

# CITY OF SAN BERNARDINO AGENDA

FOR THE

**SPECIAL** MEETING AND 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, AND 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, JANUARY 17, 2024

5:00 PM - SPECIAL MEETING

7:00 PM - REGULAR MEETING

**CLOSED SESSION IMMEDIATELY TO FOLLOW REGULAR MEETING**

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**Theodore Sanchez**  
COUNCIL MEMBER, WARD 1

**Sandra Ibarra**  
COUNCIL MEMBER, WARD 2

**Juan Figueroa**  
COUNCIL MEMBER, WARD 3

**Fred Shorett**  
MAYOR PRO TEM, WARD 4

**Ben Reynoso**  
COUNCIL MEMBER, WARD 5

**Kimberly Calvin**  
COUNCIL MEMBER, WARD 6

### Helen Tran

MAYOR



**Damon L. Alexander**  
COUNCIL MEMBER, WARD 7

**Charles A. Montoya**  
CITY MANAGER

**Sonia Carvalho**  
CITY ATTORNEY

**Genoveva Rocha**  
CITY CLERK

Welcome to a meeting of the Mayor and City Council of the City of San Bernardino

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## **CALL TO ORDER**

### **Attendee Name**

Council Member, Ward 1 Theodore Sanchez  
Council Member, Ward 2 Sandra Ibarra  
Council Member, Ward 3 Juan Figueroa  
Mayor Pro Tem, Ward 4 Fred Shorett  
Council Member, Ward 5 Ben Reynoso  
Council Member, Ward 6 Kimberly Calvin  
Council Member, Ward 7 Damon L Alexander  
Mayor Helen Tran  
City Manager Charles A. Montoya  
City Attorney Sonia Carvalho  
City Clerk Genoveva Rocha

## **5:00 P.M. SPECIAL MEETING**

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

### **PUBLIC COMMENTS FOR ITEMS ON THE SPECIAL MEETING AGENDA ONLY**

### **CITY MANAGER UPDATE**

### **PRESENTATIONS**

1. **Proclamation for Jayden Daniels Day in the City of San Bernardino – January 20, 2024 (All Wards) p. 18**
2. **San Bernardino County Fire Protection District FP-5 Presentation p. 20**

### **APPOINTMENTS**

3. **Animal Control Commission Removal p. 29**
4. **Elected Official Compensation Advisory Board of Gil Botello (Ward 3 Appointment) p. 60**
5. **Personnel Commission Appointment of Reginald L. Woods (Mayor’s Appointment) p. 69**
6. **Personnel Commission Appointment of Leticia O. Briggs (Mayor’s Appointment) p. 74**

### **CONSENT CALENDAR**

7. **California for All Animals Grant Award p. 79**

#### **Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-001:

1. Accepting a grant award in the amount of \$125,000 from UC Davis for animal services programs; and
2. Authorizing the City Manager to conduct all negotiations, signings, and submittals of all necessary documents to receive the grant award; and
3. Authorizing the Director of Finance and Management Services to amend the FY 2023/24 Budget to appropriate \$125,000 of the grant funding in both revenues and expenditures for animal shelter programs and services.

**8. Accept Donation Funds from Stater Bros. Charities p. 91**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-002:

1. Accepting a donation in the amount of \$7,000 from Stater Bros. Charities; and
2. Authorizing the Director of Finance and Management Services to amend the FY 2023/24 budget in both revenues and expenses and appropriate \$7,000 to be used towards animal shelter programs and services.

**9. Irrevocable Agreement to Annex No. 2024-375 (Ward 5) p. 97**

**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California adopt Resolution No. 2024-003 of the Mayor and City Council of the City of San Bernardino, California, approving the application to the Local Agency Formation Commission to provide City sewer services to a property located at 1199 West 41st Street, San Bernardino, California, within the unincorporated territory of Arrowhead Farms; and authorizing the City Manager to execute an Irrevocable Agreement to Annex.

**10. Resolution Declaring Intent to Conduct a Public Hearing to Order Street Vacation (15.30-439) of a Portion of Broadway Avenue East of N J Street and North of Main Street, and Reservation of Utilities Therein (Ward 1) p. 112**

**Recommendation:**

Adopt Resolution No. 2024-004 of the Mayor and City Council of the City of San Bernardino, California, declaring its intent to conduct a public hearing to order the vacation of a portion of Broadway Avenue east of north J Street and north of Main Street, and reservation of utilities therein.

