

Gloria Olmos, Mayor/Chair
Richard Angel, Mayor Pro Tem/ Vice Chair
Manuel Acosta, Councilmember/
Boardmember
Rudy Bojorquez, Councilmember/
Boardmember
Hector Delgado, Councilmember/
Boardmember



Rene Salas, City Manager/Executive
Director
Anthony R. Taylor, City Attorney/General
Counsel
Donna G. Schwartz, City Clerk/Secretary
Masami Higa, Director of Finance/Treasurer

CITY OF SOUTH EL MONTE

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

AGENDA

November 28, 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

Paola Lara, 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

Councilmember Manuel Acosta

3. INVOCATION

Pastor Charlie Corum, South El Monte Community Outreach

4. PRESENTATIONS

- 4.a.** Presentation by Senator Susan Rubio on Legislative Updates for the Year
- 4.b.** Certificates of Recognition Presented to the South El Monte Jets Jr. Pee Wee Football League for Winning the Baseline League Championships, along with Receiving the Team Sportsmanship Award
- 4.c.** Presentation of Plaques to Magellan Value Partners, Vacco Industries, Mayans Development, Office of Supervisor Hilda Solis, and the Office of Assemblymember Lisa Caldero for their Participation and Donations of Turkeys to the South El Monte Community Alliance Church Turkey Basket Giveaway
- 4.d.** Presentation of Plaque to Pastor Charlie Corum of South El Monte Community Outreach for Hosting the South El Monte Community Alliance Church Turkey Basket Giveaway
- 4.e.** Presentation by Jessica Alvarenga, Director of Government Affairs, Athens Services, on Positive Objective Updates
- 4.f.** Sheriff's Department Report for the Month of October
- 4.g.** Code Enforcement and Public Safety Department Report for the Month of October

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.

7.a. CONSIDERATION AND APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 14, 2023

Staff is requesting approval of Minutes for the November 14, 2023 Regular City Council meeting.

RECOMMENDED ACTION: Staff is requesting approval of Minutes for the November 14, 2023, Regular City Council meeting.

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 23-108, APPROVING WARRANTS FOR THE PERIOD OF NOVEMBER 15, 2023, THROUGH NOVEMBER 28, 2023

Authorizing payment of City expenditures for the period of November 15, 2023 through November 28, 2023 totaling \$1,477,738.52

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 23-108, authorizing payment of City expenditures.

7.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 23-109, AWARDED A PROFESSIONAL SERVICES AGREEMENT (PSA) TO TRANSTECH ENGINEERS, INC. FOR PROFESSIONAL CIVIL ENGINEERING SERVICES

Staff seeks City Council approval to award a Professional Services Agreement (PSA) to Transtech Engineers, Inc for Professional Civil Engineering Services.

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. 23-109, awarding a PSA to Transtech Engineers, Inc. for Professional Civil Engineering Services in the amount of \$1,035,840 for the 3 year contract term and including \$1,500,000 for project Design, Management and Construction/Inspections services as needed for a grand total of \$2,535,840 ; 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 civil engineering 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.

7.d. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 23-110, APPROVING AMENDMENT NO. 13 TO AGREEMENT ENP202110 WITH THE COUNTY OF LOS ANGELES FOR THE ELDERLY NUTRITION PROGRAM SERVICES

The City's Elderly Nutrition Agreement Amendment No. 13 will allow the City to receive additional funding from the County, allocated supplemental California Department of Aging ("CDA") American Rescue Plan Act ("ARPA") funding, for Fiscal Year (FY) 2023-2024.

RECOMMENDED ACTION: Staff recommends City Council:

1. Adopt Resolution No. 23-110, approving Amendment No. 13 to the existing agreement Subaward Number ENP202110 with the County of Los Angeles; and
2. Authorize the City Manager or designee to execute the agreement.

7.e. CONSIDERATION FOR AUTHORIZATION TO SOLICIT REQUEST FOR PROPOSALS (RFP) FOR STRIPING SERVICES

Staff seeks City Council approval to publish a Request for Proposals (RFP) for Citywide Striping 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 Citywide Striping Services.

7.f. ADOPTION OF ORDINANCE NO. 1270 TO AMEND SIDEWALK VENDING REGULATIONS SET FORTH IN SOUTH EL MONTE MUNICIPAL CODE CHAPTER 5.09

On November 14, 2023, the City Attorney's Office and City staff proposed certain amendments to South El Monte Municipal Code ("SEMMC") Chapter 5.09, "Sidewalk Vending" to the City Council. Following the City Attorney's Office and City Staff's presentation, the City Council unanimously approved the first reading of Ordinance No. 1270.

