

## **Minutes for the Regular City Council meeting**

25541 Barton Road, Loma Linda, CA, 92354.

September 12, 2023, 7:06 PM - September 12, 2023, 7:34 PM

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

Phillip Dupper, Mayor

Bhavin Jindal, Councilmember

John Lenart, Councilmember

Rhodes Rigsby, Councilmember

### **Absent:**

Ronald Dailey, Mayor pro tempore

### **1. Call to Order**

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#### **1A. Call to Order - 7:06 PM**

#### **1B. Roll Call - 7:07 PM**

##### **Staff Present:**

- **T Jarb Thaipejr**, City Manager
- **Diane Robbins**, City Attorney
- **Lynette Arreola**, City Clerk
- **Lorena Matarrita**, Community Development Director
- **Nicole Campbell**, Associate Planner
- **Sonia Fabela**, Finance Director
- **Nate Boucher**, Fire Battalion Chief
- **Lt. Kaysie Smith**, San Bernardino County Sheriff's Department

#### **1C. Closed Session/Workshop - 7:07 PM**

None.

#### **1D. Invocation and Pledge of Allegiance - Councilman Lenart - 7:07 PM**

(In keeping with long-standing traditions of legislative invocations, this City Council meeting may include a brief, non-sectarian invocation. Such invocations are not intended to proselytize or advance anyone, or to disparage any other, faith or belief. Neither the City nor the City Council endorses any particular religious belief or form of invocation.)

#### **1E. Items to be Added or Deleted - 7:08 PM**

None.

#### **1F. Oral Reports/Public Participation - Non-Agenda Items - 7:08 PM**

No public participation upon invitation of the Mayor.

#### **1G. Conflict of Interest Disclosure - 7:09 PM**

Conflicts of interest will be disclosed when a conflict arises.

## 2. Scheduled and Related Items

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### **2A. PUBLIC HEARING - Development Code Amendment No. P23-155 and Adopt Council Bill #O-2023-03**

- 7:09 PM

Public Hearing - Development Code Amendment No. P23-155, a request to amend Title 17 (Zoning) of the Loma Linda Municipal Code, to establish a reasonable accommodation ordinance.

Lorena Matarrita introduced Associate Planner, Nicole Campbell to the Council.

Associate Planner Campbell presented the report into evidence, explaining that the approval of the code amendment would add a new section to Title 17 of the Loma Linda Municipal Code establishing procedures for processing reasonable accommodation requests, which would apply to homeowners making modifications to their residences. She stated that this would bring the City into compliance with Federal and State laws, which require local governments to make accommodations for individuals with disabilities; and that it would meet the goals of the 2021-2029 Loma Linda Housing Element by establishing a ministerial process for reviewing requests for reasonable accommodations.

In response to Council questions, Associate Planner Campbell explained that the code amendment was for the purpose of the Americans with Disabilities Act (ADA); that it was not tied to income levels; and that the code amendment could apply to businesses, but that businesses are covered by ADA Federal laws.

The public hearing was open and closed with no public participation upon the invitation of the Mayor.

City Attorney Robbins clarified the action for Council Bill #O-2023-03 will be to introduce to first reading and set the second reading to October 10, 2023.

Motion by Bhavin Jindal, seconded by John Lenart, and passing by a vote of 4-0-1, To Approve the agenda item(s) as follows:

*To DETERMINE that the Development Code Amendment is not subject to the requirements of the State of California Environmental Quality Act ("CEQA") pursuant Sections No. 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines which applies to proposals that are not considered projects as defined in Section No. 15378 of the CEQA Guidelines and proposals that do not result in a significant change to the environment; and To INTRODUCE on First Reading and set for a second hearing on October 10, 2023, Council Bill #O-2023-03, an Ordinance to update Title 17 (Zoning) of the Loma Linda Municipal Code and establish a reasonable accommodation ordinance in compliance with Federal and State Law that will provide flexibility in the application of the Development Code standards in order to provide individuals with disabilities an equal opportunity to housing (Development Code Amendment No. P23-155). Dailey Absent.*

## 3. Consent Calendar

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Councilman Jindal asked how long the work by Lockheed Martin would continue. In response, City Manager Thaipejr stated that it would be in perpetuity.

Motion by John Lenart, seconded by Bhavin Jindal, and passing by a vote of 4-0-1, To Approve the agenda item(s) as follows:

*The Consent Calendar items as submitted. Dailey absent.*

### **3A. Demands Registers -**

Approve Demands Registers dated August 22, 2023 and September 12, 2023

Approved the Demands Register dated:

- August 22, 2023, with commercial demands totaling \$2,691,180.77 and payroll demands dated August 16, 2023, totaling \$396,065.70; and

- September 12, 2023, with commercial demands totaling \$1,463,077.98, and payroll demands dated August 31, 2023, totaling \$372,691.66.

