and City Council had been provided with additional written comments received prior to the meeting.*

**APPOINTMENTS**

There was a consensus from the council to take a single vote for Item No. 2 through Item No. 17.

Council Member Sanchez pulled Item No. 6 for more discussion and a separate vote.

Assistant City Attorney Thomas Rice made an announcement that the Mayor would also be voting on the appointments, as required by the Charter, and that each appointment requires five affirmative votes.

Council Member Figueroa suggested that criteria should be met to be appointed as a commissioner.

<b>RESULT:</b>	<b>APPROVED ITEMS NO. 2 THROUGH NO. 17. ITEM NO. 6 WAS PULLED FOR DISCUSSION AND A SEPARATE VOTE [7-0]</b>
<b>MOVER:</b>	<b>Theodore Sanchez, Council Member, Ward 1</b>
<b>SECONDER:</b>	<b>Ben Reynoso, Council Member, Ward 5</b>
<b>AYES:</b>	<b>Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran</b>
<b>ABSENT:</b>	<b>Sandra Ibarra</b>

**2. Public Safety and Human Relations Commission Appointment of Byron J. Sims (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**3. Public Safety and Human Relations Commission Appointment of Kimberly Knaus (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**4. Downtown Advisory Committee Appointment of Amanda M. Moody (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**5. Measure S Citizens Oversight Committee Appointment of Mark Baxter (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**6. Charter Review Appointment of Timothy Prince (Mayor's Appointment)**

Council Member Sanchez expressed that Timothy Prince previously wrote an opposition to the current City Charter and he supports a "strong mayor" form of government. He stated that he didn't know how he would vote on this item, but he wanted to let everyone know why he questioned this appointment.

**RESULT:** APPROVED [7-0]  
**MOVER:** Damon Alexander, Council Member, Ward 7  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**7. Planning Commission Appointment of Lisa Sherrick (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**8. Planning Commission Appointment of Orlando Garcia (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**9. Arts and Historical Preservation Commission Appointment of James Smith (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**10. Arts and Historical Preservation Commission Appointment of Simeone N. Miller (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**11. Parks, Recreation and Community Services Commission Appointment of Joe Salas (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**12. Parks, Recreation and Community Services Commission Appointment of Nohemi Lopez (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**13. General Plan Advisory Committee appointment of Christian T. Shaughnessy (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**14. General Plan Advisory Committee appointment of Benjamin Pratt (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**15. Elected Official Compensation Advisory Board appointment of Malika Gardner (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**16. Personnel Commission Appointment of Emily J. Gonzales (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**17. Personnel Commission Appointment of Victor M. Arellano (Mayor's Appointment)**

**RESULT:** APPROVED [7-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander, Tran  
**ABSENT:** Sandra Ibarra

**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.*

**Interim City Manager Charles McNeely advised that Item. No. 22 was being pulled and continued to the April 19, 2023 Mayor and City Council Meeting.**

**RESULT:** APPROVED THE CONSENT CALENDAR [6-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

**18. Resolution Approving an Additional Extension to the Reciprocal Easement Agreement (REA) with El Corte Ingles, S.A., a Spanish Corporation ("ECI") to Provide Parking at 300 North E Street, San Bernardino through January 31, 2024 (Ward 1)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2023-051, approving an additional extension to the Reciprocal Easement Agreement (REA) with El Corte Ingles, S.A., a Spanish Corporation ("ECI") for parking through January 31, 2024, and finding the action exempt from CEQA.

**RESULT:** ADOPTED RESOLUTION 2023-051 [6-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

**19. Approve Amendment No. 2 to the Joint Exercise of Powers Agreement for the Inland Valley Development Agency, updating the structure, titles, and elections of its officer positions (All Wards)**

**Recommendation**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve Amendment No. 2 to the Joint Exercise of Powers Agreement for the Inland Valley Development Agency, updating the structure, titles, and elections of its officer positions.

