

Minutes for the Regular City Council

25541 Barton Road, Loma Linda, CA 92354

July 9, 2024, 5:30 PM - July 9, 2024, 11:34 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- 7:15 PM

The meeting was called to order at 5:30 pm. and immediately convened to Closed Session.

1B. Roll Call-

Staff Present:

T. Jarb Thaipejr, City Manager

Diane Robbins, City Attorney

Lynette Arreola, City Clerk

Sonia Fabela, Finance Director

Lorena Matarrita, Community Development Director

Nicole Campbell, Associate Planner

Nate Boucher, Battalion Chief

Kyle Mac Gavin, Information Systems Manager

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

1C. Closed Session - 5:30 pm- 7:17 PM

City Attorney Robbins stated that the City Council met in Closed Session to discuss Labor Negotiations with Labor Negotiators. She stated that direction was given to the negotiators by the City Council.

1D. Invocation and Pledge of Allegiance - Mayor Dupper- 7:17 PM

Invocation and Pledge of Allegiance were led by Mayor Dupper.

1E. Items to be Added or Deleted- 7:17 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)- 7:18 PM

Mayor Dupper noted that the City will adjourn the meeting in memory of Richard "Dick" Wiley and Joseph Frink. Since he believes the meeting may go late, he wanted to comment on the two gentlemen. He noted Mr. Wiley passed away on July 5 and Mr. Frink passed away on June 13. He noted that both gentlemen were long-time members of the Historic Commission, who cared deeply about the City and the community and both were actively involved with the City. He noted that Mr. Wiley always had great ideas; and Mr. Frink had a passion for the care and upkeep of his ancestral family home, the Frink Adobe. He was very sad to hear of their passing. He asked all to keep their families in their thoughts and prayers.

Raul Colunga, an employee of the City of 22 years with the Community Development and Public Works Departments, stated that he was representing his negotiating group of Public Works, Finance, Code Enforcement, Animal Control, Information Systems, and Administrative staff. After querying the Consumer Price Index for the Inland Empire, the Federal Bureau of Labor Statistics indicated that the inflation rate was about 4% for May. In light of the negotiations, he wanted to convey that whatever is offered in terms of the cost of living agreement that inflation is taken into account. He emphasized that both he and his colleagues are fully committed, putting forth dedication, effort, and energy to deliver exceptional service to the residents of Loma Linda.

Susan Montenero, 25431 Park Ave., complimented Council Member Popescu on comments he made on the budget. She discussed the diversity within her neighborhood, but she expressed concern with safety issues. She suggested that Council members should periodically send notices to residents to introduce themselves and to also offer ordinance information.

1G. Conflict of Interest Disclosure- 7:30 PM

No conflicts or interest were disclosed.

2. Scheduled and Related Items

2A. Council Bill #R-2024-24 - 2024 Spring Weed Abatement Program [Fire]- 7:30 PM

Public Hearing was opened at 7:36 PM and closed at 7:41 PM

Matt Dingman, Fire Inspector/Investigator, presented the 2024 Spring Weed Abatement Program, explaining the weed abatement program and inspection process. He conducted approximately 300 parcel inspections with 248 notices to clean properties. He concluded noting that there were six unpaid invoices of properties that were cleaned by the City's contractor. He recommended approving the assessments and liens on the properties for payment. He responded to general questions by the City Council.

The public hearing was opened.

Sami Beydoun, MTB Inland Empire, LLC, stated that they are appealing the abatement charges for APN 0284-221-15. He noted that they take proactive measures to ensure their property remains compliant with the City Code. He noted that they had contracted the clean-up work with a licensed landscape contractor before the designated due date and have documentation of the clean-up. He was surprised to have received an invoice from the City. He expressed concern about the lack of

communication with the City. He is requesting to work with the City regarding this matter. He noted that they paid the fee to the City.

Mr. Dingman stated that he had the documentation and photos of the cleanup by the City's landscape contractor.

Mayor Dupper noted there there was an appeal process with the department. City Attorney Robbins recommended that they pull that particular invoice item from any City Council action and allow staff to work with the owner.

The public hearing was closed.