**11. Irrevocable Agreement to Annex No. 2024-376 (Ward 6) p. 121**

**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California adopt Resolution No. 2024-005 of the Mayor and City Council of the City of San Bernardino, California, approving the application to the Local Agency Formation Commission to provide City sewer services to a property located at 3895 June Street, San Bernardino, California, within the unincorporated area of Muscoy; and authorizing the City Manager to execute an Irrevocable Agreement to Annex.

**12. Ratify and Accept the San Bernardino County Fire Protection District Ordinance No. FPD 23-01 (All Wards) p. 136**

**Recommendation:**

Adopt Resolution No. 2024-006 of the Mayor and City Council of the City of San Bernardino, California, to ratify and accept the San Bernardino County Fire Protection District's ("District") Ordinance No. FPD 23-01, which amends and adopts the 2022 Edition of the California Fire Code, known as California Code of Regulations, Title 24, Part 9, based on the 2021 Edition of the International Fire Code.

**13. Irrevocable Agreement to Annex No. 2024-378 (Ward 4) p. 232**

**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California adopt Resolution No. 2024-007 of the Mayor and City Council of the City of San Bernardino, California, approving the application to the Local Agency Formation Commission to provide City sewer services to a property located at 4694 North F Street, San Bernardino, California, within the unincorporated territory of Arrowhead Farms; and authorizing the City Manager to execute an Irrevocable Agreement to Annex.

- 14. Resolution Declaring Intent to Conduct Public Hearing to Order Street Vacation (15.30-437) of a Portion of Harrist Street Between North I Street and J Street and South of West 9th Street, and Reservation of Utilities Therein (Ward 1) p. 247**

**Recommendation:**

Adopt Resolution No. 2024-008 of the Mayor and City Council of the City of San Bernardino, California, declaring its intent to conduct a public hearing to order the vacation of a portion of Harris Street between North I Street and J Street and south of West 9th Street, and reservation of utilities therein.

- 15. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 41, Tax Zone No. 42 (Ono Hawaiian BBQ) (Ward 1) p. 257**

**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California, adopt Resolution No. 2024-009 of the Mayor and City Council of San Bernardino, California, declaring its intention to annex territory into Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino, adopting a map of the area to be proposed (Annexation No. 41) and authorizing the levy of a special taxes therein.

- 16. Resolution Declaring Intent to Conduct Public Hearing to Order the Street Vacation (15.30-440) of a Portion of 9th Street and a Portion of Tippecanoe Avenue, and Reservation of Utilities Therein (Ward 1) p. 302**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-010 declaring its intent to conduct a public hearing to order the vacation of a portion of 9th Street and a portion of Tippecanoe Avenue and reservation of utilities therein.

- 17. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 38, Tax Zone No. 39 (In-N-Out) (Ward 1) p. 313**

**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California, adopt Resolution No. 2024-011 of the Mayor and City Council of San Bernardino, California, declaring its intention to annex territory into Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino, adopting a map of the area to be proposed (Annexation No. 38) and authorizing the levy of a special taxes therein.

- 18. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 39, Tax Zone No. 40 (Ward 1) p. 348**

**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California, adopt Resolution No. 2024-012 of the Mayor and City Council of San Bernardino, California, declaring its intention to annex territory into Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino, adopting a map of the area to be proposed (Annexation No. 39) and authorizing the levy of a special taxes therein.

- 19. San Bernardino Regional Housing Trust Letter of Intent (All Wards) p. 382**

**Recommendation:**  
It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City to join the San Bernardino Regional Housing Trust by submitting a Letter of Intent to the San Bernardino Council of Government.

**20. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 40, Tax Zone No. 41 (Quick Quack) (Ward 5) p. 423**

**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California, adopt Resolution No. 2024-013 of the Mayor and City Council of San Bernardino, California, declaring its intention to annex territory into Community Facilities District No. 2019-1 (Maintenance Services) of the City of San Bernardino, adopting a map of the area to be proposed (Annexation No. 40) and authorizing the levy of a special taxes therein.

