

# 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, SEPTEMBER 04, 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

**Rochelle Clayton**  
ACTING 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](https://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  
Acting City Manager Rochelle Clayton  
City Attorney Sonia Carvalho  
City Clerk Genoveva Rocha

### **4:00 P.M.**

## **CLOSED SESSION PUBLIC COMMENT**

### **CLOSED SESSION P. 13**

#### **A) PUBLIC EMPLOYEE PERFORMANCE EVALUATIONS**

Titles: City Manager; City Attorney; City Clerk (Initiation of Process)

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

Title: Interim City Manager

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

Agency designated representatives: Mayor or other Mayor and Council designee  
Unrepresented employee: Acting City Manager/Interim City Manager

#### **D) CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Pursuant to Government Code Section 54956.8)**

Property: 300 North E Street (Parcel Map 688, Parcel 12 Book 25 Page 47  
Parcel Map 688 Parcel No. 12 formally known as City PTN Blk 12 and PTN 3rd St  
VAC)

City Negotiator: City Manager or Designee  
Negotiating Parties: El Corte Ingles  
Under Negotiations: Price and Terms

**5:00 P.M.**

**INVOCATION AND PLEDGE OF ALLEGIANCE**

**CLOSED SESSION REPORT**

**PRESENTATIONS**

1. **Proclamation for National Library Card Sign-Up & Literacy Month in the City of San Bernardino – September 2024 (All Wards) [P.14](#)**

**PUBLIC HEARING**

2. **Public Hearing on Annexation No. 28 to Community Facilities District 2019-1 (Ward 5) [P.16](#)**

**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. 2024-190 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. 28, Tax Zone 29); and
3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2024-191 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. 28, Tax Zone 29); and
5. Introduce, read by title only, and waive further reading of Ordinance No. MC-1642 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 2024-2025 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-1642 for September 18, 2024.

**CITY MANAGER UPDATE**

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

**CONSENT CALENDAR**

**3. Irrevocable Agreement to Annex No. 2024-379 (Ward 6) P.76**

**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California adopt Resolution No. 2024-193 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 2210 Ogden Street, San Bernardino, California, within the unincorporated County of San Bernardino territory of Muscoy; and authorizing the City Manager to execute an Irrevocable Agreement to Annex.

**4. Irrevocable Agreement to Annex No. 2024-380 (Ward 6) P.92**

**Recommendation:**

It is recommended that the Mayor and City Council of San Bernardino, California adopt Resolution No. 2024-192 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 2179 Blake Street, San Bernardino, California, within the unincorporated County of San Bernardino territory of Muscoy; and authorizing the City Manager to execute an Irrevocable Agreement to Annex.

**5. San Bernardino Soccer Complex Lease Assignment with World Sports Arena, LLC (Ward 2) P.108**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-194, authorizing the City Manager to execute the Lease Assignment Agreement for the San Bernardino Soccer Complex, located at 2500 Pacific Street, San Bernardino, California; assigning the Lease with San Bernardino Soccer, LLC, to World Sports Arena, LLC.

**6. Approve the proposed board for the “Friends of San Bernardino Parks, Recreation and Open Spaces Foundation (All Wards) P.149**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution 2024-196 approving the proposed list of community members to serve on the board of the recently approved California Non-Profit “Friends of San Bernardino Parks, Recreation and Open Spaces Foundation.”

**7. Acceptance and Approval of Older Californians Nutrition Program Grant Award FY 2024/25 (All Wards) [P.155](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution No. 2024-195:

1. Authorizing the City Manager to approve a 2024/2025 Budget for year three of a three-year Older Californians Nutrition Program grant through the Department of Aging and Adult Services – Public Guardian (DAAS-PG); and
2. Authorizing the City Manager to accept the 2024/2025 Congregate Meal Program Grant Budget in the amount of \$392,541; and
3. Authorizing the City Manager or their designee to conduct all negotiations, signing and submittals of necessary documents to receive grant budget awards;
4. Approving certain related purchase orders to Sysco Foods (\$215,600) and Hollandia Dairy (\$24,530) and Consulting Health and Nutrition Services for continued operation of the Older Californians Nutrition Program; and
5. Authorizing the Director of Finance and Management Services to amend the grant funds for the period of July 1, 2024 through June 30, 2025.

