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

JULY 28, 2020, 6:00 PM

COUNCIL CHAMBERS
1415 N. SANTA ANITA AVENUE
SOUTH EL MONTE, CA 91733

*****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 waives 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.

THIS IS A CITY COUNCIL MEETING BY TELECONFERENCE ONLY
Members of the public will have access to listen to and participate in the meeting by calling-in at the information below. Teleconference participation shall be available to the public at the following USA Toll-Free number, 1-888-204-5987, Access Code: 9671457.

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 by 5:00 p.m. on Tuesday, July 28, 2020 will be added to the City Council agenda as part of the public comment. The public may also view a live telecast of the meeting online at www.cityofsouthelmonte.org.

GLORIA OLMOS, MAYOR/CHAIRPERSON
GRACIE RETAMOZA, MAYOR PRO TEM/VICE CHAIRPERSON
MANUEL ACOSTA, COUNCILMEMBER/COMMISSIONER
RICHARD ANGEL, COUNCILMEMBER/COMMISSIONER
HECTOR DELGADO, COUNCILMEMBER/COMMISSIONER

ANTHONY R. TAYLOR, CITY ATTORNEY/GENERAL COUNSEL
RACHEL BARBOSA, CITY MANAGER/EXECUTIVE DIRECTOR
DONNA G. SCHWARTZ, CITY CLERK/SECRETARY

1. **ROLL CALL** Councilmembers: Acosta, Angel, Delgado, Retamoza, (Mayor) Olmos

2. **PLEDGE OF ALLEGIANCE** Councilmember Hector Delgado

3. **INVOCATION** City Employee Laura Lozano, On Eagles Wings Christian Family Church

4. **PRESENTATIONS**

4.a. **CODE ENFORCEMENT AND PUBLIC SAFETY DEPARTMENT REPORT FOR THE MONTHS OF JUNE**

The City Council will receive a report from Staff on code enforcement and public safety activities in the City.

Attachment A - Bulk Item Report 2020
Attachment B - Code Enforcement Report JUNE 2020
Attachment C - 4th of July 2020

4.b. **SHERIFF'S DEPARTMENT REPORT FOR THE MONTH OF JUNE**

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

South El Monte June 20

4.c. **PRESENTATION OF CERTIFICATE TO SING TAO NEWSPAPER LOS ANGELES FOR THEIR 31ST YEAR ANNIVERSARY.**

Sing Tao Newspaper, a leading global news organization that has been serving the Chinese communities around the world, is celebrating their 31st anniversary.

4.d. **HABITAT FOR HUMANITY**

The City Council will receive a report from Habitat for Humanity on the agency's Housing Rehabilitation Program.

SGV Habitat Home Repairs Program

4.e. **SENATOR SUSAN RUBIO**

Presentation by Senator Susan Rubio representing the 22nd District on the State of California’s Annual Budget.

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. MINUTES

Staff seeks City Council approval of the Minutes for the Special Meeting of June 22, 2020, Adjourned Regular Meetings of June 23, 2020 and June 29, 2020, and Special Meeting of July 15, 2020.

RECOMMENDED ACTION: Staff recommends City Council approve the above referenced minutes.
Minutes

7.b. WARRANTS

Authorizing payment of City expenditures for the period of July 15, 2020 through July 28, 2020 totaling $1,296,114.83

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 20-84, authorizing payment of City expenditures.
Resolution No. 20-84

7.c. **CONSIDERATION OF REQUEST FOR STATEMENT OF QUALIFICATIONS (RSQ) FOR GRANT WRITING SERVICES**

Staff is seeking approval of the RSQ and authorization to solicit statements of qualifications for grant writing services from specialized municipal grant writing firms.

RECOMMENDED ACTION: Staff recommends City Council approve and authorize staff to solicit for the RSQ.
Attachment A - Request for Statement of Qualifications

7.d. **CONSIDERATION OF RESOLUTION NO. 20-85 APPROVING A FUND TRANSFER AGREEMENT NO. 2020 MP 76 SAFE, CLEAN WATER (SCW) PROGRAM WITH THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT TO RECEIVE ANNUAL FUNDING FOR WATER QUALITY PROJECTS AND PROGRAMS**

In November 2018, voters approved the SCW Program, a special parcel tax based on impermeable areas within the jurisdiction of the Flood Control District. The SCW Program is intended to improve water quality in a manner that achieves additional benefits such as increasing water supply and investing in the health and well-being of Los Angeles County communities. The City's 2020-2021 municipal fund portion of the parcel tax is estimated to be $450,000.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 20-85 approving Transfer Agreement No. 2020 MP 76 Safe Clean Water Program with the Los Angeles County Flood Control District to receive annual SCW Program funding for water quality projects and programs and authorize City Manager to execute the agreement.
Attachment A - Resolution 20-85
Attachment B - Agreement

7.e. **CONSIDERATION TO RECEIVE AND FILE THE ANNUAL RATE ADJUSTMENT FOR SOLID WASTE COLLECTION SERVICES FOR COMMERCIAL, INDUSTRIAL, MOBILE HOME, AND APARTMENT PROPERTY SITES**

The City received a request from Athens Services for a rate adjustment for commercial, industrial, mobile home, and apartment property sites for provided solid waste collection services for the period commencing July 1, 2020 through June 30, 2021.

