Gloria Olmos, Mayor
Rudy Bojorquez, Mayor Pro Tem
Manuel Acosta, Councilmember
Hector Delgado, Councilmember
Larry Rodriguez, Councilmember

Rene Salas, City Manager
Susie A. Altamirano, City Attorney
Adrian Garcia, City Clerk
Masami Higa, Director of Finance

CITY OF SOUTH EL MONTE

REGULAR MEETING OF THE SOUTH EL MONTE CITY COUNCIL

AGENDA

February 3, 2026, 6:00 PM
1415 Santa Anita Avenue, South El Monte, CA 91733

PUBLIC COMMENT

Those wishing to participate during Public Comment may do so in person at the South El Monte City Hall Council Chambers, or may submit written public comments by emailing sem.cityclerk@soelmonte.org. Emailed public comments are due by 5:00 p.m., and should be limited to no more than 250 words. Written public comments will be provided to the City Council and will be part of the record but will not be read aloud.

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/Meeting-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.

MEETINGS

The City Council holds regular meetings on the first and third 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 https://www.cityofsouthelmonte.org/129/Meeting-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:

Adrian Garcia, MMC, City Clerk
Ph (626) 443-4928
Cell (626) 926-3071

Sabrina A. Muhne, Deputy City Clerk
Ph (626) 652-3121
Cell (626) 374-1998

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 $500 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, Delgado, Rodriguez, Mayor Pro Tem Bojorquez, and Mayor Olmos

2. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Rudy Bojorquez

3. INVOCATION

Pastor Benjamin Garrett, Faith Dominion Church

4. PRESENTATIONS

4.a. Presentation of Certificates of Recognition to the South El Monte Community Outreach Church volunteers.

4.b. Presentation of Certificates of Recognition to the South El Monte High School Football team and coaches for their CIF win.

4.c. Presentation of Certificate of Recognition to Diana Manzano, Area D Coordinator, for her service to the City of South El Monte.

4.d. Presentation by Los Angeles County Fire Department Assistant Fire Chief Paul Stump.

4.e. Presentation by Los Angeles County Sheriff Department Captain Meza.

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 (CONTINUED)

7.a. CONSIDERATION AND APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF DECEMBER 2, 2025

Staff is requesting approval of Minutes for the December 2, 2025, Regular City Council Meeting.

RECOMMENDED ACTION: Staff is requesting approval of Minutes for the December 2, 2025, Regular City Council Meeting.

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 26-005, APPROVING WARRANTS FOR THE PERIOD OF JANUARY 15, THROUGH JANUARY 28, 2026

Authorizing payment of City expenditures for the period of January 15, 2026, through January 28, 2026, totaling $1,033,107.35.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 26-005, authorizing payment of City expenditures.

7.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 26-006, APPROVING FIRST AMENDMENT TO THE CONTRACT SERVICES AGREEMENT WITH COUNCIL FOR WATERSHED HEALTH FOR THE MERCED AVENUE GREENWAY PHASE II DESIGN PROJECT

The Merced Avenue Greenway Project in the City of South El Monte (“City”) 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. The City recently completed Phase I Improvements on Merced Avenue. Phase II of Merced Avenue Project focuses on the north segment of Merced Avenue between Rush St and Garvey Ave within City of South El Monte and El Monte). The proposed improvements include installation of infiltration galleries, construction of pervious concrete, connections to the existing storm drain system, roadway resurfacing, reconstruction of concrete curb ramps, reconstruction of non-compliant sidewalks and driveways, reconstruction of curb and gutter, construction of curb extensions, and planting along Merced Avenue between Fern Street and Garvey Avenue. The City recently received construction phase funds through Active Transportation Program (ATP Cycle 6). Staff recommends an amendment to the Contract Services Agreement with Council for Watershed Health, dated July 25, 2024, to finalize the required design for the ATP Cycle 6 additional scope, in the amount of $219,504.

Consent Calendar Agenda Item 7.c. Recommendation on next page.

CONSENT CALENDAR (CONTINUED)
Item 7.c.

RECOMMENDED ACTION: Staff recommends City Council:

1. Approve Resolution No. 26-006, approving First Amendment to the Contract Services Agreement with Council for Watershed Health (CWH), dated July 25, 2024, to increase the not-to-exceed contract sum in the amount of Two Hundred Nineteen Thousand Five Hundred Four Dollars ($219,504.00), for a new total not-to-exceed sum of One Million Five Hundred Eight Thousand Two Hundred Two Dollars ($1,508,202.00) and to extend the term of the agreement by one (1) year; and
2. Authorize City Manager or designee to negotiate and execute the amendment, approved as to form by the City Attorney.