Motion by Rhodes Rigsby, seconded by Ronald Dailey and passing by a vote of 5-0-0-0 to *Approve the Spring 2024 Weed Abatement Report and accounting costs with the exception of Invoice No. 24001, APN 028422115*, to allow staff to work with the property owner on his appeal, and to *Adopt Council Bill No. R-2024-24*:

RESOLUTION NO. 3227

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, CALIFORNIA, ADOPTING A REPORT AND STATEMENT OF EXPENSES FOR THE SPRING 2024 WEED ABATEMENT PROGRAM AND IMPOSING A LIEN UPON PROPERTY FOR PAYMENT THEREFOR

Mr. Larry Veres stated that he inadvertently missed his opportunity to speak when the public hearing was opened. He thanked the Council for the opportunity to speak. He shared his history with Loma Linda and noted that he has spent much money improving and cleaning his property at 11840 Hollis Ct. He explained that he has had issues with homeless individuals living and damaging his property over the years. He explained that his landscaper maintains the property once a month. He believed that from the time he received the notice from the City and the time his landscaper cleaned up, the City's landscaper cleaned the property. He is appealing the weed abatement fees assessed on his property.

Mayor Dupper reiterated that there is an appeal process with the department and directed Mr. Veres to speak with the City.

City Attorney Robbins explained that the City Council would have to amend the motion to remove Mr. Veres's invoice from the list.

Motion by Rhodes Rigsby to amend the motion to *Approve the Spring 2024 Weed Abatement Report and accounting costs with the exception of Invoice No. 24001, APN 028422115*, AND with the exception of Invoice No. 24002, APN 028109125, to allow staff to work with the property owners on their appeal, and to *Adopt Council Bill No. R-2024-24, Resolution No. 3227, Seconded by Ronald Dailey and passing by a vote of 5-0-0-0.*

**2B. JOINT MEETING OF THE LOMA LINDA CITY COUNCIL AND HOUSING AUTHORITY
REGARDING THE FISCAL YEAR 2024-25 BUDGET - Budget Committee's Recommendations
(Continued from June 25, 2024)- 7:45 PM**

Public Hearing was opened at 7:45 PM and closed at 8:00 PM

Mayor Dupper called the meeting for the Housing Authority to order at 7:45 p.m.

Gary Nelson, Budget Committee Member, stated that the Committee met and submitted their recommendations in writing to City staff and City Council. In summary, he noted that the City of Loma Linda is very well-run. He commended the city's leadership and employees; however, the Committee expressed concern that the City's expenses are growing faster than its revenue, and; therefore, recommended that additional sources of revenue need to be researched and acted on fairly soon. He noted that Loma Linda has an extraordinarily tight budget and doesn't see where the City can make any more cuts in positions. The focus must be on bringing in revenue. He is concerned that within the next year or two, the City will have a deficit budget. He noted that the City is running very lean and that having a deficit budget may affect services. He recommended providing public education to the citizens so that they understand that costs are increasing faster than the revenue. He noted that the City has been very proactive in paying down the unfunded liabilities with CalPERS. He noted that Loma Linda has paid down the unfunded liability significantly; more than any other city. They are recommending the City not pay that down any further to save on their expenditure. He noted that there are some items to help the City generate revenue that were discussed at the workshop, such as increasing businesses, installing billboard signs, or increasing the sales tax. He stated that the City has eliminated positions and passed the responsibilities to existing employees to balance the budget. Mr. Nelson stated that if key employees who are responsible for two to three jobs, leave or retire, the City will be faced with the option of either reducing services or hiring additional employees. He emphasized that the Reserves should be used for emergencies and not for operations.

The Budget Committee's recommendations were accepted.

2C. Presentation of Proposed FY 2024-2025 Budget [Finance] (Continued from June 25, 2024)- 8:15 PM

Finance Director Sonia Fabela presented the 2024-2025 Budget, which included the General Fund – Unassigned, Assigned, and Committed, as well as the overall financial status of the City including all funds (General Fund, Enterprise, Special Revenue, Capital, and Debt Services Funds) and the Housing Authority Fund. She highlighted the General Fund's top 7 revenues, emphasizing the percentage of the City's General Fund each revenue item represents and the percentage change between the previous and new fiscal year. Additionally, she analyzed the General Fund Expenditures by departments and the percentage changes between the previous and new fiscal year. She mentioned that in 2023/2024, the City did not have to contribute to unfunded PERS liability due to PERS investments performing well. However, the unfunded liability increased when PERS reduced the discount rate. In summary of the General Fund Total Ending Fund Balance, she explained that the deficit amount of 407,000 from Fiscal Year 2024-25 was covered by fund balance reserves. She also reviewed the beginning and ending Unassigned Fund Balance as well as the Assigned and Committed balances. She noted that the deficit is relatively low compared to what it would be if the City were fully staffed and could afford projects that had to be removed to come close to a balanced budget. She emphasized that rising costs of essential items make it difficult to balance the general fund budget. She provided a spreadsheet showing the potential growth of the deficit if current revenue streams continue with a 2-3 percent increase per year and a modest 3% increase in

