



Gloria Olmos, Mayor/Chairperson
Richard Angel, Mayor Pro Tem/
Vice Chairperson
Manuel Acosta, Councilmember/
Boardmember
Hector Delgado, Councilmember/
Boardmember
Gracie Retamoza, Councilmember/
Boardmember

Rachel Barbosa, City Manager/
Executive Director
Donna G. Schwartz, City Clerk/
Secretary
Anthony R. Taylor, City Attorney/
General Counsel

CITY OF SOUTH EL MONTE

REGULAR MEETINGS OF THE SOUTH EL MONTE CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE SOUTH EL MONTE IMPROVEMENT DISTRICT

AGENDA

May 25, 2021, at 6:00 PM
(Via Zoom Webinar)

*****SPECIAL NOTICE REGARDING COVID-19*****

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 in response to the COVID-19 pandemic, which authorizes the City Council to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. All requirements of the Brown Act requiring the physical presence of Council Members, staff, or the public as a condition of participation in or quorum for a public meeting have been waived. Public participation will be allowed via the information below.

To view Live Meetings, use Zoom link below:

Join Zoom Meeting (View and/or Participate ONLY during PUBLIC COMMENT)

Link: <https://us02web.zoom.us/j/81375798835>

Webinar ID: 813 7579 8835

Or

Call In: 1 669 900 6833, when prompted, then enter 81375798835#

GENERAL COMMENT

Members of the public wishing to submit a general comment or a comment on an agenda item, can email dschwartz@soelmonte.org or call (626) 579-6540 to leave a voicemail message. All comments received an hour before the scheduled meeting will be added to the City Council agenda as part of the public comment.

MEETINGS

The City Council holds regular meetings on the second and fourth Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 N Santa Anita Avenue, South El Monte, California. Special and Adjourned Regular meetings start time are to be determined.

POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES

Regular and Adjourned Regular meeting agendas will be posted at least 72 hours before the meeting (GC 54954(a)(1)).

Agenda and Cancellation Notices can be viewed online and are also posted at the following three (3) locations: City Hall located at 1415 Santa Anita Avenue, Senior Center located at 1556 Central Avenue and the Community Center located at 1530 Central Avenue, South El Monte, California.

VIEWING OF AGENDA PACKETS

Full agenda packet can be viewed either at www.cityofsouthelmonte.org/129/CityCouncil-Agendas-Minutes or in the City Clerk's Office during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

ISSUES RELATED TO AGENDA

For issues related to the agenda, including a disability-related accommodation necessary to participate in this meeting, please contact Donna G. Schwartz, CMC, City Clerk at (626) 579-6540 ext. 3280 or (626) 274-0412 Cell or Paola Lara, Deputy City Clerk at (626) 579-6540 ext. 3220 or (626) 522-5341 Cell.

[Agenda Begins on the Following Page]

1. ROLL CALL

Councilmembers: Acosta, Delgado, Retamoza, Mayor Pro Tem Angel, and Mayor Olmos

2. PLEDGE OF ALLEGIANCE – Councilmember Manuel Acosta

3. INVOCATION – Brianna Badar, Administrative clerk, Public Works Department, City of South El Monte

4. PRESENTATIONS

4.a. CODE ENFORCEMENT AND PUBLIC SAFETY DEPARTMENT REPORT FOR THE MONTH OF APRIL 2021

City Council to receive and file a report from Code Enforcement Division of the Community Development Department on code enforcement and public safety activities during April 2021.

4.b. SHERIFF'S DEPARTMENT REPORT FOR THE MONTH OF APRIL 2021

City Council to receive a report from the Sheriff's Department and discuss matters concerning law enforcement in the City.

4.c. CERTIFICATE OF RECOGNITION, PRESENTED TO DAVID DEL RIO, VALLE LINDO SCHOOL BOARD MEMBER, FOR HIS YEARS OF SERVICE ON THE VALLE LINDO SCHOOL BOARD

5. APPROVAL OF THE AGENDA AND WAIVER OF FULL READING OF ORDINANCES

By motion of the City Council, this is the time to notify the public of any changes to the agenda, remove items from the consent calendar for individual consideration and/or rearrange the order of the agenda.

6. PUBLIC COMMENT

Speakers may provide public comments on any matter that is within the subject matter jurisdiction of the City Council, including items on the agenda. Each speaker may speak for up to five minutes. With respect to non-public hearing agenda items, speakers shall provide their comments at this time. With respect to public hearing agenda items, speakers are encouraged to speak during the public hearing if they want their comments to be included in the record of the public hearing. Unless a majority of the Council objects, the Mayor may provide to speakers more or less time to speak. Any documents for review should be presented to the City Clerk for distribution.

7. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine and customary and are enacted by a single motion with the exception of items previously removed by a member of the City Council during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.

7.a. **CONSIDERATION AND APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES FOR MAY 11, 2021**

Staff seeks Council approval of the Minutes for the Regular City Council Meeting held Tuesday, May 11 27, 2021.

RECOMMENDED ACTION: Staff recommends City Council approve the Regular City Council Meeting Minutes of May 11, 2021.

7.b. **CONSIDERATION OF RESOLUTION NO. 21-27, APPROVING WARRANTS FOR THE PERIOD OF MAY 12, 2020 THROUGH MAY 25, 2021**

Authorizing payment of City expenditures for the period of May 12, 2020 through May 25, 2020 totaling \$552,243.68.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-27, authorizing payment of City expenditures.

