

CITY OF SAN BERNARDINO

AGENDA

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, 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, MAY 01, 2024

4:00 PM - CLOSED SESSION

5:00 PM - OPEN SESSION

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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

- **PLEASE VIEW THE LAST PAGES OF THE AGENDA FOR PUBLIC COMMENT OPTIONS, OR CLICK ON THE FOLLOWING LINK: [TINYURL.COM/MCCPUBLICCOMMENTS](https://tinyurl.com/mccpubliccomments)**
- **PLEASE CONTACT THE CITY CLERK'S OFFICE (909) 384-5002 TWO WORKING DAYS PRIOR TO THE MEETING FOR ANY REQUESTS FOR REASONABLE ACCOMMODATIONS**
- **To view PowerPoint presentations, written comments, or any revised documents for this meeting date, use this link: tinyurl.com/agendabackup. Select the corresponding year and meeting date folders to view documents.**

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

4:00 P.M.

CLOSED SESSION PUBLIC COMMENT

CLOSED SESSION [p.12](#)

A) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subsection (d) of Section 54956.9: one case

B) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of Case: *City of San Bernardino v. Arrowhead Lodge No. 896, I.B.P.O.E. of W et al.*, San Bernardino Superior Court Case No. Case No. CIVSB2221041

C) PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Title: City Manager (City Manager-Initiated Goal Setting Process)

D) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: one case

5:00 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

PUBLIC HEARING

1. Development Code Amendment (Zoning Map Amendment) 20-05 and Development Permit Type-D 20-03 – Amazing 34 Project [p.13](#)

Recommendation:

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

1. Adopt Resolution No. 2024-078 of the Mayor and City Council of the City of San Bernardino, California, adopting the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approving Development Permit Type D 20-03 to allow the development and establishment of an industrial warehouse containing approximately 89,475 square feet on a project site comprised of (3) parcels containing a total of approximately 4.02 acres located on the northeast corner of S. Waterman Avenue and E. Central Avenue (Attachment 1); and
2. Introduce for the first reading, Ordinance No. MC-1637 of the Mayor and City Council of the City of San Bernardino, California, approving Development Code Amendment (Zoning Map Amendment) 20-05 changing the Zoning District Classification from Office Industrial Park (OIP) to Industrial Light (IL) of two (2) parcels containing a total of approximately 3.84 acres, pursuant to a Mitigated Negative Declaration (Attachment 4).
3. Schedule the adoption of the above Ordinance for the regularly scheduled meeting of the Mayor and City Council on May 15th, 2024.

2. Proposed Fiscal Year 2024-25 Annual Action Plan for the Community Development Block Grant, HOME Investment Partnership and Emergency Solutions Grant Programs (All Wards) [p.127](#)

Recommendation:

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

1. Conduct a Public Hearing to obtain citizens' comments on the proposed Fiscal Year 2024-25 Annual Action Plan for the Community Development Block Grant, HOME Investment Partnership, and Emergency Solutions Grant Programs; and
2. Consider any necessary changes to the proposed Fiscal Year 2024-25 Annual Action Plan and direct staff to return on May 15, 2024, with the final Annual Action Plan for consideration prior to submittal to the United States Department of Housing and Urban Development.
3. Authorize the City Manager or designee to take any further actions and execute any further documents as necessary to effectuate the submittal of the HUD Fiscal Year 2024-2025 Annual Action Plan and certification to HUD.