expenditures each year. Expenditures would outpace the revenue growth. She noted that the reserves will be depleted if the revenue streams do not increase and the City continues to rely on the reserves to cover its deficits. She identified a list of unfunded positions that are not part of the budget but are necessary positions. She also identified a list of unfunded projects that were removed to attempt to reach a balanced budget. She discussed the Housing Authority budget, which had minimal changes. She thanked all departments and staff for their contributions to the 2024/25 Budget.

Finance Director Fabela addressed questions regarding the unfunded position explaining that a total of nine positions would eventually be needed for the new fire station in Area D.

Mayor Dupper emphasized that, with the city's growth, there is a clear need for three fire stations. He expressed concern that the City has been balancing the budget over the years by eliminating positions and adding more responsibilities to existing employees.

Mayor pro tempore Dailey noted that the Council needs to have clear assumptions about the City's future planning and be prepared to make some difficult decisions.

Council Member Spencer-Hwang added that many of the unfunded positions are crucial and needed now, as employees are already juggling multiple job responsibilities. She pointed out that the City Manager is currently wearing six hats, which is not sustainable.

2D. Five-Year Capital Improvement Program (CIP) [Public Works] (Continued from June 25, 2024)- 8:42 PM

City Manager Thaipetr presented the Five-Year Capital Improvement Program, discussing all the street improvements in the upcoming five-year schedule.

Motion by Rhodes Rigsby, seconded Ovidiu Popescu, and passing by a vote of 5-0-0-0
to Approve the 5-year Capital Improvement Program for Fiscal Year 2024-25 as presented.

2E. Council Bill #R-2024-18 - A Resolution to Approve the Fiscal Year 2024-2025 Adjusted Appropriations Limit [Finance] (Continued from June 25, 2024)- 8:51 PM

Finance Director Fabela presented the item into evidence, explaining the Adjusted Appropriations Limit.

Motion by Ovidiu Popescu, seconded Rhodes Rigsby, and passing by a vote of 5-0-0-0
to Adopt the Council Bill #R-2024-18 - RESOLUTION NO. 3225 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, CALIFORNIA ADOPTING AN AMENDED CITY APPROPRIATIONS LIMIT FOR FISCAL YEAR 2024-2025 IN ACCORDANCE WITH THE PROVISIONS OF DIVISION 9 OF TITLE 1 OF THE CALIFORNIA GOVERNMENT CODE.

2F. Investment Policy (Continued from June 25, 2024)- 9:06 PM

Finance Director Fabela stated that there were no changes in the Investment Policy, but would do some research with another financial institution. Should there be changes, she would present it to the City Council.

Motion by Ronald Dailey, seconded Rhodes Rigsby, and passing by a vote of 5-0-0-0
to Approve the Investment Policy for Fiscal Year 2024-25.

2G. Citizen Option for Public Safety (COPS) Grant Expenditure Plan (Continued from June 25, 2024)- 9:06 PM

Finance Director Fabela presented the report reviewing some of the expenses of the COPS grant for Fiscal Year 2024-25.

Motion by Ronald Dailey, seconded Rhodes Rigsby, and passing by a vote of 5-0-0-0-0
to Approve the Citizen Option for Public Safety (COPS) Grant Expenditure Plan for Fiscal Year 2024-25.

2H. Council Bill #R-2024-20 - Adopt Resolution to approve the Wildland Fire Protection Contract #3CA06941 between the California Department of Forestry and Fire Protection (CAL FIRE) and the City of Loma Linda for \$107,254.21 for Fiscal Year 2024-2025 and authorize the Mayor or Mayor pro tempore to sign the contract pursuant to Government Code 40601 (Continued from June 25, 2024)- 9:07 PM

There was no discussion.

