

Gloria Olmos, Mayor
Richard Angel, Mayor Pro Tem
Manuel Acosta, Councilmember
Rudy Bojorquez, Councilmember
Hector Delgado, Councilmember



Rene Salas, City Manager
Anthony R. Taylor, City Attorney
Donna G. Schwartz, City Clerk
Masami Higa, Director of Finance

CITY OF SOUTH EL MONTE

REGULAR MEETING OF THE SOUTH EL MONTE CITY COUNCIL

AGENDA

November 14, 2023, 6:00 PM
1415 Santa Anita Avenue, South El Monte, CA 91733

PUBLIC COMMENT

To participate during public comment via teleconference, see below:

Link: <https://us02web.zoom.us/j/86581711880>

Webinar ID: 865 8171 1880

Or call in: 1 669 900 6833, when prompted, enter 86581711880#

LIVE STREAMING OF MEETINGS

The City of South El Monte live streams the City Council Meetings over the Internet at <https://www.cityofsouthelmonte.org/129/City-Council-Agendas-Minutes> after the meetings, recordings are immediately posted. NOTE: Your attendance at this public meeting may result in the streaming and recording of your image and/or voice.

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at (626) 652-3180 or (626) 652-3121 at least 72 hours prior to the meeting.

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) 652-3180 to leave a voicemail message. All comments received an hour before the scheduled meeting will be read during public comment and made part of the record.

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 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
Ph (626) 652-3180
Cell (626) 274-4842

Robert Molina, Interim Deputy City Clerk
Ph (626) 652-3121
Cell (626) 374-1998

AGENDA BEGINS ON THE FOLLOWING PAGE

1. ROLL CALL

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

2. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Angel

3. INVOCATION

Dr. Humberto Ramos, Epiphany Catholic Church

4. PRESENTATIONS

4.a. Proclamation Presented to Sandy Ross, President of California Protective Parents Association, Proclaiming November as " Family Court Awareness Month"

4.b. Presentation by Masami Higa, Director of Finance on the Fiscal Year 2023-24 1st Quarter Ended 9/30/23 Financial Update

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 within the subject matter jurisdiction of the City Council, including items on the agenda. Each speaker will be limited to five minutes. Unless a majority of the Council objects, the Mayor may provide speakers more or less time to speak. All comments or queries shall be addressed to the Council as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the City Council shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

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.

CONSENT CALENDAR (CONTINUED)

7.a. CONSIDERATION AND APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF OCTOBER 24, 2023

Staff is requesting approval of Minutes for the October 24, 2023 Regular City Council meeting.

RECOMMENDED ACTION: Staff is requesting approval of Minutes for the October 24, 2023, Regular City Council meeting.

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 23-101, APPROVING WARRANTS FOR THE PERIOD OF OCTOBER 25, 2023, THROUGH NOVEMBER 14, 2023

Authorizing payment of City expenditures for the period of October 25, 2023 through November 14, 2023 totaling \$1,603,041.78

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 23-101, authorizing payment of City expenditures.

7.c. CONSIDERATION FOR AUTHORIZATION TO SEEK REQUEST FOR PROPOSALS (RFP) FOR TRAFFIC SIGNAL MAINTENANCE

Staff seeks City Council approval to issue Request for Proposals (RFP) for Citywide Traffic Signal Maintenance Services.

RECOMMENDED ACTION: Staff recommends City Council approve the RFP to solicit proposals from qualified firms to provide Citywide Traffic Signal Maintenance Services.

7.d. CONSIDERATION FOR AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS – AQUATICS CENTER SWIMMING POOL REPLASTERING PROJECT

Staff seeks City Council approval to advertise for construction bids for the Aquatics Center Swimming Pool Replastering project.

RECOMMENDED ACTION: Staff recommends City Council approve the construction bid package to solicit bids for the Aquatics Center Swimming Pool Replastering project.

CONSENT CALENDAR (CONTINUED)

7.e. **CONSIDERATION AND APPROVAL OF RESOLUTION NO. 23-102, AWARDING A PROFESSIONAL SERVICES AGREEMENT (PSA) TO WEST COAST ARBORISTS, INC. FOR TREE MAINTENANCE SERVICES**

On September 12, 2023, the City Council approved the solicitation of written proposals for Citywide Tree Maintenance Services for the City of South El Monte. Three (3) proposals were received and evaluated by staff using the criteria listed on the Request for Proposal.

RECOMMENDED ACTION: Staff recommends City Council:

1. Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 20165 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required;
2. Adopt Resolution No. 23-102, awarding a Professional Services Agreement to West Coast Arborists, Inc. for Tree Maintenance Services in the amount of \$900,000; and
3. Authorize the City Manager or designee to negotiate and execute the agreement.

ENVIRONMENTAL ANALYSIS: The action proposed herein is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15378. Entering into an agreement for tree maintenance services is an administrative action that would not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Therefore, the proposed action is not a “project” subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines. Since the action is not a project subject to CEQA, no environmental document is required.

