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Minutes for the Regular City Council

25541 Barton Road, Loma Linda, CA 92354

February 13, 2024, 7:00 PM - February 13, 2024, 9:27 PM

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

- **Phillip Dupper**, Mayor
- **Ronald Dailey**, Mayor pro tempore
- **Bhavin Jindal**, Councilmember
- **John Lenart**, Councilmember
- **Rhodes Rigsby**, Councilmember

1. Call to Order

1A. Call to Order- 7:05 PM

1B. Roll Call- 7:00 PM

Staff Present:

T. Jarb Thaipejr, City Manager

Diane Robbins, City Attorney

Lynette Arreola, City Clerk

Lorena Matarrita, Community Development Director

Sonia Fabela, Finance Director

Dan Harker, Fire Chief

Nate Boucher, Battalion Chief

Kyle Mac Gavin, Information Systems Analyst III

Lt. Kaysie Smith, San Bernardino County Sheriff's Department

1C. Closed Session/Workshop- 7:00 PM

No items.

1D. Invocation and Pledge of Allegiance - Councilman Lenart- 7:00 PM

Councilman Lenart led the Invocation and Pledge of Allegiance.

1E. Items to be Added or Deleted- 7:05 PM

City Manager Thaipejr requested to pull Agenda Item No. 3F in order to provide a brief presentation of the project.

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)- 7:05 PM

Mr. Tushar Oza wished all candidates running for City Council much luck and requested more openness and transparency.

1G. Conflict of Interest Disclosure- 7:05 PM

No conflicts or interest were reported.

2. Scheduled and Related Items

2A. Presentation by Mission Elementary School [Minerva Castorena, Principal]- 7:06 PM

This item was rescheduled to March 12, 2024.

2B. Public Hearing - Community Development Block Grant (CDBG) Projects for 2024-2025 [Public Works]- 7:13 PM

Public Hearing was opened at 7:10 PM and closed at 7:18 PM

City Manager Thaipr presented the report into evidence, explaining the annual CDBG review process for fund distribution and pointing out that a percentage of funds must be allocated to Public Services and to City Projects. For fiscal year 2024-25, he noted that the City is recommending funds be allocated to the San Bernardino County Library for their Public Service Project and City Project to Replace Access Ramps and sidewalks citywide.

The public hearing was opened.

Minky Balon, Interim Branch Manager, spoke in detail about the Library's Public Service Project, Adult Literacy Program, explaining the goal is to assist adults with reading and writing. She discussed the hours spent by their dedicated instructors and the number of adults who have and will benefit from their program. She further discussed their adult and youth digital literacy programs. She concluded by highlighting an individual who participated and succeeded in their Adult Literacy Program.

Councilman Jindal recommended the City consider funding Veteran Programs.

The public hearing was closed.

Motion by Bhavin Jindal, seconded by John Lenart, and passing by a vote of 5-0-0-0
the Community Development Block Grant (CDBG) Fund Allocations for 2024-2025 as follows: Public Service Project - San Bernardino County Library - \$10,000; and City Projects - Replace Access Ramps and Sidewalks City Wide \$131,000.

2C. Public Hearing - Council Bill #R-2024-03 - Resolution for the Fall 2023 Weed Abatement Program [Fire]- 7:24 PM

Public Hearing was opened at 7:22 PM and closed at 7:22 PM

Matt Dingman, Fire Inspector/Investigator, presented the report into evidence, discussing the process of inspections, notifications, and abatement work. He noted that before the meeting the list of outstanding invoices was reduced to five property owners.

The public hearing was open and closed with no participation.

Motion by Ronald Dailey, seconded by Rhodes Rigsby, and passing by a vote of 5-0-0-0
Received report and Adopted Council Bill #R-2024-03, RESOLUTION NO. 3207, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA ADOPTING A REPORT AND STATEMENT OF EXPENSES FOR THE FALL 2023 WEED ABATEMENT PROGRAM AND IMPOSING A LIEN UPON PROPERTY FOR PAYMENT THEREFOR.