RECOMMENDED ACTION: That the City Council:

1. Waive second reading and adopt Ordinance No. 1270, 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 Distances between Vendors, Keeping Sidewalks Clear of Obstructions and Cooking Waste, Restrictions on Cooking without Required LA County Health Permit, and Documents Required while Vending."

7.g. CONSIDERATION OF AMENDING THE CITY'S CONFLICT OF INTEREST CODE

Regulations of the Fair Political Practices Commission require newly created, designated employee positions to be included in the City's conflict of interest code, which tells them what financial interest they must disclose on their Statement of Economic Interests (Form 700). Local agencies may amend their conflict of interest code any time newly created, designated employee positions assume office.

RECOMMENDED ACTION: Staff recommends City Council proceed with the amendment of the City's Conflict of Interest Code and direct the City Clerk, City Attorney, and HR/Risk Manager to coordinate the execution of the required amendments.

8. PUBLIC HEARINGS - None

9. GENERAL BUSINESS

9.a. COUNCIL CONSIDERATION OF APPOINTMENT/RE-APPOINTMENT OF A REPRESENTATIVE TO THE GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT BOARD OF TRUSTEES

Per the Greater Los Angeles County Vector Control District Board of Trustees (GLACVCD) the term of office for Trustee Hector Delgado as a member of the Board is set to expire on January 1, 2024. Pursuant to Section 2024 of the State Health and Safety Code (SHSC) governing the dates of term of office of members appointed to the Board of Trustees, the City Council may consider reappointing Trustee Delgado or appointing a new trustee for a two or four-year term of the office, commencing at noon on the first Monday of January (i.e., January 1, 2024).

RECOMMENDED ACTION: Staff recommends City Council consider reappointing Trustee Hector Delgado to a two or four-year term commencing on January 1, 2024.

9.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 23-111, ADOPTING A PEPPER SPRAY POLICY

Staff is requesting the City Council consider adopting a pepper spray policy that allows for the use of pepper spray by code enforcement and public safety officers in certain limited self-defense situations. If this policy is approved by the City Council, city management will complete a required meet and confer with the bargaining unit for code enforcement officers. Next, code enforcement and public safety officers would receive training before being authorized to carry pepper spray.

RECOMMENDED ACTION: Staff has identified the following options for City Council consideration:

1. Consider adopting Resolution No. 23-111, adopting a policy allowing city code enforcement officers to receive training to carry and use pepper spray in certain limited self-defense situations;
2. Not approve the Pepper Spray Policy; or
3. Continue the item and provide additional directions for staff.

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 - None

11.a. LETTER FROM EPIPHANY CATHOLIC CHURCH REQUESTING A FEE WAIVER FOR A TEMPORARY USE PERMIT AND CITY STAFF TIME FOR THEIR ANNUAL OUR LADY OF GUADALUPE PILGRIMAGE WALK

Epiphany Church is requesting a fee waiver for a Temporary Use Permit (TUP) and City staff time dedicated to public safety support for its annual pilgrimage walk during the "Our Lady of Guadalupe" processions, scheduled from Sunday, December 3, 2023, through Monday, December 11, 2023.

RECOMMENDED ACTION: Staff recommends City Council to discuss and consider approving the fee waiver request submitted by Epiphany Catholic Church, totaling \$3,053.

12. COUNCILMEMBERS' AGENDA

12.a. MAYOR GLORIA OLMOS

1. Palm Tree Lights in the City

RECOMMENDATION: Discussion and/or action.

2. Safety Precautions on Michael Hunt/Pennmar and Fawcett/Santa Anita

RECOMMENDATION: Discussion and/or action.

13. CLOSED SESSION

**13.a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)**

Title: 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. CALL TO ORDER AND ROLL CALL

Board Members: Acosta, Bojorquez, Delgado, Vice Chair Angel, and Chair 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

Speakers may provide public comments on any matter within the subject matter jurisdiction of the Board, including items on the agenda. Each speaker will be limited to five minutes. Unless a majority of the Board objects, the Chair may provide speakers more or less time to speak. All comments or queries shall be addressed to the Board 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 Board 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.

19. CONSENT CALENDAR

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19.a. CONSIDERATION AND APPROVAL OF THE SUCCESSOR AGENCY MEETING MINUTES FOR OCTOBER 24, 2023

Staff is requesting approval of the Minutes of the October 24, 2023 Successor Agency Meeting.

RECOMMENDED ACTION: Staff recommends the Board approve the Successor Agency Meeting Minutes of October 24, 2023.

20. EXECUTIVE DIRECTOR'S AGENDA

21. ADJOURNMENT OF SUCCESSOR AGENCY MEETING

22. RECONVENE AND ADJOURN COUNCIL MEETING

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 DATE.

A handwritten signature in blue ink, reading "Donna G. Schwartz", with a long, sweeping flourish extending to the right.

City Clerk, CMC