**21. Approve Professional Service Agreement with SB Express One LLC (All Wards) p. 457**

**Recommendation:**

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

1. Approve the Professional Service Agreement with SB Express One LLC (Super 8 Motel) for the provision of motel rooms ranging from 28 rooms (minimum) to 75 rooms (maximum) for a total amount not to exceed \$1,008,000 and for a term beginning January 17, 2024, through January 17, 2025.
2. Authorize the City Manager or designee to take any further actions and execute any further agreements or documents as necessary to effectuate the implementation of the Motel Voucher Program.

**22. Amending the City-wide Salary Schedule for the Planner Classification Series p. 513**

**Recommendation:**

Adopt Resolution No. 2024-014 of the Mayor and City Council of the City of San Bernardino, California:

1. Amending the City-wide salary schedule for the planner classification series.
2. Reclassifying the Deputy Director/City Planner (U) to City Planner (U).

**23. Basic Compensation Plan for Part-time, Temporary and Seasonal Employees p. 529**

**Recommendation:**

Adopt Resolution No. 2024-015 of the Mayor and City Council of the City of San Bernardino, California:

1. Approving a basic compensation plan for part-time, temporary and seasonal employees.
2. Amending the City-wide salary schedule for full-time, part-time, temporary, and seasonal positions.

**24. Side Letter Agreement with Various Bargaining Groups Regarding Hazard Pay p. 544**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-028, authorizing the City Manager to execute side letter agreements with various bargaining groups regarding hazard pay.

**25. Amendments to Professional Services Agreements for Legal Services (All Wards) p. 555**

**Recommendation:**

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

1. Fourth Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud and Romo for representation in the Andrea Miller (II) v. City of San Bernardino, 4th District Court of Appeals Case No. E080807
2. Third Amendment to the Professional Services Agreement with Stream, Kim, Hicks, Wrage & Alfaro for representation in the Andrea Miller (II) v. City of San Bernardino, 4th District Court of Appeals Case No. E080807
3. Second Amendment to the Professional Services Agreement with Carpenter, Rothans & Dumont, for representation in the Estate of Rob Marquise Adams, et al. v. City of San Bernardino, US District Court Case No. 5:2022cv02206
4. Second Amendment to the Professional Services Agreement with Atkinson, Andelson, Loya, Ruud & Romo for the provision of legal services in connection with the case entitled Brian Pellis, et al. v. City of San Bernardino, et al US District Court Case No. CIVSB 2226731
5. Second Amendment to the Professional Services Agreement with Carpenter, Rothans & Dumont, for representation in Deshawn Wright v. City of San Bernardino, United States District Court, Case No. 5:21-0032-CAS
6. Second Amendment to the Professional Services Agreement with Jones & Mayer, for representation of City employee Imran Ahmed in Deshawn Wright v. City of San Bernardino, United States District Court, Case No. 5:21-0032-CAS

**26. Approve Professional Service Agreements with CivicPlus. LLC. (All Wards) p. 642**

**Recommendation:**

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

1. Authorize the City Manager to execute the Professional Service Agreement with CivicPlus. LLC. for CivicEngage Central hosting, migration, training, and implementation services for a total amount not to exceed \$193,000 over a term beginning after approval of the contract renewable for a 60-month term; and
2. Authorize the Director of Finance to issue a purchase order in the amount of \$93,000.03 to CivicPlus for the development, migration, and hosting of a new City website.

**27. Establish a California Nonprofit Public Benefit Corporation named of “Friends of San Bernardino Parks, Recreation and Open Spaces Foundation.” P. 692**

**Recommendation:**

Adopt Resolution No. 2024-016 of the Mayor and City Council of the City of San Bernardino, authorizing the City Manager, or designee, to take the steps necessary to establish a California Nonprofit Public Benefit Corporation named “Friends of San Bernardino Parks, Recreation and Open Spaces Foundation” to support the Parks, Recreation, and Community Services Department’s programs and initiatives.