8. PUBLIC HEARINGS

8.a. CONSIDERATION OF ORDINANCE 1286, AMENDING THE SOUTH EL MONTE MUNICIPAL CODE BY MODIFYING TITLE 15 THEREOF ADOPTING BY REFERENCE THE 2026 LOS ANGELES COUNTY BUILDING CODE (TITLE 26), ELECTRICAL CODE (TITLE 27), PLUMBING CODE (TITLE 28), MECHANICAL CODE (TITLE 29), RESIDENTIAL CODE (TITLE 30), GREEN BUILDING STANDARDS CODE (TITLE 31), AND EXISTING BUILDING CODE (TITLE 33), WHICH ADOPTS BY REFERENCE, WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

Second reading of an ordinance amending the South El Monte Municipal Code by modifying Title 15 thereof, adopting by reference the 2026 Los Angeles County Building Code.

RECOMMENDED ACTION: Staff recommends City Council adopt Ordinance No. 1286 (Attachment “A”) amending the South El Monte Municipal Code by modifying Title 15 thereof adopting by reference the 2026 Los Angeles County Building Code (Title 26), Electrical Code (Title 27), Plumbing Code (Title 28), Mechanical Code (Title 29), Residential Code (Title 30), Green Building Standards Code (Title 31), and Existing Building Code (Title 33), thereby adopting by reference Title 24 of the California Code of Regulations with certain amendments, additions and deletions thereto

8.b. CONSIDERATION OF FIRST READING OF ORDINANCE NO. 1287 AFFIRMING THE PLANNING COMMISSION’S RECOMMENDATION TO APPROVE ZONE TEXT AMENDMENT 25-01 TO AMEND THE SOUTH EL MONTE MUNICIPAL CODE CHAPTER 17.09 AND CHAPTER 5.26 TO ALLOW COMMERCIAL CANNABIS OPERATIONS IN THE MANUFACTURING ZONE AND TO AMEND THE EXISTING REQUIRED BUFFER DISTANCES FROM JURISDICTIONAL BOUNDARIES TO 350 FEET AND MAINTAIN 1,000 FOOT BUFFERS FROM ALL OTHER SENSITIVE USES

Public Hearing Agenda Item 8.b. continued on next page.

Consideration to introduce Ordinance No. 1287, affirming the Planning Commission's recommendation to approve zoning text amendment to the South El Monte Municipal Code Chapter 17.09 and Chapter 5.26 to allow commercial cannabis operations in the manufacturing zone and to amend the existing required buffer distances from jurisdictional boundaries to 350 feet and maintain 1,000-foot buffers from all other sensitive uses.

RECOMMENDED ACTION: Staff recommends City Council:

1. Conduct a public hearing;
2. Take public testimony;
3. Determine that Ordinance 1287 is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061 (b)(3) (Common Sense Exemption); and
4. Waive the full reading and introduce Ordinance No. 1287 by title only, approving Planning Commission's recommendation and adopting Zone Text Amendment No. 25-01 to:

- Amend the South El Monte Municipal Code Chapter 17.09 to allow retailer commercial cannabis operations as a permitted use within the Manufacturing (M) zone;
- Amend the South El Monte Municipal Code Chapter 5.26 to add the Manufacturing (M) zone as a permissible zone for retailer commercial cannabis operations and amend the existing required buffer distance of 1,000-foot buffer from all existing sensitive uses except for jurisdictional boundaries, the buffer of which will be 350 feet.

9. GENERAL BUSINESS

9.a. CONSIDERATION OF FIRST READING OF ORDINANCE NO. 1288, AMENDING CHAPTER 5.26 OF TITLE 5 OF THE SOUTH EL MONTE MUNICIPAL CODE THEREBY AMENDING THE CITY'S CANNABIS REGULATIONS IN RELATION TO APPLICATION PROCEDURE AND CRITERIA, PERMITTING AND OPERATIONAL REQUIREMENTS, AND MAKE SUCH OTHER CHANGES TO ALIGN WITH LEGAL DEVELOPMENTS

Staff is requesting City Council consider for adoption an ordinance amending Chapter 5.26 of Title 5 of the South El Monte Municipal Code, thereby amending the City's cannabis regulations, in relation to application procedure and criteria, permitting and operational requirements, clarification changes, and other changes in order to align with legal developments and to improve the administration thereof.

