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Minutes for the Regular City Council

25541 Barton Road, Loma Linda, CA 92354

May 14, 2024, 7:00 PM - May 14, 2024, 9:08 PM

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

- **Phillip Dupper**, Mayor
- **Ovidiu Popescu**, Councilmember
- **Rhodes Rigsby**, Councilmember
- **Rhonda Spencer-Hwang**, CouncilMember

Absent:

- **Ronald Dailey**, Mayor pro tempore

1. Call to Order

1A. Call to Order- 7:00 PM

1B. Roll Call- 7:02 PM

Staff Present:

T. Jarb Thaipejr, City Manager

Diane Robbins, City Attorney

Lynette Arreola, City Clerk

Sonia Fabela, Finance Director

Dan Harker, Fire Chief

Lorena Matarrita, Community Development Director

Nicole Campbell, Associate Planner

Nate Boucher, Battalion Chief

Kyle Mac Gavin, Information Systems Analyst III

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

1C. Closed Session/Workshop- 7:02 PM

No items scheduled.

1D. Invocation and Pledge of Allegiance - Councilman Rigsby- 7:02 PM

The Invocation and Pledge of Allegiance was led by Councilmember Rigsby.

1E. Items to be Added or Deleted- 7:02 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)- 7:02 PM

No public participation upon invitation by the Mayor.

1G. Conflict of Interest Disclosure- 7:02 PM

No anticipated conflicts of interest.

2. Scheduled and Related Items

2A. Student Presentation Regarding Results from a Community Survey Conducted in District 4 [Councilwoman Spencer-Hwang]- 7:02 PM

Councilmember Spencer-Hwang introduced Janvi Shah, her student at Loma Linda University, who will be presenting the Loma Linda Community Engagement Survey. Ms. Shah stated that the survey was conducted in March 2024 in District 4 to engage with the community to ensure their voices are heard and to understand the needs, preferences, and priorities. She provided an overview of the survey questions. The survey results identified the following top areas to focus on over the next two years: Public Safety as the top priority, followed by the economic health of the City, homelessness, and the overall quality of transportation. She noted that it also included strategies to address focus areas and other city challenges, which included online reporting platform enhancement; economic development for social issues; sales tax rate equality; traffic safety enforcement; and community engagement initiatives. She thanked Council.

Kevin Bernadt, Loma Linda resident, inquired if there were any comments about walkability and more accessible pedestrian access. The response indicated that there were no comments on that matter.

Councilmember Spencer-Hwang stated that the survey was sent out to all registered voters in District 4 and 17 were returned.

Mayor Dupper thanked Councilmember Spencer-Hwang and Mr. Shah for the presentation.

2B. Public Hearing - Tentative Tract Map No. P22-264 (TTM 20467) and Precise Plan of Design No. P22-266 - a request to demolish a single-family home and develop a single-family residential subdivision, comprised of nine (9) residential lots, one (1) lettered lot, and a new public street. The site is located on Park Avenue, west of Curtis Street, and east of Coloma Street, within the Low Density Residential (R-1) General Land Use designation and Zoning District. (APN:0283-162-20) [Community Development] [Continued from April 9, 2024]- 7:20 PM

Public Hearing was opened at 7:37 PM and closed at 7:37 PM

Nicole Campbell, Associated Planner, presented the report into evidence stating that the project request is to subdivide a 2.8-acre parcel into a 9-lot residential subdivision; that the lots would range from 8,667 sq ft to 10,992 sq ft.; and that there would be a sidewalk in front of the homes, but on the west side of the street would be a 12 ft wide landscape strip to serve as a grassy area for drainage. She reviewed the floor plans and elevations, noting each home would have a minimum of two street trees. She explained that a Traffic Analysis study was conducted, resulting that the project is in compliant with Measure V; and that a Traffic Study was conducted that analyzed five intersections and assessed whether any offsite improvements were needed. She noted the study concluded that the project would not generate significant delays and no offsite improvements were required. Following the public hearing by the Planning Commission, she noted that the Planning Commission recommended 4 additional conditions for the project. After careful consideration, City Staff recommended two of the four conditions; one involved the block wall the block wall, and the other addressed the drainage.