Motion by Ovidiu Popescu, seconded Rhodes Rigsby, and passing by a vote of 5-0-0-0-0
to Adopt Council Bill #R-2024-20 - RESOLUTION NO. 3226 - APPROVING THE DEPARTMENT OF FORESTRY AND FIRE FOR SERVICES FROM JULY 1, 2024, TO JUNE 30, 2024.

2I. Loma Linda Fire Department Radio Contract (Continued from June 25, 2024)- 9:07 PM

There was a brief discussion on the Fire Department Radio Contract. Battalion Chief Boucher responded stating that the suggested allocation for this contract was \$34,000.

Motion by Rhodes Rigsby, seconded Ovidiu Popescu, and passing by a vote of 5-0-0-0-0
to Approve the appropriation of allocation of \$34,000 and Approve the annual contract with the San Bernardino County Innovation and Technology Department (ITD) for radio access and repairs.

2J. Council Bill #R-2024-19 - A Resolution to Approve the 2024-2025 Fiscal Year Budget (Continued from June 25, 2024)- 9:09 PM

It was noted that the City has a \$407,000 deficit for the 2024-2025 budget, which will be covered by reserves. Additionally, the 2024-2025 Fiscal Year Budget does not account for the unfunded positions mentioned in the presentation. Councilmember Spencer-Hwang was not in favor of approving it since it does not reflect the full deficit.

Mayor Dupper stated that he struggled with this item knowing that they are not being completely transparent because the deficit should be at a higher amount to include the unfunded positions. He understood over the years positions were not filled or downgraded to balance the budget. However, through negotiations, he noted that the City will hire key positions which puts the City in its current deficit. He will approve the budget, but if the City doesn't work on generating revenue, services in the community will be affected.

Motion by Ovidiu Popescu, seconded Rhodes Rigsby, and passing by a vote of 4-1-0-0-0 Opposed by Rhonda Spencer-Hwang
to Adopt Council Bill #R-2024-19 - RESOLUTION NO. 3228 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, CALIFORNIA, ADOPTING THE FINAL BUDGET FOR THE CITY OF LOMA LINDA FOR THE FISCAL YEAR COMMENCING JULY 1, 2024 AND ENDING JUNE 30, 2025

2K. Loma Linda Housing Authority Bill #R-2024-01 - A Resolution to Approve the Loma Linda Housing Authority 2024-2025 Fiscal Year Budget (Continued from June 25, 2024)-

9:10 PM

No discussion on this item.

Motion by Rhodes Rigsby, seconded Ronald Dailey, and passing by a vote of 5-0-0-0-0
to Adopt Loma Linda Housing Authority Bill #R-2024-01 - RESOLUTION NO. 55 - A RESOLUTION OF THE LOMA LINDA HOUSING AUTHORITY ESTABLISHING A FINAL BUDGET FOR FISCAL YEAR 2024-2025

2L. Presentation of the Voter Survey Research Results by Dr. Richard Bernard, Fairbank, Maslin, Maullin, Metz and Associates (FM3 Research)- 9:11 PM

Finance Director Sonia Fabela introduced Dr. Richard Bernard, FM3 Research, who would present the results of the Voter Survey Research.

Dr. Richard Bernard introduced himself, discussed his experience conducting surveys, and reviewed the results of the 2024 Revenue Measure Survey. He shared the survey methodology, including when the survey was conducted, the total interviews, the margin of sampling error, the languages of the survey, and the contact and data collection methods. He noted that 2 in 3 voters believe there is a need for additional funds for city services. He noted the Hypothetical Ballot Title and Summary of the Measure. He found that nearly 2 in 3 voters would support a 1 cent sales tax measure, which is well above the simple majority threshold. He noted that more than 6 in 10 support the measure across Council Districts for a 1 cent sale tax measure. He reviewed the top budget priorities in the city included Public Safety, homelessness, drinking water, and keeping the City safe and clean. He noted that most educational statements resonate with 7 in 10 or more voters focused on public safety, quality of life, and parks. In conclusion, noted that nearly 2 in 3 voters perceive the City needs at least some additional funds to provide services.

