

**CITY OF SOUTH EL MONTE
REGULAR CITY COUNCIL MEETING MINUTES
JUNE 9, 2020 6:00 P.M.
COUNCIL CHAMBERS, 1415 N. SANTA ANITA
SOUTH EL MONTE, CA 91733**

1. ROLL CALL

Mayor Olmos called the meeting to order at 6:00 p.m.

PRESENT:Councilmembers: Acosta, Angel, Delgado, Olmos, and Retamoza.

Also Present: (City Attorney) Anthony R. Taylor, (Assistant City Attorney) Christy Lopez, (City Manager) Rachel Barbosa, (City Clerk) Rose Juarez, (Public Works Director) Rene Salas, (Interim Finance Director) William Fox, (Deputy City Clerk) Paola Lara, (Code Enforcement/Public Safety Supervisor) Joe Martinez, (Public Works Analyst) Monica Heredia, and (Assistant Planner) Ian McAleese.

Pursuant to Government Code Section 54953, Subdivision (B) and Governor Newsom's Executive Order N-25-20, dated March 12, 2020, and Executive Order N-29-20, dated March 17, 2020, Teleconference Participation Was Utilized By All City Councilmembers and the City Attorney's Office.

2. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Retamoza led the Pledge of Allegiance.

3. INVOCATION

William Fox, Interim Finance Director, offered the Invocation.

4. PRESENTATIONS

a. CODE ENFORCEMENT AND PUBLIC SAFETY DEPARTMENT REPORT FOR THE MONTHS OF MARCH, APRIL AND MAY

The Code Enforcement/Public Safety Supervisor presented an overview of March, April and May activities which included calls for service for Property Maintenance, Health and Safety, Building Code, Zoning, Streets and Sidewalks, Vehicles and Traffic, and Business, and presented the Bulk Item Report.

Councilmember Delgado voiced his concern with a food and clothes vendor selling on the weekend in an area regulated by the County and requested contact be made with L.A. County Health Department or Los Angeles Code Enforcement to have someone address the vendor on the weekend.

The City attorney stated their office will coordinate with the County to address this issue.

The City Manager stated because of Covid-19 and the Safer at Home order, the City has been operating with modified hours limiting Code Enforcement's and Public Safety's hours but the City will return to full operational hours on Monday, June 15th and recommended the public safety funds allocated through Senator Rubio be used for special operations on the weekend to address the vendor, and although the Department of Public Health is not likely to come out on a weekend night she will reach out to the County.

In response to Councilmember Angel's question, the City Manager stated the Sheriff's Department patrol the area to provide safety but the Department of Regional Planning's Code Enforcement enforce public health in the public right of way and suggested if a lot of threat to public health is documented in the area staff can reach out to Supervisor Hilda Solis' office and County contacts.

Councilmember Delgado recommended the vendor be cited for blocking the public right of way to discourage them from returning and stated they need to be aggressive because he has received several complaints from concerned people due to the safety risks and COVID-19.

Mayor Olmos stated she would reach out to Supervisor Hilda Solis' office for advice and assistance with addressing the issue.

In response to Councilmember Angel's question, the Code Enforcement/Public Safety Supervisor stated the majority of the bulky items illegally dumped are in the residential area.

Councilmember Angel recommended Code Enforcement inform residents they will be cited for not removing bulky items in front of their homes even if they did not leave them there and spoke against Athens Services being selective of the bulky items they pick up.

Mayor Olmos requested that notice and street signs with fines for illegally dumping bulky items be posted in the City and suggested that a Neighborhood Watch be created to address the illegal dumping of bulky items.

The City Attorney stated outreach can be conducted to encourage compliance, give warnings, and if there is no compliance fines can be issued.

Mayor Olmos suggested the bulky item informational flyer created by Athens Services also be in Cantonese or Vietnamese in addition to English and Spanish.

Mayor Olmos directed staff to post signs about the fines for illegal dumping of bulky items, give warnings first, and have Athens send postcards with the information for illegal dumping of bulky items and the phone number to call.