Doug Goodman, Civil Engineer, stated that the adjacent neighbor to the east was concerned that the project would alter the natural drainage pattern. He stated that all residential properties surrounding the project have altered drainage patterns. He noted that the drainage swell is only handling the drainage on the project.

Councilmember Popescu stated that he spent much time on the project, speaking with residents and staff. He stated that overall the project is nice; that he was not concerned with drainage, but expressed concern and requested that bollard lighting be provided on the western property line; that a sidewalk be installed on the west side of the project where there currently is no sidewalk; and that he requested that the driveways be widened to mitigate parking concerns.

City Manager Thaipejr stated that the driveways are long enough to park a vehicle; that the applicant agrees to add the bollard lights on the western property side; and that the applicant is willing to widen the driveway to accommodate additional parking. In regards to the sidewalk, he explained that because that area is treated as a basin for the water percolate, staff is recommending installing decomposed granite for the walkway. The City will work with the applicant.

The public hearing was opened and closed by the Mayor.

Motion by Popescu, seconded by Rhodes Rigsby to approve with the added condition will be the lighting, widening of the driveways, and modified driveway on the western property line.

City Attorney Robbins asked to add to the condition regarding the widening of the driveway that it be to the extent that it meets the code. She highlighted the complexities of meeting code requirements, expressing concern that redesigning to accommodate widening might conflict with other aspects of the code.

Councilmember Popescu did not agree to include that with his motion. He stated that the project meets the code. He noted that this is a way to enhance the project. He noted that the the applicant

was willing to make those adjustments. He trusts that staff will ensure that it meets the code. He will be concerned if not all driveways can be widened.

Associate Planner Campbell stated that they do not have an exhibit to show that it is possible for all lots.

Ben Millett, Dimension Architects, pointed out the challenges in widening the driveways at the end of the cul-de-sac. He emphasized that widening the driveways would eliminate on-street parking. Additionally, he noted that depending on the use of the ADUs, residents of the ADUs might need to park in the driveways of the front house.

Mr. Goodman stated that the goal is not to widen the driveway but to widen the drive approach in front of the garage for an additional parking space.

Councilmember Popescu stated that parking is an issue and understands that the study says the project more than mitigates it. He stated that the changes would exceed the code and not violate it; however, if it is not clear how many properties will widen the driveways, he will amend his motion to continue the item and request a revised site plan. He stated that it is a safety issue to have the cars on the street.

Mayor Dupper stated that he was not comfortable voting for something that may not comply with the code.

Alex Mucino, the applicant, addressed the security concerns, emphasizing that they exceed code requirements with larger lots. Extending driveways would encroach into front yard setbacks, potentially reducing the project's viability. Mucino noted that altering the project's size could render it nonviable and deter future projects within the city.

Discussion ensued regarding parking issues.

Substitute motion by Rhodes Rigsby, seconded by Ovidiu Popescu to redesign the plan and bring it back to June 11, 2024, and motion carried by a vote of 4-0-0-1; Ronald Dailey absent.

3. Consent Calendar

Mayor Dupper noted that he has a conflict of interest on Agenda Item 3I. That item will be pulled and voted on separately.

Motion by Ovidiu Popescu, seconded by Rhodes Rigsby, to Approve the Consent Calendar Items with the exception of Agenda item 3I, which will be voted on separately and motion carried by a vote of 4-0-0-1; Ronald Dailey absent.

3A. Approve Demands Registers - May 14, 2024 [Finance]- 8:13 PM

Approved the Demands Registers dated May 14, 2024, with commercial demands totaling \$1,291,273.37; and Payroll dated April 25, 2024, totaling \$372,639.94 and Payroll dated May 9, 2024, totaling \$387,922.61.

3B. Treasurer's Report - April 2024 [Finance]- 8:13 PM

Accepted for filing.

3C. Fire Department's Activity Report - April 2024 [Fire]- 8:13 PM

Accepted for filing.

