

Gloria Olmos, Mayor
Richard Angel, Mayor Pro Tem
Manuel Acosta, Councilmember
Hector Delgado, Councilmember
Gracie Retamoza, Councilmember



Rachel Barbosa, City Manager
Donna G. Schwartz, City Clerk
Anthony R. Taylor, City Attorney

CITY OF SOUTH EL MONTE

REGULAR MEETING OF THE SOUTH EL MONTE CITY COUNCIL

AGENDA

June 08, 2021, 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/84494206382>

Webinar ID: 844 9420 6382

Or

Call In: 1 669 900 6833, when prompted, then enter 84494206382#

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 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/City-Council-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 Cell (626) 274-0412 or Paola Lara, Deputy City Clerk at (626) 579-6540 ext. 3220 or Cell (626) 374-1998.

[Agenda Begins on the Following Page]

1. **ROLL CALL** Councilmembers: Acosta, Delgado, Retamoza, Mayor Pro Tem Angel and Mayor Olmos
2. **PLEDGE OF ALLEGIANCE** Mayor Pro Tem Richard Angel
3. **INVOCATION** Rudy Bojorquez, Planning Commissioner
4. **PRESENTATIONS**

4.a. **A PROCLAMATION PROCLAIMING THE MONTH OF JUNE AS LGBTQ PRIDE MONTH**

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 comment 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 25, 2021**

Staff seeks Council approval of the Minutes for the Regular City Council Meeting held Tuesday, May 25, 2021.

RECOMMENDED ACTION: Staff recommends City Council approve the Regular City Council Meeting Minutes of May 25, 2021.

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-29, APPROVING WARRANTS FOR THE PERIOD OF MAY 26, 2021, THROUGH JUNE 8, 2021

Authorizing payment of City expenditures for the period of May 26, 2021, through June 8, 2021, totaling \$865,032.43

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-29, authorizing payment of City expenditures.

7.c. CONSIDERATION AND APPROVAL OF A FACILITY RESERVATION FEE WAIVER REQUEST BY SOUTH EL MONTE SENIOR COED SOFTBALL LEAGUE FOR THE USE OF NEW TEMPLE PARK FIELD #1

The South El Monte Senior Coed Softball Team ("SEMS Softball Team") is requesting a fee waiver for use of New Temple Park Field #1 for their softball practices on Mondays from 9:00 a.m. to 11:00 a.m. from June 14, 2021 - November 29, 2021.

RECOMMENDED ACTION: Staff recommends City Council approve the fee waiver request for the use of New Temple Park Field #1 in the amount of \$2,500.00.

7.d. ADOPTION OF ORDINANCE NO. 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 Attorney's Office recommends adopting the proposed ordinance to address repeated violations of the South El Monte Municipal Code. The City Council approved the first reading of the ordinance on May 25, 2021.

RECOMMENDED ACTION: Staff recommends City Council waive second reading and adopt Ordinance No. 1252, adding Section 8.36.065 to regulate repeat violations of the SEMMC.

8. PUBLIC HEARINGS – None.

9. GENERAL BUSINESS

9.a. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-30 TO PURCHASE TWO (2) REPLACEMENT TRANSPORTATION VEHICLES AND AUTHORIZATION FOR CITY MANAGER TO EXECUTE DOCUMENTS

The City of South El Monte was awarded a grant with the Federal Transit Administrative ("FTA") Section 5310 Program – Enhanced Mobility of Seniors and Individuals with Disabilities Program. The FTA Section 5310 program aims to improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options. Funds were allocated in the FTA grant to purchase and replace two aging transportation vehicles.

RECOMMENDED ACTION: Staff recommends City Council approve Resolution No. 21-30 for the purchase of one Starcraft Allstar Cutaway Bus from Creative Bus Sales, Inc. and one Ford Transit 350MR from A-Z Bus Sales, Inc., and authorize City Manager to execute all requisite documents for the purchase.

9.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-32, APPROVING TWO AGREEMENTS WITH XEROX INC. FOR PRINTER COPIER SERVICES AND AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE THE AGREEMENTS

On February 26, 2015, the City entered into a five-year agreement with Xerox to provide printer copier services to the City. This agreement reached its maturity effective February 26, 2020. At the conclusion of the agreement, the City opted for a month-to-month agreement in order to assess future direction, including examining other companies and whether to buy or continue to lease equipment. This included examining other copier companies as well as deciding on a purchase option versus leasing the copiers. After examining various options, the City determined that Xerox copier machines provided both the reliability and print quality that was desired to meet the rigorous demands of operations. Research was done to ensure that the lowest price was being achieved. After market research was performed, a piggyback agreement was identified through the Equalis Group, a cooperative purchasing organization, used by government entities where competitive bidding is done through an RFP process. The new agreement with the Xerox Corporation will be for a five-year duration.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-32 and Approve authorization for City Manager to enter into two agreements. The first is a Service Agreement with So Cal Office Technologies,

a subsidiary of Xerox Corporation. This agreement will cover the copy cost and maintenance services. The second agreement is with Xerox Financial Services, a subsidiary of Xerox, for a sixty-month lease of five new Xerox copiers.