5. **APPROVAL OF THE AGENDA AND WAIVER OF FULL READING OF ORDINANCES**

Mayor Olmos requested to pull Items 7.b. and 7.e. from the Consent Calendar for discussion.

A motion was made by Delgado, seconded by Angel and carried (5 - 0) to approve the agenda as amended, pull Items 7.b. and 7.e. from the Consent Calendar for

discussion, and waive full reading of ordinances.

AYES: Councilmembers: Acosta, Angel, Delgado, Olmos, and Retamoza.

NAYS: None.

6. PUBLIC COMMENT

Mayor Olmos opened and closed public comment after determining there was no one wishing to speak.

7. CONSENT CALENDAR

a. WARRANTS

Authorizing payment of City expenditures for the period of May 27, 2020 through June 9, 2020 totaling \$802,918.40.

c. BIENNIAL REVIEW OF CONFLICT OF INTEREST CODES

The Political Reform Act requires that every local government agency review its Conflict of Interest Codes biennially. A Conflict of Interest Codes tells public officials, governmental employees, and consultants which financial interests they must disclose on their Statement of Economic Interests (Form 700).

d. CONSIDERATION OF RESOLUTIONS FOR THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION Pursuant to California State law, the City Council must officially "call" for the November 3, 2020 General Municipal Election; request consolidation with the Los Angeles County Election of same date; and approve regulations for candidate Statements.

f. CONSIDERATION OF RESOLUTION NO. 20-56, APPROVING A MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE CITY OF SOUTH EL MONTE AND THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG) FOR PARTICIPATION IN THE SAN GABRIEL VALLEY REGIONAL PILOT E-BIKE SHARE PROGRAM (PILOT PROGRAM)

On October 8, 2019, the City Council adopted Ordinance No. 1238, incorporating Chapter 10.26 (Pilot E-Bike Share Program) and amending Title 10 (Vehicles and Traffic) of the South El Monte Municipal Code to enable a Pilot E-Bike Share Program to be established and operated by a single E-Bike Share operator. Staff now seeks to enter into a MOA with the SGVCOG for participation in the Pilot Program.

g. CONSIDERATION OF RESOLUTION NO. 20-57, APPROVING AMENDMENT NO.1 WITH THE SAUCE CREATIVE SERVICES, CORP., EXTENDING THE CONTRACT FOR A PERIOD OF THREE YEARS AND INCREASING COMPENSATION TERMS BY \$173,359.80 FOR A FIVE YEAR CONTRACT WITH A NOT-TO-EXCEED AMOUNT OF \$285,938.28

Staff is seeking to extend the contract with The Sauce Creative Services to an additional three years to March 27, 2023, due to the quality newsletter publishing services it has provided the City, with an increased

compensation terms of \$173,359.80 for a five year contract with a not-to-exceed amount of \$285,938.28.

- h. **CONSIDERATION OF RESOLUTION NO. 20-58, APPROVAL OF THE EMPLOYMENT AGREEMENT FOR CITY CLERK Adoption of Resolution No. 20-58, consenting to the appointment of Donna Schwartz as City Clerk and approving an employment agreement between the City of South El Monte and Donna Schwartz.**
- i. **CONSIDERATION OF RESOLUTION NO. 20-59, AWARDING AN AGREEMENT TO EMERGENCY PLANNING CONSULTANTS (EPC) TO PROVIDE CONSULTING SERVICES TO UPDATE THE CITY'S LOCAL HAZARD MITIGATION PLAN (LHMP) IN AN AMOUNT NOT TO EXCEED \$35,000**

On April 14, 2020, the City Council approved a Request for Proposals for Consulting Services to Update the City's LHMP (RFP) and to solicit proposals. Proposals were due on May 4, 2020 at 2:00 p.m. in which a total of two (2) proposals were received. Staff seeks to award a contract to EPC to aid the city in updating its LHMP.