2D. Public Hearing - Council Bill #O-2024-01 - Ordinance Amending Title 17 (Zoning) pertaining to Streamlined Housing Development Projects [Community Development]- 7:30 PM

Public Hearing was opened at 7:58 PM and closed at 7:58 PM

Community Development Director Matarrita gave a brief introduction stating that two years ago City Council adopted the City's Housing Element Update; however, since then, the City has navigated through two minor corrections letters with the State Housing and Community Development Department (HCD). She noted that the State's latest request is the Ordinance that is being presented this evening. She noted that once adopted, the City anticipates receiving the coveted certification. She introduced Laura Stetson, MIG, who has assisted the City through the Housing Element process and will be making the presentation.

Laura Stetson, Principal of MIG, presented the report explaining that the request is a minor update to the Development Code to address a particular program in the adopted Housing Element that the State HCD has indicated the City must take this final step to receive a coveted letter of certification. She discussed the purpose of the Code Amendment; the Housing Element Regional Housing Needs Assessment (RHNA) that requires zoning capacity for a range of units at various income levels totaling 2,051 units for Loma Linda, where 834 of those units must be very low, and low income; the sites suitable for redevelopment that was shown on a map; the "Reused" sites designation from prior Housing Elements noting the special conditions that apply to reuse sites and the by-right approval of projects that provide at least 20% of units to lower-income households; the qualifying zones that this would be subject to this code; the classification of ministerial (by-right) approval and the design review process and compliance requirements; the provisions of the ordinance for the targeted lower-income households noting that there would be covenants recorded for the properties to remain affordable for 45 years for ownership units and 55 years for rental units; the Housing Plan required to identify various aspects of the affordable units including restriction agreements recorded against the property. She noted the Planning Commission reviewed and recommended that the City Council adopt the ordinance. In summary, She stated that this amendment essentially removes the discretion on the part of the City to deny or make modifications to a project that proposes that level of affordable housing and meets all development requirements in the Code.

In response to Councilman Rigsby's inquiry as to whether the City Council would stand down from any discretion should the City pass an inclusionary ordinance that required 20% affordable housing, she explained that this revision of the law only applied to specific sites that were used as Housing Element sites from the last two Housing Elements, noting it is a subset of sites within Loma Linda that would be subject to the ordinance. Continued discussion ensued pertaining to the affordable housing requirements for different income brackets. In response, Ms. Stetson proposed that the city could include a provision in the Inclusionary Ordinance that would require a distribution among the various income groups.

Community Development Director Matarrita clarified that state law mandates the certification of the Housing Element and that the Attorney General's office has been reaching out to the City regularly to inquire about its status. She stated that receiving certification from the State has been a challenging task for many cities. Obtaining certification with the State would put Loma Linda as one of the few cities in compliance.

The public hearing was open and closed with no public participation.

Motion by Bhavin Jindal, seconded by John Lenart, and passing by a vote of 5-0-0-0 to March 12, 2024, and waive the reading of Council Bill #O-2024-01 in its entirety, an Ordinance approving the amendment to Title 17 (Zoning) pertaining to streamlined housing development project on Housing Element Site to identify applicable sites, establish requirements and standards for lower-income target units and establish procedures and requirements for the ministerial review and approval of housing development projects with lower-income target units (Development Code Amendment No. P23-22).

2E. Joint Meeting of the City Council and Housing Authority Board Regarding the 2023-24 Mid-Year Budget [Finance]- 8:04 PM

The Mayor called to order the Housing Authority Board for the Joint Meeting with the City Council.