CONSENT CALENDAR (CONTINUED)

7.f. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 23-103, AWARDING A PROFESSIONAL SERVICES AGREEMENT (PSA) TO LOC ARCHITECTS FOR ARCHITECTURAL DESIGN SERVICES FOR NEW TEMPLE PARK MULTI-PURPOSE/ COMMUNITY ROOM, SNACK BAR, AND RESTROOM REHABILITATION

Staff seeks City Council approval to award a Professional Services Agreement (PSA) to LOC Architects for Architectural Design Services for New Temple Park Multi-Purpose/Community Room, Snack Bar, and Restroom Rehabilitation.

RECOMMENDED ACTION: Staff recommends City Council:

1. Find that the proposed action is not a project subject to the California Environmental Quality Act (CEQA) pursuant to Section 20165 of CEQA and Sections 15060(c)(2), 15060(c)(3), and 15378 of the State CEQA Guidelines and, as such, no environmental document pursuant to CEQA is required;
2. Adopt Resolution No. 23-103, awarding a PSA to LOC Architects for Architectural Design Services for New Temple Park Multi-Purpose/Community Room, Snack Bar, and Restroom Rehabilitation in the amount of \$138,400.00; and
3. Authorize the Mayor or designee to negotiate and execute the agreement.

ENVIRONMENTAL ANALYSIS: The action proposed herein is not a project subject to the California Environmental Quality Act (CEQA) in accordance with Section 21065 of CEQA and State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15378. Entering into an agreement for architectural design services is an administrative action that would not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Therefore, the proposed action is not a "project" subject to CEQA, as defined in Section 21065 of CEQA and Section 15378 of the State CEQA Guidelines. Since the action is not a project subject to CEQA, no environmental document is required.

CONSENT CALENDAR (CONTINUED)

7.g. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 23-105, AUTHORIZING THE CITY MANAGER TO SIGN EXTENSIONS TO ONGOING FACILITY USE AGREEMENTS AND TO ENTER INTO NEW AGREEMENTS FOR THE USE OF CITY FACILITIES

Staff is requesting City Council to authorize the City Manager to sign extensions to ongoing facility use agreements and to enter into new agreements for the use of city facilities.

RECOMMENDED ACTION: Staff recommends City Council:

1. Adopt Resolution No. 23-105, authorizing the City Manager to sign extensions to ongoing facility use agreements and to enter into new agreements for the use of city facilities.

7.h. CONSIDERATION AND APPROVAL TO REJECT ALL BIDS AND RE-ADVERTISE REQUEST FOR PROPOSALS (RFP) FOR ARCHITECTURAL DESIGN SERVICES FOR SOUTH EL MONTE CITY HALL RESTROOMS REHABILITATION

The City received only one proposal for Architectural Design Services for the South El Monte City Hall Restrooms Rehabilitation. Staff recommends that the City re-advertise the RFP to ensure a minimum of two (2) proposals for service and to incorporate language required to utilize Community Development Block Grant funds.

RECOMMENDED ACTION: Staff recommends City Council reject the one proposal received and authorize re-advertising the RFP for Architectural Design Services for the South El Monte City Hall Restrooms Rehabilitation and authorize staff to solicit proposals.

7.i. CONSIDERATION FOR AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS (RFP) FOR JANITORIAL MAINTENANCE SERVICE

Staff seeks City Council approval to publish a Request for Proposals (RFP) for Janitorial Maintenance Services for the City of South El Monte.

RECOMMENDED ACTION: Staff recommends City Council approve the RFP to solicit proposals from qualified consultants to provide Janitorial Maintenance Services.

CONSENT CALENDAR (CONTINUED)

7.j. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 23-106, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE CALRECYCLE SB 1383 LOCAL ASSISTANCE GRANT PROGRAM

Staff seeks authorization to apply for the CalRecycle SB 1383 Local Assistance Grant Program.

RECOMMENDED ACTION: Staff recommends City Council:

1. Adopt Resolution No. 23-106, authorizing submittal of the grant application to the CalRecycle SB 1383 Local Assistance Grant Program and related authorizations; and
2. Authorize the City Manager or designee to execute all documents as the signature authority.

8. PUBLIC HEARINGS

8.a. CITY COUNCIL APPEAL OF PLANNING COMMISSION'S ACTION ADOPTING PC RESOLUTION NO. 23-04 APPROVING CONDITIONAL USE PERMIT NO. 23-03 FOR A SPECIAL EVENT FACILITY (RUSTIC & CHIC) LOCATED AT 1703 FLORADALE AVENUE

Councilmember's appeal to the Planning Commission decision to adopt Resolution No. 23-04, which approved Conditional Use Permit No. 23-03 for a special event facility (Rustic & Chic) located at 1703 Floradale Avenue in the Manufacturing (M) zone.