- j. **CONSIDERATION OF RESOLUTION NO. 20-60, APPROVING AMENDMENT NO. 3 TO THE AGREEMENT WITH COUNCIL FOR WATERSHED HEALTH (CWH) FOR ADMINISTRATIVE OVERSIGHT SERVICES FOR THE MERCED AVENUE GREENWAY PROJECT (PROJECT) TO INCREASE COMPENSATION TERMS BY \$13,791 FOR A TOTAL NOT-TO-EXCEED CONTRACT AMOUNT OF \$751,697**

CWH was contracted to provide administrative oversight services for the Project in an amount not to exceed \$724,756 in which services were effective from November 1, 2017 through June 30, 2019. Contract amendments have since been executed to extend the term of the contract and increase compensation terms to a total not to exceed contract amount of \$737,906. Staff now seeks to amend the contract to increase compensation for project design.

A motion was made by Delgado, seconded by Acosta and carried (5 - 0) to approve the Consent Calendar except Items 7.b. and 7.e.

AYES: Councilmembers: Acosta, Angel, Delgado, Olmos, and Retamoza.
NAYS: None.

ITEMS PULLED FROM THE CONSENT CALENDAR FOR DISCUSSION

- b. **PROCLAMATION IN HONOR OF THE 70TH ANNIVERSARY OF THE KOREAN WAR AND REMEMBRANCE DAYS FROM JUNE 25TH - JULY 27, 1953**

Mayor Olmos read the Korean War Remembrance Day Proclamation into the record and invited the public to send Korean War Veterans pictures by June 23, 2020 for posting on the City's social media.

A motion was made by Angel, seconded by Acosta and carried (5 - 0) to proclaim June 25, 2020 to July 27, 2020 as the 70th Anniversary of the Korean War and

Remembrance Days in the City of South El Monte.

AYES: Councilmembers: Acosta, Angel, Delgado, Olmos, and Retamoza.

NAYS: None.

- e. **CONSIDERATION OF RESOLUTION NO. 20-55, RATIFYING THE AGREEMENT WITH NICHOLAS CONSTRUCTION AND DEVELOPMENT CO., INC. DBA FIRE DAMAGE RESCUE FOR SPECIALIZED CLEANING AND DISINFECTING SERVICES IN RESPONSE TO COVID-19 AND AUTHORIZING THE EXECUTION OF AMENDMENT NO. 1 TO THE AGREEMENT FOR A TOTAL NOT TO EXCEED CONTRACT AMOUNT OF \$50,000**

Mayor Olmos requested clarification if Nicholas Construction and Development Co., Inc. dba Fire Damage Rescue cleaned City facilities due to immediate need because of COVID-19 and recommended that an RFP for cleaning and disinfecting services be released to give local companies an opportunity to provide the services.

Councilmember Delgado concurred with Mayor Olmos.

The City Attorney recommended City Council approve the work completed to date, authorize the amendment and authorize the City Manager to sign it, and direct staff to release an RFP or RFQ for cleaning and disinfecting services.

The City Manager confirmed the City's emergency declaration enabled staff to hire for these services without City Council approval but now staff is requesting City Council ratify the actions taken and approve the legal language required to request reimbursement through FEMA and California Department of Emergency Operations. She also confirmed this is a local company but staff can release an RFP for future work.

In response to Mayor Olmos' question, the City Manager stated the not-to-exceed amount can be adjusted from \$50,000 to \$25,000 to reflect the cost incurred for services already provided, however, we are still in a pandemic and their services can be utilized should there be a need to shut down and do an immediate deep cleaning.

In response to Councilwoman Retamoza's question, the City Manager confirmed the City can still be reimbursed through FEMA if an RFP is used.

A motion was made by Angel, seconded by Delgado and carried (5 - 0) to adopt Resolution No. 20-55, ratifying the agreement with Nicholas Construction and Development Co., Inc. dba Fire Damage Rescue for specialized cleaning and disinfecting services in response to COVID-19 and authorizing the execution of Amendment No. 1 to the Agreement for a total not to exceed contract amount of \$50,000, and that a Request for Proposals be released future services.

AYES: Councilmembers: Acosta, Angel, Delgado, Olmos, and Retamoza.

NAYS: None.

