

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, NOVEMBER 06, 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. 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 [Pg. 11](#)

- A) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** (Pursuant to Government Code Section 54956.9(a) and (d)(1):
i) Ortiz Enterprises, Incorporated v. City of San Bernardino, San Bernardino Superior Court Case No. CIVSB240279
- B) PUBLIC EMPLOYEE APPOINTMENT** (Pursuant to Government Code Section 54957)
Title: 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: City Manager

5:00 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

CITY MANAGER UPDATE

CONSENT CALENDAR

- 1. Adopting and Amending the Conflict of Interest Code Pursuant to the Political Reform Act of 1974 [Pg. 12](#)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino California adopt Resolution No. 2024-214, approving and adopting the amended Conflict of Interest Code pursuant to the Political Reform Act of 1974.

- 2. Approval of Various Mayor and City Council Meeting Minutes [Pg. 68](#)**

Recommendation:

It is recommended that the City Council approve the minutes for the following meeting dates:

1. June 7, 2023 Regular Meeting of the Mayor and City Council
2. June 26, 2023 Special Meeting of the Mayor and City Council
3. July 19, 2023, Regular Meeting of the mayor and City Council
4. July 3, 2024, Regular Meeting of the Mayor and City Council
5. July 17, 2024, Regular Meeting of the Mayor and City Council
6. August 7, 2024, Regular Meeting of the Mayor and City Council
7. August 21, 2024, Regular Meeting of the Mayor and City Council
8. September 4, 2024, Regular Meeting of the Mayor and City Council

- 3. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 48, Tax Zone No. 48 (Piedmont Mobile Home Estates) (Ward 4) [Pg. 170](#)**

Recommendation:

It is recommended that the Mayor and City Council of San Bernardino, California, adopt Resolution No. 2024-215 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. 48) and authorizing the levy of a special taxes therein.

- 4. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 47, Tax Zone No. 47 (Dutch Bros Coffee) (Ward 3) [Pg. 203](#)**

Recommendation:

It is recommended that the Mayor and City Council of San Bernardino, California, adopt Resolution No. 2024-216 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. 47) and authorizing the levy of a special taxes therein.

- 5. Review of Administrative Budget Transfers from April 1, 2024 through June 30, 2024. [Pg. 243](#)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review and file all listed administrative budget transfers from April 1, 2024 through June 30, 2024.

- 6. Review of Administrative Budget Transfers from July 1, 2024 through September 30, 2024 (All Wards) [Pg. 252](#)**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, review and file all listed administrative budget transfers from July 1, 2024, through September 30, 2024.

7. Request for Approval to Renew Trend Micro Vision One Subscription and add Tipping Point a Threat Protection System (TPS). Pg. 260

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California approve the renewal of the Trend Micro Vision One Subscription and the addition of TippingPoint a Threat Protection System (TPS) to our cybersecurity measures for a 3-year term not to exceed \$584,681.14.

8. Library Literacy Program Grant Funding (All Wards) Pg. 277

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-217, approving:

1. Accepting grant funding of \$50,000 from the California Department of Education (CDE) and a “block grant” of \$73,200 for Adult and Family Literacy Services from the California State Library’s California Library Literacy Services (CLLS) Program.
2. Authorizing the Interim Director of Finance and Management Services to amend the FY 2024/25 Operating Budget for the Literacy program including adjusting the CDE budget to account for any differences in the estimated grant funding versus the actual grant funding received and appropriating \$73,200 of grant funding in both revenues and expenditures for the California Adult and Family Literacy Programs.

9. Award of the Professional Services Agreement to T&G Global, LLC dba St. Nick’s, in the amount of \$192,000 over two years, for the Tree, Lighting and Decorations for Holiday Events. (All Wards) Pg. 327

Recommendation:

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

1. Authorize the City Manager or their designee to execute a Professional Services Agreement with T&G Global, LLC dba St. Nick’s, for Tree Rental, Tree Lighting, and Decorations for Court Street Square Park and Parking lots for the Miracle on Court Street Holiday Event for a 2-year rental term; and
2. Authorize City Manager or their designee to conduct all negotiations, signings, and submittals of necessary documents; and
3. Authorize the Director of Finance and Management Services to issue a purchase order of \$96,000 annually for FY 24/25 & 25/26.

10. Approve Final Tract Map No. 20376 for 9 Townhouse Residential Units at the Northwest Corner of E. Pacific Street and N. Garden Drive (Ward 2) Pg. 370

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-218:

1. Approving Final Tract Map No. 20376 (Subdivision 20-06) involving the subdivision a parcel (APN 0147-231-07) containing approximately 0.77 acres and the development and establishment of a townhouse development comprised of nine (9) detached residential units, located at the northwest corner of E. Pacific Street and N. Garden Drive;
2. Accepting the public dedications as set forth on said map; and
3. Authorizing execution of the standard form of agreement for the subdivision improvements.

11. Amendment No. 1 to Agreement with Environmental Project Services, Inc. for Citywide Sidewalk Repairs and Maintenance (All Wards) Pg. 465

Recommendation:

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

1. Authorize the City Manager to execute Amendment No. 1 to Maintenance Services Agreement with Environmental Project Services, Inc. for Concrete Maintenance Services; and
2. Authorize the Director of Finance and Management Services to issue a change purchase order in not to exceed amount of \$2,000,000.

12. Five-Year Capital Project Needs Analysis for FY 2025/26 to FY 2029/2030 for Measure I Expenditures (All Wards) Pg. 500

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2024-219 approving the Five-Year Capital Project Needs Analysis (FY 2025/2026 through FY 2029/30) for Measure I Expenditure.

13. Annexation of the Spring Trails Specific Plan Project and the 26-Acre Totally Surrounded Island (Ward 5) Pg.515

Recommendation:

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

1. Resolution No. 2024-220 of the Mayor and City Council of the City of San Bernardino, California, making application to the Local Agency Formation Commission for San Bernardino County (LAFCO) for Reorganization to include Annexation to the City of San Bernardino and Detachment from County Service Area 70, generally northerly of Meyers Road and Easterly of Martin Ranch Road (known as the Spring Trails Specific Plan Project); and
2. Resolution No. 2024-221 of the Mayor and City Council of the City of San Bernardino, California, making an application to the Local Agency Formation Commission of San Bernardino County (LAFCO) for Reorganization to include Annexation to the City of San Bernardino and Detachment from County Service Area 70, generally northerly of Meyers Road and Easterly of Martin Ranch Road (known as the 26-Acre Totally Surrounded Island); and
3. Direct the City Manager to transmit the Resolutions to the Director of the Local Agency Formation Commission.

DISCUSSION

14. Confirm Appointment and Approve Employment Agreement for the Position of City Manager Pg. 968

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, approve and authorize the Mayor to execute an employment agreement for the position of City Manager with Rochelle Clayton, with an effective date of October 2, 2024, as decided by the City Council and reported in public on the same date.

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 20, 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, Telicia Lopez, CMC, Chief Deputy City Clerk for the City of San Bernardino, California, hereby certify that the agenda for the **November 6, 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, November 1, 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:

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.**

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 2:30 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 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.”