

REGULAR CITY COUNCIL MINUTES

25541 Barton Road, Loma Linda, CA 92354

January 14, 2025, 6:00 PM - January 14, 2025, 8:22 PM

Roll Call: *(The following members were in attendance)*

- **Phillip Dupper**, Mayor
- **Ronald Dailey**, Mayor pro tempore
- **Ovidiu Popescu**, Councilmember
- **Rhodes Rigsby**, Councilmember
- **Rhonda Spencer-Hwang**, Councilmember

1. Call to Order

1A. Call to Order- 6:00 PM

1B. Roll Call- 6:00 PM

All Councilmembers present.

Staff present: T. Jarb Thaipejr, City Manager; Diane Robbins, City Attorney; Lynette Arreola, City Clerk; Sonia Fabela, Finance Director; Jeff Gillette, Battalion Chief; Lorena Matarrita, Community Development Director; Andrew Sanchez, Customer Support Technician; and Lt. Kaysie Smith, San Bernardino County Sheriff's Department

1C. Closed Session - 6:00 pm - Council Board Room- 6:00 PM

The meeting was called to order at 6:00 pm for the Closed Session. The regular meeting resumed at 7:05 pm.

City Attorney Robbins stated that she met with the City Council in closed session and that there was no action to report.

1D. Invocation and Pledge of Allegiance - Mayor pro tempore Dailey- 7:05 PM

The Invocation and Pledge of Allegiance was led by Mayor pro tempore Dailey.

1E. Items to be Added or Deleted- 7:06 PM

No items were added or deleted.

1F. Oral Reports/Public Participation - Non-Agenda Items (Each Speaker limited to 3 minutes. Pursuant to the Brown Act, no action or discussion can be taken by City Council)- 7:06 PM

Milford Harrison, Representative for CR&R, followed up on a public comment from the December City Council meeting, confirming that once the carts are placed on the street for pick up, they are the property of CR&R. Regarding the individual picking recycled material from carts, CR&R would not do enforcement but would work with the City's Code Enforcement.

Fook Tham, 26475 Robin Ct, asked City Council to waive his late fee from his utility bill. He noted that he goes through his bank to submit payment electronically and the payment was received by

the City two days late. Finance Director Fabela explained that there are several ways to pay, namely setting up an online account with the City; in person; or through his bank.

Mayor Dupper stated that the City Council could not waive the fees, but directed him to speak with the City Manager and Finance Director.

1G. Conflict of Interest Disclosure- 7:16 PM

Conflicts of Interest were noted for Agenda Item 2B and would be addressed before the presentation.

2. Scheduled and Related Items

2A. Presentation by Loma Linda Mom's Group for Support for a Community Valentine's Event [Melanie Diaz Zuniga]- 7:16 PM

Melanie Hendrix gave a presentation of a Valentine's Day event for kids at the Community Garden hosted by the Gardening For Kids Committee, explaining the event would feature activities for kids to create DIY Valentine's Day Cards using watercolors and forage material. They had the City Council perform a watercolor demo. She noted they would provide snacks and prizes and conduct a survey. She pointed out that they have 35 registrants and are requesting \$350 for supplies and materials. City Manager Thaiprue stated that the Community Garden budget funds could be used.

Councilmember Spencer-Hwang asked for a follow-up report and expressed interest in the survey results.

2B. Public Hearing - A request to develop a five-story, 105,000-square-foot pediatric medical office building at the southeast corner of Anderson Street and Barton Road within the Institutional-Healthcare Zone (Case No. PPD P23-180) [Community Development]- 7:29 PM

- 1. ADOPT the Initial Study/Mitigated Negative Declaration (IS/MND) and the Mitigation Monitoring Reporting Program (MMRP) prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines for the proposed pediatric medical office building project at the southeast corner of Anderson Street and Barton Road.
- 2. APPROVE Precise Plan of Design No. P23-180, a request to develop a new five-story, 105,000-square-foot medical office building that includes surface parking, patient drop-off, and loading areas, landscaping, and site lighting. The subject project is located at the southeast corner of Anderson Street and Barton Road within the Institutional-Healthcare zoning district. Approval is based on the Findings and analysis contained in the Staff Report and is subject to the attached Conditions of Approval.

Public Hearing was opened at 7:39 PM and closed at 7:43 PM

The Rule of Necessity was invoked due to a conflict of interest among three Councilmembers, resulting in Councilmember Rigsby sitting with Mayor Dupper and Mayor pro tempore Dailey to constitute a quorum and vote. Councilmembers Spencer-Hwang and Popescu recused themselves and left the chambers.