General Business Agenda Items 9.a. (Recommendation) through 9.e. next page.

RECOMMENDED ACTION: Staff recommends City Council:

1. Determine that Ordinance 1288 is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061 (b)(3) (Common Sense Exemption); and
2. Waive the full reading and introduce Ordinance No. 1288 by title only, amending Chapter 5.26 of Title 5 of the South El Monte Municipal Code, thereby amending the City's cannabis regulations, in relation to application procedure and criteria, permitting and operational requirements, clarification changes, and other changes in order to align with legal developments and to improve the administration thereof.

9.b. FISCAL 2025-26 MID-YEAR BUDGET REVIEW

RECOMMENDED ACTION: Staff recommend City Council discuss and provide direction to staff.

9.c. APPOINTMENT OF ADVANCEMENT OF WOMEN AND GIRLS COMMISSIONERS

Appointments to be made to the Advancement of Women and Girls Commission, which is a five-member commission. The current terms expired on January 31, 2026.

RECOMMENDED ACTION: Staff recommends City Council consider appointing five individuals seeking re-appointment/appointment to the Advancement of Women and Girls Commission for a one-year term ending January 31, 2027.

9.d. APPOINTMENT OF COMMUNITY SERVICES COMMISSIONERS

Appointments to be made to the Community Services Commission, which is a seven-member commission. The current terms expired on January 31, 2026.

RECOMMENDED ACTION: Staff recommends City Council consider appointing seven individuals seeking reappointment/appointment to the Community Services Commission for a one-year term ending January 31, 2027.

9.e. APPOINTMENT OF PATRIOTIC COMMISSIONERS

Appointments to be made to the Patriotic Commission, which is a five-member commission. The current terms expired on January 31, 2026.

RECOMMENDED ACTION: Staff recommends City Council consider appointing five individuals seeking re-appointment/appointment to the Patriotic Commission for a one-year term ending January 31, 2027.

General Business Agenda Item 9.f. next page.

GENERAL BUSINESS (CONTINUED)

9.f. APPOINTMENT OF PLANNING COMMISSIONERS

Appointments to be made to the Planning Commission, which is a five-member commission. The current terms expired on January 31, 2026.

RECOMMENDED ACTION: Staff recommends City Council consider appointing five individuals seeking reappointment/appointment to the Planning Commission for a one-year term ending January 31, 2027.

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

11.a. LETTER FROM THE VETERANS HUNTERS PROJECT ORGANIZATION REQUESTING A FACILITY FEE WAIVER FOR THE USE OF THE SOUTH EL MONTE SENIOR CENTER TO HOST A MILITARY DEPLOYMENT CEREMONY AND A MONETARY DONATION

The Veterans Hunters Project organization is requesting a facility fee waiver for the use of the Senior Center Dining Room to host a military deployment ceremony on Saturday, February 7, 2026 from 9:30 a.m. to 12:30 p.m. In addition, the organization is requesting a monetary donation of $300.00 to provide refreshments for the event.

RECOMMENDED ACTION: Staff recommends City Council discuss and consider:

1. The facility fee waiver request submitted by the Veterans Hunters Project organization for the use of the Senior Center Dining Room in the amount of $300.00;
2. The fee waiver request for the non-waived fees associated with the reservation in the amount of $899.00; and
3. A monetary donation of $300.00 to provide refreshments for the event.

11.b. LETTER FROM THE EM/SEM JETS ORGANIZATION REQUESTING A DONATION TO THEIR VOLUNTEERS AND PROGRAM

RECOMMENDED ACTION: Discussion and/or action.

Councilmembers' Agenda next page.

12. COUNCILMEMBERS' AGENDA

12.a. COUNCILMEMBER MANUEL ACOSTA

1. City Manager's Decision to Remove Public Safety Dept and Replace with Parking Enforcement Dept.
   Discussion/Action: On December 23, 2025, the city manager replaced the Public Safety Dept with a new Parking Enforcement Dept. What tasks and duties that were performed by the Public Safety dept will not be performed by the new Parking Enforcement dept? What are the advantages of removing the Public Safety dept?

12.b. COUNCILMEMBER HECTOR DELGADO

1. Consideration of a $5,000.00 donation to South El Monte High School's Varsity Football Team in support of their CIF Championship Run. Donation would help cover the cost of rings for student/athletes.