City Manager Thaipejr presented the 2023-2024 Mid-Year Budget, discussing the 2023 Actuals of revenues, expenditures, and a total of other financing sources noting the Net Change in Fund balance total \$2,317,341 and the Net Change in Fund Balance less Covid-19 funding (\$610,966). He continued going over all the General Fund Revenue changes totaling \$1,473,400; the General Fund Expenditure changes totaling \$1,182,600; the summary of changes in Fund Balance by Fund Types totaling \$18,261,277; the percentage breakdown by departments in a diagram; the other revenue changes from Enterprise Funds and Other Funds totaling (\$2,628,700) and total changes (include General Fund) to revenues is (\$553,200); the Other Expenditures Changes for Enterprise Funds, Special Revenues Funds, Special Districts, Capital funds, and Housing Authority totaling \$1,308,700; the Summary of Changes in Fund Balance by Fund Type for the Enterprise Capital Funds \$76,949; and, finally, the Summary of all Changes in Fund Balance by Fund Type of beginning balance, revenues/sources and expenditures/uses with the ending fund balance totaling \$45,904,217. He concluded by stating that the City will do okay this fiscal year, but will have to look seriously to generate more revenues for the City for upcoming years. Based on the current revenues, he anticipates the City will have to pull from the reserves to support the budget in the coming years. He stated that he cannot cut any more staff because they are working on a skeleton crew and have decided to not fill three new positions to help with the budget.

Clarification questions from Council Jindal on specific funds and expenditures were addressed.

Mayor Dupper stated that he would like to be proactive and hold more than one workshop with the Budget Committee to discuss ways/opportunities to increase the City's revenues. He mentioned revisiting the moratorium on drive-through restaurants. He noted that the City has missed a couple of opportunities with potential restaurant chains because of the City's Code on no drive-through. He would like a comprehensive report identifying areas that need adjustment and modifying policies. He noted that other cities have looked at utility tax increases. It is not an option to go, but, he believes

as Council Members, the Council should have some responsibilities and work with staff with recommended ideas.

Motion by Bhavin Jindal, seconded by John Lenart, and passing by a vote of 5-0-0-0 *a net increase in General Fund Revenues of \$1,473,400.00; and a net increase in General Fund Expenditures of \$1,181,600.00; and in the City overall, approve a net decrease of \$553,200.00 in revenues; and a net increase of \$1,308,700.00 in expenditures as presented in Attachments II and III of the staff report.*

3. Consent Calendar

In regards to Item No. 3F, the purchase of two fuel management systems at the Fire and Public Works locations, City Manager Thaipelj explained the City's Ordinance requires a formal bid process for purchases over \$25,000. An informal bid process was conducted and the total cost exceeded that amount. He is requesting that the City Council in their approval, waive the formal bid process requirement for this purchase.

Battalion Chief Nate Boucher clarified that he initiated an informal bid process and determined that the lowest bidder had the capability to customize the system to the City's requirements. Additionally, they could offer an online support system without relying on external assistance and could install the system at both locations at a more budget-friendly cost.

Motion by Ronald Dailey, seconded by Bhavin Jindal, and passing by a vote of 5-0-0-0 *the Consent Calendar as submitted, waiving the formal bid process for Item No. 3F and accepting the informal bid proposals for awarding the contract.*

3A. Demands Registers - February 13, 2024 [Finance]- 8:32 PM

Approved the Demands Register dated February 13, 2024, with commercial demands totaling \$2,048,674.81 and Payroll demands dated February 1, 2024, totaling \$398,851.84.

3B. Approval of Minutes January 9, 2024- 8:32 PM

Approved Minutes of January 9, 2024, as submitted.

3C. Treasurer's Report - January 2024 [Finance]- 8:32 PM

Received the Treasurer's Report for January 2024 for filing.

3D. Fire Department's Activity Report - January 2024 [Fire]- 8:32 PM

Received the Fire Department's Activity Report for January 2024 for filing.

3E. Authorize Purchase of Street Light Poles from South Coast Lighting & Design for \$22,914.12 [Public Works]- 8:32 PM

Authorized Purchase as requested.

3F. Authorize Purchase of Two Fuel Management Systems totaling \$32,462.50 [Public Works]- 8:32 PM

Authorized purchase as requested.

3G. Declare the HME Fire Engine as surplus and authorize its donation [Fire]- 8:32 PM

Declared the HME Fire Engine as surplus and Authorized its donation.