Community Director Matarrita presented the project report along with a PowerPoint presentation, which is included in the official record, stating the applicant/owner is Loma Linda University Medical Center, requesting to construct a 5-story, 105,000 square foot office building that would serve as Loma Linda University's Children's Hospital Outpatient Pavillion that would centralize pediatric services and streamline care in one location. She reviewed the proposed landscape plan, floor plans,

exterior elevations, and the Environmental Review. She noted that the City received two written comments from Robert Stewart and Kevin Bernadt that were added as official records under Supplemental Materials in the agenda packet. She concluded by recommending the City Council consider adding a condition requiring that all ADA ramps adjacent to the project site be upgraded with current ADA standards and brought into compliance as noted in the PowerPoint presentation.

The Mayor opened the public hearing (7:39 pm). Mayor Dupper read the comments submitted by Mr. Bernadt. There were no other public comments made. The public hearing was closed (7:43 pm).

Discussion ensued regarding the reassignment of parking as a result of this project. Eric Schilt, VP of Planning, Design, and Construction for Loma Linda University Health, explained that they monitor the parking occupancy of their parking structures and parking lots weekly to identify space availability. During construction, they will provide temporary parking at several locations: the top levels of P3 and P1, J Lot, and Shepardson Lot. He stated the projected construction timeframe is 17 months but assured that they would have sufficient parking for those being reassigned. He noted they will monitor the parking during construction and make effective adjustments. He added that, electively, they will also construct future parking adjacent to this project site. The Council asked to ensure no spillover parking into the neighboring streets. In response to Mr. Bernadt's comments, he understood Mr. Bernadt's requests as they both sit on the Sustainability Committee. He noted many requests are much broader and not necessarily applicable to this building but would fit into Loma Linda University Health's larger sustainability strategy. They have sustainable components built into the project, but others, while ideal, will cost significantly more. He noted that the project is funded by state funds, and they are working to ensure those funds are allocated appropriately.

Motion by Ronald Dailey, seconded Rhodes Rigsby, passing by a vote of 3-0-0-2-0, Recused by Ovidiu Popescu, Rhonda Spencer-Hwang

to ADOPT the Initial Study/Mitigated Negative Declaration (IS/MND) and the Mitigation Monitoring Reporting Program (MMRP) prepared according to the California Environmental Quality Act (CEQA) Guidelines for the proposed pediatric medical office building project, and to APPROVE Precise Plan of Design No. P23-180, a request to develop a new five-story, 105,000-square-foot medical office building that includes surface parking, patient drop-off and loading areas, landscaping, and site lighting. The subject project is located at the southeast corner of Anderson Street and Barton Road within the Institutional-Healthcare zoning district, subject to the Findings, Analysis, and Conditions of Approval with the added condition that all ADA ramps adjacent lot the project site shall be upgraded and brought into full compliance with ADA standards as recommended by Staff.

3. Consent Calendar

Councilmembers Spencer-Hwang and Popescu returned to the Council Chambers.

Motion by Rhodes Rigsby, seconded Ronald Dailey, passing by a vote of 5-0-0-0-0,
to APPROVE the Consent Calendar as submitted.

3A. Demands Registers - November 26, and December 24, 2024 and January 14, 2025 [Finance]- 7:59 PM

Approved the Demands Registers dated: November 26, 2024, with commercial demands totaling \$450,829.14 and Payroll dated November 21, 2024, totaling \$477,457.82; December 24, 2024, with commercial demands totaling \$2,519,537.54 and Payroll dated December 19, 2024, totaling

\$397,817.76; and January 14, 2025, with commercial demands totaling \$644,900.61 and Payroll dated January 2, 2025, totaling \$397,817.76.

3B. Approval of Minutes December 10, 2024- 7:59 PM

The Minutes of December 10, 2024, were approved as submitted.

3C. Treasurer's Report - December 2024 [Finance]- 7:59 PM

Accepted the December 2024 Treasurer's Report for filing.

3D. Fire Department's Activity Report - December 2024 [Fire]- 7:59 PM

Accepted the December 2024 Fire Department's Activity Report for filing.

3E. Update Operating Agreement with City of Colton [Fire]- 7:59 PM

Approved the updated operating agreement with City of Colton as presented.

3F. Agreement with Atkinson, Andelson, Loya, Rudd & Romo (AALRR) for Legal Services relating to General Labor and Employment Law [City Manager]- 7:59 PM

Approved Agreement with Atkinson, Andelson, Loya, Rudd and Romo (AALRR) as submitted.

3G. Agreement with MetTel for replacement of City's Plain Old Telephone Service (POTS) lines [Information Systems]- 7:59 PM

Approved Agreement with MetTel as submitted.

3H. Agreement with Troy and Banks for Cost Recovery and Reduction Services [Information Systems]- 7:59 PM

Approved Agreement with Troy and Banks as submitted.