**8. Recommendation to Increase the Construction Contingency and Construction Management Budget for Nicholson Park Improvements Project. (Ward 6) [P.324](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2024-197:

1. Authorizing the Director of Finance and Management Services to amend the FY 2024/25 CIP Budget with an additional \$745,128 for the Nicholson Park Improvements Project using the Measure S fund balance; and
2. Authorizing the Director of Finance and Management Services to increase the construction contingency and construction management budget from \$1,290,000 to the total amount of \$2,139,564.87; and
3. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

**9. Award of Construction Agreement to F.E.C. Electric Inc. (Ward 2, Ward 4) [P.334](#)**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2024-199:

1. Approving the award of an Agreement with F.E.C. Electric, Inc. for \$1,653,396.02 for the Construction of Speicher Park Multipurpose Field and Newmark Park Ballfields Improvements (Projects); and
2. Authorizing the project construction contingencies, and administrative costs in the amount of \$550,000 for construction of the Project; and
3. Authorizing the Director of Finance and Management Services to utilize \$2,000,000 from the Ballfiend Accessory Upgrades Project as follows: \$1,130,254 to Newmark Ballfield Lighting and \$869,746 to Speicher Park Multipurpose Field Lighting and
4. Authorizing the City Manager or designee to execute all documents with F.E.C. Electric, Inc. necessary to carry out the Projects; and
5. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the Projects.
6. Finding the Project exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines § 15302 (“Replacement or Reconstruction”).

**10. Approving Amendment No. 2 to Cooperative Agreement No. 22-1002720 with the San Bernardino County Transportation Authority (SBCTA) for the State Route 210/Waterman Avenue Interchange Project (Ward 7) P.492**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-198

1. Authorizing the Director of Finance and Management Services to amend the State Route 210/Waterman Avenue Interchange Project budget in the amount of \$322,806 from the Measure I Fund, for a total-not-to exceed amount of \$1,948,934. and;
2. Authorizing the City Manager to execute Amendment No. 2 to Cooperative Agreement No. 22-1002720 with the San Bernardino County Transportation Authority (SBCTA) for Waterman Avenue at State Route 210 (SR-210) interchange Project.

**DISCUSSION**

**11. Accept Three Million Dollars in Grant Funds from the County of San Bernardino for the City's Navigation Center (All Wards) P.518**

**Recommendation:**

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-200:

1. Authorizing the City Manager, or designee, to accept grant funds in the amount of \$3,000,000 from the County of San Bernardino; and
2. Authorizing the City Manager, or designee, to execute the Revocable Grant Agreement; and
3. Authorizing the City Manager, or designee, to conduct all additional negotiations, signings, and submittals of necessary documents to receive the grant funds; and
4. Authorizing the Director of Finance and Management Services to amend the FY 2024/25 budget in both revenues and expenditures, and appropriate \$3,000,000 in grant funds to be used towards the City's Navigation Center.

**12. Reaffirmation of Homelessness State of Emergency Declaration (All Wards) P.609**

**Recommendation:**

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

1. Adopt Resolution No. 2024-201, reaffirming the declaration of a Homelessness State of Emergency; and
2. Direct the City Manager or designee the ability to take certain administrative actions to streamline the provision of shelter to people experiencing homelessness, including the waiver of purchasing or bidding for physical shelter space.

**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 September 18, 2024 at the Feldheym 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 **September 4, 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 Feldheym Central Library located at 555 West 6th Street, San Bernardino, California, and on the City's website [sbcity.org](http://sbcity.org) on **Friday, August 30, 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 threeminute 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 any technical issues with the live stream or recording from the main agenda portal or if you require an option with Closed Captioning, you may view the meeting from the following location (TV3).

<https://reflectsanbernardino.cablecast.tv/CablecastPublicSite/watch/1?channel=6>

## **PUBLIC COMMENT OPTIONS**

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

Written comments can be emailed to [publiccomments@sbcity.org](mailto: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](http://tinyurl.com/agendabackup).**

Attend the meeting in person and fill out a speaker slip. Please note that the meeting Chair decides the cutoff 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: [tinyurl.com/mccpubliccomments](http://tinyurl.com/mccpubliccomments). Any requests to speak submitted electronically after the 2:30 p.m. deadline will not be accepted.

**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 9093845002 or [SBCityClerk@sbcity.org](mailto:SBCityClerk@sbcity.org) for assistance outside of this timeframe. Written correspondence submitted after the deadline will be provided to the Mayor and City Council at the following regular meeting.

## **MEETING TIME**

NOTE: Pursuant to Resolution No. 2024029, adopted by the Mayor and City Council on February 21, 2024:

“Section 3. All meetings are scheduled to terminate at 10:00 P.M. on the same day it began. At 9:00 P.M., the Mayor and City Council shall determine which of the remaining agenda items can be considered and acted upon prior to 10:00 P.M. and will continue all other items on which additional time is required until a future Mayor and City Council meeting. A majority vote of the Council is required to extend a meeting beyond 10:00 P.M. to discuss specified items.”

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