2M. Resolutions and Ordinance Measure to Declare a Fiscal Emergency; to Call and Give Notice of a Special Municipal Election to submit to the City's Qualified Voters the "City of Loma Linda Essential Services Measure", which enacts the "City of Loma Linda Transaction and Use Tax Ordinance" that Establishes a General-Purpose One Percent Transactions (sales) and Use Sales Tax Measure- 9:45 PM

Finance Director Fabela presented the report into evidence, noting that the City Council has historically maintained and increased the General Fund reserves to where it is now; that the Council has been conservative over the years when faced with budget challenges, and that the Council has approved operational balanced budgets through various cutbacks through the years. She described the projected General Fund Shortfall, noting that a 2-3% projected increase in revenues and a modest 3% increase in expenditures in a 10-year projection will show a deficit that could occur each year assuming everything continues as is and no new positions are funded and no new revenues, the fund balance reserve will almost fully be depleted by 2035. She displayed the list of revenue-generated recommendations that were discussed at the March 13, 2024, joint meeting. She discussed the unfunded positions and projects, noting that the new fire station and community center are estimated to be completed in 2026/27. She displayed a General Fund 10-Year Projection graph that included the unfunded positions and projects. If there were no new revenues, she noted that the reserves are estimated to be depleted by 2028/29. She noted that the revenue measure

would secure the City's long-term financial stability; maintain public safety and continue essential services for residents and businesses. She noted that these would be locally controlled funds that would be directly tracked in the general fund and could not be taken away from the County or State. She discussed the tax measure process, noting that since there are no City Council elections in November 2024, the City Council would have to determine this action as a fiscal emergency, unanimously, so it can be consolidated in a special election. She explained a general-purpose tax would require a majority vote. She explained the steps to be taken and the staff's recommendations.

City Manager Thaipejr stated that the City will be facing financial hardships within the next few years. He explained that the proposed sales tax increase would help support the City's operations and services.

Mr. Nelson, the Budget Committee, suggested that if the measure gets approved, he would recommend the City to continue to pay down the CalPERS unfunded liabilities. He noted the importance keeping the public educated and aware. He would support a 1/2 percent sales tax increase, but knows that in about 5 years the City may need that other 1/2 percent.

Finance Director Fabela noted that voters may approve a transaction and use tax in increments of 0.125% up to a cap of 2%. If the City doesn't elect to move forward, other taxing agencies can adopt such a measure, such as the County, and that would reduce the amount of sales tax that the City can go for in the future.

Mayor Dupper stated that he is not taking any of this lightly, but he has to be a realist as to where we live in the state and the City we live in. He is concerned with the future. He stated that if one has a moral objection to this, he encourages people to vote no. His concern is that they don't block the ability of the community to decide on its own. He hopes the Council allows the community to decide on its own.

Motion Ronald Dailey, Seconded by Spencer-Hwang to Adopt Council Bill R-2024-26 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, CALIFORNIA, UNANIMOUSLY DECLARING A FISCAL EMERGENCY PURSUANT TO ARTICLE XIII C SECTION 2(B) OF THE CALIFORNIA CONSTITUTION

Council Member Spencer-Hwang stated that based on the budget, the recommendations by the Budget Committee, and the results of the survey, she believes they are taking the appropriate steps to be responsible and allowing the community to have a voice in this.

Council Member Popescu stated that he wasn't surprised by the results of the survey. He stated that he was pleasantly surprised at how well the budget has been managed the last four years, He is not happy to approve a budget with a deficit. He does have a concern with the future and the shortfalls of the budget, but he doesn't see what's causing the shortfalls. He doesn't see the City at its current financial position as a fiscal emergency. He said that he would have to be at the point of eliminating positions and cutting salaries to where the City cannot function anymore as a fiscal emergency. He believes the voters would not support this. He stated that he has talked to businesses who have

expressed concern that a sales tax increase would impact their businesses. He declaring an emergency to pass a tax increase is not the way he would manage the City's budget.

Council Member Rigsby stated that looking at the trajectory of the revenue and the expenditures of the city he does not see an emergency.

Mayor pro tempore Dailey stated that the City Council has found ways to balance the budget and protect the General Fund; however, the city has identified multiple unfunded positions and projects to manage and operate as a city. He believes the Council needs to come up with more realistic and appropriate options.

Council Member Spencer-Hwang remarked that other cities are taking proactive measures to prepare for what's ahead. She pointed out that the City is cutting positions to balance the budget and has now reached a critical point. She highlighted that the City Manager is juggling six different roles, and urged the Council to take immediate action to ensure the City can function effectively. She stated that the Council should come together on this and show that they value the City employees.