3D. Adopt Resolutions for the Landscape Maintenance District No. 1 Annual Report - Fiscal Year 2024-2025 [Public Works]- 8:13 PM

Adopted Council Bill #R-2024-04 (Resolution No. 3214), Council Bill #R-2024-05 (Resolution No. 3215) and Council Bill #R-2024-06 (Resolution No. 3216).

RESOLUTION NO. 3214

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, CALIFORNIA, INITIATING PROCEEDINGS AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR LANDSCAPE MAINTENANCE DISTRICT NO. 1 FOR FISCAL YEAR 2024/2025

RESOLUTION NO. 3215

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, PRELIMINARILY APPROVING ENGINEER'S REPORT FOR FISCAL YEAR 2024/2025 FOR LANDSCAPE MAINTENANCE DISTRICT NO. 1

RESOLUTION NO. 3216

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, CALIFORNIA DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2024/2025 IN LANDSCAPE MAINTENANCE DISTRICT NO. 1, AN ASSESSMENT DISTRICT; DECLARING THE WORK TO BE OF MORE SPECIAL THAN GENERAL PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREAS WITHIN LANDSCAPE MAINTENANCE DISTRICT NO. 1 TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID DISTRICT AS LANDSCAPE MAINTENANCE DISTRICT NO. 1, DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR THE PUBLIC HEARING

3E. Adopt Resolutions for the Street Light Benefit Assessment District Annual Report - Fiscal Year 2024-2025 [Public Works]- 8:13 PM

Adopted Council Bill #R-2024-07 (Resolution No. 3217), Council Bill #R-2024-08 (Resolution No. 3218), and Council Bill #R-2024-09 (Resolution No. 3219).

RESOLUTION NO. 3217

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, INITIATING PROCEEDINGS AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT FOR STREET LIGHT BENEFIT ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2024/2025

RESOLUTION NO. 3218

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, PRELIMINARILY APPROVING ENGINEER'S REPORT FOR FISCAL YEAR 2024/2025 FOR STREET LIGHT BENEFIT ASSESSMENT DISTRICT NO. 1

RESOLUTION NO. 3219

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, CALIFORNIA DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2024/2025 IN STREET LIGHT BENEFIT ASSESSMENT DISTRICT NO. 1, AN ASSESSMENT DISTRICT; DECLARING THE WORK TO BE OF MORE SPECIAL THAN GENERAL PUBLIC BENEFIT; SPECIFYING THE EXTERIOR BOUNDARIES OF THE AREAS WITHIN STREET LIGHT BENEFIT ASSESSMENT DISTRICT NO. 1 AND TO BE ASSESSED THE COST AND EXPENSE THEREOF; DESIGNATING SAID DISTRICT AS STREET LIGHT BENEFIT ASSESSMENT DISTRICT NO. 1, DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972; AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

3F. Approve a Change Order for the Beaumont Avenue Waterline Repair Project (CIP 20-657) [Public Works]- 8:13 PM

Approved Change Order.

3G. Grant a Utility Easement on Van Leuven St. to the So. California Gas Company [Public Works]- 8:13 PM

Granted the Utility Easement to So. California Gas Company.

3H. Approve Agreement with TKE Engineering for City Services [Finance/Administration]- 8:13 PM

Approved Agreement.

3I. Approve Schedule "A" of the Law Enforcement Service Contract with the County of San Bernardino for Fiscal Year 2024-25 [City Manager]- 8:13 PM

Approved Schedule "A" of the Law Enforcement Service Contract.

Motion by Rhodes Rigsby, seconded by Ovidiu Popescu, to Approve Schedule "A" of the Law Enforcement Service Contract with the County of San Bernardino for Fiscal Year 2024-25 and motion carried by a vote of 3-0-0-2; Ronald Dailey and Phillip Dupper absent.

3J. Declare Items Surplus and Authorize Appropriate Disposal [Information Systems]- 8:13 PM

Declared surplus and authorize disposal.

4. Old Business

No scheduled items.

