

CITY OF SAN BERNARDINO

REVISED AGENDA

FORTHE

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 17, 2025

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
MAYOR PRO TEM, WARD 3

Fred Shorett
COUNCIL MEMBER, WARD 4

Kim Knaus
COUNCIL MEMBER, WARD 5

Mario Flores
COUNCIL MEMBER, WARD 6

Helen Tran
MAYOR



Dr. Treasure Ortiz
COUNCIL MEMBER, WARD 7

Eric Levitt
CITY MANAGER

Sonia Carvalho
CITY ATTORNEY

Telicia Lopez
ACTING 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**
- **PLEASE CONTACT THE CITY CLERK'S OFFICE (909) 998-2680 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
City Manager Eric Levitt
City Attorney Sonia Carvalho
Acting City Clerk Telicia Lopez

3:30 P.M.

CLOSED SESSION PUBLIC COMMENT

CLOSED SESSION p. 14

- A) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** (Pursuant to Government Code Section 54956.9(a) and (d)(1):
- i.) **Matthew** Brown v. City of San Bernardino, San Bernardino Superior Court Case No. CIVSB2025900
 - ii.) Ricardo Paniagua v. City of San Bernardino, et al., United States District Court Case No. 5:25- cv-01181-SSS
 - iii.) San Bernardino Development Company, LLC v. City of San Bernardino, et al., San Bernardino Superior Court Case No. CIVSB2405584
- B) CONFERENCE WITH LEGAL COUNSEL - Significant Exposure to Litigation** (Pursuant to Government Code Section 54956.9(d)(2)): (2) Cases
- C) PUBLIC EMPLOYEE APPOINTMENT** (Pursuant to Government Code Section 54957) City Clerk (Discussion; Appointment)

5:00 P.M.

INVOCATION AND PLEDGE OF ALLEGIANCE

CLOSED SESSION REPORT

PRESENTATIONS

1. Citizen(s) of the Month – Stevie Valencia, Jr. - The Essential Barber Club - Civic Engagement [p. 15](#)
2. Proclamation for Hispanic Heritage Month – September 15 – October 15, 2025 (All Wards) [p. 17](#)
3. Proclamation for California Native American Day in the City of San Bernardino – September 26, 2025 (All Wards) [p. 19](#)

PUBLIC HEARING

4. Continuation, September 17, 2025, of Public Hearing to Adopt Resolution Denying or Approving Appeal 24-06 of Planning Commission's Approval of Resolution 2024-034- PC that Restored the Conditions of Approval for Administrative Development Permit 22-020 (Ward 3) [p. 22](#)

Recommendation:

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

1. Adopt Resolution No. 2025-352 of the Mayor and City Council of the City of San Bernardino, California **denying** Appeal 24-06 of Appeal 24-05, thereby upholding the Planning Commission's approval of Appeal 24-05, which restored the deleted conditions of approval 20 (twenty) through 26 (twenty-six) that were redacted within the Community Development and Housing Departments approval of Amendment to Conditions of Approval 23-01 for Administrative Development Permit 22-020; for the property located at 379 E. Industrial Road on 0.83 acres (APN: 0141-581-03) within the Industrial Light (IL) zone, Ward 3 (Attachment 1 (A1)).

OR

2. Adopt Resolution No. 2025-353 of the Mayor and City Council of the City of San Bernardino, California **approving** Appeal 24-06, thereby overturning the Planning Commission's approval of Appeal 24-05, regarding conditions of approval 20 (twenty) through 26 (twenty-six), that were redacted through the Community Development and Housing Departments approval of Amendment to Conditions of Approval 23-01 originally drafted for Administrative Development Permit 22-020; for the property located at 379 E. Industrial Road on 0.83 acres (APN: 0141-581-03) within the Industrial Light (IL) zone, Ward 3 (Attachment 3 (A2)).

5. Approval of the Draft Fiscal Year 2024-2025 Consolidated Annual Performance and Evaluation Report (CAPER) to the US Department of Housing and Urban Development (All Wards) p. 533

Recommendation:

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

1. Conduct a public hearing on the draft Fiscal Year 2024-2025 Consolidated Annual Performance and Evaluation Report; and
2. Authorize its submission to the United States Department of Housing and Urban Development; and
3. Authorize the City Manager or designee to take any further actions and execute any additional documents necessary to effectuate the submission of the Fiscal Year 2024-2025 Consolidated Annual Performance and Evaluation Report.