7.c. **CONSIDERATION AND APPROVAL OF RESOLUTION 21-28 APPROVING AMENDEMNT NO. 2 TO THE AGREEMENT FOR JOINT USE OF COMMUNITY RECREATION FACILITIES BETWEEN THE CITY OF SOUTH EL MONTE AND VALLE LINDO SCHOOL DISTRICT AT DEAN L. SHIVELY MIDDLE SCHOOL**

On May 2006, the City entered into a Joint Use of Community Facilities Agreement for Dean L. Shively Park ("Shively Park") with the Valle Lindo District ("District") pursuant to the California Education Code and the California Government Code for provision of education, recreational, and community facilities and programs. Recently, the City has received a donation in the form of a twenty-foot storage container that the City wishes to install on the Shively Park property. The storage container will provide prompt access to park maintenance equipment to the Brewers Baseball organization.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-28, approving Amendment No. 2 and allow the installation of a storage container on Shively Park.

8. PUBLIC HEARINGS – None.

9. GENERAL BUSINESS

9.a. BUDGET WORKSHOP #1 - FISCAL YEAR 2020-2021 AND COVID RELIEF AND RECOVERY FROM THE AMERICAN RESCUE PLAN ACT

A fiscal year financial update for 2020-2021 has been developed. This covers a historical perspective of the City's cash balances, composition of cash and investments, budget to actual summary of revenues and expenditures for the period ending April 30, 2021, and projections through fiscal year ending June 30, 2021. In addition, an update is being provided on key initiatives, the American Rescue Plan Act, and upcoming budget study sessions.

RECOMMENDED ACTION: Staff recommends City Council discuss, receive and file the report.

9.b. CONSIDERATION OF ORDINANCE 1252, ADDING SOUTH EL MONTE MUNICIPAL CODE SECTION 8.36.065 TO CHAPTER 8.36, TITLED "PUBLIC NUISANCE," TO REGULATE REPEATED VIOLATIONS OF THE MUNICIPAL CODE

The City has had the experience with properties in the City that have notable nuisance activity in violation of the South El Monte Municipal Code (SEMMC). Those properties, with repeated violations, require significant City resources including repeated inspections, notices and/or citations. To avoid the City having to "babysit" these properties in repeat violation of the SEMMC, the City Attorney's office is recommending the proposed ordinance.

RECOMMENDED ACTION: Staff recommends City Council waive first reading and introduce Ordinances 1252, adding Section 8.36.065 to regulate repeat violations of the SEMMC.

10. COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS:

AB 1234 requires that councilmembers must briefly report, orally or in writing, on meetings attended at City expense (for example, Contract City and League of California Cities Conferences, ICSC conferences, etc.) at the City Council meeting following the meeting.

11. CORRESPONDENCE – None.

12. COUNCILMEMBERS' AGENDA

12.a. MAYOR PRO TEM RICHARD ANGEL

1. Request staff to provide a construction update for the Rush/Peck Intersection Improvement Project, including anticipated date of completion.

13. CLOSED SESSION

**13.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
GOVERNMENT CODE SECTION 54956.9 (d)(1) - [ONE CASE]**

Case No. BS156962: National Resources Defense Council et al v. California State Water Resources Control Board

**13.b. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
GOVERNMENT CODE SECTION 54957**

Title(s): Deputy City Manager, Community Development Director, Finance Director and City Clerk

14. RECESS COUNCIL MEETING

15. ANNOUNCEMENT BY THE CITY CLERK (PRIOR TO CONVENING THE SUCCESSOR AGENCY MEETING)

Pursuant to Government Code Section 54952.3, Board Members do not receive any compensation or stipend for attending the Successor Agency meeting.

16. SUCCESSOR AGENCY MEETING - CALL TO ORDER AND ROLL CALL

Board Members: Acosta, Delgado, Retamoza, Vice Chairperson Angel and Chairperson Olmos

17. APPROVAL OF AGENDA

This is the time for the Board to remove any items from the consent calendar for individual consideration, table, continue, add items, or to make a motion to rearrange the order of this agenda.

18. PUBLIC COMMENTS

Persons wishing to address the Board on any item on the agenda, or any other matter, are invited to do so at this time. Pursuant to the Brown Act, the Board cannot discuss or take action on items not on the agenda. Matters brought before the Board that are not on the agenda may, at the Board's discretion, be referred to staff or placed on the next agenda.

19. CONSENT CALENDAR

Items on the Consent Calendar are considered to be routine and customary and are enacted by a single motion with the exception of items previously removed by a member of the Board during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.

19.a. CONSIDERATION AND APPROVAL OF THE REGULAR SUCCESSOR AGENCY MEETING MINUTES - APRIL 27, 2021

Staff seeks Agency Board approval of the Minutes of the April 27, 2021 meeting.

RECOMMENDED ACTION: Staff recommends the Agency Board approve the Regular Successor Agency Meeting Minutes of April 27, 2021.

20. EXECUTIVE DIRECTOR'S AGENDA – None.

21. ADJOURNMENT OF SUCCESSOR AGENCY MEETING

22. RECONVENE AND ADJOURN COUNCIL MEETING

Tuesday, June 8, 2021, 6:00 p.m.

I Donna G. Schwartz, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 20th day of May 2021.



Donna G. Schwartz