

Minutes for the Regular City Council

25541 Barton Road, Loma Linda, CA 92354

September 24, 2024, 5:30 PM - September 24, 2024, 8:45 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- 5:30 PM

The meeting was called to order at 5:30pm and immediately went into Close Session. The regular meeting resumed at 7:09 pm.

1B. Roll Call-

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

Kyle MacGavin, Information Systems Manager

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

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

The regular meeting resumed at 7:09 pm. City Attorney Robbins stated that the City Council met in Closed Session to discuss Labor Negotiations and that direction was given to City Staff.

1D. Invocation and Pledge of Allegiance - Councilmember Spencer-Hwang- 7:09 PM

The invocation and Pledge of Allegiance was led by Councilmember Spencer-Hwang.

1E. Items to be Added or Deleted- 7:09 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)- 7:09 PM

Brian Moore, Evelyn Collins and Kaylani Collins spoke in support of Amy Jones and the Community Gardens and asked for more community engagement from the City Council.

1G. Conflict of Interest Disclosure- 7:15 PM

No items of conflict of interest were disclosed.

2. Scheduled and Related Items

2A. Recognition of Public Works Department Employees - Edward Aguilar and Carlos Flores [City Manager]- 7:15 PM

An email of recognition was sent to the Mayor acknowledging Edward Aguilar and Carlos Flores for their honesty and integrity. Certificates of Recognition were presented to Mr. Aguilar and Mr. Flores.

2B. Recognition of Amy Jones, Community Garden- 7:18 PM

A Proclamation was presented to Amy Jones recognizing her for restarting and reviving the Community Garden and the many other services Ms. Jones has provided to Loma Linda University.

2C. Recognition of Nate Boucher from Mission Elementary School- 7:24 PM

Fire Battalion Chief Nate Boucher was honored by Mission Elementary School for his leadership in the Fireman Leadership Academy program, which has provided valuable mentorship and support to the students.

Battalion Chief Boucher thanked Mission Elementary School and acknowledged and thanked the Fire Department Firefighters who were in attendance for their participation in the Fireman Leadership Academy program.

2D. Presentation from San Bernardino Community College District [San Bernardino Community College District] - 7:30 PM

Ynez D. Canela, Associate Director, Legislative & Community Relations for San Bernardino Community College District, spoke on behalf of Chancellor Diane Rodriguez who could not attend, and provided a PowerPoint presentation highlighting the Colleges' impact on the Community. The City Council thanked Ms. Canela for her presentation.

2E. PUBLIC HEARING - Council Bill #R-2024-32 - Establishing Refuse Rate Collection and Disposal Rates Effective October 1, 2024, and Repealing Resolution No. 3184 [Public Works] [Continued from September 10, 2024]- 7:40 PM

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

City Manager Thaipr presented the report, noting that the City's franchise agreement allows for an annual rate adjustment based on the Consumer Price Index (CPI) from the U.S. Department of Labor, Bureau of Labor Statistics, to take effect each July. He mentioned that the City received 14 letters contesting the proposed rate increase but recommended that the City Council approve the adjustment.

The Mayor opened and closed the public hearing with no participation.

Councilmember Popescu inquired whether, if the City Council did not approve the rate increase for residents, the City would still be required to cover the increased costs. In response, City Manager

Thaipejr confirmed that it would cost the City \$170,000 annually, with the amount increasing each year. He added that this would worsen the City's budget deficit if the fees were absorbed by the City. He also noted that Loma Linda currently has one of the lower trash rates in the area. A request was made to provide the Council with a comparison of trash rate fees from neighboring cities.

Motion by Ronald Dailey, seconded Ovidiu Popescu, and passing by a vote of 4-1-0-0-0 Opposed by Ovidiu Popescu

to Adopt Council Bill #R-2024-32, RESOLUTION NO. 3229 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, CALIFORNIA, ESTABLISHING MAXIMUM REFUSE COLLECTION AND DISPOSAL RATES EFFECTIVE OCTOBER 1, 2024, AND REPEALING RESOLUTION NO. 3184

3. Consent Calendar

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

3A. Demands Registers - August 27 and September 10, and 24, 2024 [Finance]- 7:50 PM

Approved the Demands Registers dated:

- August 27, 2024, with commercial demands totaling \$1,017.98 and Payroll dated August 15, 2024, totaling \$494,702.26;
- September 10, 2024, with commercial demands totaling \$744,408.29 and Payroll dated August 29, 2024, totaling \$485,420.07; and
- September 24, 2024, with commercial demands totaling \$3,008,521.60 and Payroll dated September 12, 2024, totaling \$527,219.62.

3B. Approval of Minutes - July 9, 2024- 7:50 PM

Approved the minutes of July 9, 2024, as submitted.

3C. Approval of Minutes - August 13, 2024- 7:50 PM

Approved the minutes of August 13, 2024, as submitted.

3D. Approval of Minutes - September 10, 2024- 7:50 PM

Approved the minutes of September 10, 2024, as submitted.

3E. Treasurer's Report - August 2024 [Finance]- 7:50 PM

Accepted the Treasurer's Report for filing.