**28. Accept Grant Award for Lytle Creek Park and Community Center Renovations p. 713**

**Recommendation:**

Adopt Resolution No. 2024-017 of the Mayor and City Council of the City of San Bernardino, California:

1. Accepting a grant award in the amount of \$1,000,000 from the San Manuel Band of Mission Indians for renovations to Lytle Creek Park and Community Center;
2. Authorizing the City Manager, or designee, to conduct all negotiations, signings, and submittal of all necessary documents to receive the grant award; and
3. Authorizing the Director of Finance and Management Services to amend the



FY2023/24 Budget to appropriate \$1,000,000 in grant funding for the Lytle Creek Park and Community Center Renovation projects.

**29. Approve the Purchase of a Mobile Diesel Generator Through the Home and Community Based Services (HCBS) Senior Nutrition Infrastructure Grant Program p. 727**  
**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2024-018 to:

1. Accept and approve Request for Quotation (RFQ) F-23-77 for the purchase of a mobile diesel generator through the Home and Community Based Services Senior Nutrition Infrastructure Grant Program (HCBS-NI);
2. Authorize the City Manager to execute the Vendor Services Agreement (VSA) between the City of San Bernardino and Bell Electrical Supply Co., Inc. for the purchase of a new mobile towable diesel generator; and
3. Authorize the Director of Finance to issue a purchase order in the amount of \$136,089 to Bell Electrical Supply Co., Inc.

**30. Accept the RFP 22-39 Youth Enrichment Programs Award for Fiscal Year 2023/2024**  
**p. 749**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt resolution 2024-019:

1. Authorizing the City Manager, or his designee, to accept the award for RFP No. 22-39 Youth Enrichment Programs for an amount not to exceed \$145,000 through Fiscal Year 2023/2024;
2. Authorizing the City Manager, or his designee, to conduct all negotiations, signing, and submittals of necessary documents to receive RFP awards; and
3. Authorizing the Director of Finance and Management Services to amend the budget in both revenue and expenditures by \$145,000 and appropriate the funds for Fiscal Year 2023/2024.

**31. Accept the FY 2022 Project Safe Neighborhoods Grant (All Wards) p. 773**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-020 authorizing:

1. The City Manager or designee to accept the FY 2022 Department of Justice, Project Safe Neighborhoods grant funding; and
2. The Director of Finance and Management Services to amend FY 2023/24 Adopted Budget appropriating \$200,000 in both revenue and expenditures.

**32. Contract Amendment Approval – Mt. Vernon Storm Drain Project (Ward 6) p. 824**  
**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California: Approve Amendment No. 1 to the Professional Services Agreement with Onward Engineering in the amount of \$19,612.50, for a total contract amount of \$164,539.50 from Storm Drain DIF funding and extend the contract through anticipated completion date of December 30th, 2024.

**33. Rejecting Construction Bids for the Clean California Local Grant Program (All Wards) p. 909**

**Recommendation:**

Adopt Resolution No. 2024-021 of the Mayor and City Council of the City of San Bernardino, California, Rejecting Construction Bids for the Clean California Local Grant Program for the 4th Street Alley Beautification project.

**34. Agreement with Yunex, LLC., for Traffic Signal Intersection On-Call and Emergency Repair Services (All Wards) p. 923**

**Recommendation:**

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

1. Authorize the City Manager to execute a Maintenance Services Agreement with Yunex, LLC., for traffic signal intersection on-call and emergency repair services; and

2. Authorize the Director of Finance to issue a purchase order in the amount of \$600,000 to Yunex, LLC.

**35. Task Order Issued to TransTech Engineers for Project Management Services for the San Bernardino Hope Campus Project (Navigation Center) and Norman F. Feldheim Library Revitalization Projects. (Ward 1) p. 993**

**Recommendation:**

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

1. Approve two task orders (Transtech003 and Transtech004) to TransTech Engineering for program management services for the San Bernardino Hope Campus Project (Navigation Center) and Norman F. Feldheim Library Revitalization project, as part of the existing Professional Services Agreement for On-Call Engineering Services, and,

2. Authorize the Finance Director to issue a purchase order in the amount of \$296,400 for the Hope Campus Project and \$197,600 for the Feldheim Library Project.