### **3B. Minutes for Approval - August 8, 2023 -**

Approved Minutes of August 8, 2023, as submitted.

### **3C. Treasurer's Report – August 2023 -**

Treasurer's Report for the month of August 2023.

Accepted for filing the Treasurer's Report for August 2023.

### **3D. Fire Department's Activity Report – August 2023 -**

Fire Department Activity Report for the month of August 2023

Accepted for filing the Fire Department's Activity Report for August 2023.

### **3E. Appropriate Funds and Award Contract for Installation of Waterline at Campus Street -**

Appropriate \$77,000.00 from Water Enterprise Fund Balance into Account No. 4657010-51300 and Award Contract to MCC Equipment Rentals, Inc., for Installation of Waterline at Campus Street for \$142,780.00 (CIP 23-667)

Appropriated \$77,000.00 from Water Enterprise Fund Balance into account no. 4657010-51300 and Awarded a contract to MCC Equipment Rentals, Inc., for \$142,780.00 for the installation of a waterline at Campus St. (CIP 23-667).

### **3F. Award Contract for Rehabilitation of Richardson Well #5 -**

Award contract to Tri County Pump Co. for Rehabilitation of Richardson Well No. 5 for \$24,077.29 (CIP 23-665)

Awarded contract to Tri County Pump Co. for \$24,077.29 for Rehabilitation of Richardson Well #5 (CIP 23-665).

### **3G. Award Contract to Replace City Server -**

Request to Award Contract to SHI for \$32,354.00 for replacement of City Server hardware.

Awarded contract to SHI for \$32,354.00 to replace the City server hardware.

### **3H. Award Contract for the Replacement of City Backup Storage Hardware -**

Request to Award Contract to SHI for \$7,053.88 for the replacement of city backup storage hardware

Awarded contract to SHI for \$7,053.88 for the replacement of the City backup storage hardware.

### **3I. Agreement with Lockheed Martin Corporation for Temporary Above Ground Water Tank for Sampling Purge Water -**

Approve Agreement between the City of Loma of Loma Linda and Lockheed Martin Corporation to allow Lockheed Martin to place a temporary above-ground water tank (approximately 5,000-gallon upright poly tank) on the City's property

Approved the Agreement with Lockheed Martin Corporation for the temporary above-ground water tank for sampling purge water.

### **3J. Request to Amend the Agreement for Consultant Services with Planning PLUS/P+ -**

Request to amend the Agreement for Consultant Services between the City of Loma Linda and Planning PLUS/P+ Consulting Services (3rd Change Order).

Amended the Agreement for consultant services with Planning Plus/P+.

## **4. Old Business**

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*No Items*

## **5. New Business**

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**5A. Appoint City Council Member to the San Bernardino County Transportation Authority (SBCTA) - 7:24 PM**

Appoint a new delegate and alternate, if necessary, to the San Bernardino County Transportation Authority (SBCTA).

Mayor Dupper noted that Councilman Rigsby would resign as the delegate for SBCTA due to work obligations. He was open for nominations.

Councilman Jindal pointed out that he has been the alternate for three years and has attended all SBCTA meetings for the past 5 years. He stated that he has been very active and in tune with the actions of the Board. He noted that since the Council will be scheduling the Board and Committee appointments in a few months, he requested to move from alternate to delegate and Councilman Dailey will be appointed as the alternate until the formal appointments by the City Council.

**It was the consensus of the City Council to appoint Councilman Jindal as the Delegate and Councilman Ronald Dailey as the Alternate for SBCTA. Dailey absent.**

## **6. Reports**

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### **6A. Reports of Council Members - 7:27 PM**

Councilman Jindal received an anonymous complaint regarding the lack of available sandbags during the recent storm. Mayor Dupper pointed out that he remained in communication with the Fire Chief while the City Manager was out of the country. He explained that the City made timely requests for sandbags, but, due to the demand, there were limited sandbags the City received. Those bags were made available to city residents.

Councilman Jindal confirmed that the City replaced the tree that was removed on Richmond Rd. He noted Assemblymember Reyes was accepting nominations for the annual 30 under 30 ceremony and encouraged staff and Council to submit nominations. He also asked the City to honor them at the next meeting the Unforgettables for their 25 years of service.

Mayor Dupper noted that he and the City Manager would attend the League of California Cities Conference later in the month.

### **6B. Reports Of Officers - 7:33 PM**

City Manager Thaipejr stated that the traffic signal at California St. and Citrus Ave. is operational and that construction will commence for the slurry seal and the pavement rehabilitation projects.

## **7. Adjournment**

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*No Items*