APPOINTMENTS

3. Planning Commission Appointment of George J. Karaiscos (Ward 7) [p.431](#)

4. Parks, Recreation and Community Services Commission Appointment of Lata M. Wilson (Ward 7) [p.440](#)

PRESENTATIONS

5. Youth Civic Engagement Council Certificates of Recognition (All Wards) [p.448](#)

6. Proclamation for Water Safety & Drowning Prevention Month in the City of San Bernardino – May 2024 (All Wards) [p. 453](#)

7. **Proclamation for Asian American Native Hawaiian Pacific Islander Heritage (AANHPI) Month in the City of San Bernardino – May 2024 (All Wards) [p.455](#)**

CITY MANAGER UPDATE

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

CONSENT CALENDAR

8. **Approval of the Second Amendment to the Professional Services Agreement with Hope the Mission for Homeless Outreach Services [p.457](#)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino approve the Second Amendment to the Professional Service Agreement with Hope the Mission to extend the term of the agreement by one (1) year to oversee the City's Homeless Outreach Project.

9. **Final Reading and Adoption of Ordinance No. MC-1636 Development Code Amendment 24-02 (Emergency Shelter Overlay) [p.508](#)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Ordinance No. MC-1636, approving Development Code Amendment 24-02 amending the following sections and chapter:

1. Section 19.02.50 (Basic Provisions – Definitions).
2. Section 19.06.020; Table 06.01 (Commercial Zones - Development Permitted and Conditionally Permitted Uses).
3. Section 19.08.020; Table 08.01 (Industrial Zones - Development Permitted and Conditionally Permitted Uses)
4. Chapter 19.10-E (Emergency Shelter Overlay) of the City of San Bernardino Development Code (SBMC Title 19) in order to update the development standards for Emergency Shelters in compliance with state law; and
5. Finding that Development Code Amendment 24-02 is exempt from review under the California Environmental Quality Act.

10. **Encroachment Permit and Covenant Agreement with the San Manuel Band of Mission Indians (Ward 4) [p.527](#)**

Recommendation:

It is recommended that the Mayor and City Council of San Bernardino, California, adopt Resolution No. 2024-079 of the Mayor and City Council of the City of San Bernardino, California, authorizing and directing the City Manager to execute an Encroachment Permit and Covenant Agreement with the San Manuel Band of Mission Indians, a federally recognized Indian tribe, for the encroachment of two improvements that include an above ground wayfinding sign and a primary directional monument sign located at Victoria Avenue north of Lynwood Drive and southwest of Piedmont Drive, San Bernardino, California.

11. **Updating Assessment Engineer's Reports - Previously Formed Landscape and Lighting Maintenance Districts (All Wards) [p.572](#)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino California, adopt Resolution No. 2024-080 of the Mayor and City Council of the City of San Bernardino, California, initiating the proceedings to levy and collect assessments for FY 2024/25 in Assessment Districts pursuant to the Constitution and the City Charter, appointing the Engineer of Record, and ordering preparation of Engineer's Report.

12. Resolutions Updating the Bank and Investment Account Signature Authority (All Wards) p.579

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, and the Mayor and City Council of the City of San Bernardino, California acting in its capacity as the Successor Agency to the former Redevelopment Agency of the City of San Bernardino adopt the attached Resolutions updating the City's and Successor Agency's bank and investment account signature authority:

1. 2024-081 – Wells Fargo Bank, City;
2. 2024-082 – Wells Fargo Bank, Successor Agency;
3. 2024-083 – U.S. Bank, City;
4. 2024-084 – U.S. Bank, Successor Agency;
5. 2024-085 – BNY (Bank of New York) Mellon, City;
6. 2024-086 – BNY (Bank of New York) Mellon, Successor Agency;
7. 2024-087 – Citizens Business Bank, Successor Agency;
8. 2024-088 – Local Agency Investment Fund (LAIF), City; and
9. 2024-089 – Authorized Brokers or Dealers for the City and Successor Agency.

13. Receive and File the City's Annual Comprehensive Financial Report for the Year Ended June 30, 2023 (All Wards) p.609

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file City's Annual Comprehensive Financial Report (ACFR) for the Year Ended June 30, 2023.

14. Library Literacy Program Grant Funding (All Wards) p.867

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-092, authorizing the Director of Finance and Management Services to amend and appropriate \$29,786 in grant funding from the California Department of Education in both revenues and expenditures to the Fiscal Year 2023 – 2024 Operating Budget for the Workforce Innovation and Opportunity Act, Title II: Adult Education and Family Literacy Act program.