8. **PUBLIC HEARINGS**

- a. **CONSIDERATION OF ORDINANCE NO. 1247, AMENDING ZONING DESIGNATION (ZONE CHANGE NO. 19-22) FROM MANUFACTURING TO MULTI FAMILY RESIDENTIAL FOR PROPERTIES LOCATED AT 2610-2634 CHICO AVENUE, RESOLUTION NO. 20-62, APPROVING MITIGATED**

**NEGATIVE DECLARATION AND GENERAL PLAN AMENDMENT TO
CHANGE THE EXISTING GENERAL PLAN LAND USE DESIGNATION FROM
INDUSTRIAL TO MEDIUM DENSITY RESIDENTIAL**

The Director of Public Works presented the staff report.

The Assistant City Attorney read the title of the ordinance.

Mayor Olmos opened the public hearing.

Edward Montes, Resident on Humbert Avenue, spoke of needing additional funds to relocate due to financial constraints and COVID-19, a gas leak that occurred and led them to be without gas and water due to construction taking place while the residents still reside there, stated many of the tenants have lived in South El Monte their whole lives and will likely have to move far because rent in South El Monte is not affordable, and of being uncomfortable with new management inspecting their homes due to COVID-19.

Jay Decker, Warmington Residential, stated the gas leak and break of the water line was not due to their construction as they have not received permits to begin construction.

Bob Garrison, Warmington Residential, presented a PowerPoint on the ECHO project for the property 2610-2634 Chico Avenue and 2607-2637 Humbert Avenue which included: About Warmington Residential, The Goldwyn at 1181 E. Durfee, Aerial View, Site Plan, Plan I, Below Market Rate and Accessible Homes, Below Market Rate Point Systems, Community Outreach, Humbert Avenue Tenant Update, and Proposed Project Street Names.

Councilmember Angel stated the \$2,000 Warmington Residential is providing each tenant for moving out will not cover the cost of finding a new home, even with Warmington Residential paying the last three months of rent, and suggested the amount be increased to \$5,000.

Councilmember Delgado concurred with Councilmember Angel.

Mr. Decker agreed to provide \$5,000 per tenant for moving out.

Milagro Gonzales, Resident on Humbert Avenue, spoke about the gas leak that occurred, of feeling unsafe with the inspection of the apartments the property owner will be conducting due to COVID-19, and of Warmington Residential not responding to proposals submitted by the tenants or providing them with a timeline.

Jonathan Aceves, 2621 Humbert Avenue, spoke of his concern with \$2,000 not being enough to relocate and requested additional funds and until December to move.

Gabriel Miran, 2625 Humbert Avenue, spoke of not being provided repair services for water damage and mold in his apartment which may be the reason for his son's cough, constant changes in property management over the last year and their lack of assistance, and of previously requesting \$7,000 from Warmington Residential to relocate.

Mr. Decker clarified the new property management, not Warmington Residential, will be inspecting the apartments but he will contact and advise them of the tenants' concerns and request the inspections be cancelled, all tenants were notified about the relocation timeline since March, Warmington Residential is trying to be fair with the relocation amount for all tenants, and the relocation deadline can be extended to the end of August.

Elsa Montes, Resident of Humbert Avenue, stated she is having trouble applying for the City's rental assistance grant to pay a pending debt from April because the property managers have to fill out the documents and due to recent changes she is not sure who the property managers are.

Mr. Decker agreed to raise the amount to be provided to each tenant to assist their relocation to \$7,000.

Mayor Olmos closed the public hearing after determining there was no one else wishing to speak.

A motion was made by Delgado, seconded by Angel and carried (5 - 0) to introduce for first reading Ordinance No. 1247, Zone Change (No. 19-22) to change the zoning designation for properties located at 2610-2634 Chico Avenue and adopt Resolution No. 20-62 approving a Mitigated Negative Declaration and General Plan Amendment (No. 19-22) to change the Land Use designation.

AYES: Councilmembers: Acosta, Angel, Delgado, Olmos, and Retamoza.
NAYS: None.

9. **GENERAL BUSINESS**

a. **SCHEDULING FISCAL YEAR 2020-21 BUDGET STUDY SESSION DATES**

The Interim Finance Director presented the staff report and requested City Council select dates to hold the budget study sessions.