**36. Contract Amendment Approval – Pepper Avenue Rehabilitation Project (Wards 3, 6) p. 1104**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California authorize the City Manager to execute all documents and: Approve Amendment No. 3 to the Professional Services Agreement with Kabbara Engineering in the amount of \$10,000, for a total contract amount of \$255,531 for Pepper Avenue Rehabilitation Project and extend the term of the agreement through the anticipated completion date of December 30, 2024.

**37. Approve Final Tract Map No. 20495 (Ward 4) p. 1179**

**Recommendation:**

Adopt Resolution No. 2024-022 by the Mayor and City Council of the City of San Bernardino, California, approving Final Tract Map No. 20495 (Subdivision 21-13) involving the subdivision of five (5) parcels (APN 0285-211-05, 21, 22, 23, and 25) containing approximately 14.7 acres into one hundred thirty-three (133) single-family residential lots and nine (9) lettered lots for common facility improvements, located on the northwest corner of E. Highland Avenue and N. Palm Avenue, accepting the public dedications as set forth on said map; and authorizing execution of the standard form of agreement for the subdivision improvements.



**38. Contract Change Order Approval – Pavement Rehabilitation at Three Locations- Ward 3 p. 1331**

**Recommendation:**

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

1. Authorize the Director of Finance and Management Services to allocate an additional \$643,910.10 to fund the change order to complete the pavement improvements "Project"; and
2. Approve the Construction Contract Change Order with Matich Corporation Company in the amount of \$643,910.10 to complete the "Project"; and
3. Authorize the project construction and construction contingencies in the total amount of \$693,000 to provide pavement improvements to complete the "Project"; and
4. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

**39. Cancellation of January 17, 2024, Public Hearing Regarding Solid Waste Rate Increases and Resolution Adopting Rates for Solid Waste Services, Approving Third Amendment to the City’s Exclusive Franchise Agreement for Integrated Solid Waste Collection, Processing and Disposal Services with Burrtec Waste Industries, Inc., and Finding the Action Exempt from the California Environmental Quality Act p. 1340**

**Recommendation:**

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

1. Cancel the Proposition 218 Public Hearing to receive comments on the proposed rate increases and Third Amendment to the City’s Exclusive Franchise Agreement for Integrated Solid Waste collection, processing and disposal Services with Burrtec Waste Industries, Inc. (“Burrtec”) on the January 17, 2024, Mayor and City Council Meeting; and
2. Instruct staff to establish a new timeline for implementation of proposed rates (to include public hearings), SB 1383 adoption, and potential amendments to the City’s agreement with Burrtec Waste Industries, Inc. before July 30th, 2024.

**ADJOURNMENT FOR SPECIAL MEETING**

The Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency will adjourn to the Regular Meeting to be held on January 17, 2024 at the Feldheim Central Library located at 555 West 6th Street, San Bernardino, California 92401. The Regular Meeting will begin at 7:00 p.m.

**CALL TO ORDER REGULAR MEETING**

**Attendee Name**

Council Member, Ward 1 Theodore Sanchez  
Council Member, Ward 2 Sandra Ibarra  
Council Member, Ward 3 Juan Figueroa  
Mayor Pro Tem, Ward 4 Fred Shorett  
Council Member, Ward 5 Ben Reynoso  
Council Member, Ward 6 Kimberly Calvin  
Council Member, Ward 7 Damon L Alexander  
Mayor Helen Tran  
City Manager Charles A. Montoya  
City Attorney Sonia Carvalho  
City Clerk Genoveva Rocha

**7:00 P.M.**

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

**CONSENT CALENDAR**

**1. Adoption of Ordinance No. MC-1622: Floodplain Ordinance (FPO) (All Wards)  
p. 1344**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Ordinance No. MC-1622: adopting a new Chapter 8.79 of the City of San Bernardino municipal code; adopting flood hazard maps; designating City Engineer as the floodplain administrator; and repealing Chapter 19.16 of the City of San Bernardino municipal code.

**PUBLIC HEARING**

**2. Public Hearing on Annexation No. 28A to Community Facilities District 2019-1 (Ward 5) p. 1385**

**Recommendation:**

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

1. Hold a Public Hearing; and
2. Adopt Resolution No. 2024-023 of the Mayor and City Council of the City of San Bernardino, California, calling an election to submit to the qualified electors the question of levying the amended special tax within the area proposed to be annexed to Community Facilities District No. 2019-1 (Maintenance Services) (Annexation No. 28A); and
3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2024-024 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) Tax Zone 29; and
5. Introduce, read by title only, and waive further reading of Ordinance No. MC-1623 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-1623 for February 21, 2024.

