

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, OCTOBER 02, 2024

3:30 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. 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

3:30 P.M.

CLOSED SESSION PUBLIC COMMENT

CLOSED SESSION Pg. 10

- A) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** (Pursuant to Government Code Section 54956.9(a) and (d)(1):
- i. Abel Rodriguez-Garcia v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVSB24074
- B) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** Significant exposure to litigation (Pursuant to Government Code Section 54956.9(d)(2)): One Item
- C) PUBLIC EMPLOYEE APPOINTMENT** (Pursuant to Government Code Section 54957)
Title: City Manager
- D) CONFERENCE WITH LABOR NEGOTIATORS** (Pursuant to Government Code Section 54957.6) Agency designated representatives: Mayor or other Mayor and Council designee

Unrepresented employee: City Manager
- E) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION** Initiation of litigation pursuant to paragraph (4) of subsection (d) of Section 54956.9: one case.
- F) CONFERENCE WITH REAL PROPERTY NEGOTIATORS** (Pursuant to Government Code Section 54956.8)
- i. Property: Carousel Mall Property, 43 acres
Agency Negotiator: City Manager, or designee
Negotiating Parties: Enterprise District Development Group
Under Negotiation: Price and Terms

5:00 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

PRESENTATIONS

1. Proclamation for Breast Cancer Awareness Month in the City of San Bernardino - October 2024 (All Wards) [Pg. 12](#)
2. Proclamation for Hispanic Heritage Month in the City of San Bernardino – September 15 - October 15, 2024 (All Wards) [Pg. 14](#)
3. Entrepreneurial Resource Center (ERC) Impact Report for 2023/2024 (All Wards) [Pg. 17](#)

PUBLIC HEARING

4. CCB 24-0001- Request to Amend Commercial Cannabis Business Permit CBP 22-005 to provide GWC Real Estate Services, LLC a Change in Location from 741 S. Lugo Ave., Suites B - F to 741 S. Lugo Ave., Suites A - F. (Ward 3) [Pg. 27](#)

Recommendation:

It is recommended that the Mayor and City Council approve the Commercial Cannabis Business Permit Location Change Request for GWC Real Estate Services, LLC.

CITY MANAGER UPDATE

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

CONSENT CALENDAR

5. Approval of Various Mayor and City Council Meeting Minutes [Pg. 53](#)

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. Mayor and City Council Special Closed Session Meeting July 15, 2020
2. Mayor and City Council Special Meeting December 21, 2022

6. Adoption of Public Records Request Policy (All Wards) [Pg. 61](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-207 approving a policy formalizing existing procedures for processing Public Records Act requests.

7. FY2024-2025 Emergency Solutions Grant (ESG), Community Development Block Grant (CDBG), and HOME Grant Sub-recipient Agreements [Pg. 74](#)

Recommendation:

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

1. Approve FY2024-25 Emergency Solutions Grant (ESG) Program Sub-recipient Agreement with Salvation Army.

2. Approve FY2024-25 Community Development Block Grant (CDBG) Sub-recipient Agreements with Inland Fair Housing and Mediation Board (IFHMB), San Bernardino Police Department, San Bernardino Public Works Department, and El Sol.
 3. Approve FY2024-25 HOME Investment Partnerships Program (HOME) Subrecipient Agreement with Neighborhood Partnerships Housing Services (NPHS).
- 8. Adoption of Ordinance No. MC-1643 – 2nd Reading of 2022 Building Code (All Wards)**
Recommendation: Pg. 201
 It is recommended that the Mayor and City Council of the City of San Bernardino, California, Adopt Ordinance No. MC-1643 approving new Municipal Code language and approve use of the 2022 California Building Code and other minor changes to Chapter 15 of the San Bernardino Municipal Code.
- 9. Revised Arrowhead Grove Phase IV Affordable Housing Project Conditional Funding Commitment (Ward 2) Pg. 297**
Recommendation:
 It is recommended that the Mayor and City Council of the City of San Bernardino, California:
1. Adopt Resolution No. 2024-208 of the Mayor and City Council of the City of San Bernardino, California, approving a revised HOME Investment Partnership Program Conditional Funding Commitment for Arrowhead Grove Phase IV, an affordable housing project; and
 2. Authorize the City Manager, or designee, to take any further actions and execute any further agreements or documents as necessary including minor and substantive changes.
- 10. Lease Agreement with Casa Ramona, Inc., Regarding 1543 W. 8th Street, for an Interim Animal Shelter Supportive Services Center (Ward 1) Pg. 340**
Recommendation:
 It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-209:
1. Approving the Lease Agreement with Casa Ramona, Inc. for 1543 W 8th Street, San Bernardino, California, for an Interim Animal Shelter Supportive Services Center; and
 2. Authorize the City Manager to execute the Lease Agreement between the City of San Bernardino and Casa Ramona, Inc.
- 11. Irrevocable Agreement to Annex No. 2024-381 (Ward 5) Pg. 358**
Recommendation:
 It is recommended that the Mayor and City Council of San Bernardino, California adopt Resolution No. 2024-210 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 1148 West 41st Street, San Bernardino, California (APN: 0265-151-62), within the unincorporated territory of Arrowhead Farms; and authorizing the City Manager to execute an Irrevocable Agreement to Annex.

12. Lease Assignment and Estoppel for 295 E. Club Center Drive (Parking Lot Lease No. 15.06-136) (Ward 3) [Pg. 373](#)

Recommendation:

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

1. Execute an Assignment and Assumption Agreement, authorizing the assignment of Parking Lot Lease No. 15.06-136 from CCI Club SB, LLC, to 295 Club Center LLC; and
2. Execute an Estoppel Certificate certifying the status of Parking Lot Lease No. 15.06-136.

13. Approval of Commercial and Payroll Disbursements and Purchase Card Transactions for July and August 2024 (All Wards) [Pg. 416](#)

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California approve the commercial and payroll disbursements and purchase card transactions for July and August 2024.

14. Purchase of Armored Rescue Vehicle (All Wards) [Pg. 522](#)

Recommendation:

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

1. The City Manager or designee to sign and execute a purchase agreement with Lenco Industries;
2. The Director of Finance and Management Services to issue a purchase order in the amount of \$387,567.96 to Lenco Industries.

DISCUSSION

15. Amendment to the Citywide Classification and Compensation Plan and Organizational Restructure [Pg. 546](#)

Recommendation:

Adopt Resolution No. 2024-211 of the Mayor and City Council of the City of San Bernardino, California, amending the Classification and Compensation Plan by delegating authority to the City Manager to establish, fix and alter job classifications including titles, descriptions, compensation and number of positions in the Classification and Compensation Plan as needed, subject to the total personnel expenditure budget limitations approved by the City Council.

ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS

16. Elected Officials Compensation Advisory Commission (All Wards) - Mayor Tran [Pg.556](#)

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 November 6, 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, Telicia Lopez, CMC, Chief Deputy City Clerk for the City of San Bernardino, California, hereby certify that the agenda for the **October 2, 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 on Friday, September 27, 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 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. Written public comments received up to 2:00 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. **Written public comments will not be read aloud by city staff. Written correspondence can be accessed by the public online at 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. Any requests to speak submitted electronically after the 2:00 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 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.”