9.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-33 ORDERING A REPORT AND CALLING A HEARING FOR THE LEVY AND COLLECTION OF THE SEWER SERVICE FEE FOR FISCAL YEAR 2021-22

Ordinance No. 1141 was adopted in 2010 and established an annual Sewer Service Fee (Fee) to ensure that necessary funding is accumulated and available to address the City's sanitary sewer system for replacements, upgrades, and major repairs. This is beneficial given that the City's General Fund does not have the capacity for such major capital requirements. Each year, the City Council must hold a public hearing to levy the Fee for the upcoming fiscal year on parcels within the City.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-33, ordering a Written Report and calling a public hearing on July 13, 2021, for the levy and collection of the Sewer Service Fee for fiscal year 2021-22.

9.d. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-34, AWARDING CONSTRUCTION CONTRACT TO ONYX PAVING COMPANY, INC. FOR THE 2020 RESIDENTIAL STREET REHABILITATION PROJECT (CDBG)

On April 22, 2021, the Engineering Department solicited bids for the 2020 Residential Street Rehabilitation Project (CDBG). The work includes removal and replacement of asphalt concrete, asphalt cold-mill and overlay, slurry seal improvements, striping, asphalt replacement at Shively Park basketball court and restriping, and related improvements. The lowest responsive bid was submitted by Onyx Paving Company, Inc. in the amount of \$614,000.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-34, to do the following:

1. Adopt and approve plans and specifications for Project No. 253 (2020 Residential Street Rehabilitation Project);
2. Review the bids submitted for the work to be performed and find that Onyx Paving Company, Inc. has submitted the lowest responsive bid for the Project;
3. Award the 2020 Residential Street Rehabilitation Project contract to Onyx Paving Company, Inc. in the amount of \$614,000, and approving a 15% contingency amount of \$92,100, for a total project construction cost, not to exceed \$706,100;

4. Authorize the City Manager to approve the use of any portion of the 15% contingency in the total amount of \$92,100;
5. Authorize Transtech Engineers, Inc. to proceed with construction management, grant coordination and inspection services, in the amount of \$70,610 (10% of construction cost), pursuant to their existing engineering services agreement; and
6. Approve a total project budget of \$776,710.

9.e. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-35, APPROVING LIST OF STREET REHABILITATION PROJECTS FOR FISCAL YEAR (FY) 2021-22 UNDER THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SENATE BILL 1 BEALL)

On April 28, 2017, the Governor signed Senate Bill (SB) 1 (Beall, Chapter 5, Statute 2017), which is known as the Road Repair and Accountability Act of 2017 to address basic road maintenance, rehabilitation and critical safety needs on both the state highway and local streets and road system. Beginning November 1, 2017, the State Controller will deposit various portions of this new funding into the newly created Road Maintenance and Rehabilitation Account (RMRA). A percentage of this new RMRA funding will be apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032 (h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and road systems. In order to be eligible for this funding, Cities are required to adopt a resolution to list proposed projects every fiscal year.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-35 approving list of street rehabilitation projects for FY 2021-22 under the Road Repair and Accountability Act of 2017 (SB1 Beall).

9.f. FISCAL YEAR 2021-22 ANNUAL BUDGET STUDY SESSION #2

This year the City scheduled three budget workshop sessions that will lead to the adoption of the upcoming FY 2021-22 annual budget. This is the second of three sessions which focuses of the FY 2021-22 General Fund and Special Revenue funds. This entails a discussion of proposed revenues and expenditures during this upcoming fiscal year. In addition, a five-year forecast has been developed to help identify the financial state of affairs during the upcoming years based upon currently known factors and assumptions. Upon conclusion of this budget study session, the third budget study session will be a follow up on questions and requests. In addition, any final adjustments will be made prior to adoption.

RECOMMENDED ACTION: Staff recommends City Council review the preliminary Fiscal Year 2021-22 annual budget, provide feedback, and give direction to finalize the budget for adoption.

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

12. COUNCILMEMBERS' AGENDA

12.a. COUNCILMEMBER HECTOR DELGADO

1. Consideration of Consolidating with the County's 2021 Governors Recall Election and having a Special Election to add the proposed Cannabis Initiative that was approved by Council for the General Municipal Election in November 2022. The cost savings of having the printing and mailing cost of the Vote by Mail ballots by the proponents is an incentive for our City.

13. CLOSED SESSION

**13.a. CONFERENCE WITH LABOR NEGOTIATOR
GOVERNMENT CODE SECTION 54957.6**

City Negotiator: City Manager

Employee Organizations: South El Monte Employees Association & South El Monte Executive Management Team Association

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

Title: Community Development Director

14. ADJOURNMENT

Tuesday, June 22, 2021 at 6 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 4th day of June 2021.



Donna G. Schwartz