3F. Fire Department's Activity Report - August 2024 [Fire]- 7:50 PM

Accepted the Fire Department's Activity Report for filing.

3G. Award Contract to Doug Martin Contracting Co., Inc. for Pavement Rehabilitation by Slurry Seal Method at Various Locations (CIP 24-121) [Public Works]- 7:50 PM

Awarded the contract to Doug Martin Contracting Company, Inc. of La Habra, CA for \$130,873.02 and authorized a contingency allocation of \$13,000.

3H. Award contract to West Coast Arborist for Annual Tree Maintenance Services for Fiscal Year 2024/25 [Public Works] - 7:50 PM

Awarded contract to West Coast Arborist, Inc. in an amount not to exceed of \$156,000.00 for this fiscal year.

3I. Award Contract to HydroPro Solutions Inc. to Purchase 112 Allegro 4G Domestic Water Meters [Public Works]- 7:50 PM

Awarded contract to HydroPro Solutions, Inc. for for \$47,681.19.

3J. Council Bill #R-2024-31 - A Resolution adopting a Five-Year Capital Project Needs Analysis for Fiscal Years 2025/2026 through 2029/2030 [Public Works]- 7:50 PM

Adopted Resolution No. 3230 - to Adopt Council Bill #R-2024-31:

RESOLUTION NO 3230

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, STATE OF CALIFORNIA, ADOPTING THE MEASURE I FIVE-YEAR CAPITAL PROJECT NEEDS ANALYSIS FOR FISCAL YEARS 2025/2026 THROUGH 2029/2030.

3K. Council Bill #R-2024-33 A Resolution Approving a Reclassification of the Administrative Specialist II To Planning Technician- 7:50 PM

Adopted Council Bill #R-2024-33:

RESOLUTION NO. 3231

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, CALIFORNIA, APPROVING A RECLASSIFICATION OF THE ADMINISTRATIVE SPECIALIST II TO PLANNING TECHNICIAN

3L. Council Bill #R-2024-34 - Modifying Conditions of Employment, Benefits, and Salary for the Members of The Teamsters (Public Works); Teamsters (Administration); Loma Linda Professional Firefighters, Local 935; Unrepresented Loma Linda Fire Management Unit; and Unrepresented Management/Confidential Employees Effective July 1, 2024.- 7:50 PM

Adopted Council Bill #R-2024-34:

RESOLUTION NO 3232

A RESOLUTION OF THE LOMA LINDA CITY COUNCIL, MODIFYING CONDITIONS OF EMPLOYMENT, BENEFITS, AND SALARY FOR THE MEMBERS OF THE TEAMSTERS (PUBLIC WORKS); TEAMSTERS (ADMINISTRATION); LOMA LINDA PROFESSIONAL FIREFIGHTERS, LOCAL 935; UNREPRESENTED LOMA LINDA FIRE MANAGEMENT UNIT; AND UNREPRESENTED MANAGEMENT/CONFIDENTIAL EMPLOYEES EFFECTIVE JULY 1, 2024.

3M. Approve Three-Year Lease Agreement with San Bernardino County for the Library (Contract No. 08-431 A-6) [Public Works]- 7:50 PM

Approved three-year Lease Agreement with San Bernardino County Library (Contract No. 08-431-A-6).

3N. Agreement with Lilburn Corporation to prepare the environmental review documents for Precise Plan of Design No. P21-247 [Community Development]- 7:50 PM

Approved Agreement with Lilburn Corporation.

3O. Amendment to the Professional Services Agreement with Romo Planning Group to include an Air Quality Analysis for the proposed LLU Pediatric Medical Office Building - Precise Plan of Design No. P23-180 [Community Development]- 7:50 PM

Approved Amendment to the Professional Services Agreement with Romo Planning Group.

3P. Agreement with Packet Fusion Inc. for VoIP Phone Services [Information Systems]- 7:50 PM

Approved Agreement with Packet Fusion, Inc. as recommended.

3Q. Agreement with Techstrata regarding Support Services [Information Systems/LLCCP]- 7:50 PM

Approved Agreement with Techstrata as recommended.

3R. Council Bill #R-2024-35 - A Resolution Initiating Annexations 78 & 79 to Landscape Maintenance District No. 1 and scheduling a Public Hearing for November 12, 2024, for Annexation to Landscape Maintenance District No. 1 (Tract 20417 – Gold Crest & Tract 20442 - Sierra Crest) [Public Works]- 7:50 PM

Adopted Council Bill #R-2024-35:

RESOLUTION NO. 3233

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, COUNTY OF SAN BERNARDINO, CALIFORNIA, INITIATING PROCEEDINGS FOR THE ANNEXATION OF TERRITORIES TO LOMA LINDA LANDSCAPE MAINTENANCE DISTRICT NO. I, AS ANNEXATION NO. 78 (GOLD CREST -TRACT 20417) AND ANNEXATION NO. 79 (SIERRA CREST -TRACT 20442), DETERMINING THAT THESE PROCEEDINGS SHALL BE TAKEN PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND THE RIGHT TO VOTE ON TAXES ACT, PRELIMINARILY APPROVING THE ENGINEER'S REPORT, AND DECLARING THE CITY'S INTENTION TO ORDER THE ANNEXATIONS, AND OFFERING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO

3S. Notice of Completion of the Construction of Concrete "V" Ditch at Richardson Street - Contractor: Crimson Marie Company (CIP 24-413) [Public Works]- 7:50 PM

Accepted the project as complete by Crimson Marie Company with the final project cost of \$57,873.27 and authorized the recordation of the Notice of Completion.

