

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



Rene Salas, City Manager
Anthony R. Taylor, City Attorney
Sabrina Muhne, Interim City Clerk
Masami Higa, Director of Finance

CITY OF SOUTH EL MONTE

REGULAR MEETING OF THE SOUTH EL MONTE CITY COUNCIL

AGENDA

October 8, 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

Mayor Gloria Olmos

3. INVOCATION

Pastor Ben Garrett, Faith Dominion Church

4. PRESENTATIONS

4.a. Presentation by Mackenzie Bolger, Sustainability Programs Manager, and Caitlin Sims, Manager of Local Programs, San Gabriel Valley Council of Governments on the 2024 SGVCOG Update

4.b. Presentation of Plaque by the Veterans of Foreign Wars Post 10218 to the City of South El Monte

4.c. Presentation of Certificates of Recognition to Recipients of the 2023 "Good Corporate Citizens" Honored by Los Angeles County Sanitation Districts

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 Items 7.a. through 7.d. next page.

CONSENT CALENDAR (CONTINUED)

7.a. CONSIDERATION AND APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF SEPTEMBER 24, 2024

Staff is requesting approval of Minutes for the September 24, 2024, Regular City Council Meeting.

RECOMMENDED ACTION: Staff is requesting approval of Minutes for the September 24, 2024, Regular City Council Meeting.

7.b. CONSIDERATION AND APPROVAL OF THE SPECIAL CITY COUNCIL MEETING MINUTES OF SEPTEMBER 24, 2024

Staff is requesting approval of Minutes for the September 24, 2024, Special City Council Meeting.

RECOMMENDED ACTION: Staff is requesting approval of Minutes for the September 24, 2024, Special City Council Meeting.

7.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 24-228, APPROVING WARRANTS FOR THE PERIOD OF SEPTEMBER 25, 2024, THROUGH OCTOBER 8, 2024

Authorizing payment of City expenditures for the period of September 25, 2024, through October 08, 2024, totaling \$1,875,324.41.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 24-228, authorizing payment of City expenditures.

7.d. CONSIDERATION AND APPROVAL OF RESOLUTION 24-229, AUTHORIZING THE PURCHASE OF A TRANSPORTATION VEHICLE FROM TESLA, INC.

The Senior Services and Transportation Division ("Division") is committed to improving mobility for seniors and individuals with disabilities by offering safe and efficient transportation services. The Division seeks approval to purchase a Tesla Model Y Long Range Pack ("Tesla Model Y") with funding allocated through the Prop A - Dispatch Implementation Plan account included in the City's approved Fiscal Year (FY) 2024-2025 Budget.

RECOMMENDED ACTION: Staff recommends City Council:

1. Approve Resolution No. 24-229, approving the purchase of a Tesla Model Y from Tesla, Inc.; and
2. Authorize the City Manager to negotiate and execute all requisite documents for the purchase.

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

CONSENT CALENDAR (CONTINUED)

- 7.e. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 24-230, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH MOBILITY DEVELOPMENT OPERATIONS, LLC (MOD) TO ALLOW THEM TO USE SIX DESIGNATED ELECTRIC VEHICLE CHARGING PARKING SPACES FOR THE OPERATION OF AN ELECTRIC VEHICLE CAR SHARING PROGRAM.**

Staff seeks City Council approval to execute an agreement with Mobility Development Operations, LLC (MDO) to allow them to use six designated electric car charging parking spaces for the operation of an electric vehicle car sharing program.

RECOMMENDED ACTION: Staff recommends City Council:

1. Adopt Resolution No. 24-230 to execute an Agreement for the use of six electric vehicle charging stations with Mobility Development Operations, LLC: and
2. Authorize the City Manager or designee to execute the agreement.