13. CLOSED SESSION

13.a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: Pursuant to Government Code Sections 54956.9(d)(2) and 54956.9(e)(1): one matter

14. ADJOURNMENT

NEXT REGULAR CITY COUNCIL MEETING:

Tuesday, February 17, 2026, at 6:00 p.m.

CERTIFICATION

I, Adrian Garcia, MMC, City Clerk of the City of South El Monte, or my designee, hereby certify under penalty of perjury that a true, accurate copy of the foregoing agenda was posted on this January 29, 2026, seventy-two (72) hours prior to the meeting per Government Code 54954.2 at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org.

Adrian Garcia, MMC

City Council Agenda Report
Agenda Item No. 4.a.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY:

SUBJECT: Presentation of Certificates of Recognition to the South El Monte Community Outreach Church volunteers.

SUMMARY:

RECOMMENDED ACTION:

FISCAL/FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENT(S):

None

City Council Agenda Report
Agenda Item No. 4.b.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY:

SUBJECT: Presentation of Certificates of Recognition to the South El Monte High School Football team and coaches for their CIF win.

SUMMARY:

RECOMMENDED ACTION:

FISCAL/FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENT(S):

None

City Council Agenda Report
Agenda Item No. 4.c.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY:

SUBJECT: Presentation of Certificate of Recognition to Diana Manzano, Area D Coordinator, for her service to the City of South El Monte.

SUMMARY:

RECOMMENDED ACTION:

FISCAL/FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENT(S):

None

City Council Agenda Report
Agenda Item No. 4.d.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY:

SUBJECT: Presentation by Los Angeles County Fire Department Assistant Fire Chief Paul Stump.

SUMMARY:

RECOMMENDED ACTION:

FISCAL/FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENT(S):

A. PowerPoint

LA County Fire Department



Presentation by
Assistant Fire Chief
Paul Stump

Our Community Commitment

Committed to protecting lives through education and outreach initiatives

The LA County Fire Department is dedicated to protecting lives and property through **education, outreach, and career development**. Our programs empower residents, support youth, and build a safer, more resilient community by fostering connections and encouraging proactive engagement in fire safety and emergency preparedness.





Fire Prevention Month

Community activities to enhance safety awareness.



Community Emergency Response Team (CERT)

Training residents for disaster preparedness.



Sidewalk CPR

Learn crucial life-saving techniques outdoors.



READY!SET!GO!

Preparing residents for wildfire evacuation.

Public Education Programs

Specialized Community Initiatives

Sirens of Silence

Inclusive emergency response for sensory sensitivities



Water Watcher

Promoting water safety for all ages



Baby Safe Surrender

Safe options for parents in crisis

BabySafeLA.org

BABY SAFE SURRENDER

No shame | No blame | No names





Explorer Program

Youth learn about firefighting careers.

Girls' Fire Camp

Empowering girls through fire training.

Junior Lifeguard

Training future beach safety leaders.

Beach Safety Days

Fun activities promoting safety awareness.

Youth Engagement & Career Pathways

Careers in the Fire Service

Pilot

Skilled pilots assist fire fighting missions from the air.



Dispatcher

Coordinate emergency responses and communications.



Mechanic

Repair and maintain fire apparatus and equipment.



Get Involved

Connect with the LA County Fire Department Today



WEBSITE

www.fire.lacounty.gov

EMAIL

Assistant Chief Paul Stump
paul.stump@fire.lacounty.gov

Herlinda Chico
Community Services Liaison
herlinda.chico@fire.lacounty.gov

PHONE

626.279.1321 Office
213.200.2204 Cell

City Council Agenda Report
Agenda Item No. 4.e.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY:

SUBJECT: Presentation by Los Angeles County Sheriff Department Captain Meza.

SUMMARY:

RECOMMENDED ACTION:

FISCAL/FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENT(S):

None

City Council Agenda Report
Agenda Item No. 7.a.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Adrian Garcia, MMC, City Clerk

SUBJECT: CONSIDERATION AND APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF DECEMBER 2, 2025

SUMMARY: Staff is requesting approval of Minutes for the December 2, 2025, Regular City Council Meeting.

RECOMMENDED ACTION: Staff is requesting approval of Minutes for the December 2, 2025, Regular City Council Meeting.

