

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

March 26, 2024, 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) 579-6540 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](mailto:dschwartz@soelmonte.org) or call (626) 579-6540 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](http://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) 579-6540  
Cell (626) 274-4842

Sabrina Muhne, Deputy City Clerk  
Ph (626) 579-6540  
Cell (626) 374-1998

## **AGENDA BEGINS ON THE FOLLOWING PAGE**

**1. ROLL CALL**

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

**2. PLEDGE OF ALLEGIANCE**

Councilmember Hector Delgado

**3. INVOCATION**

Pastor David Torres, Calvary Assembly of God Church

**4. PRESENTATIONS**

- 4.a.** Certificate of Recognition to Ophelia Silva, Resident of South El Monte for over 60 Years, Honoring her 100th Birthday on March 8, 2024
- 4.b.** Presentation by Edward Zuniga, Ed.D., Superintendent, El Monte Union High School District on the Safety Resource Officer (SRO) program
- 4.c.** Certificate of Recognition Presented to Noelia Saucedo for receiving a 2024 Distinguished Women of the 56<sup>th</sup> District Award from Assemblywoman Lisa Calderon
- 4.d.** Certificates of Recognition Presented to the City's "C" Division Youth Girls Basketball for Winning the Southern California Municipal Athletic Federation (SCMAF) Basketball Championship
- 4.e.** Audit Results of the City of South El Monte Financial Statements as of and for the Fiscal Year Ended June 30, 2023
- 4.f.** Sheriff's Department Report for the Month of February 2024
- 4.g.** Code Enforcement and Public Safety Department Report for the Month of February 2024

**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 MARCH 12, 2024**

Staff is requesting approval of Minutes for the March 12, 2024, Regular City Council Meeting.

**RECOMMENDED ACTION:** Staff is requesting approval of Minutes for the March 12, 2024, Regular City Council Meeting.

### **7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 24-138, APPROVING WARRANTS FOR THE PERIOD OF MARCH 13, 2024, THROUGH MARCH 26, 2024**

Authorizing payment of City expenditures for the period of March 13, 2024, through March 26, 2024, totaling \$798,687.61.

**RECOMMENDED ACTION:** Staff recommends City Council adopt Resolution No. 24-138, authorizing payment of City expenditures.

### **7.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 24-139, APPROVING PLANS AND SPECIFICATIONS AND AWARDED A CONSTRUCTION AGREEMENT TO CALPROMAX ENGINEERING, INC. FOR THE TRAFFIC SIGNAL IMPROVEMENTS AT LEE AVE & GARVEY AVE AND DURFEE AVE & PECK RD (HSIPL-5352(021))**

On February 20, 2024, the Engineering Department solicited bids for the Traffic Signal Improvements at Lee Ave & Garvey Ave and Durfee Ave & Peck Rd. The lowest responsive bid was submitted by Calpromax Engineering, Inc. in the amount of \$437,390.00.

**RECOMMENDED ACTION:** Staff recommends City Council:

1. Approve the plans and specifications for the Traffic Signal Improvements at Lee Ave & Garvey Ave and Durfee Ave & Peck Rd. Project;
2. Review the bids and find that Calpromax Engineering, Inc. has submitted the lowest responsive bid;
3. Adopt Resolution No. 24-139, approving plans and specifications and awarding the Traffic Signal Improvements at Lee Ave & Garvey Ave and Durfee Ave & Peck Rd Project contract to Calpromax Engineering, Inc. in the amount of \$437,390.00;
4. Approve a 15% contingency amount of \$65,608.50 for a total project construction budget amount not to exceed \$502,998.50; and
5. Authorize the City Manager or designee to negotiate and execute the contract.

## 8. PUBLIC HEARINGS

### 8.a. **CONTINUED FROM THE MARCH 12, 2024, CITY COUNCIL MEETING - ADOPTION OF RESOLUTION 24-140, REPEALING RESOLUTION NO. 21-63 AND APPROVING THE REVISED VERSION OF HOUSING ELEMENT 2021-2029 IN RESPONSE TO REQUIRED REVISIONS FROM THE STATE OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT AND RE-ADOPTING PRIOR NEGATIVE DECLARATION**

Adoption of Resolution repealing Resolution No. 21-63, approving the revisions to the City's 6th Cycle 2021-2029 Housing Element.

