

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, FEBRUARY 19, 2025

3:00 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

Kim Knaus
COUNCIL MEMBER, WARD 5

Mario Flores
COUNCIL MEMBER, WARD 6

Helen Tran

MAYOR



Dr. Treasure Ortiz
COUNCIL MEMBER, WARD 7

Tanya Romo
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
Mayor Pro Tem, Ward 3 Juan Figueroa
Council Member, Ward 4 Fred Shorett
Council Member, Ward 5 Kim Knaus
Council Member, Ward 6 Mario Flores
Council Member, Ward 7 Dr. Treasure Ortiz
Mayor Helen Tran
Acting City Manager Tanya Romo
City Attorney Sonia Carvalho
City Clerk Genoveva Rocha

3:00 P.M.

CLOSED SESSION PUBLIC COMMENT

CLOSED SESSION [p. 15](#)

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

i) Maria Segura, as Successor in interest to Nicholas Segura, et al. v. City of S.B., United States District Court Case No. 5:22-cv-00277-JGB-SP. Ninth Circuit Court of Appeal Docket No. 24-2445

B) PUBLIC EMPLOYEE APPOINTMENT AND PERFORMANCE EVALUATION PROCESS (Criteria, Timing, Goal Setting, and Other Preliminary Matters)

Titles: City Attorney, City Clerk, City Manager

C) CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to Government Code Section 54957.6):

Agency Designated Representative: City Manager

Employee Organization: General Unit – Teamsters Local 1932, Management Confidential Group – SBCMA, Mid Management Unit – Teamsters Local 1932, Police Dispatch Unit – SBPDA, Police General Unit – AFSCME District Council 36, Police Management Unit – PMA and Police Safety Unit – SBPOA

D) PUBLIC EMPLOYEE APPOINTMENT

Title: Interim City Manager

5:00 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

PRESENTATIONS

- 1. **Recognition of the Public Works Engineering Team for Engineer’s Week 2025 in the City of San Bernardino (All Wards) p. 16**

- 2. **Recognition of Sponsors for the 2025 San Bernardino Lunar New Year Cultural Celebration - (All Wards) p. 17**

PUBLIC HEARING

- 3. **Development Code Amendment 24-06 (All Wards) p. 28**

Recommendation:

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

- 1. Introduce for first reading, read by title only, and waive further reading of Ordinance No. MC-1648 of the Mayor and City Council of the City of San Bernardino, California, approving Development Code Amendment 24-06 amending Chapter 19.02.050 (Basic Provisions-Definitions) to update the City of San Bernardino Development Code (SBMC Title 19) definitions for Neighborhood Grocery Stores/Supermarkets to align with state and industry standards; and finding such action statutorily exempt from the California Environmental Quality Act under Public Resources Code Section 21080.17 (Attachment 1); and

- 2. Schedule the adoption of Ordinance No. MC-1648 to the regularly scheduled meeting of the Mayor and City Council on March 5, 2025.

- 4. **Notice of Funding Availability (NOFA) for the Rapid Rehousing Program under the Encampment Resolution Fund (ERF) (All Wards) p. 84**

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 Notice of Funding Availability (NOFA) for the Rapid Rehousing Program under the Encampment Resolution Fund (ERF) initiative.

- 2. Authorize the City Manager or designee to take any further actions and execute any further documents as necessary to effectuate the administration of the ERF3 program.

- 5. **Public Hearing on Annexation No. 49 to Community Facilities District 2019-1 (Maintenance Services) – Watt EV (Ward 3) P. 119**

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. 2025-232 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. 49); and

3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2025-233 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. 49); and
5. Introduce, read by title only, and waive further reading of Ordinance No. MC-1650 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 lighting, street, and trail maintenance, and 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-1650 for March 5, 2025.

6. Public Hearing on Annexation No. 50 to Community Facilities District 2019-1 (Maintenance Services) – Chipotle (Ward 1) p. 173

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. 2025-230 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. 50); and
3. Hold a special landowner election and canvass the election; and
4. Adopt Resolution No. 2025-231 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. 50); and

Introduce, read by title only, and waive further reading of Ordinance No. MC- 1646 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, streets, drainage, and 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

5. Schedule the adoption of Ordinance No. MC-1646 for March 5, 2025.

CITY MANAGER UPDATE

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

CONSENT CALENDAR

7. Accept a \$5,000 One-Time Scholarship from Best Friends Animal Society (All Wards) p. 227

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2025-234:

1. Authorizing the Department of Animal Services to accept a one-time scholarship in the amount of \$5,000 from Best Friends Animal Society to subsidize the cost of registration and allow staff to attend the 2025 Best Friends National Conference; and

2. Authorizing the Director of Finance and Management Services to amend the FY 2024/25 Budget to appropriate \$5,000 of the scholarship funding in both revenues and expenditures for conference attendance.

8. HOME Investment Partnership Program – Owner Occupied Rehabilitation Program Subrecipient Agreement with Neighborhood Partnership Housing Services, Inc. (All Wards) p. 235

Recommendation:

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

1. Approve the HOME Investment Partnership Agreement Owner Occupied Rehabilitation Program Subrecipient Agreement between the City and Neighborhood Partnership Housing Services, Inc. for \$920,000; and

2. Authorize the City Manager or designee to take further actions and execute any additional documents, including future amendments, to effectuate the agreements.