A motion was made by Acosta, seconded by Angel and carried (5 - 0) to schedule the Fiscal Year 2020-21 budget study sessions for Monday, June 22, 2020 at 5:30 p.m., have an adjourned regular meeting Tuesday June 23, 2020 at 5:30 p.m. instead of a regular meeting at 6:00 p.m. and complete the budget study session after the adjourned regular meeting, and hold a public hearing for the Fiscal Year 2020-21 budget on Monday, June 29, 2020 at 5:30 p.m.

AYES: Councilmembers: Acosta, Angel, Delgado, Olmos, and Retamoza.
NAYS: None.

The City Manager announced there was public comment by the Parrino family, however, they were no longer on the line. The public comment was to request a handicap parking in front of Mr. Parrino's home to help him and his disabled wife find nearby parking and Public Works will work to expedite the request.

b. **CONSIDERATION OF RESOLUTION NO. 20-61, AMENDING THE TRAFFIC THRESHOLD OF SIGNIFICANCE FOR CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TO VEHICLE MILES TRAVELED (VMT) RATHER THAN LEVEL OF SERVICE (LOS)**

The Public Works Director presented the staff report.

A motion was made by Acosta, seconded by Delgado and carried (5 - 0) to adopt Resolution No. 20-61, finding that the action is exempt from CEQA and adopt the proposed thresholds of significance.

AYES: Councilmembers: Acosta, Angel, Delgado, Olmos, and Retamoza.

NAYS: None.

c. **CREATION OF THE SOUTH EL MONTE HOMELESS SERVICES COMMITTEE**

The City Manager presented the staff report.

In response to Councilmember Delgado's and Mayor Pro Tem Retamoza's questions, Councilmember Acosta stated the committee will have 5 or 7 members on a volunteer basis from the community, businesses, and City Councilmembers.

Councilmember Delgado recommended the committee be an advisory committee and also include church and school district representatives.

The City Manager suggested besides creating an advisory committee an at large committee also be created to invite everyone from the community and outside agencies to make a pledge to be a part of the committee.

Mayor Olmos allowed public comment.

Cesiah Romo, Community Services Commissioner, spoke in support of creating an advisory committee and inviting residents to join as she would be interested in becoming a member or assisting in the recruitment process.

The City Attorney recommended no more than two City Councilmembers be appointed to the advisory committee, however, if the committee is structured as a Brown Act Body all Councilmembers can attend the meetings and speak even if they are not members of the committee, and stated a resolution would be brought back to City Council to formalize the committee and review the the member selection process.

Staff was directed to bring back a staff report at the July 14, 2020 City Council meeting with a resolution to formalize the advisory committee.

10. **COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS**

Councilmember Acosta provided a report on his attendance at the Class of 2020 photo event.

Councilmember Angel provided a report on his attendance at the Class of 2020 photo event.

Councilmember Delgado a provided a report on his participation in the zoom meeting for Foothill Transit.

Mayor Pro Tem Retamoza provided a report on her attendance at the Class of 2020 photo event.

Mayor Olmos provided a report on her participation on zoom meetings with the San Gabriel Valley Council of Governments, SEAACA, Greater El Monte Hospital, Sanitation District, and Class of 2020 photo event.

11. **CORRESPONDENCE**

a. **CORRESPONDENCE FROM THE SOUTH EL MONTE HIGH SCHOOL CHEER SQUAD REQUESTING SPONSORSHIP FOR EQUIPMENT, DUE TO LACK OF FUNDING OPPORTUNITIES FROM COVID-19**

The City Manager presented the staff report.

In response to Councilmember Acosta's question, Councilmember Angel stated the sponsorship request is for providing an appreciation gift to the graduating seniors on the cheer squad.

A motion was made by Angel, seconded by Delgado and carried (5 - 0) to approve a \$500 sponsorship to the South El Monte High School Cheer Squad.

AYES: Councilmembers: Acosta, Angel, Delgado, Olmos, and Retamoza.
NAYS: None.