FISCAL/FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENT(S):

A. DRAFT Reg CC Minutes 12-02-25

CITY OF SOUTH EL MONTE
REGULAR CITY COUNCIL MEETING MINUTES
Tuesday, December 2, 2025 - 6:00 PM
1415 Santa Anita Avenue, South El Monte, California 91733

Mayor Olmos called the meeting to order at 6:13 P.M.

1. ROLL CALL

PRESENT: Councilmember(s): Acosta, Bojorquez, Rodriguez, Mayor Pro Tem Delgado, and Mayor Olmos

ABSENT: Councilmember(s): None

STAFF PRESENT: Rene Salas, City Manager; Susie A. Altamirano, City Attorney; Adrian Garcia, City Clerk; Ariana De La Cruz, Director of Community Services; Iyob Tessema, Director of Human Resources and Risk Management; and Sabrina Muhne, Deputy City Clerk.

Zoom was provided for the public to participate during Public Comment via teleconference.

2. PLEDGE OF ALLEGIANCE – Mayor Gloria Olmos led the Pledge of Allegiance.

3. INVOCATION – Pastor Patricia Garrett, Faith Dominion Church, offered the invocation.

4. PRESENTATIONS

4.a. Mayor and City Council presented Certificates of Recognition to the El Monte/South El Monte Jets Football teams for participation in the 2025 SGV Junior All-American Football Season.

4.b. *This item will be presented in January*.

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

Susie A. Altamirano, City Attorney, announced a Walk-On Agenda Item under Correspondence Agenda Item 11.a., “pursuant to Government Code 54954.2(b)(2), a Letter from VFW Post 10218 Requesting a Donation of $500 for their Holiday Events Serving Veterans with Food, Housing, and Needed Benefits, the letter is available at the dais and for the public to view at the side table.”

Motion by Mayor Pro Tem Delgado, seconded by Councilmember Rodriguez, to approve walking on the item. Motion passed by consensus.

APPROVAL OF THE AGENDA AND WAIVER OF FULL READING OF ORDINANCES (CONTINUED)

Motion by Councilmember Delgado, seconded by Councilmember Rodriguez, to approve the agenda. Motion passed 5-0, by the following vote:

AYES:	Councilmember(s):	Acosta, Bojorquez, Rodriguez, Mayor Pro Tem Delgado, and Mayor Olmos
NAYS:	Councilmember(s):	None
ABSENT:	Councilmember(s):	None

6. PUBLIC COMMENT

Mayor Olmos opened Public Comment.

1. Eduardo Saucedo congratulated the teams for their CIF Championship win, spoke on obedience with the Pledge of Allegiance and to the Bible, a 150-page investigative memo he sent to the City Clerk, expressed condolences for the councilmember who lost his father, and wished a Merry Christmas and Happy New Year.

2. Helen Kuan, Public Affairs Specialist, Los Angeles County Sanitation Districts, provided an overview of the district's services and how they protect public health in the environment.

3. Diana Rosas, South El Monte Acting Library Manager, spoke on December library programs, the bookmark contest winners, and holiday hours.

4. Danny Olmos, resident, expressed condolences to Mayor Pro Tem Delgado on the passing of his father.

5. John Ventura, resident, expressed condolences to Mayor Pro Tem Delgado on the passing of his father, expressed concerns on the agenda item regarding electioneering and campaign practices discussed at the last meeting, and wished a safe Merry Christmas and Happy New Year.

6. Pastor Patricia Garrett expressed condolences to Mayor Pro Tem Delgado on the passing of his father.

7. Pastor Ben Garrett expressed condolences to Mayor Pro Tem Delgado on the passing of his father.

There being no further public comments, Mayor Olmos closed Public Comment.

7. CONSENT CALENDAR

Motion by Councilmember Bojorquez, seconded by Mayor Pro Tem Delgado, to approve the Consent Calendar. Motion passed 5-0, by the following vote:

CONSENT CALENDAR (CONTINUED)

AYES:	Councilmember(s):	Acosta, Bojorquez, Rodriguez, Mayor Pro Tem Delgado, and Mayor Olmos
NAYS:	Councilmember(s):	None
ABSENT:	Councilmember(s):	None

7.a. Approved the Minutes for the November 4, 2025, Regular City Council Meeting.

7.b. Adopted Resolution No. 25-104, authorizing payment of City expenditures for the period of November 13, 2025, through November 26, 2025, totaling $1,371,060.50.