The Mayor called for the vote which ***Failed to Pass by a vote of 3-2-0-0-0; Opposed by Popescu and Rigsby.***

The City Clerk noted that, since the Resolution failed to pass, it was not necessary to proceed with voting on the associated resolution and ordinance for this item.

3. Consent Calendar

Since Agenda Item 2M failed to pass, City Manager Thaipejr removed Agenda Item No. 3F, which was a contract relating to the "City of Loma Linda Essential Services Measure".

In regards to Agenda Item 3Q, Council Member Popescu appreciated the support of the San Manuel Band of Mission Indians.

Motion by Ronald Dailey, seconded Ovidiu Popescu, and passing by a vote of 5-0-0-0-0 *to Approve the Consent Calendar as submitted with the exception of Agenda Item 3F, which was removed from the Agenda.*

3A. Approve Demands Registers - July 9, 2024 [Finance]- 10:25 PM

Approved the Demands Register dated July 9, 2024, with commercial demands totaling \$2,464,145.99 and Payroll dated July 3, 2024, totaling \$46,477.45.

3B. Approval of Minutes June 11, 2024 [City Clerk]- 10:25 PM

Approved Minutes of June 11, 2024, as submitted.

3C. Approval of Minutes June 20 & 25, 2024 [City Clerk]- 10:25 PM

Approved Minutes of June 20 & 25, 2024, as submitted.

3D. Treasurer's Report - June 2024 [Finance]- 10:25 PM

Received for filing.

3E. Fire Department's Activity Report - June 2024 [Fire]- 10:25 PM

Received for filing.

3F. Subject to the Adoption of Council Bill #R-2024-26, Award contract to Communications & Media management Consultants for Communications and Community Outreach Services- 10:25 PM

City Manager Thaipetr removed this item from the Agenda, which was professional services provided for the Service Measure that failed to pass earlier in the agenda. Item was removed from the Agenda; no action was taken.

3G. Agreement Amendment with TKE Engineering, Inc. for Consulting Services with TKE Engineering, Inc. [Administration]- 10:25 PM

Approved Agreement Amendment with TKE Engineering, Inc. for Consulting Services.

3H. Agreement with the San Bernardino County Auditor-Controller/Treasurer/Tax Collector for Fiscal Year 2024-25 [Administration]- 10:25 PM

Approved execution of Agreement with San Bernardino County Auditor-Controller/Treasurer/Tax Collector for Fiscal Year 2024-25.

3I. Extension of Annual City Service Contracts for Fiscal Year 2024-25 [Public Works]- 10:25 PM

Approved extension of Annual City Service Contracts for Fiscal Year 2024-25.

3J. Extension of Annual Service Contracts for Fire Department for Fiscal Year 2024-25 [Fire]- 10:25 PM

Approved extension of Annual Fire Service Contracts for Fiscal Year 2024-25.

3K. Award Contract to GCI Construction, Inc., for Installation of Pre-Packed Sewer Pump Station at 25876 Juanita Street (CIP 21-511) [Public Works]- 10:25 PM

Awarded contract to GCI Construction Inc. for \$235,600; Joseph E. Bonadiman and Associates for \$5,000; and project contingency of \$23,000.

3L. Award a Contract to Orozco Landscape and Tree Company for Landscape Maintenance District Area B [Public Works]- 10:25 PM

Awarded contract to Orozco Landscape and Tree Company for \$322,568.24.

3M. Award Contract to Crimson Marie Company for the Construction of Concrete "V" Ditch at Richardson Street (CIP 24-413) [Public Works]- 10:25 PM

Awarded contract to Crimson Marie Company for \$54,800; Goodman and Associates, Inc. for \$1,700; and project contingency of \$5,500.

3N. Award Contract to Carollo Engineers for Sanitary Sewer Masterplan Update [Public Works]- 10:25 PM

Awarded contract to Carolla Engineers for \$369,500.

3O. Award Contract to S & H Civilworks for the Installation of ADA Access Ramps, and Sidewalks at Various Locations (CIP 24-122) [Public Works]- 10:25 PM

Awarded contract to S & H Civilworks for \$206,00; and project contingency of \$20,000.

3P. Accept Parcel Map 20389 Off Site Improvements [Public Works]- 10:25 PM

Accept the offsite improvements for Parcel Map 20389; release the 10% Maintenance Guarantee and begin the one-year maintenance period.

