

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



Rene Salas, City Manager/Executive Director
Anthony R. Taylor, City Attorney/General Counsel
Sabrina Muhne, Interim 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

September 24, 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 smuhne@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 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:

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

Robert Molina, Interim Deputy City Clerk
Ph (626) 579-6540
Cell (626) 816-2907

LEVINE ACT DISCLOSURE

Pursuant to the Levine Act (Govt Code Section 84308), any party to a permit, license, contract, or other entitlement before the City Council is required to disclose on the record any campaign contribution, including aggregated contributions, of more than \$250 made by the party or the party's agents within the preceding 12 months to any City official. Participants and agents are requested to make this disclosure as well. The disclosure should be made when the agenda item is called and must include the name of the party, participant, or agent, and any other person making the contribution, the name of the recipient, the amount of the contribution, and the date the contribution was made. Council Members are also required to make such disclosures and recuse themselves.

CONFLICT OF INTEREST

City Council Members with a conflict of interest under the Political Reform Act are required to make disclosure of financial interest when the item is called and recuse themselves.

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 Charlie Corum, South El Monte Community Outreach

4. PRESENTATIONS

4.a. Proclamation Proclaiming Childhood Cancer Awareness Month

4.b. Presentation of Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting

4.c. Presentation by Chris Knight, Chief Executive Officer, El Monte/South El Monte Chamber of Commerce Second Quarter Update

4.d. Sheriff's Department Report for the Months of July and August 2024

4.e. Code Enforcement and Public Safety Department Report for the Months of July and August 2024

4.f. Presentation by Streets for All on the Hill to Sea Corridor

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.

Consent Calendar next page.

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 SEPTEMBER 10, 2024

Staff is requesting approval of Minutes for the September 10, 2024, Regular City Council Meeting.

RECOMMENDED ACTION: Staff is requesting approval of Minutes for the September 10, 2024, Regular City Council Meeting.

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 24-223, APPROVING WARRANTS FOR THE PERIOD OF SEPTEMBER 11, 2024, THROUGH SEPTEMBER 24, 2024

Authorizing payment of City expenditures for the period of September 11, 2024, through September 24, 2024, totaling \$2,386,159.42.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 24-223, authorizing payment of City expenditures.

7.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 24-224, APPROVING AMENDMENT NO. 1 TO AGREEMENT ENP242509 BETWEEN THE CITY AND COUNTY OF LOS ANGELES FOR ELDERLY NUTRITION PROGRAM SERVICES

Amendment No.1 to Agreement ENP242509 ("Agreement") between the City of South El Monte ("City") and the County of Los Angeles Aging and Disabilities Department ("County") will allow the City to receive additional funding from the County, through the Modernizing Older Californians Act (MOCA) for Congregate and Home-Delivered Meals Services for fiscal year ("FY") 2024-25.

RECOMMENDED ACTION: Staff recommends City Council:

1. Adopt Resolution No. 24-224, approving Amendment No. 1 to the existing agreement Subaward ENP242509 between the City and County; and
2. Authorize the City Manager or designer to execute the agreement.

Consent Calendar Items 7.d. and 7.e. next page.

CONSENT CALENDAR (CONTINUED)

7.d. CONSIDERATION FOR AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION BIDS – SOUTH EL MONTE SAFE ROUTES TO SCHOOL PEDESTRIAN SAFETY PROJECT, ATP CYCLE 5

Staff seeks City Council approval to advertise for construction bids for the South El Monte Safe Routes to School Pedestrian Safety Project, ATP Cycle 5.

RECOMMENDED ACTION: Staff recommends City Council approve the construction bid package to solicit bids for the South El Monte Safe Routes to School Pedestrian Safety Project, ATP Cycle 5.

7.e. CONSIDERATION FOR AUTHORIZATION OF RESOLUTION NO. 24-225 AWARDED A PROFESSIONAL SERVICES AGREEMENT TO THE SAN GABRIEL VALLEY CONSERVATION AND SERVICE CORPS FOR TREE PLANTING SERVICES

Staff seeks City Council approval to award a Professional Services Agreement to the San Gabriel Valley Conservation Corps (SGVCC) for Tree Planting Services.

RECOMMENDED ACTION: Staff recommends City Council:

1. Adopt Resolution No. 24-225 approving a professional services agreement with San Gabriel Valley Conservation Corps to plant 133 trees, as part of its youth job training program, for the Merced Avenue Greenway South Project; and
2. Authorize the City Manager or designee to negotiate and execute the agreement.

8. PUBLIC HEARINGS - None

9. GENERAL BUSINESS

9.a. CONSIDERATION AND APPROVAL OF ORDINANCE NO. 1276, AMENDING CHAPTER 2.04 OF TITLE 2 OF THE SOUTH EL MONTE MUNICIPAL CODE REGARDING COMPENSATION OF MAYOR AND COUNCILMEMBERS

California Government Code Section 36516(a)(4) provides that cities may increase the salary of councilmembers five percent (5%) for each calendar year from the operative date of the last adjustment. The proposed amendment for the change in salary shall become effective when one or more councilmembers commences a new term on or about December 10, 2024.