3H. Declare the Polaris All Road Vehicle (ARV) surplus and authorize its donation [Fire]-
8:32 PM

Declared the Polaris All Road Vehicle surplus and authorized its donation.

3I. Notice of Completion - Replacement of Pressure Reducing Valves [Public Works] - 8:32 PM

Accepted the project as substantially complete and authorized the City Clerk to file the Notice of Completion.

4. Old Business

No items.

5. New Business

5A. Discussion to Close Pedestrian Bridge at the South end of Ragsdale Road [Mayor Dupper]- 8:36 PM

Mayor Dupper stated that in 2015 the City Council approved the closure of the pedestrian bridge from Bryn Mawr Veteran's Memorial Park to Mission Creek Subdivision due to several criminal activities. He stated that he has received several complaints from residents and the Mission Creek Home Owners's Association regarding the number of criminal activity and transients using the pedestrian bridge at Ragsdale Road, which is west of the other pedestrian bridge that was closed. As a result, he is recommending closing this pedestrian bridge.

Councilman Jindal noted that he had received similar complaints about the pedestrian bridge on Ohio Street and questioned whether that bridge would also need to be closed.

Discussion ensued, noting that the pedestrian bridges were installed to link the existing trails to the neighborhood on the north side; however, despite the intention to promote a walkable and livable community concept, it has become a public safety hazard. It was noted that many transients who inhabit the flood control channel area have convenient access to the pedestrian bridges as reported by residents in the Mission Creek subdivision. There was a mention that the bridge is frequently used by residents for its intended purpose, and there was concern that their voices are not being heard.

After further discussion, the Council did not take action and requested to reschedule the matter for the next agenda. Additionally, they advised staff to post a sign on the bridge indicating the upcoming discussion by the City Council regarding the potential closure of the bridge.

6. Reports

6A. Reports of Council Members- 9:22 PM

Councilman Rigsby brought up the topic of re-establishing a Senior Center Board in response to Mr. Oza's repeated requests in previous meetings. Councilman Rigsby suggested that this board could be an advisory board for the City Council.

Mayor pro tempore Dailey stated that he had done some research. He viewed the current activities of the LL Senior Center and found that there are daily activities scheduled Monday - Thursday. He also met with Penny Lilburn, Executive Director for the Senior Center in Highland, to obtain input on their senior program. He noted that Ms. Lilburn pointed out that despite the array of programs offered to seniors, many times they will have no attendees.

Councilman Jindal stated that he had received feedback from residents that they would like to see more senior programs, but had also received feedback from veterans at the Veterans Village that they would like programs and activities available to them. He would be in support of re-establishing a Senior Board for feedback.

City Manager Thaipejr stated that he and staff are working to expand programs, but is taking time. He pointed out that the hot lunch program was reestablished; and that the City partnered with the San Bernardino County Public Health to provide free COVID and flu vaccinations weekly. He pointed out that the challenge he encounters is a lack of staff to dedicate time to manage the Senior Center; to manage the Board meetings; and to address the requests and demands that will arise from the Board meetings. He also noted that they have a limited budget.

Discussion ensued and direction was given to do a workshop and provide a survey to the seniors at the Senior Center to obtain input on interest of programs and activities and report back.

6B. Reports Of Officers- 9:22 PM

City Clerk Arreola stated that the City is being asked to provide a delegate and alternate for the SCAG's Annual General Assembly scheduled May 2-3, 2024, in Palm Desert; and a Director and alternate for the CJPIA Annual Board of Directors Meeting scheduled for July 24, 2024, in La Palma.

Ronald Dailey volunteered to be a representative for SCAG; It was the consensus that Bhavin Jindal be appointed the Delegate and Ronald Dailey as the alternate to attend SCAG Annual General Assembly on May 2-3, 2023.

Mayor Phillip Dupper volunteered as the Director and T Jarb Thaipejr volunteered as the alternate for the CJPIA Annual Board of Directors meeting on July 24, 2024.

7. Adjournment

Meeting adjourned at 9:27 pm.