**RESULT:** APPROVED STAFF'S RECOMMENDATION [6-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

**20. 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 March 2023.

**RESULT:** APPROVED STAFF'S RECOMMENDATION [6-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

**21. Resolution Opting City into Additional National Opioid Settlements (All Wards)**

**Recommendation**

Adopt Resolution No. 2023-052 of the Mayor and City Council of the City of San Bernardino, California, Authorizing the City Manager to Enter into the Settlement Agreements with Walgreens Co., Walmart, Inc., CVS Health Corporation/CVS Pharmacy Inc., Teva Pharmaceutical Industrials Ltd., and Allergan Finance

LLC/Allergan Limited, Agreeing to the Terms of the State Subdivision Agreements, and Authorizing Entry into the State Subdivision Agreements with the Attorney General.

**RESULT:** ADOPTED RESOLUTION 2023-052 [6-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

## **22. Amendment to Professional Services Agreements for Legal Services (All Wards)**

### **Recommendation**

It is recommended that the Mayor and City Council of the City of San Bernardino, California authorize the City Manager or designee to execute:

1. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for representation in the Karen Cervantes v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2012538;
2. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for representation in the Matthew Brown v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2025900;
3. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for representation in the Don Smith v. John Valdivia, City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVDSB2025375;
4. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for representation in the Jackie Aboud v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2013562;
5. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for the representation in the Mirna Cisneros v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2012926;

**THIS ITEM WAS CONTINUED TO THE APRIL 19, 2023 MEETING.**

## **23. Adoption of Ordinance No. MC-1614 (Annexation 33) (Ward 3)**

### **Recommendation**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1614 amending Ordinance No. MC1522 and levying special taxes to be collected during Fiscal Year 20232024 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. 20191 (Maintenance Services).



<b>RESULT:</b>	<b>ADOPTED ORDINANCE NO. MC-1614</b>
<b>MOVER:</b>	<b>Fred Shorett, Council Member, Ward 4</b>
<b>SECONDER:</b>	<b>Ben Reynoso, Council Member, Ward 5</b>
<b>AYES:</b>	<b>Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander</b>
<b>ABSENT:</b>	<b>Sandra Ibarra</b>

#### **24. Adoption of Ordinance No. MC-1615 (Annexation 34) (Ward 3)**

##### **Recommendation**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1615 amending Ordinance No. MC1522 and levying special taxes to be collected during Fiscal Year 20232024 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. 20191 (Maintenance Services).

<b>RESULT:</b>	<b>ADOPTED ORDINANCE NO. MC-1615 [6-0]</b>
<b>MOVER:</b>	<b>Fred Shorett, Council Member, Ward 4</b>
<b>SECONDER:</b>	<b>Ben Reynoso, Council Member, Ward 5</b>
<b>AYES:</b>	<b>Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander</b>
<b>ABSENT:</b>	<b>Sandra Ibarra</b>

#### **DISCUSSION**

#### **25. Receive and File update regarding a Notice of Violation received from the State's Housing and Community Development Division regarding the City-owned former Carousel Mall property. (Ward 1)**

##### **Recommendation:**

It is recommended that the Mayor and City Council receive and file an update regarding a Notice of Violation (NOV) received from the State's Housing and Community Development Division (HCD) regarding the City-owned former Carousel Mall property.

Donald Monti from Renaissance Downtowns/ICO Real Estate was present. He stated that he wanted to reinforce his commitment to the City as the Master Developer of the Carousel Mall property.

Director of Community and Economic Development Nathan Freeman provided a presentation regarding the Notice of Violation the City received from the State.

Council Member Calvin, Chair of the Ad Hoc Committee for the project, stated that the committee was not kept up to date, and she believed that the project was moving forward.