RECOMMENDED ACTION: Staff recommends City Council waive first reading and introduce Ordinance No. 1276, regarding the compensation of Councilmembers pursuant to California Government Code section 36516.

General Business Items 9.b. through 9.d. next page.

GENERAL BUSINESS (CONTINUED)

9.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 24-226, APPROVING COST OF LIVING ADJUSTMENTS FOR JOB CLASSIFICATIONS NOT SUBJECT TO A MEMORANDUM OF UNDERSTANDING

Inflation affects the cost of living for employees. Most government agencies, including federal, states, counties, and others, such as pensions, recognize this economic reality and provide cost of living adjustments (COLAs) for their employees. For retirees, Social Security and CalPers provide COLAs so that retirees can also retain their purchasing power as inflation increases.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 24-226, approving cost of living adjustments of 5% for the City's executive and part-time non-represented employees for FY 2024-25, FY 2025-26, and FY 2026-27.

9.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 24-227, CONSENTING TO THE APPOINTMENT OF ADRIAN GARCIA AS CITY CLERK AND APPROVAL OF CITY CLERK EMPLOYMENT AGREEMENT

This item will be provided under separate cover.

RECOMMENDED ACTION:

9.d. CONSIDERATION AND APPROVAL OF ORDINANCE NO. 1277, ADDING CHAPTER 8.22 OF TITLE 8 OF THE SOUTH EL MONTE MUNICIPAL CODE THEREBY AMENDING THE CITY'S HEALTH AND SAFETY REGULATIONS IN RELATION TO CAMPING AND STORAGE OF PERSONAL PROPERTY

The City Attorney's Office and City staff are presenting proposed Ordinance No. 1277, "AN ORDINANCE OF THE SOUTH EL MONTE CITY COUNCIL ADDING CHAPTER 8.22 OF TITLE 8 OF THE SOUTH EL MONTE MUNICIPAL CODE THEREBY AMENDING THE CITY'S HEALTH AND SAFETY REGULATIONS IN RELATION TO CAMPING AND STORAGE OF PERSONAL PROPERTY (ORDINANCE NO. 1277)."

RECOMMENDED ACTION: Staff recommends City Council:

1. Find that the ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Regulation 15061(b)(3);
2. Based on the analysis provided in the attached ordinance, waive first reading and introduce Ordinance No. 1277; and
3. Set adoption of said ordinance at the next regular city council meeting.

General Business Item 9.e. next page.

GENERAL BUSINESS (CONTINUED)

9.e. CONSIDERATION AND APPROVAL OF ORDINANCE NO. 1278, AMENDING CHAPTER 8.40 OF TITLE 8 OF THE SOUTH EL MONTE MUNICIPAL CODE REGARDING TOBACCO AND ELECTRONIC CIGARETTE RETAIL PERMITTING REGULATIONS

The City of South El Monte ("City") currently regulates tobacco and electronic cigarette retail through South El Monte Municipal Code ("SEMMC") Chapter 8.40, Tobacco and Electronic Cigarette Retail Permitting Regulations. This Chapter introduced a permitting process for tobacco retailers. Ordinance No. 1278 ("Ordinance") would amend Chapter 8.40 in order to prohibit the sale of flavored tobacco and electronic cigarette products, the repackaging of tobacco products, and establishing a radius requirement between a tobacco retailer and youth-oriented areas.

RECOMMENDED ACTION: Staff recommends City Council:

1. Find that 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 applies;
2. Conduct the first reading of Ordinance No. 1278, amending SEMMC Chapter 8.40 to prohibit the sale of flavored tobacco and electronic cigarettes products, the repackaging of tobacco products, and establishing a radius requirement between a tobacco retailer and youth-oriented areas in order to preserve the health, safety, and welfare of all community members (especially minors) and to enforce all Federal and State tobacco regulations to the fullest extent permitted by law; and
3. Set adoption of said ordinance 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 - None

12. COUNCILMEMBERS' AGENDA - None

13. CLOSED SESSION

13.a. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL INITIATION OF LITIGATION

Pursuant to Government Code Section 54956.9(d)(4) – (one case)

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 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 ADJOURNED SUCCESSOR AGENCY MEETING MINUTES FOR JULY 30, 2024

Staff is requesting approval of the Minutes of the July 30, 2024, Adjourned Successor Agency Meeting.

RECOMMENDED ACTION: Staff is requesting approval of the Minutes of the July 30, 2024, Adjourned Successor Agency Meeting.

20. EXECUTIVE DIRECTOR'S AGENDA - None

21. ADJOURNMENT OF SUCCESSOR AGENCY MEETING

22. RECONVENE AND ADJOURN COUNCIL MEETING

Tuesday, October 8, 2024, at 6:00 p.m.

I, Sabrina Muhne, 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 September 19, 2024.



Sabrina Muhne