RECOMMENDED ACTION: Staff recommends the City Council:

1. Conduct a public hearing for the appeal;
2. Take public testimony; and
3. Discuss the matter after receiving public testimony and decide whether or not to agree with or overturn the decision by the Planning Commission to grant the CUP. Options available to the City Council under municipal code section 17.74.070 include to affirm, reverse or modify the Planning Commission's decision; remand the matter to the commission; or continue the matter.

9. GENERAL BUSINESS

9.a. CONSIDERATION AND APPROVAL OF THE CITY'S 2024 SPECIAL EVENTS CALENDAR

The City's 2024 Special Events Calendar includes recommended dates, times, and locations for the City-sponsored events held by the Community Services Department. All scheduled events are subject to modifications, date changes, and/or cancellations.

RECOMMENDED ACTION: Staff recommends City Council consider and approve the City's 2024 Special Events Calendar.

GENERAL BUSINESS (CONTINUED)

9.b. COUNCIL TO REVIEW AND SELECT AN OPTION FOR THE ENERGY EFFICIENCY AND MECHANICAL ENERGY EFFICIENCY PROJECT FOR CITY FACILITIES

The City received Department of Energy (DOE) grants funds for lighting energy efficiency and mechanical energy efficiency upgrades. These upgrades were initially scheduled for the City's Community Center, Mini Center and Senior Center; however, a phased approach may now be required to complete the projects.

RECOMMENDED ACTION: Staff recommends City Council to consider and select from the following two options:

1. Proceeding with the original scope of work, previously approved on July 25, 2023, which covers all designated centers; or
2. Adopt a two-phase approach as outlined, beginning with the Senior Center and Community Center in Phase 1, and subsequently addressing the Mini Center in Phase 2.

9.c. CONSIDERATION AND APPROVAL OF ORDINANCE NO. 1270 OF THE SOUTH EL MONTE CITY COUNCIL AMENDING CHAPTER 5.09 OF TITLE 5 OF THE SOUTH EL MONTE MUNICIPAL CODE THEREBY AMENDING THE CITY'S SIDEWALK VENDING REGULATIONS IN RELATION TO REQUIREMENTS WHEN VENDING, INCLUDING REQUIRED DISTANCE BETWEEN VENDORS, KEEPING SIDEWALKS CLEAR OF OBSTRUCTIONS AND COOKING WASTE, RESTRICTIONS ON COOKING WITHOUT REQUIRED LA COUNTY HEALTH PERMIT, AND DOCUMENTS REQUIRED WHILE VENDING

Per the City Council's direction given at the October 24, 2023 City Council Meeting, the City Attorney's Office and City staff are presenting a proposed ordinance amending the South El Monte's Municipal Code Chapter 5.09 "Sidewalk Vending" in relation to requirements for vending.

RECOMMENDED ACTION: That the City Council:

1. Find that the amended ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Regulation 15061(b)(3) and based on the analysis provided in the attached ordinance; waive first reading and introduce Ordinance No. 1270; and
2. Set said ordinance for adoption at the next regular city council meeting.

10. COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS

AB 1234, section 53232.3(d) requires Members of a legislative body to provide brief reports on meetings attended at the expense of the local agency (i.e., League of California Cities Conferences, ICSC conferences, etc.) at the next regular meeting of the legislative body.

11. CORRESPONDENCE

11.a. CONSIDERATION AND APPROVAL OF RESOLUTION 23-107, CASTING VOTE(S) FOR COUNCILMEMBER TO REPRESENT CITIES WITHOUT PRESCRIPTIVE PUMPING RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY (WQA)

City of South El Monte has two representatives representing the City of South El Monte who are Councilwoman Margaret Clark with City of Rosemead and Councilwoman Valerie Munoz with City of La Puente whose terms are ending, and the 13 cities must now vote for their representative for the new 4-year term that begins January 2024.

RECOMMENDED ACTION: City Council to adopt Resolution No. 23-107, casting vote(s) for Councilmember to represent cities without prescriptive pumping rights on the Board of the San Gabriel Basin Water Quality Authority.

12. COUNCILMEMBERS' AGENDA

12.a. MAYOR GLORIA OLMOS

1. Discussion on waiving any potential fines or penalties that Rustic & Chic receives, if any, between when the Planning Commission issued their CUP on October 17, 2023 through November 14, 2023 should the City Council affirm the decision of the Planning Commission at the public hearing (item 8.a).

RECOMMENDATION: Discussion and/or action

13. CLOSED SESSION

13.a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

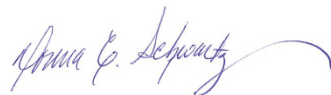
Pursuant to Government Code Section 54956.9(d)(1) - (One Case)

Civil Action No. 2:23-cv-04022-SCW(MRWx): Phillip Killgore v. CITY OF SOUTH EL MONTE, a municipal corporation; GARVEYKCVN HOLINDGS LLC; AND DOES 1-10 INCLUSIVE

14. ADJOURNMENT

Tuesday, November 28, 2023, at 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 the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 9th day of November.



City Clerk, CMC