<b>RESULT:</b>	<b>APPROVED STAFF'S RECOMMENDATION [6-0]</b>
<b>MOVER:</b>	<b>Fred Shorett, Council Member, Ward 4</b>
<b>SECONDER:</b>	<b>Ben Reynoso, Council Member, Ward 5</b>
<b>AYES:</b>	<b>Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander</b>
<b>ABSENT:</b>	<b>Sandra Ibarra</b>

## **PUBLIC HEARING**

### **26. Public Hearing on Annexation No. 29 to Community Facilities District 20191 (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. 2023-053 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. 29) ; and
3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2023-054 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. 29) ; and
5. Introduce, read by title only, and waive further reading of Ordinance No. MC1616 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-1616 for April 19, 2023.

Mayor Tran opened the public hearing at 9:52 p.m.

The Mayor and City Council did not request the staff presentation.

There were no public speakers or requests to speak. There were no protests received.

The public hearing was closed at 9:53 p.m.

**RESULT:** ADOPTED RESOLUTION NO. 2023-053 [6-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Theodore Sanchez, Council Member, Ward 1  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

**RESULT:** ADOPTED RESOLUTION NO. 2023-054 [6-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Theodore Sanchez, Council Member, Ward 1  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

**RESULT:** INTRODUCED ORDINANCE NO. MC-1616 [6-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Theodore Sanchez, Council Member, Ward 1  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

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

##### **27. Consider Repeal of MC-1351 Crime Free Multi-Housing Ordinance (All Wards) – Council Member Reynoso**

An announcement was made by the City Clerk that the agenda had a typographical error in the title which read “Appeal” but should have read “Repeal”.

**RESULT:** APPROVED FOR CONSIDERATION AT A FUTURE MEETING  
[6-0]  
**MOVER:** Ben Reynoso, Council Member, Ward 5  
**SECONDER:** Kimberly Calvin, Council Member, Ward 6  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

**28. Comprehensive review of the City's youth programs and their funding sources, brought to Council as a discussion item (All Wards) – Council Member Sanchez**

<b>RESULT:</b>	<b>APPROVED FOR CONSIDERATION AT A FUTURE MEETING [6-0]</b>
<b>MOVER:</b>	<b>Kimberly Calvin, Council Member, Ward 6</b>
<b>SECONDER:</b>	<b>Juan Figueroa, Council Member, Ward 3</b>
<b>AYES:</b>	<b>Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander</b>
<b>ABSENT:</b>	<b>Sandra Ibarra</b>

**CITY MANAGER UPDATE**

At this time, the City Manager made comments regarding the development of the Carousel Mall. He acknowledged that there had been some mistakes made by staff, but they can be fixed. He stated that everyone needs to work together to move Downtown and the community forward.

**MAYOR & CITY COUNCIL UPDATES/REPORTS ON CONFERENCES/MEETINGS**

At this time, the Mayor and City Council provided updates to the community. Council Members Figueroa, Calvin, Alexander and Mayor Tran reported on their attendance at the National League of Cities Conference in Washington D.C.

**ADJOURNMENT**

The Regular Meeting of the Mayor and City Council was adjourned on Wednesday, April 5, 2023, at 10:23 p.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, April 19, 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:   
Genoveva Rocha, CMC



**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 19, 2023**  
**5:30 PM**

The Regular Meeting of the Mayor and City Council of the City of San Bernardino was called to order at 5:31 PM by Mayor Helen Tran on Wednesday, April 19, 2023, 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	Council Member, Ward 2	Absent
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
Genoveva Rocha	City Clerk	Present
Courtney Bowen	Deputy City Clerk	Present

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

Paula Plunk commented that John Valdivia should not be represented by the City in court. She also stated that residents of the City are getting stronger every day, and they are not stupid.

*At this time, the following remote speaker was heard via Zoom:*

(Unintelligible name) stated that John Valdivia's court cases should not be settled. She said that RDICO has a negotiating agreement with the City regarding the Carousel Mall property and should be allowed to negotiate in good faith.