3Q. Approve a supplemental appropriation of \$300,000 from General Fund Reserves; appropriate the funds into the Grant Expense Account and authorized the purchase five (5) 12-lead cardiac monitor/defibrillators. Accept a grant revenue of \$300,000 from San Manual Band of Indians for reimbursement costs of the equipment. Declare four existing monitors being replaced as surplus and authorize their disposition. [Fire]- 10:25 PM

Approved the supplemental appropriation of \$300,000 from General Fund Reserves; appropriate into expense account to purchase 5, 12-lead cardiac monitor/defibrillators; accept grant revenue from San Manual Band of Indians and declare existing monitors being replaced as surplus.

3R. Notice of Completion - Waterline Improvements at Beaumont Avenue and Nevada Street (CIP 20-657) [Public Works]- 10:25 PM

Accepted the project as complete by MCC Equipment Rentals, Inc. with the final project cost of \$1,174,628.06 and authorized the recordation of the Notice of Completion.

3S. Notice of Completion - Purchase and Installation of (2) Two Fuel Management Systems for Fire and Public Works Departments [Public Works]- 10:25 PM

Accepted the project as complete by World Fuel Services with the final project cost of \$35,041.55 and authorized the recordation of the Notice of Completion.

4. Old Business

4A. Council Bill #O-2024-04 - Second Hearing - An Ordinance of the City Council of the City of Loma Linda repealing Ordinance 712, which will remove Chapter 17.105 Formula-Based Fast Food Restaurants of the Loma Linda Municipal Code in its entirety, and amending Chapter 17.40 Commercial and Industrial Zones (BP, CO, C-1, C-2, and CM) to allow Fast Food Restaurant With Drive-Through in the BP, C-1, C-2, and CM Zones subject to a Conditional Use Permit and specific use regulations, and amending applicable definitions in Chapter 17.02 Introduction and Definitions for consistency purposes throughout the Development Code (Continued from June 25, 2024)- 10:30 PM

City Manager Thaipejr presented the report, requesting that the City Council adopt the Ordinance in the second reading.

Mayor Dupper opened the Public Hearing.

Milford Harrison expressed his support for the Ordinance, stating that it would help address part of the City's deficit while maintaining the City's appeal. In response to the previous agenda item, he noted that many residents frequently visit businesses and restaurants outside the City, willingly paying the 8.75% sales tax. He mentioned having a client prepared to develop a drive-through restaurant in Loma Linda, which he believed would be a good fit for the City.

Wayne Dysinger, a 20-year resident of Loma Linda, stated that 12 years ago SB1000 was developed because the community stated clearly that the Blue Zone identity was important. He noted that the retail food environment index, which looks at the quality of food, showed that if you have a low retail food environment index, you have worse health outcomes, such as childhood obesity. He doesn't understand why the Ordinance is up for repeal and what the City will gain from it. He noted that 4 of the 5 Council Members were here when it was adopted. He noted that the blue zone identities remain strong. He pointed out that the County of Riverside is investing \$40 million to be a blue zone county, where Loma Linda already has that identity. He knows that there is increased interest in utilizing the Blue Zones brand in commercial ways. He discussed the Netflix documentary as an example. He is a primary care physician and chief medical officer of a health transformation company where he has contracts with over 200 physicians and 2,000 specialized physicians. As of April, his organization has a contract to rebrand Blue Zones and open Blue Zone Health centers. They would like to invest in a Blue Zone health center in Loma Linda, but questioning whether to invest if the the city is stepping away from a Blue Zone brand. He encourages the City to stay strong and keep Loma Linda an exemplary Blue Zone community.

Council Member Dailey stated that the city must look at revenue-generating options because the City will be facing financial hardships.

Mr. Dysinger stated that he would vote for a 1/2 % sales tax increase and believed many residents would support a tax increase vs. more drive-throughs.

Mayor Dupper acknowledged that the pandemic brought significant changes, with many businesses shifting to a drive-through model due to concerns that another pandemic could occur in the future. He emphasized that the new ordinance was carefully written, ensuring a thorough review process for any such developments.