RECOMMENDED ACTION: Staff recommends City Council receive and file the annual rate adjustment for solid waste collections services for commercial, industrial, mobile home, and apartment property sites.

Letter from Athens Services

7.f. **CONSIDERATION OF APPROVAL FOR REQUEST FOR PROPOSAL (RFP) FOR A FULL COST ALLOCATION ANALYSIS, USER FEE STUDY, AND BUSINESS LICENSE FEE UPDATE**

Staff seeks City Council approval to solicit proposals from qualified firms to perform the full cost allocation analysis, user fee study and business license fee update for the City.

RECOMMENDED ACTION: Staff recommends City Council approve the RFP for qualified firms to perform a study consisting of three activities which are a full cost allocation analysis, user fee study, and business license fee update.
RFP For Fee Study Services 07 22 2020.docx

7.g. **CONSIDERATION OF RESOLUTION NO. 20-86, APPROVING FIRST AMENDMENT TO THE EMPLOYMENT AGREEMENT WITH CITY MANAGER**

Approve the attached resolution amending employment agreement for Rachel Barbosa as City Manager.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 20-86, authorizing the Mayor to execute the first amendment to employment agreement with Ms. Barbosa.
Attachment A - Resolution No. 20-86
Attachment B - First Amendment to the City Manager Employment Agreement

7.h. **CONSIDERATION OF RESOLUTION 20-87 APPROVING THE ALLOCATION OF $44,160 IN MEASURE M FUNDS TOWARD THE TRANSTECH DESIGN ENGINEERING SERVICES FOR FISCAL YEAR (FY) 20/21 STREET REHABILITATION PROJECTS**

On June 23rd, 2020, the City Council approved a contract services agreement with Transtech Engineering to provide engineering services including On-Call design engineering services. The services proposed in Attachment B for design work, do fall under the definition of On-Call services and can be funded under the June 23rd, 2020 contract terms.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 20-87 approving the allocations in Measure M Funds toward the Transtech design engineering services for FY 20/21 Street Rehabilitation Projects
Attachment A - Resolution 20-87
Attachment B - Task Order

8. PUBLIC HEARINGS

8.a. CONSIDERATION OF RESOLUTION NO. 20-88 CHANGING THE NAME OF ADELIA AVENUE, SOUTH OF ALESIA STREET, TO AMRO WAY

AMRO Fabricating Corporation ("Applicant") has requested the City to change the name of Adelia Avenue to Amro Way along the stretch of street where three of their businesses front, to celebrate the opening of two new buildings.

RECOMMENDED ACTION: Staff recommends City Council hold a public hearing for Resolution No. 20-88 to discuss the change of street name from Adelia Avenue to Amro Way.
Resolution No. 20-88

8.b. CONSIDERATION OF ORDINANCE NO. 1248, AMENDING GRAFFITI ABATEMENT TO REQUIRE REMOVAL WITHIN 24 HOURS UNLESS GRANTED AN EXTENSION TO SECURE MATCHING PAINT

The proposed Ordinance No. 1248 will reduce the time mandated to remove graffiti from 72 hours to 24 hours, but will allow for an extension by the Community Development Director if more time is needed to procure a matching color. The paint used to cover up the graffiti will also be required to match the underlying color of the wall.

RECOMMENDED ACTION: Staff recommends City Council waive first reading and introduce Ordinance No. 1248, to change graffiti abatement to take place within 24 hours.
Ordinance No. 1248

9. GENERAL BUSINESS

9.a. DISCUSSION AND/OR ACTION ON EXISTING AGREEMENT WITH AKITOI LEARNING CENTER TO LEASE CITY PROPERTY AT 1824 CENTRAL AVENUE

The City entered into a multiple year agreement with Akitoi Learning Center for the lease of City property located at 1824 Central Avenue. The Program Manager of the Akitoi Learning Center, Ofelia Aguilar, submitted a letter requesting changes to the existing agreement as well as additional funding for its playground area, and finally, funding for a summer program.