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

- i. Jackie Aboud v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2013562
- ii. Karen Cervantes v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2012538
- iii. Mirna Cisneros v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2012926
- iv. Donald Smith v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVSB2025375
- v. Matthew Brown v. City of San Bernardino, San Bernardino Superior Court Case No. CIVSB2025900
- vi. Gary Saenz, et al. v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVDS2003802; 4th District Court of Appeal Case No. E078346; and 4th District Court of Appeal Case No. D080378
- vii. Sedna Mosley v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVDS2022209
- viii. Faith Emileen Stewart v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVSB2100620
- ix. Steve Desrochers v. City of San Bernardino, Workers' Compensation Case Nos. ADJ13403664; ADJ9986948; ADJ7808777; ADJ8412423; ADJ2593098; and ADJ4644505

**B) CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION Significant exposure to litigation (Pursuant to Government Code Section 54956.9(d)(2)): One Item****C) CONFERENCE WITH REAL PROPERTY NEGOTIATORS Pursuant to Government Code Section 54956.8**

Property: Carousel Mall Property, 43 acres

Agency Negotiator: Charles McNeely, Interim City Manager, or designee Negotiating

Parties: SBDC (Renaissance Downtown USA/ICO Real Estate Group)

Under Negotiation: Price and Terms

**7:00 PM****INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Damon Alexander led the Invocation and Girl Scouts Troop #1419 led the Pledge of Allegiance to the Flag.

**CLOSED SESSION REPORT**

City Attorney Sonia Carvalho reported that there were three items on the agenda for Closed Session. Item 'A' was discussed, and the Mayor and City Council would return to Closed Session at the conclusion of the Open Session to discuss items 'B' and 'C'.

**INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Paul E. Jones of Independent Trinity Benjamin E. Jones Community Resource Center led the Invocation and Jazmyn Goumashyan of Cajon High School led the Pledge of Allegiance to the Flag.

At this time, Mayor Tran re-ordered the agenda. 'Presentations' were heard before 'Public Comments.'

**PRESENTATIONS****1. Recognizing and Honoring Arbor Day – April 28, 2023 (All Wards)**

Mayor Tran presented a Proclamation to Public Works staff for Arbor Day.

**2. Proclamation for National Library Week in the City of San Bernardino – April 23rd to 29th, 2023 (All Wards)**

Mayor Tran presented a Proclamation to the Library Director for National Library Week.

**3. Proclamation for Volunteer Appreciation Month in the City of San Bernardino – April 2023 (All Wards)**

Mayor Tran presented a Proclamation to Parks and Recreation staff for Volunteer Appreciation Month.

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

Dave Brown expressed his opposition to grinding concrete in the City.

James Smith provided an update on community events that have occurred since the last Mayor and City Council meeting.

Al Palazzo shared some ideas he had for the Downtown area and for affordable housing.

Xandra Vaughn commented that LGBTQ youth are underrepresented in the City.

Frank Montes stated that Council Members should be more responsive to the community.

Dolores Armstead expressed support for the Carousel Mall property project. She also informed that the Planning Commission has voted against crushing or grinding concrete in the City.

Treasure Ortiz stated her opposition to crushing and grinding concrete during demolition of the Carousel Mall.

Russell Degan provided an update on the Youth Reinvestment Program.

Steve Mitchell spoke in support of Item No. 14.

Tonya Smith asked for more support and housing for the City's homeless individuals.

Alexia Nevens requested that the homeless encampments be removed from the North End.

Anthony Neal discussed his new nonprofit agency that helps people get permits for events.

Lesa Williams stated that the homelessness problem is making the City unsafe for children because they are being taken away from their parents.

Gregory Dishman expressed support for Item No. 14.

Jose Ballesteros commented that many small businesses in the City are having trouble getting business licenses.

Peter Densmore spoke in support of the crime-free housing program.

"Less" asked for Code Enforcement to check some of the vacant buildings in the City because they are a fire hazard.

Luis Ojeda suggested that the Mayor and City Council Members, staff, and directors have an honest and constructive dialogue with the residents.

Mike Hartley spoke about people dropping their animals off in the street and getting hit by cars.