4. Old Business

No items scheduled.

5. New Business

5A. Consider Taking Action to Establish a Revenue-Generating Committee, Including the Number of Members, Appointments and Terms; Mission/Purpose; Duties; and Goals [Councilmember Spencer-Hwang]- 7:51 PM

Councilmember Spencer-Hwang gave a brief presentation discussing the establishment of a Revenue Generating Committee to explore ways to develop revenue enhancements, diversification strategies that will be reported to the City Council. She discussed the committee's membership and proposed goals. She is willing to work with City staff to appoint members.

City Attorney Robbins clarified what is not a legislative body and not be subject to the Brown Act is a temporary advisory committee composed solely of less than a quorum of the legislative body (a maximum of 2 councilmembers) that serve a limited or single purpose; that is not perpetual; and that it will be dissolved once its specific task is completed. She clarified that the report was not prepared by staff, but by Councilmember Spencer-Hwang.

The City Council agreed to establish a temporary advisory committee, not subject to the Brown Act, allowing the committee to define its own scope and report back to the Council as relevant content develops.

Mayor pro tempore Dailey commended Councilmember Spencer-Hwang for proposing an alternative plan for revenue generating options for the City and hoped it will be supported by the City Council.

Motion by Rhonda Spencer-Hwang, seconded Ronald Dailey, and passing by a vote of 4-1-0-0-0
Opposed by Ovidiu Popescu

to ESTABLISH a temporary Revenue-Generating Advisory Committee for a one-year term with a single defined purpose that is not perpetual and will be dissolved upon the completion of its specific task. They will report to the City Council as relevant content develops.

5B. Discussion of the Redlands Unified School District (RUSD) of their Intent to Establish a Community Facilities District and Authorizing a Levy of a Special Tax therein and Providing for the Annexation of Territory Proposed for Annexation in the future. - 8:13 PM

Mayor Dupper stated that the City Council received a Letter of Intent from the Redlands Unified School District (RUSD) and asked to place it on the agenda for discussion. He noted that the RUSD appears to be forming a district to levy taxes on residents within their boundaries. He reached out to the mayors of Redlands and Highland and mentioned that this matter will likely go before LAFCO.

City Attorney Robbins explained that, based on her review of the RUSD report, it is the developers who are requesting the formation of a Community Facilities District (CFD), which would create a Mello-Roos district. She emphasized that as long as proper procedures are followed, they have the right to pursue this. However, the City can still express its opinion on the matter.

There was further discussion highlighting that the City Council has historically not supported any residential projects that sought to impose a Mello-Roos tax, and expressed concern to how this CFD will affect residential development in the City that are currently being developed. The Council reached a consensus to draft a letter opposing the establishment of this district. Mayor Dupper stated that he would share the City's position with the other cities he had discussed this matter.

6. Reports

6A. Reports of Council Members- 8:33 PM

Councilmember Spencer-Hwang shared that she had received concerns from the principal of Mission Elementary School regarding the number of homeless encampments located near the school. They inquired if the City could establish an ordinance to regulate the distance of homeless encampments

from schools. Additionally, they expressed safety concerns related to traffic around Mission Elementary.

Mayor Pro Tempore Dailey acknowledged these concerns but reminded the Council that there had been prior discussions with Mission Elementary School regarding whether to retain the school at its current location or move it elsewhere. The school wanted to stay at its current location. It was noted that the rehab of Mission School was receiving Rehabilitation Funds from the State of California. Lewis Homes offered to build a new school and fund the project, but the school declined the offer.

It was also mentioned that the homeless encampments near Mission School are located in areas under the jurisdiction of the County and the City of Redlands, not Loma Linda, which limits the City's ability to enforce regulations in that area.

Councilmember Popescu shared that he had spoken with businesses along Redlands Blvd. who commended the Sheriff's Department for their prompt response to issues involving homeless individuals. He also mentioned that he recently met with Councilmembers from various cities to discuss a growing crisis in the state regarding homeowners insurance. The League of California Cities (LOCC) is adopting resolutions and hopes to gather support from larger entities across the state to put pressure on the California Insurance Commissioner to address this issue. They may ask cities to pass similar resolutions in support. Lastly, he met with a company at the ESRI Conference that had valuable demographic information on Loma Linda, which he believes would benefit the City. He directed the company to connect with City staff.

6B. Reports Of Officers- 8:45 PM

No reports from Officers.

7. Adjournment

The meeting adjourned at 8:45 pm.