**3. Public Hearing on Annexation No. 37 to Community Facilities District 2019-1 (Ward 3) p. 1442**

**Recommendation:**

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

1. Hold a Public Hearing; and
2. Adopt Resolution No. 2024-025 of the Mayor and City Council of the City of

San Bernardino, California, calling an election to submit to the qualified electors the question of levying a special tax within the area proposed to be annexed to Community Facilities District No. 2019-1 (Maintenance Services) (Annexation No. 37); and

3. Hold a special landowner election and canvass the election; and

4. Adopt Resolution No. 2024-026 of the Mayor and City Council of the City of San Bernardino, California, declaring election results for Community Facilities District No. 2019- 1 (Maintenance Services) (Annexation No. 37); and

5. Introduce, read by title only, and waive further reading of Ordinance No. MC-1624 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-1624 for February 21, 2024.

## **DISCUSSION**

### **4. Adopting Resolution No. 2024-027 and Introducing Ordinance No. MC-1625 Amending Chapter 2.10 and Chapter 2.15, Adding Chapter 2.83, and Amending Sections 3.16.060 and 19.70.036(D)(14)(D) of the San Bernardino Municipal Code Regarding Updating Titles and Organizational Duties of Various City Departments and Department Heads (All Wards) p. 1496**

#### **Recommendation:**

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

1. Adopt Resolution No. 2024-027:

a. Restructuring the Community and Economic Development Department by creating the Community Development & Housing Department and the Economic Development Department

b. Retitling the Human Resources Department to Human Resources and Risk Management Department

c. Retitling the Finance Department to Finance and Management Services Department

d. Retitling the Director and Deputy Director of Human Resources (U)

Classification

e. Retitling the Deputy Director of Finance (U) Classification

f. Amending the City-wide Salary Schedule for full-time, part-time, temporary, and seasonal position.; and

2. Introduce, read by title only, and waive further reading of Ordinance No. MC-1625 amending Chapter 2.10 and Chapter 2.15, adding Chapter 2.83, and amending sections 3.16.060 and 19.70.036(D)(14)(D) of the San Bernardino Municipal Code regarding updating titles and organizational duties of various City Departments and Department Heads.

**5. Introduction of Ordinance No. MC-1626 Amending Section 2.58.010 of the Municipal Code Relating to the Time and Location of Regular Meetings (All Wards) p. 1522**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, introduce, read by title only, and waive further reading of Ordinance No. MC-1626 amending Section 2.58.010 of Chapter 2.58 of Title 2 of the San Bernardino Municipal Code relating to the time and location of regular meetings.

**6. Election of Mayor Pro Tempore (All Wards) p. 1533**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, open nominations for a member of the City Council to serve as Mayor Pro Tempore with an effective date of December 20, 2023.

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

**CLOSED SESSION**

**7. Closed Session p. 1537**

**Recommendation:**

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

- i. Dennis Bergman, by and through his Guardian Ad Litem, Jennifer Abraham, San Bernardino Superior Court Case No. CIVBS2134966
- ii. Estate of Rob Marquise Adams, by and through its personal Representatives, Tamika King, et al. v. City of San Bernardino, United States District Court Case No. 5:22-CV-02206 JGB-SP
- iii. Brian Pellis, et al. v. City of San Bernardino, San Bernardino Superior Court Case No. CIVSB222673
- iv. Gary Schuelke v. City of San Bernardino, Workers' Comp. Case Nos. ADJ13946643, ADJ13946133, ADJ11395684, ADJ11395701, ADJ6436925, and ADJ4544196
- v. Frank Alvarez v. City of San Bernardino, Workers' Comp. Case No. ADJ1477022
- vi. Douglas Heath v. City of San Bernardino, Workers' Comp. Case No. ADJ11111333

**CLOSED SESSION REPORT**

**ADJOURNMENT**

The Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency will adjourn to a Special Meeting to be held on January 31, 2024, at the Feldheim Central Library located at 555 West 6th Street, San Bernardino, California 92401. The Special Meeting will begin at 3:00 p.m.