Carmen Gallegos opined about fireworks, homelessness, and burned buildings.

Marquis Smith spoke in support of the crime-free housing program.

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

*(Name not given)* spoke about the Carousel Mall project, John Valdivia's court cases, and meeting minutes.

Georgia Lykouratzos expressed her concern for animals at the City shelter, the Carousel Mall project, John Valdivia's court cases, and homelessness.



Paula Plunk asked that the Interim City Manager remove some Public Works staff members due to negligence.

### **CITY MANAGER UPDATE**

At this time, Jeff Kraus, Public Information Officer, provided city-wide updates. Highlights included the League of Cities Conference, local business grants, Arbor Day events, and the upcoming commencement of the Carousel Mall demolition.

### **MAYOR & CITY COUNCIL UPDATES/REPORTS ON CONFERENCES/MEETINGS**

At this time, the Mayor and City Council provided updates to the community. Council Member Alexander, Council Member Calvin, and Mayor Tran attended the League of California Cities - City Leader Summit April 12<sup>th</sup> -13<sup>th</sup>. Council Members Shorett and Reynoso asked that the meeting be adjourned in honor of resident Ernie Garcia, namesake of the Garcia Center for the Arts, who recently passed away.

### **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 ITEM NO. 8 FOR A SEPARATE VOTE [6-0]**  
**MOVER:**       Fred Shorett, Council Member, Ward 4  
**SECONDER:**   Theodore Sanchez, Council Member, Ward 1  
**AYES:**        Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:**       Sandra Ibarra

#### **4. City Board, Commission, and Citizen Advisory Committee Minutes Approved in January/February/March 2023**

##### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino receive and file the minutes from the City board, commission, and citizen advisory committee meetings approved in January, February, and March 2023.

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

#### **5. Approve a technical correction to increase the Council approved Purchase Order to NightOps Tactical by \$29,529, for a total of \$367,152, the cost of which is covered by Justice Assistance Grant (JAG) funds. (All Wards)**

##### **Recommendation:**

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

1. The City Manager to execute amendment No. 1 to the purchase agreement with NightOps Tactical Incorporated, and
2. The Agency Director of Administrative Services to increase the Council

approved Purchase Order to NightOps Tactical by \$29,529, to \$367,152.

**RESULT:**        **APPROVED AMENDMENT NO. 1 TO THE AGREEMENT (6-0)**  
**MOVER:**        Fred Shorett, Council Member, Ward 4  
**SECONDER:**   Theodore Sanchez, Council Member, Ward 1  
**AYES:**         Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:**       Sandra Ibarra

**6. Updating Assessment Engineer's Reports – Previously Formed Landscape and Lighting Maintenance Districts (All Wards)**

**Recommendation:**

It is recommended that the Mayor and City Council adopt Resolution No. 2023-055, initiating proceedings to levy and collect assessments for FY 2023/24 in Assessment Districts pursuant to the Constitution and the City Charter, appointing the Engineer of Record, and ordering preparation of Engineer's Report.

**RESULT:**        **ADOPTED RESOLUTION NO. 2023-055 (6-0)**  
**MOVER:**        Fred Shorett, Council Member, Ward 4  
**SECONDER:**   Theodore Sanchez, Council Member, Ward 1  
**AYES:**         Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:**       Sandra Ibarra

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

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California approve the commercial and payroll disbursements for March 2023.

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

**8. Amendment to Professional Services Agreements for Legal Services (All Wards)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California authorize the City Manager or designee to execute:

1. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for representation in the Karen Cervantes v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2012538;
2. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for representation in the

- Matthew Brown v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2025900;
3. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for representation in the Don Smith v. John Valdivia, City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVDSB2025375;
  4. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for representation in the Jackie Aboud v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2013562;
  5. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for the representation in the Mirna Cisneros v. John Valdivia, et al., San Bernardino Superior Court Case No. CIVDS2012926;
  6. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for the representation in the Sedna Moseley v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVDS2022209;
  7. Fourth Amendment to the Professional Services Agreement with Lynberg and Watkins for the representation in the Gary Saenz, et al. v. City of San Bernardino et al., San Bernardino Superior Court Case No. CIVDS2003802.