**RECOMMENDED ACTION:** Staff recommends City Council:

1. Conduct a public hearing;
2. Take public testimony; and
3. Adopt Resolution No. 24-140, repealing Resolution No. 21-63 and approving the revisions to the City's 6th Cycle 2021-2029 Housing Element in response to required revisions from the State Office of Housing and Community Development and readopting prior Negative Declaration.

## 9. GENERAL BUSINESS

### 9.a. **DISCUSSION AND POSSIBLE DIRECTION REGARDING OPTIONS FOR ADDITIONAL RESTRICTIONS ON SMOKING IN PUBLIC PLACES AND THE SALE OF TOBACCO IN THE CITY**

At the February 13, 2024, City Council meeting, the City Council expressed interest in exploring its options to address smoking and tobacco sales in the City following a presentation discussing the same. Accordingly, by way of this staff report, the City Attorney's Office further evaluated the matter to provide the City Council some options to address the regulation of smoking and prohibition of the sale of all tobacco products.

**RECOMMENDED ACTION:** (1) Continue to follow and enforce the City's tobacco and electronic cigarette retail permitting regulations and smoking prohibitions pursuant to Chapters 8.40 and 8.42 of the South El Monte Municipal Code ("SEMMC") as it adopts and implements provisions delineated by Federal and State law; and (2) Consider amending the SEMMC to ban the sale of flavored tobacco products and tobacco product flavor enhancers pursuant to Senate Bill 793.

9.b. next page.

**9.b. CONSIDERATION AND APPROVAL OF RESOLUTION 24-141, APPROVING AMENDMENT NO. 1 TO CONTRACT SERVICES AGREEMENT (CSA) WITH COUNCIL FOR WATERSHED HEALTH FOR THE MERCED AVENUE GREENWAY PROJECT**

On October 12, 2021, the City Council adopted Resolution 21-66 awarding a contract services agreement (CSA) to Council for Watershed Health (CWH) to provide project administration services for the Merced Avenue Greenway (Rush Street to Lerma Road) project in the amount of \$412,447 funded through a California Natural Resource Agency Prop 68 grant to proceed with pre-construction activities including project administration, grant reporting, technical services supporting bid and award, WQ/LID planning documents and community engagement. The Merced Avenue Greenway Project in the City of South El Monte is a multi-benefit green street project which includes decentralized Low Impact Development (LID) Best Management Practices (BMPs) within the street right-of-way that slows, captures, treats, and infiltrate stormwater runoff.

**RECOMMENDED ACTION:** Staff recommends City Council: Adopt Resolution No. 24-141, approving an amendment to the existing CSA with Council for Watershed Health to 1) increase the PSA value by \$499,850 to authorize the full scope of project administration, technical services, LID/WQ monitoring program implementation and community engagement through construction and post-construction monitoring of the southern portion of the Merced Avenue Greenway project. These efforts are expressly identified within the funded agreements and line item budgets of the State Water Resource Control Board (SWRCB) Prop 1 and LA County Safe Clean Water Program (SCWP) Measure W grants; 2) edit PSA terms and conditions in Exhibit C to delete 10% retention requirement; and, 3) extend performance period to April 30, 2026.

**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**

**12. COUNCILMEMBERS' AGENDA - None**

**13. CLOSED SESSION**

**13.a. CONFERENCE WITH LABOR NEGOTIATOR  
Pursuant to Government Code Section 54957.6**

City Negotiator: City Manager  
Employee Organizations: South El Monte Employees Association

**13.b. CONFERENCE WITH LABOR NEGOTIATOR  
Pursuant to Government Code Section 54957.6**

City Negotiator: City Manager  
Employee Organizations: South El Monte Executive Management Team  
Association

**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.

Successor Agency next page.

## **SUCCESSOR AGENCY MEETING**

### **16. CALL TO ORDER AND ROLL CALL**

Board Members: Acosta, Angel, Delgado, Vice Chair Bojorquez, 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 FEBRUARY 27, 2024**

Staff is requesting approval of the Minutes of the February 27, 2024, Successor Agency Meetings.

**RECOMMENDED ACTION:** Staff recommends the Board approve the Successor Agency Meeting Minutes of February 27, 2024.

### **20. EXECUTIVE DIRECTOR'S AGENDA - None**

### **21. ADJOURNMENT OF SUCCESSOR AGENCY MEETING**

### **22. RECONVENE AND ADJOURN COUNCIL MEETING**

Tuesday, April 9, 2024, 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](http://www.cityofsouthelmonte.org) on this 21<sup>st</sup> day March 2024.



City Clerk, CMC