5. New Business

5A. Report Update and Request for Direction Regarding the Fire Department Therapy Dog Program [Fire]- 8:16 PM

Chief Harker presented a report update on the Fire Department therapy dog program. He noted after the April 9, City Council meeting, he met with his administrative staff and the labor group and it was determined to form a committee to perform the research and findings.

Battalion Chief Nate Boucher introduced the committee, noting that they collaborated to develop the most effective and feasible program. A short video was presented about peer support counseling. He then discussed the physical and mental health benefits for first responders, as well as the advantages for the community. The presentation explained the differences between a service dog assigned to one person and a station dog that would serve the entire station. A nationwide study showed that therapy dogs are effective in lowering anxiety, reducing loneliness, and providing comfort, as well as lowering blood pressure and heart rate. The committee also discussed how and where they would obtain the station dog, the costs associated with its care and maintenance, how the program would be implemented, and the day-to-day operations. He noted the total cost of the program is about \$8,500 to start the program and approximately up to \$1,200 - \$1,500/year.

Chief Harker outlined the health and wellness program in his department, addressing the early departure of some personnel due to various health and mental issues. He discussed initiatives to support physical and mental health, including a Critical Incident Response Plan, peer counseling program, chaplain program, and exercise routines. He mentioned that he has included this program in next year's budget, and upon approval, they will move forward with implementation in the new fiscal year.

Mayor Dupper appreciated all the work and research by the Committee. He hopes the program is successful.

5B. Council Bill #R-2024-16- A Resolution to Approve the Measure I 5-year CIP Project for Fiscal Year 2024/25 through Fiscal Year 2028/29 [Public Works]- 8:45 PM

City Manager Thaipr presented the Measure I 5-year CIP Project for Fiscal Year 2024/25 through Fiscal Year 2028/29, noting all the streets included in the street maintenance and improvement program.

Motion by Ovidiu Popescu, seconded by Rhodes Rigsby, to Adopt Council Bill #R-2024-16, approving the Measure I 5-year Capital Improvement Projects (CIP) for Fiscal Year 2024/25 through Fiscal Year 2028/29 and motion carried by a vote of 4-0-0-1; Ronald Dailey absent.

RESOLUTION NO. 3220

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, STATE OF CALIFORNIA, ADOPTING THE MEASURE I FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FY2024/2025 THROUGH FY2028/2029

6. Reports

6A. Reports of Council Members- 8:50 PM

Council Member Popescu stated that he attended the SCAG Conference and a good opportunity to talk to network with other cities; one highlight was spending time with ESRI and doing amazing work;

continuing to work with SBCTA. He heard that Union Pacific was thinking of putting in another rail line.

Council Member Spencer-Hwang raised concerns about employee morale and requested a finalized work chart outlining titles, responsibilities, and salaries within the next week or two. She expressed apprehension about employees wearing multiple hats, deeming it unsustainable. She proposed discussing an Employee Engagement Survey at the next meeting, noting challenges in meeting the requested timeframe.

City Attorney Robbins cautioned that the discussion was veering beyond the scope of the reports, delving into labor negotiations that should be reserved for closed sessions. She emphasized the City Manager's role in the council-manager form of government, highlighting that the City Manager handles day-to-day decisions and employee matters. Any concerns of Council should be directed to the City Manager. She noted it can be agendaized and discussed in a closed session.

6B. Reports Of Officers- 9:05 PM

City Manager Thaipetr discussed that after they closed the pedestrian bridge following the Council's actions. He stated that they have had to replace the fence three times because the fence has been cut and damaged. Discussion ensued on who would have done that. He noted that he will be out of the country the week of May 17. In his absence, Chief Harker will be the acting City Manager.

Community Development Director Matarrita announced that as of last Friday, the City of Loma Linda has a Housing Element that complies with state law. She noted Loma Linda is one of 15 cities in San Bernardino County that is compliant. The City can now apply for Housing Programs from the state to help on the implementation of programs.

7. Adjournment

The meeting adjourned at 9:08 pm to the Joint Meeting Workshop on May 15, 2024.