This item was pulled for further discussion. Human Resources Director Susie Soren explained that these amendments are extensions of agreements that were already approved by the Council. City Attorney Sonia Carvalho clarified that the agreements for outside legal services are to defend the City in the stated lawsuits, not to defend any individual.

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

**9. Accept the BSCC Officer Wellness and Mental Health Grant (All Wards)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2023-056 authorizing:

1. The City Manager to accept the Board of State and Community Corrections (BSCC) Officer Wellness Grant.
2. The Agency Director of Administrative Services to amend the FY 2022/23 Adopted Budget appropriating \$172,010.25 in both revenue and expenditures.

**RESULT:** **ADOPTED RESOLUTION NO. 2023-056 [6-0]**  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Theodore Sanchez, Council Member, Ward 1  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

## **DISCUSSION**

### **10. City Manager Executive Recruitment Services (All Wards)**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager or his designee to execute a Professional Services Agreement with Gallagher Benefit Services, Inc., for the executive recruitment services for the position of City Manager.

**RESULT:** **APPROVED STAFF'S RECOMMENDATION [6-0]**  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

Human Resources Director Soren presented this item. She stated that the recruitment should be completed within 12 weeks, and there would be updates regarding the process during every Closed Session meeting.

### **11. Ratify Memorandum of Understanding for Temporary License between the City of San Bernardino and the San Bernardino City Unified School District (Ward 2)**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, ratify the Memorandum of Understanding for the Temporary License between the City of San Bernardino and the San Bernardino City Unified School District for use of property on Fairfax Elementary School.

Public Works Director Daniel Hernandez presented this item. He advised that this agreement is required for a temporary road, due to the closure of Cross Street Bridge.

**RESULT:** **APPROVED STAFF'S RECOMMENDATION [6-0]**  
**MOVER:** Ben Reynoso, Council Member, Ward 5  
**SECONDER:** Theodore Sanchez, Council Member, Ward 1  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

**ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS****12. Consider Removal of Oxbow Cement Pile (Ward 5) Council Member Reynoso**

The item was rescinded by Council Member Reynoso and no vote was taken.

**13. Volunteer and Interns for Elected Officials (All Wards) – Council Member Alexander**

**RESULT:** APPROVED FOR CONSIDERATION AT A FUTURE MEETING [6-0]  
**MOVER:** Theodore Sanchez, Council Member, Ward 1  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

**14. Mechanisms to require developers to maintain their properties in a nuisance-free condition following receipt of entitlements/approvals including, for example, requiring fencing of sites and requiring demolition of structures within a certain period of time following approval. (All Wards) – Council Member Figueroa**

**RESULT:** APPROVED FOR CONSIDERATION AT A FUTURE MEETING [6-0]  
**MOVER:** Fred Shorett, Council Member, Ward 4  
**SECONDER:** Ben Reynoso, Council Member, Ward 5  
**AYES:** Sanchez, Figueroa, Shorett, Reynoso, Calvin, Alexander  
**ABSENT:** Sandra Ibarra

At the conclusion of open session items at 9:26 p.m., the Mayor and City Council returned to closed session to discuss the two remaining closed session items.

**CLOSED SESSION REPORT**

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

**ADJOURNMENT**

The meeting of the Mayor and City Council was adjourned on Wednesday, April 19, 2023, at 10:39 p.m. and a moment of silence observed in memory of Ernie Garcia.

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, May 3, 2023, in the Council Chamber located at 555 West 6<sup>th</sup> Street, San Bernardino, California 92410. Closed Session will begin at 5:30 p.m. Open Session will begin at 7:00 p.m.