- 7.f. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 24-231, APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY OF SOUTH EL MONTE AND THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) TO IMPLEMENT THE METRO EXPRESSLANES I-10 E-BIKE ACCESS PROJECT**

The City of South El Monte received a grant through the Metro ExpressLanes Net Toll Revenue Reinvestment Grant Program to enhance the GoSGV E-Bike Share program in the city and other surrounding areas by purchasing additional cargo e-bikes and accessories, providing discounted GoSGV memberships and e-bike rebates to eligible residents, hosting e-bike demonstration events and safety classes, and completing an evaluation of GoSGV. The City will partner with the San Gabriel Valley Council of Governments (SGVCOG) to implement the Metro ExpressLanes I-10 E-Bike Access Project.

RECOMMENDED ACTION: Staff recommends City Council:

1. Adopt Resolution No 24-231, approving the Memorandum of Agreement (MOA) with the San Gabriel Valley Council of Governments (SGVCOG) to implement the Metro ExpressLanes I-10 E-Bike Access Project; and
2. Authorize the City Manager or designee to execute the agreement.

Consent Calendar Items 7.g. and 7.h. next page.

CONSENT CALENDAR (CONTINUED)

7.g. ADOPTION 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 second reading and adopt Ordinance No. 1276, regarding the compensation of Councilmembers pursuant to California Government Code section 36516.

7.h. ADOPTION OF ORDINANCE NO. 1277, ADDING CHAPTER 8.22 TO 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); and
2. Based on the analysis provided in the attached ordinance, waive second reading and adopt Ordinance No. 1277

CONSENT CALENDAR (CONTINUED)

7.i. ADOPTION 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

On September 24, 2024, the City Attorney's Office and City staff proposed certain amendments to South El Monte Municipal Code ("SEMMC") Chapter 8.40, Tobacco and Electronic Cigarette Retail Permitting Regulations. Following the City Attorney's Office and City staff's presentation, the City Council unanimously approved the first reading of Ordinance No. 1278.

RECOMMENDED ACTION: Staff recommends City Council:

1. Find that exemptions under the California Environmental Quality Act (CEQA) based on Public Resources Code section 21065 and State CEQA Guidelines Sections 15060(c)(2), 15060(c)(3), and 15378 apply; and
2. Approve the second reading of and adopt 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.

8. PUBLIC HEARINGS - None

General Business next page.

9. GENERAL BUSINESS

9.a. AN UNCODIFIED INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858 ESTABLISHING A 45-DAY TEMPORARY MORATORIUM ON NON-CAMTC OPERATING MASSAGE ESTABLISHMENTS AND MASSAGE PRACTITIONERS WITHIN CITY LIMITS DURING THE PENDENCY OF THE CITY'S STUDY AND DEVELOPMENT OF REASONABLE REGULATIONS; AND DECLARING THE URGENCY THEREOF

The proposed moratorium would prohibit the operation of non-California Massage Therapy Council (CAMTC) massage establishments and practitioners within the City for 45 days (unless extended) while City staff reviews and develops appropriate regulations for such businesses.

RECOMMENDED ACTION: Staff recommends City Council:

1. Find that exemptions under the California Environmental Quality Act (CEQA) based on Public Resources Code section 21065 and State CEQA Guidelines Sections 15001, 15061(b)(3), and 15378 apply;
2. Waive further reading, and adopt Urgency Ordinance No. 1279-U, establishing a 45-days temporary moratorium on non-CAMTC operating massage establishments and massage practitioners within City limits during the pendency of the City's review and development of reasonable regulations for such uses; and
3. Authorize the City Manager to direct the Planning Division and Planning Commission to review the development standards for non-CAMTC massage establishments and massage practitioners and survey development standards for these types of businesses in other cities.

9.b. FINANCE WORKSHOP TO SEEK DIRECTION FROM CITY COUNCIL REGARDING TITLE 3 OF THE SOUTH EL MONTE MUNICIPAL CODE

Finance Workshop to seek direction from City Council regarding Title 3 of the South El Monte Municipal Code.

RECOMMENDED ACTION: Staff seeks direction from City Council to help modernize certain outdated sections of the City's code.

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 - None

14. ADJOURNMENT

Tuesday, October 22, 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 October 3, 2024.



Sabrina Muhne