CITY MANAGER UPDATE

PUBLIC COMMENTS FOR ITEMS LISTED AND NOT LISTED ON THE AGENDA

We ask that you please observe proper decorum, and do not speak out of turn or make comments from your seat. If you wish to address the Mayor and City Council please be sure to submit a speaker slip. If you speak out of turn or disrupt the meeting a warning may be given and/or you will be asked to leave the meeting pursuant to Government Code Section 54957.9 and Penal Code 403.

CONSENT CALENDAR

6. Approval of Various Mayor and City Council Meeting Minutes p. 887

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. April 2, 2025 Regular Meeting Draft Minutes
2. June 18, 2025 Regular Meeting Draft Minutes
3. July 16, 2025 Regular Meeting Draft Minutes
4. August 13, 2025 Special Meeting Draft Minutes

7. Irrevocable Agreement to Annex No. 2025-385 to Provide Sewer Services (Ward 6) p. 939

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2025-367:

1. Approving the application to the Local Agency Formation Commission to provide City sewer services to a property located at 2326 Portola Street, San Bernardino, California, within the unincorporated community of San Bernardino County; and
2. Authorizing the City Manager to execute an Irrevocable Agreement to Annex.

8. Resolution Declaring Intent to Annex Territory: Community Facilities District No. 2019-1 (Maintenance Services): Annexation No. 51, Tax Zone No. 51 (Cajon Industrial Park located at the northwest corner of Institution Road and Southern Pacific RR) (Ward 6) p. 954

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2025-368:

1. Authorizing 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. 51); and
2. Authorizing the levy of special taxes therein.

9. Approval of Commercial and Payroll Disbursements and Purchase Card Transactions for July 2025 (All Wards) p. 990

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California approve the commercial, payroll disbursements and purchasing card transactions for July 2025.

10. Investment Portfolio Report for July 2025 (All Wards) p. 1089

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, receive and file the Monthly Investment Portfolio Report for July 2025.

11. Adoption of Resolution, Establishing the Start Time for the Parks, Recreation and Community Services Commission Regular Meetings (All Wards) p. 1122

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, adopt Resolution No. 2025-369 establishing the start time for the regular meetings of the Parks, Recreation and Community Services Commission.

12. Authorize the City Manager to Execute Amendment No.1 to the Law Enforcement Services Agreement with the San Bernardino International Airport Authority (All Wards) p. 1128

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California, authorize the City Manager to execute the proposed First Amendment to the Law Enforcement Services Agreement between the City of San Bernardino and the San Bernardino International Airport Authority.

13. Acceptance of Yuhaaviatam of San Manuel Nation Grant Award p. 1145

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California ("City") adopt Resolution No. 2025-370 authorizing:

1. The acceptance of the Yuhaaviatam of San Manuel Nation Grant Award; and
2. The amendment of the Fiscal Year 2025/2026 adopted Budget in both revenue and expenditures by \$200,000.

14. Approve Amendment No. 2 to the Agreement with Z & K Consultants, Inc. for Nicholson Park Construction Management and Construction Inspection Services for \$167,156.21 for a total amount not to exceed \$844,794 (Ward 6) p. 1160

Recommendation:

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

1. Approve Amendment No. 2 to the Professional Services Agreement with Z & K Consultants, Inc. in the amount of \$167,156.21 for the Construction Management and Construction Inspection Services for Nicholson Park Improvements, increasing the not to exceed amount to \$844,794 (Project); and
2. Authorize the City Manager or designee to execute all documents with Z & K Consultants, Inc.; and
3. Authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

15. Authorization to Issue Two Task Orders with Infrastructure Engineers for Inspection Services in Support of the City's Capital Improvement Program and Land Development for a total amount not to exceed \$450,000 (All Wards) [p. 1201](#)

Recommendation:

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

1. Approve Task Order No. 2026-001 with Infrastructure Engineers, A Bowman Company, in the amount of \$250,000 for inspection services in support of the City's Capital Improvement Program (CIP); and
2. Approve Task Order No. 2026-002 with Infrastructure Engineers, A Bowman Company, in the amount of \$200,000 for inspection services in support of the Land Development Division; and
3. Authorize the City Manager, or designee, to execute both task orders and any related documents necessary to implement these services, consistent with the terms of the existing Professional Services Agreement with Infrastructure Engineers.