7.c. Introduced for first reading by title only and waived full reading of Ordinance No. 1286, amending the South El Monte Municipal Code by modifying Title 15 thereof adopting by reference the 2026 Los Angeles County Building Code (Title 26), Electrical Code (Title 27), Plumbing Code (Title 28), Mechanical Code (Title 29), Residential Code (Title 30), Green Building Standards Code (Title 31), and Existing Building Code (Title 33), thereby adopting by reference Title 24 of the California Code of Regulations with certain amendments, additions and deletions thereto, scheduled a public hearing for January 20, 2026, to consider adoption and second reading of the said Ordinance, and moved to read by title only and approved Urgency Ordinance No. 1285-U, amending the South El Monte Municipal Code by modifying Title 15 thereof adopting by reference the 2026 Los Angeles County Building Code (Title 26), Electrical Code (Title 27), Plumbing Code (Title 28), Mechanical Code (Title 29), Residential Code (Title 30), Green Building Standards Code (Title 31), and Existing Building Code (Title 33), thereby adopting by reference Title 24 of the California Code of Regulations with certain amendments, additions and deletions thereto.

7.d. Approved Resolution No. 25-105, adopting the City of South El Monte Policy Manual.

7.e. Adopted Resolution No. 25-106, accepting the DOJ Tobacco Grant, and authorized the City Manager to execute any and all documents necessary to further the award acceptance and compliance with the terms of the grant.

8. PUBLIC HEARINGS – None

9. GENERAL BUSINESS

9.a. SELECTION OF MAYOR PRO TEM

Mayor Olmos introduced the item, and Adrian Garcia, City Clerk, provided a report.

Mayor Olmos nominated Councilmember Acosta.

Councilmember Rodriguez nominated Councilmember Bojorquez, seconded by Mayor Pro Tem Delgado.

Motion by Councilmember Rodriguez, seconded by Mayor Pro Tem Delgado, to select Councilmember Bojorquez as Mayor Pro Tem. Motion passed 3-2, by the following vote:

AYES:	Councilmember(s):	Bojorquez, Rodriguez, and Mayor Pro Tem Delgado
NAYS:	Councilmember(s):	Acosta, and Mayor Olmos
ABSENT:	Councilmember(s):	None

9.b. CONSIDERATION AND APPROVAL OF APPOINTMENT/RE-APPOINTMENT OF REPRESENTATIVE TO THE GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT BOARD OF TRUSTEES

Motion by Councilmember Rodriguez, seconded by Mayor Pro Tem Bojorquez, to appoint Councilmember Delgado as representative to the Greater Los Angeles County Vector Control District Board of Trustees with a two-year term. Motion passed 5-0, by the following vote:

AYES:	Councilmember(s):	Acosta, Delgado, Rodriguez, Mayor Pro Tem Bojorquez, and Mayor Olmos
NAYS:	Councilmember(s):	None
ABSENT:	Councilmember(s):	None

9.c. CONSIDERATION AND APPROVAL OF THE CITY'S 2026 SPECIAL EVENTS CALENDAR

Mayor Olmos introduced the item, and Ariana De La Cruz, Director of Community Services, provided a report.

Mayor and City Council requested that the 4th of July Celebration be moved back to New Temple Park.

Staff was directed to further research the speaker timing and agenda format for the State of the City and to provide a proposed program, to conduct more outreach to promote the National Day of Prayer to all denominations, and to quarterly adjust the Meet & Greet hours around Daylight Saving Time.

Motion by Councilmember Delgado, seconded by Mayor Pro Tem Bojorquez, to approve the City’s 2026 Special Events Calendar as amended. Motion passed 5-0, by the following vote:

AYES:	Councilmember(s):	Acosta, Delgado, Rodriguez, Mayor Pro Tem Bojorquez, and Mayor Olmos
NAYS:	Councilmember(s):	None
ABSENT:	Councilmember(s):	None

10. COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS

Councilmember Acosta announced he attended the following: the Annual 5K Turkey Dash & 1K Trot, the Tree Lighting Ceremony, the Thanksgiving Annual Boxing Show, the South El Monte Community Outreach Church turkey giveaway, the El Monte/South El Monte Gives Thanks food drive and turkey giveaway event with Faith Dominion Church, and the CIF Southern Section Division 14 South El Monte High School Varsity Football Championship game.

Councilmember Bojorquez announced he attended the following: Supervisor Hilda Solis' Annual Operation Gobble Gobble turkey giveaway, a turkey giveaway to the seniors at the Senior Center, the Annual 5K Turkey Dash & 1K Trot, Assemblymember Lisa Calderon's Holiday Toy Drive, and the Tree Lighting Ceremony.