## CERTIFICATION OF POSTING AGENDA

I, Telicia Lopez, CMC, Chief Deputy City Clerk for the City of San Bernardino, California, hereby certify that the agenda for the **Wednesday, January 17, 2024**, Special and Regular Meeting of the Mayor and City Council and the Mayor and City Council acting as the Successor Agency to the Redevelopment Agency was posted on the City's bulletin board located at 201 North "E" Street, San Bernardino, California, at the Feldheym Central Library located at 555 West 6th Street, San Bernardino, California, and on the City's website sbcity.org on **Friday, January 12, 2024**.

I declare under the penalty of perjury that the foregoing is true and correct.

**Telicia Lopez**

**Telicia Lopez, CMC, Chief Deputy City Clerk**

**NOTICE:**

Any member of the public desiring to speak to the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency concerning any matter on the agenda, which is within the subject matter jurisdiction of the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency may address the body during the period reserved for public comments.

In accordance with Resolution No. 2018-89 adopted by the Mayor and City Council on March 21, 2018, the following are the rules set forth for Public Comments and Testimony:

**Public Comments and Testimony:**

**Rule 1.** Public comment shall be received on a first come, first served basis. If the presiding officer determines that the meeting or hearing may be lengthy or complicated, the presiding officer may, in his or her discretion, modify these rules, including the time limits stated below.

**Rule 2.** All members of the public who wish to speak shall fill out a speaker's reservation card and turn in the speaker reservation card to the City Clerk prior to the time designated on the agenda. Comments will be received in the order the cards are turned in to the City Clerk. Failure of a person to promptly respond when their time to speak is called shall result in the person forfeiting their right to address the Mayor and City Council.

**Rule 3.** The presiding officer may request that a member of the public providing comment audibly state into the microphone, if one is present, his or her name and address before beginning comment. If that person is representing a group or organization the presiding officer may request that the speaker identify that group or organization, including that group or organization's Address.

**Rule 4.** Notwithstanding the provisions of Rule 2 and 3 above, a person shall not be required to provide their name or address as a condition of speaking.

**Rule 5. Time Limits:**

**5.01** Each member of the public shall have a reasonable time, not to exceed three ( 3) minutes per meeting, to address items on the agenda and items not on the agenda but within the subject matter jurisdiction of the Mayor and City Council.

**5.02** Notwithstanding the time limits set forth in subsection 5. 01 above, any member of the public desiring to provide public testimony at a public hearing shall have a reasonable time, not to exceed ( 3) minutes, to provide testimony during each public hearing.



Any member of the public desiring to speak to the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency concerning any matter not on the agenda but which is within the subject matter jurisdiction of the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency may address the body at the end of the meeting, during the period reserved for public comments. Said total period for public comments shall not exceed 60 minutes, unless such time limit is extended by the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency. A three-minute limitation shall apply to each member of the public, unless such time limit is extended by the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency. No member of the public shall be permitted to "share" his/her three minutes with any other member of the public.

Speakers who wish to present documents to the governing body may hand the documents to the City Clerk at the time the request to speak is made.

The Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency may refer any item raised by the public to staff, or to any commission, board, bureau, or committee for appropriate action or have the item placed on the next agenda of the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency. However, no other action shall be taken nor discussion held by the Mayor and City Council and the Mayor and City Council Acting as the Successor Agency to the Redevelopment Agency on any item which does not appear on the agenda unless the action is otherwise authorized in accordance with the provisions of subdivision (b) of Section 54954.2 of the Government Code.

Public comments will not be received on any item on the agenda when a public hearing has been conducted and closed.