Council Member Spencer-Hwang stated that for the past 10 years, she has been studying centenarians in this region and beyond. She published a book on Blue Zone that covers various generations and their habits. She noted that one of her goals is to embrace the City's motto of wellness and prosperity. She pointed out that she has hosted visitors from other countries wanting to learn more about the Blue Zone. She would like to embrace this and for the City to develop its own brand around the blue zone and sell it to attract businesses that follow the City's model. She stated that there are upscale vegan and vegetarian options that are available. She is committed to doing this.

Council Member Popescu agreed with Mr. Dysinger's comments about preserving Loma Linda's Blue Zone identity, emphasizing that the city has built a strong health-conscious reputation over the past 12 years. He disagreed that residents would support a tax increase. He stated that he has not seen any data indicating that the pandemic has driven businesses to incorporate drive-throughs.

JC Belliard, resident, stated that the City will never know how the voters would have voted for a sales tax increase if given the opportunity. He discussed the Healthy Cities program that lost its funding several years back but noted there are grants available encouraging Loma Linda to seek opportunities. He encouraged the City to look for ways to stay true to the Blue Zone. He stated most

students and employees of the University go outside the city limits to eat. He noted that there is a huge opportunity to invest locally. He stated that the City should invest in more sit-down restaurants that would bring in more revenue than drive-throughs. He supported the City looking into high-density developments with residential units on top and businesses on the first floor, which would generate revenue and promote walkable communities. He said the City can do both health and prosperity.

Mr. Dysinger stated that drive-throughs were not completely banned on SB1000, but rather banned the specific types of restaurants based on a threshold number of restaurants, to eliminate larger chains, but not small businesses. Mayor Dupper pointed out that the ordinance was written differently from SB1000.

There was a discussion about bringing restaurants into the City that align with its motto; however, due to the demographic methodology businesses use to select their locations, the City does not usually meet the necessary demographic criteria. Discussion continued on capitalizing on the Blue Zone designation and attracting businesses that support their motto.

Councilmember Spencer-Hwang stated that she is wanting to generate a revenue-generating committee to assist the City. She concurred with comments from Mr. Dysinger and Mr. Belliard. She encouraged them to be involved with the committee.

Brianna Egan, a student and Loma Linda resident, suggested that the City explore policy changes to benefit the community, take advantage of grant opportunities, and reconsider parking ratio regulations in commercial centers where parking exceeds building space, to make room for larger businesses.

Mayor pro tempore Dailey stated that he would like to continue the item to better understand the changes in the ordinance, because there were multiple interpretations discussed. He stated that there are real issues that the City has to confront to generate revenue into the city vs. cutting staff and services. He appreciates the comments that were made and is open to their involvement.

City Attorney Robbins recommended continuing the item if Council members needed more clarification.

Motion by Ronald Dailey, seconded Ovidiu Popescu, and passing by a vote of 4-1-0-0-0 Opposed by Phillip Dupper
to Continue the item to August 13, 2024.

4B. Develop a Revenue Generating Committee (Continued discussion for potential actions)- 11:30 PM

Councilmember Spencer-Hwang stated that the City needs to develop a committee to think about how to generate revenue and embrace the City's model of wellness and prosperity. She would like to partner with Mr. Dysinger and Mr. Belliard for their input to attract the right businesses and restaurants. She said she would have more information at the next meeting.

The Mayor expressed his condolences to Councilmember Spencer-Hwang.

5. New Business

No items.

6. Reports

6A. Reports of Council Members- 11:31 PM

Councilmember Popescu shared that he recently returned from a trip to Kenya with Loma Linda University and is impressed by the institution's impact, contributing millions of dollars in revenue, jobs, and healthcare services. He was proud to see students from public health provide vital services to the people of Kenya. He is also involved in a separate project focused on delivering blood by drone. During his visit to a hospital, the staff expressed their gratitude. He pointed out how LLU continues to establish hospitals all over the world and wanted to extend his appreciation to Loma Linda University and Medical Center for the services they provide.

6B. Reports Of Officers- 11:33 PM

City Manager Thaipejr thanked Finance Director Fabela and City Attorney Robbins for all their time and efforts in researching and preparing the report for the sales tax measure and for the City Clerk who assisted in their efforts.

Mayor Dupper expressed his appreciation for the thorough work put into the report and thanked the staff for their dedication and hard work.

7. Adjournment

The meeting adjourned in Honor and Memory of Richard "Dick" Wiley and Joseph Frink at 11:34 pm.