16. Authorization to Issue Two Task Orders with Willdan Engineering for Plan Check, and Staff Augmentation Services in Support of the Land Development Division for a total amount not to exceed \$800,000 (All Wards) [p. 1226](#)

Recommendation:

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

1. Authorize Task Order No. 2026-001 with Willdan Engineering in the amount of \$600,000 for the provision of plan check services in support of the Land Development Division; and
2. Authorize Task Order No. 2026-002 with Willdan Engineering in the amount of \$200,000 for the provision of staff augmentation in support of the Land Development Division; and
3. Authorize the City Manager or designee to execute both task orders and any related documents necessary to implement these services, consistent with the terms of the existing on-call Professional Services Agreement with Willdan Engineering.

- 17. Approve the Memorandum of Understanding with the San Bernardino Municipal Water Department for the Total Lease Amount Not to Exceed \$354,098 for Water Department Property (Ward 3) p. 1305**

Recommendation:

It is recommended that the Mayor and City Council of the City of San Bernardino, California adopt Resolution 2025-371:

1. Authorizing the City Manager to Execute the Memorandum of Understanding (MOU) with the San Bernardino Municipal Water Department (SBMWD) for the lease of Water Department Property at 333 Chandler Place; and
2. Authorizing the Director of Finance and Management Services to amend the FY 2025/26 Animal Shelter operating budget in the amount of \$66,696.00 for the lease of Water Department Property at 333 Chandler Place.

ITEMS TO BE CONSIDERED FOR FUTURE MEETINGS

- 18. Discuss a Potential for a One-Year Moratorium on the Sale and Use of Fireworks Within the City of San Bernardino and/or Restriction on Permitting and/or Increasing Fines and Enforcement; to be Brought Back to the City Council Within the Next 60 Days (All Wards) – (Council Member Ortiz) p. 1361**
- 19. Direct Staff to Research and Bring Back a Policy Proposal Within 45 Days Evaluating the Feasibility of Requiring All Public and Private Homeless Shelters, Interim Housing Facilities, Homeless Recuperative Care Centers and Similar Facilities Operating Within the City of San Bernardino to Allocate of Minimum of 40% of Beds, Rooms and Service to the City of San Bernardino to Effectively Address the City's Unhoused Population, Demonstrate the Ability to Provide Shareable Data (As the Law Permits) and Track Participant Outcomes for No Less Than Six months, Submit a 12 Month Security Plan Annually for Approval, Reimbursement Requirement for Any Nuisance Complaints and Increased Service Demands as a Result of the Project, and Complete Interior and Exterior Facility Upgrades that Enhance Neighborhood Aesthetics and Align with Current City Standards. (All Wards) - (Council Member Knaus) p. 1362**
- 20. Direct the City Manager to Convene a Special Meeting or Workshop of the Mayor and City Council Within 30 to 60 Days to Provide a Comprehensive Update on the Navigation Center and City-Funded Homeless Service Contractors, Including Project Status, timeline, Budget, Funding, and Performance Outcomes from 2022 to Present. (All Wards) - (Council Member Shorett) p. 1363**

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 October 01, 2025 at the Norman F. Feldheim Central Library located at 555 West 6th Street, San Bernardino, California 92410. 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, Acting City Clerk for the City of San Bernardino, California, hereby certify that the **revised** agenda for the September 17, 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, 92401 at the Norman F. Feldheym Central Library located at 555 West 6th Street, San Bernardino, California, 92410 and on the City's website sbcity.org on **Tuesday, September 16, 2025.**

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



Telicia Lopez, CMC, Acting 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. (A minimum of 15 copies of the document must be provided to distribute to the Mayor, City Council, staff and the public.)

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 909-998-2680 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. 2024-029, 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.”