#### **ALTERNATE MEETING VIEWING METHOD:**

If there are issues with the main live stream for the Mayor and City Council you may view the alternate stream on TV3

<https://reflect-sanbernardino.cablecast.tv/CablecastPublicSite/watch/1?channel=6>

#### **PUBLIC COMMENT OPTIONS**

Please use **ONE** of the following options to provide a public comment:

**1)** Written comments can be emailed to [publiccomments@sbcity.org](mailto:publiccomments@sbcity.org). Written public comments received up to 4:00 p.m. on the day of the meeting (or otherwise indicated on the agenda) will be provided to the Mayor and City council and made part of the meeting record. **They will not be read aloud unless you require an ADA accommodation.**

**Please note:** messages submitted via email and this page are only monitored from the publication of the final agenda until the deadline to submit public comments. Please contact the City Clerk at 909-384-5002 or [SBCityClerk@sbcity.org](mailto:SBCityClerk@sbcity.org) for assistance outside of this timeframe.

**2)** Attend the meeting in person and fill out a speaker slip. Please note that the meeting Chair decides the cut-off time for public comment, and the time may vary per meeting. If you wish to submit your speaker slip in advance of the meeting, please submit your request to speak using the form on the following page: <https://tinyurl.com/mccpubliccomments>

#### **3) REMOTE PARTICIPATION VIA ZOOM WILL BE FOR COUNCIL PARTICIPATION**

Until further notice, remote public comment has been suspended.

**NOTICE OF A SPECIAL MEETING OF THE  
MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO**

**DATE:** Friday, January 12, 2024

**SUBJECT:** Special Meeting on Wednesday, January 17, 2024

**NOTICE IS HEREBY GIVEN** that the City Manager, with a consensus of the Mayor and City Council of the City of San Bernardino, has called a Special Meeting for Wednesday, January 17, 2024, at 5:00 p.m.

Said meeting shall be for the purpose of considering the following:

**PRESENTATIONS**

1. **Proclamation for Jayden Daniels Day in the City of San Bernardino – January 20, 2024 (All Wards)**
2. **San Bernardino County Fire Protection District FP-5 Presentation; and**

**APPOINTMENTS**

3. **Animal Control Commission Removal**
4. **Elected Official Compensation Advisory Board of Gil Botello (Ward 3 Appointment)**
5. **Personnel Commission Appointment of Reginald L. Woods (Mayor’s Appointment)**
6. **Personnel Commission Appointment of Leticia O. Briggs (Mayor’s Appointment); and**

**Consent Calendar Items No. 7 through 39.**

**ADJOURNMENT**

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 January 17, 2024 at the Feldheim Central Library, 555 West Sixth Street, San Bernardino 92401. Open Session will begin at 7:00 p.m.

*Telicia Lopez*

Telicia Lopez, CMC, Chief Deputy City Clerk

**NOTICE OF A SPECIAL MEETING OF THE  
MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO**

**DATE:** Friday, January 12, 2024

**SUBJECT:** Special Meeting (Closed Session) on Wednesday, January 17, 2024

**NOTICE IS HEREBY GIVEN** that the City Manager, with a consensus of the Mayor and City Council of the City of San Bernardino, has called a Special Closed Session Meeting for Wednesday, January 17, 2024, immediately following Open Session.

Said meeting shall be for the purpose of considering the following:

**CLOSED SESSION**

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

- i) *Dennis Bergman, by and through his Guardian Ad Litem, Jennifer Abraham, San Bernardino Superior Court Case No. CIVBS2134966*
- ii) *Estate of Rob Marquise Adams, by and through its personal Representatives, Tamika King, et al. v. City of San Bernardino, United States District Court Case No. 5:22-CV-02206 JGB-SP*
- iii) *Brian Pellis, et al. v. City of San Bernardino, San Bernardino Superior Court Case No. CIVSB222673*
- iv) *Gary Schuelke v. City of San Bernardino, Workers' Comp. Case Nos. ADJ13946643, ADJ13946133, ADJ11395684, ADJ11395701, ADJ6436925, and ADJ4544196*
- v) *Frank Alvarez v. City of San Bernardino, Workers' Comp. Case No. ADJ14770229*
- vi) *Douglas Heath v. City of San Bernardino, Workers' Comp. Case No. ADJ11111333*

**ADJOURNMENT**

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 February 21, 2024 at the Feldheim Central Library, 555 West Sixth Street, San Bernardino 92401. Closed Session will begin at 5:30 p.m. and Open Session will begin at 7:00 p.m.

***Telicia Lopez***

Telicia Lopez, CMC, Chief Deputy City Clerk