12. **COUNCILMEMBERS' AGENDA**

a. **MAYOR PRO TEM GRACIE RETAMOZA**

1. **Update on the Services Provided by Costar and HDL**

The Interim Finance Director provided an overview of the costs for services provided by HDL for business license tax, sales tax and transaction tax analysis, property tax analysis, and business license software.

The Public Works Director provided an overview of the cost for the economic development tool provided by Costar.

b. **COUNCILMEMBER MANUEL ACOSTA**

1. **Consideration of Sponsoring The El Monte Promise Foundation in collaboration with El Monte Union High School District to raise \$10,000 for graduation banners and signs recognizing the Class of 2020. Deadline is June 10, 2020.**

Mayor Olmos announced a \$2,000 donation was secured on behalf of the City for the cost of the Class of 2020 banners and signs.

c. **MAYOR GLORIA OLMOS**

1. **Discussion of waiving the traffic control fees of the \$1,600 for the cost of the Shively Middle School, Valle Lindo School District, 8th Grade Promotion Parade scheduled for Friday, June 12, 2020.**

A motion was made by Delgado, seconded by Angel and carried (5 - 0) to waive the traffic control fees of \$1,600 for the cost of the Shively Middle School, Valle Lindo School District, 8th Grade Promotion Parade scheduled for Friday, June 12, 2020.

AYES: Councilmembers: Acosta, Angel, Delgado, Olmos, and Retamoza.
NAYS: None.

2. **Set No Tolerance Policy & Procedures for any type of racial discrimination by law enforcement personnel assigned to South El Monte.**

Mayor Olmos gave her condolences to George's Floyd's family and spoke in favor of setting policies and procedures regarding racial discrimination and use of force for law enforcement personnel assigned to the City.

Captain Flores, Los Angeles County Sheriff's Department, spoke of presented an overview of the Sheriff's Department's policies and procedures to ensure accountability and avoid misconduct by deputies, the in-depth application and training process for new deputies, April 2019 through March 2020 Use of Force statistics, investigation of violations by Internal Affairs, invited the youth to join the Explorer's Program and the public to volunteer at community events and get to know the deputies, and stated the policies and procedures are made available to the public on their website.

Mayor Olmos requested staff place the Sheriff's Department manuals, policies and procedures on the City's website.

3. **Advise South El Monte businesses of the opportunity to partner with Greater El Monte Hospital to accommodate large groups for COVID-19 testing.**

Mayor Olmos stated Greater El Monte Hospital is receiving business groups of 20-25 people for COVID-19 testing, requiring advanced notice of two hours and the test results will be ready in 48 hours, which is beneficial because businesses will not have to lose an extensive amount of time to have their employees tested.

13. **CLOSED SESSION**

a. **CONFERENCE WITH LABOR NEGOTIATOR GOVERNMENT CODE SECTION 54957.6 City Negotiator: City Manager Employee Organizations: South El Monte Employees Association and the South El Monte Executive Management Team Association**

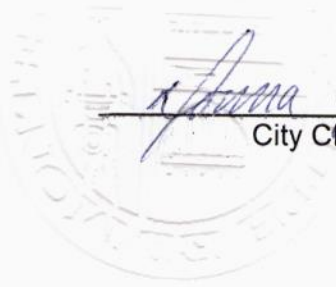
The City Attorney announced the City Council would recess to closed session to discuss the item listed on the agenda.

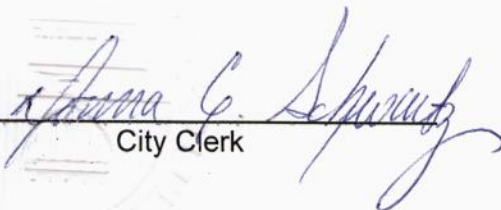
The City Council recessed to closed session at 9:33 and reconvened to open session at 9:55 p.m.

The City Attorney announced the City Council discussed the item listed on the agenda and there was no reportable action taken.

14. ADJOURNMENT

There being no further business coming before this body, Mayor Olmos adjourned the meeting at 9:55 p.m. to June 22, 2020 at 5:30 p.m. in memory of George Floyd.




City Clerk


Mayor