By:   
Genoveva Rocha, CMC



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

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

## **Draft Minutes**

FOR THE  
SPECIAL 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

**FRIDAY, AUGUST 18, 2023**  
**2:00 PM**

The Special Closed Session Meeting of the Mayor and City Council of the City of San Bernardino was called to order at 2:06 PM by Mayor Helen Tran on Wednesday, April 5, 2023, 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	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	Via Zoom
Helen Tran	Mayor	Present
Thomas Rice	Assistant City Attorney	Present
Telicia Lopez	Chief Deputy City Clerk	Present

**2:00 P.M.**

**PLEDGE OF ALLEGIANCE**

Council Member Reynoso led the Pledge of Allegiance.

**CLOSED SESSION PUBLIC COMMENTS**

Treasure Ortiz stated that in 14 years, the City has yet to keep a City Manager. She suggested that the Mayor and City Council hold community forums to consider the final candidates.

Cheryl Brown stated that she has been in San Bernardino since 1953. She compared the instability of San Bernardino with more stable surrounding cities. She stated that she would like Interim City Manager Charles McNeely to stay in the position for a longer time.

Prior to convening to Closed Session, Council Member Calvin made a motion to continue Item A for 120 days, so resumes may continue to be reviewed for the recruitment. The motion was seconded by Council Member Reynoso.

**RESULT: CONTINUE ITEM FOR 120 DAYS FOR FURTHER CONSIDERATION  
[FAILED 2-5]**

**MOVER:** Kimberly Calvin, Council Member, Ward 6

**SECONDER:** Ben Reynoso, Council Member, Ward 5

**AYES:** Reynoso, Calvin

**NOES:** Sanchez, Ibarra, Figueroa, Shorett, Alexander

**CLOSED SESSION**

**A) PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code  
Section 54957)**

City Manager

**CLOSED SESSION REPORT**

Assistant City Attorney Thomas Rice informed that there was no formal reportable action.

**ADJOURNMENT**

The Special Closed Session of the Mayor and City Council was adjourned on Thursday, August 3, 2023 at 6:07 PM.

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 Monday, August 21, 2023, at the Multi-Purpose Room (2nd floor) located at 201 North E Street, Suite B, San Bernardino, California 92401. The Special Meeting will begin at 5:30 p.m.

By:   
Genoveva Rocha, CMC



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

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

## **Draft Minutes**

FOR THE  
SPECIAL 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

**MONDAY, AUGUST 21, 2023**  
**5:30 PM**

The Special Closed Session Meeting of the Mayor and City Council of the City of San Bernardino was called to order at 5:36 PM by Mayor Helen Tran on Monday, August 21, 2023, at the Multipurpose Conference Room, 2nd Floor, 201 North E Street, 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	Council Member, Ward 2	Arrived at 5:50 PM
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	Via Zoom
Helen Tran	Mayor	Present
Thomas Rice	Assistant City Attorney	Present
Telicia Lopez	Chief Deputy City Clerk	Present



**5:30 P.M.**

**PLEDGE OF ALLEGIANCE**

Council Member Shorett led the Pledge of Allegiance.

**CLOSED SESSION PUBLIC COMMENTS**

Stan Futch (*phonetic spelling*), President of the Westside Action Group, stated that the City deserves for the highest quality City Manager to be chosen.

**CLOSED SESSION**

**A) PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code Section 54957)**

City Manager

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

Unrepresented employee: City Manager

**CLOSED SESSION REPORT**

Assistant City Attorney Thomas Rice informed that there was no formal reportable action, but there would be another Special Closed Session on Monday, August 28<sup>th</sup>.

**ADJOURNMENT**

The Special Closed Session of the Mayor and City Council was adjourned on Thursday, August 18, 2023 at 7:16 PM.

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 Wednesday, August 24, 2023, at Feldheim Central Library, 555 W. 6th St., San Bernardino, California 92401. Closed Session will begin at 5:30 p.m. Open session will begin at 7:00 p.m.

By:   
Genoveva Rocha, CMC