RECOMMENDED ACTION: Staff is seeking direction from the City Council regarding Akitoi's request for the City do the following: 1) maintain the monthly rental rate at $2,010.14 as opposed to increasing the rate to $2,216.18 consistent with the lease agreement; 2) the City partially fund ($2,600) a new playground flooring to remove the wood

chips currently used; 3) City to install playground shade structure purchased by Akitoi; and 4) funding for a summer program.
Attachment A - Letters
Attachment B - Akitoi Agreement

9.b. <u>CONSIDERATION OF RESOLUTION NO. 20-89 UPDATING THE FAIR MARKET VALUE OF LAND THAT IS USED TO CALCULATE FEES IN LIEU OF LAND DEDICATION</u>

South El Monte Municipal Code ("SEMMC") Chapter 16.36 Dedications and Exactions applies to any new residential development or subdivision and requires Developers to provide park land or pay a fee for the purpose of developing new or rehabilitated park and/or recreational facilities to serve future residents.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 20-89 updating the fair market value of land.
Resolution No. 20-89

9.c. <u>CONSIDERATION OF RESOLUTION NO 20-90 AUTHORIZING DESIGNATED CITY EMPLOYEES TO OPEN, MAINTAIN, MAKE TRANSACTIONS, AND CLOSE CITY ACCOUNTS IN VARIOUS BANKS AND FINANCIAL INSTITUTIONS TO CONDUCT CITY BUSINESS</u>

The City maintains accounts with various banking institutions in accordance with the City's Investment Policy and State Law. With the change in management and staff, it is necessary to update the signatory cards held by those banking institutions to remove the names of prior management and staff and to add the names of new management and staff in order to conduct City business.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 20-90 authorizing designated City employees to open, maintain, make transactions, and close City accounts in various banks and financial institutions in order to conduct City business.
Attachment A - Resolution_07232020.doc

9.d. <u>CONSIDERATION OF A NO-FEE SPECIAL EVENT PERMIT TO ALLOW CERTAIN BUSINESSES TO OPERATE OUTSIDE WHILE ADHERING TO LOS ANGELES COUNTY PUBLIC HEALTH PROTOCOLS</u>

On May 29, 2020, the County of Los Angeles Department of Public Health ("Public Health") announced the permitted reopening of retail businesses and restaurants for in-person shopping and dining, subject to health and safety protocols created by Public Health. Similarly, Public Health created protocols for the reopening of barber shops and salons on July 21, 2020 following new State guidelines. Due to a rise in coronavirus cases, Public Health rescinded operation of indoor dining on July 1, 2020. In order to help facilitate businesses reopening safely within the City, staff is working to create a Special Events Permit to allow for these types of businesses to operate within their parking lots or the sidewalk in front of their businesses.

RECOMMENDED ACTION: Staff recommends City Council authorize the City Manager to approve a no-fee Special Event Permit for an until such time that restrictions are lifted by the Los Angeles County Department of Public Health and authorize Special Event Permits for use in public and private spaces.
Temporary Outdoor Dining & Operation Permit Application

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

11.a. DESIGNATION OF VOTING DELEGATE AND ALTERNATE, LEAGUE OF CALIFORNIA CITIES (LEAGUE) ANNUAL CONFERENCE & EXPO OCTOBER 7-9, 2020, LONG BEACH, CALIFORNIA

The League's 2020 Annual Conference & Expo is scheduled for October 7-9 in Long Beach. In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate and alternate.

RECOMMENDED ACTION: Staff recommends City Council appoint a Delegate and Alternate to allow the City the right to cast one vote on matters pertaining to League policy.
Letter, Voting Form and Voting Procedures

12. COUNCILMEMBERS' AGENDA

13. CLOSED SESSION

13.a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Discussion of potential for initiation of litigation pursuant to Government Code Section 54956.9(d)(4) - 1 potential case.

13.b. <u>CONFERENCE WITH LABOR NEGOTIATOR GOVERNMENT CODE SECTION 54957.6</u>

City Negotiator: City Manager

Employee Organization: Unrepresented Employees

14. RECESS COUNCIL MEETING

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

Pursuant to Government Code Section 54952.3, the City Clerk will announce that 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, Angel, Delgado, Retamoza, (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. <u>MINUTES</u>

Staff seeks Agency Board approval of the Minutes of the May 26, 2020 meeting.

RECOMMENDED ACTION: Staff recommends the Agency Board approve the above referenced minutes.
Minutes

19.b. <u>PROPOSED DARK SUCCESSOR AGENCY MEETING DATE</u>

Staff is requesting the Board "go dark" on August 25, 2020, as the Board will be taking a recess during the month of August.

RECOMMENDED ACTION: Staff recommends the Successor Agency Board "go dark" on August 25, 2020.

20. EXECUTIVE DIRECTOR'S AGENDA

21. ADJOURNMENT OF SUCCESSOR AGENCY MEETING

22. RECONVENE AND ADJOURN COUNCIL MEETING