9. Adoption of Ordinance No. MC-1646 (Annexation No. 47 - Dutch Bros)(Ward 3) p. 471

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1646 amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2024-2025 to pay the annual costs of the maintenance and servicing of landscaping, lighting, streets, and a reserve fund for capital replacement, and administrative expenses with respect to City of San Bernardino Community Facilities District No. 2019-1 (Maintenance Services).

10. Review of Administrative Budget Transfers From October 1, 2024 Through December 31, 2024 (All Wards) p. 481

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 October 1, 2024 through December 31, 2024.

11. Approval of Commercial and Payroll Disbursements and Purchase Card Transactions for November 2024 (All Wards) p. 490

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 October 1, 2024, through December 31, 2024.

12. Investment Portfolio Report for November 2024 (All Wards) p. 585

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, accept and file the Monthly Investment Portfolio Report for November 2024.

13. Resolutions updating the Bank and Investment Account Signature Authority (All Wards) p. 618

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.

14. Award of Task Order with Rick Engineering for a Raised Median Installation on Rialto Ave at Metrolink Railroad Crossing in the amount of \$59,590 (Ward 3 & 6) p. 651

Recommendation:

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

1. Approve the award of a Task Order with Rick Engineering in the amount of \$59,590 for the Raised Median Installation on Rialto Ave at Metrolink Railroad Crossing (Project); and
2. Authorize the project design cost and contingency cost for unforeseen conditions costs for a potential agreement in the total amount of \$5,959.
3. Authorize the City Manager or designee to execute all documents with Rick Engineering; and
4. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

15. Recommendation to Increase the Project Budget for the Police Building Management System in the amount of \$42,398.00 (Ward 1) p. 675

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2025-246:

1. Authorizing the Director of Finance and Management Services to amend the FY 2024/25 CIP Budget with an additional \$42,398.00 for the Police Building Management System Project using the Law Enforcement Facilities Fund balance; and
2. Authorizing the Director of Finance and Management Services to increase the construction contingency and construction management budget from \$39,450.00 to the total amount of \$43,304.00; and
3. Authorizing the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

16. Award a Design Services Agreement to Bell Design Group for the Norman F. Feldheim Public Library Improvement Project in the amount of \$319,000 (Ward 1) p. 728
Recommendation:

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

1. Approve the award of a Design Services Agreement with Bell Design Group in the amount of \$319,000.00 for Norman F. Feldheim Public Library Improvement (Project); and
2. Authorize the project design cost and contingency cost for unforeseen conditions costs for a potential agreement in the total amount of \$31,900.00.
3. Authorize the City Manager or designee to execute all documents with Bell Design Group; and
4. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

17. Award Task Order with Willdan Engineering for the Traffic Calming Measures on 28th Street in the amount of \$59,500 (Ward 7) p. 800
Recommendation:

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

1. Approve the award of a Task Order with Willdan Engineering in the amount of \$59,500 for the Traffic Calming Measures on 28th Street (Project); and
2. Authorize the project design cost and contingency cost for unforeseen conditions costs for a potential agreement in the total amount of \$5,950.
3. Authorize the City Manager, Public Works Director or City Engineer to execute all documents with Willdan Engineering; and
4. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

18. Adoption of Ordinance No. MC-1647 (Annexation 48 - Piedmont Park Estates) (Ward 4) p. 812
Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Ordinance No. MC-1647 amending Ordinance No. MC-1522 and levying special taxes to be collected during Fiscal Year 2024-2025 to pay the annual costs of the maintenance and servicing of lighting, streets, parks, graffiti abatement and a reserve fund for capital replacement, and administrative expenses with respect to City of San Bernardino Community Facilities District No. 2019-1 (Maintenance Services).

19. Acceptance of FY 2024 Edward Byrne Justice Assistance Grant (All Wards) p. 822

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2025-245 authorizing:

1. The City Manager to accept the 2024 Edward Byrne Justice Assistance Grant; and
2. The Director of Finance and Management Services to amend the FY24/25 Adopted Budget by \$181,099.00 in both revenue and expenditure of grant funds.

20. Amendments to Professional Services Agreements for Legal Services (All Wards) p. 834

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. Second Amendment to the Professional Services Agreement with Graves & King for representation in the Mark Detinne, et al. v. City of San Bernardino, et al. San Bernardino Superior Court Case No. CIVDS 2016739 increasing the not-to-exceed amount from \$150,000 to \$350,000.
2. Fourth 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 increasing the not-to-exceed amount from \$450,000 to \$950,000.
3. Fifth Amendment to the Professional Services Agreement with Lynberg and Watkins for the representation in the Gary Saenz, et al. v. City of San Bernardino et al., San Bernardino Superior Court Case No. CIVDS2003802 increasing the not-to-exceed amount from \$225,000 to \$241,859.69.
4. Second Amendment to the Professional Services Agreement with Lawrence, Beach, Allen & Choi, for representation in the Maria Segura, as successor in interest to Nicholas Segura, et al. v. City of San Bernardino, US District Court Case No. 8:23-cv-00786-HDV-DFM increasing the not-to-exceed amount from \$100,000 to \$200,000.

ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS

- 21. Presentation of Community Choice Aggregation (CCA) (All Wards) – Mayor Pro Tempore Figueroa p. 904**

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 March 05, 2025 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 **February 19, 2025**, 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, February 14, 2025**.

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:

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 1:30 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 1:30 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.”

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