3I. Appropriate \$85,700 from Major Street Arterial Subprogram (MSART) Fund Balance and \$54,400 from Traffic Impact Mitigation Fund Balance and Award Contract to Marjani Buildings Inc for \$840,650 for California Street Widening (Phase 3) (CIP 23-118) [Public Works]- 7:59 PM

Appropriate \$85,700 from MSART and Traffic Impact Mitigated Fund Balance and awarded contract to Marjani Buildings, Inc. for \$849,650 as recommended by staff.

3J. Appropriate \$30,000 from Water Enterprise Fund Balance and Award Contract to Sulzer Electro-Mechanical (US) Inc. to Purchase a 250hp Motor for Mt. View Well #5 [Public Works]- 7:59 PM

Appropriated \$30,000 from Water Enterprise Fund and awarded a contract to Sulzer Electro-Mechanical (US), Inc. to purchase 250hp motor.

3K. Notice of Completion of Pavement Rehabilitation by Slurry Seal Method at Various Locations (CIP 24-121) - Contractor: Doug Martin Contracting Co. [Public Works]- 7:59 PM

Accepted project as complete and authorized recordation of Notice of Completion.

3L. Notice of Completion of Pavement Rehabilitation by Overlay Method at Various Locations (CIP 23-117) - Contractor: All American Asphalt [Public Works]- 7:59 PM

Accepted project as complete and authorized recordation of Notice of Completion.

3M. Notice of Completion of the Installation of the Sewer Lift Station Package at 25876 Juanita Street (CIP 21-511) - Contractor: GCI Construction, Inc. [Public Works]- 7:59 PM

Accepted project as complete and authorized recordation of Notice of Completion.

4. Old Business

No items.

5. New Business

5A. Council Bill #R-2025-01 - Consideration to Adopt Resolution in Opposition of SCAQMD Rule 1111, Regulate Air Emission from Gas-Powered Central Furnaces; and Rule 1121, Regulate Air Emissions from Residential-type, Natural Gas-Powered Water Heaters [Mayor Dupper]- 8:01 PM

Mayor Dupper requested to place this item on the agenda on behalf of Cal Cities, other local municipalities, and councilmembers. He explained that the AQMD Board was considering amendments to Rules 1111 and 1121, which would require homeowners to replace their gas-powered appliances with electric appliances as they require replacement. He understood that the adoption of these regulations would go into effect immediately. He stated that there was significant opposition to the proposal that the Board postponed action, potentially until February. He noted that these amendments would negatively affect residents, especially those of low-income status. Given the ongoing power shut-offs due to the high winds, dry conditions, and wildfires, there are concerns that SCE will be turning off power on many different grids out of an abundance of caution. He received several calls from constituents who were without power in the City. He pointed out that residents in Grand Terrace were without power for almost a week. He believes that these amendments are not appropriate and require further consideration. He was asking the Council to consider adopting the Resolution in opposition to these amendments.

Mayor pro tempore Dailey stated that he would not support the adoption of the resolution. He noted there was a vigorous debate at the SBCTA meeting regarding this matter, where many expressed the same opposition. He stated that he has listened to discussions between his wife, a pediatrician, and his friend, a pulmonary intensivist, regarding the various health impacts of pollution. He understands that these amendments will not resolve the pollution issue; however, they need to start at some point. He emphasized that scientific evidence confirms the significant health impacts of pollution and expressed his support for any measures that address climate issues. He stated that he spoke with Mark Cloud, SCE, who agreed to present a report to the Council on some of their programs.

Councilmember Rigsby noted that while SCE is on the receiving end of these regulations and not allowed to make any profits. He noted the broader push for decarbonization is gradually restricting personal choices. He questioned at what point would these limitations be considered enough.

Councilmember Popescu acknowledged the ongoing efforts to phase out carbon-based fuels and recognized the environmental benefits. However, he noted that it is the cost of ownership. He did a

study and noted that running electricity costs twice as much as using gas. He also expressed concern that the current electric grid is not sustainable and may not be able to meet existing demands.

Motion by Rhodes Rigsby, seconded Rhonda Spencer-Hwang, passing by a vote of 4-1-0-0-0,
Opposed by Ronald Dailey

to ADOPT Council Bill #R-2025-01 - RESOLUTION NO 3240 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, CALIFORNIA, OPPOSING THE SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) RULES 1111 AND 1121

6. Reports

6A. Reports of Council Members- 8:16 PM

Mayor pro tempore Dailey spoke with Mark Cloud, Southern California Edison representative, regarding the public safety power shut-offs. He invited Mr. Cloud to give a presentation at the next City Council meeting.

Councilmember Popescu viewed the December's Council meeting online on the Annual Comprehensive Financial Report. He commended the City Manager and Finance staff for maintaining the City's good financial position with the increased balance in the General Fund reserve.

6B. Reports Of Officers- 8:22 PM

City Manager Thaipejr informed the Council of the EOC training scheduled before the February 11, 2025, City Council meeting.

7. Adjournment

The meeting adjourned at 8:22 p.m.