15. COPS Grant Application (All Wards) p.955

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the Police Department to apply for funding for five police officer positions through the Community Oriented Policing Services (COPS) grant program.

16. Receive and File San Bernardino Municipal Water Department's Audited Annual Comprehensive Financial Report for Fiscal Year Ended June 30, 2023 (All Wards) p.987

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file the San Bernardino Municipal Water Department's audited Annual Comprehensive Financial Report for water and sewer utilities for Fiscal Year ended June 30, 2023.

17. Adopt a Resolution Adding Dignity Moves as a Joint Applicant with the City and Lutheran Social Services of Southern California for the Homekey 3.0 Grant Funding Application (All Wards) [p.1134](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-093 authorizing a joint application to and participation in the Homekey Program with Lutheran Social Services of Southern California and Dignity Moves.

DISCUSSION

18. Peace Officer Housing Incentive Program [p.1146](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file the report and presentation regarding the potential for a Peace Officer Housing Incentive Program for all full-time sworn staff.

19. Contract Amendment for PlaceWorks for the preparation of the City's General Plan Update and other related documents (All Wards) [p.1157](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve a contract amendment for PlaceWorks in the amount not to exceed \$634,825.09.

20. City Hall Renovation Project Step 1 (Ward 1) [p.1276](#)

Recommendation:

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

1. Authorize the City Manager to move forward with Step 1 of the San Bernardino City Hall Renovation Project; and
2. Authorize the execution of the Joint Exercise Power Agreement between the City of San Bernardino, and the San Bernardino City Housing Authority; and
3. Adopt Resolution 2024-090; of the City of San Bernardino authorizing the creation of the City of San Bernardino Financing Authority and certain other matters pertaining thereto; and
4. Adopt Resolution 2024-091; declaring intent to issue tax exempt obligations to be used to reimburse the City for expenditures it may incur prior to the bond issuance.

DISCUSSION - HOUSING AUTHORITY ITEM

21. Authorizing the Execution of a Joint Exercise Powers Agreement with the City of San Bernardino and Adopting Resolution No. SBHA/2024-1 of the San Bernardino City Housing Authority Authorizing the City of San Bernardino Financing Authority [p. 1305](#)

Recommendation:

It is recommended that the San Bernardino City Housing Authority:

1. Authorize the execution of the Joint Exercise Power Agreement between the San Bernardino City Housing Authority and the City of San Bernardino; and
2. Adopt Resolution SBHA/2024-1 of the San Bernardino City Housing Authority authorizing the creation of the City of San Bernardino Financing Authority and certain other matters pertaining thereto.

ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS

22. Taxpayer Protection Act (All Wards) – Council Member Alexander [p.1342](#)

MAYOR & CITY COUNCIL UPDATES/REPORTS ON CONFERENCES & MEETINGS

ADJOURNMENT

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 May 15 , 2024, at the Feldheim Central Library located at 555 West 6th Street, San Bernardino, California 92401. Closed Session will begin at 4:00 p.m. and Open Session will begin at 5:00 p.m.

CERTIFICATION OF POSTING AGENDA

I, Genoveva Rocha, CMC, City Clerk for the City of San Bernardino, California, hereby certify that the agenda for the **Wednesday, May 1, 2024**, 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 Feldheim Central Library located at 555 West 6th Street, San Bernardino, California, and on the City's website sbcity.org on **Friday, April 26, 2024**.

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



Genoveva Rocha, CMC, 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:

You may view the meeting from the following location (TV3) if there are any technical issues with the live stream or recording from the main agenda portal or if you require an option with Closed Captioning.

<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. Written public comments received up to 2:30 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. **Written public comments will not be read aloud by city staff. Written correspondence can be accessed by the public online at tinyurl.com/agendabackup.**

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 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>

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