Mayor Pro Tem Delgado announced he had nothing to report, but shared that he had received a number of phone calls complimenting the Tree Lighting Ceremony.

Councilmember Rodriguez announced he attended the following: the Tree Lighting Ceremony, Supervisor Hilda Solis' Annual Operation Gobble Gobble turkey giveaway, the South El Monte Community Outreach Church turkey giveaway, the El Monte/South El Monte Gives Thanks food drive and turkey giveaway event with Faith Dominion Church, thanked the library, and expressed condolences to Mayor Pro Tem Delgado on the passing of his father.

Mayor Olmos announced she attended the following: the Los Angeles County Sanitation District No. 15 Board of Directors Regular Meeting, the CIF Southern Section Division 14 South El Monte High School Varsity Football Championship game, the Greater El Monte Community Hospital Board Meeting, the Healthy South El Monte Leadership Council, the San Gabriel Valley Council of Governments (SGVCOG) Transportation Committee Meeting, the SGVCOG Olympic & Paralympic Games Ad Hoc Committee Meeting, the Annual 5K Turkey Dash & 1K Trot, the Thanksgiving Annual Boxing Show, the Senior Center Thanksgiving Luncheon, the South El Monte Community Outreach Church turkey giveaway, the El Monte/South El Monte Gives Thanks food drive and turkey giveaway event with Faith Dominion Church, and the Tree Lighting Ceremony.

11. CORRESPONDENCE

11.a. LETTER FROM VFW POST 10218 REQUESTING A DONATION OF $500 FOR THEIR HOLIDAY EVENTS SERVING VETERANS WITH FOOD, HOUSING, AND NEEDED BENEFITS

CORRESPONDENCE (CONTINUED)
Item 11.a.

Motion by Councilmember Rodriguez, seconded by Councilmember Acosta, to approve a donation of $500 to VFW Post 10218. Motion passed 5-0, by the following vote:

AYES:	Councilmember(s):	Acosta, Delgado, Rodriguez, Mayor Pro Tem Bojorquez, and Mayor Olmos
NAYS:	Councilmember(s):	None
ABSENT:	Councilmember(s):	None

12. COUNCILMEMBERS' AGENDA

12.a. COUNCILMEMBER MANUEL ACOSTA

1. Donate $10,000 to Marian Outreach at Epiphany Church in South El Monte.

Discussion/Action: Marian Outreach serves between 70 to 80 families, comprising of more than 260 individuals, with weekly food distribution within the South El Monte community. Given current economic conditions and the present uncertainty of government programs, food insecurity is keenly felt by our families. Lately, there has been a surge of more families coming to their door for assistance. A $10,000 donation will help them continue serving our families in need. Marian Outreach is a 501(c)3 non-profit corporation.

Discussion topics included the organizations' membership with the Sisters of Saint Vincent de Paul, their 501(c)(3) non-profit status, distribution days and times, a letter verifying the organization's information, staff verifying their nonprofit status, receiving more support from agencies in the area that address food insecurities, the organization's location being at Epiphany Catholic Church, and their focus on South El Monte residents.

Motion by Councilmember Acosta, seconded by Councilmember Delgado, to donate $10,000 to Marian Outreach at Epiphany Church in South El Monte, pending a letter stating its non-profit status, an introduction of the Director, and hours and days. Motion passed 5-0, by the following vote:

AYES:	Councilmember(s):	Acosta, Delgado, Rodriguez, Mayor Pro Tem Bojorquez, and Mayor Olmos
NAYS:	Councilmember(s):	None
ABSTAIN:	Councilmember(s):	None

13. CLOSED SESSION – None

14. ADJOURNMENT

There being no further business coming before this body, at 8:09 p.m., Mayor Olmos adjourned the meeting in memory of Rosario Delgado, resident, to a Regular City Council Meeting on Tuesday, January 20, 2025, at 6:00 p.m.

Minutes prepared by Sabrina A. Muhne, Deputy City Clerk.

_____	_____
Adrian Garcia, MMC, City Clerk	Gloria Olmos, Mayor

DRAFT

City Council Agenda Report
Agenda Item No. 7.b.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Masami Higa, Director of Finance

SUBJECT: CONSIDERATION AND APPROVAL OF RESOLUTION NO. 26-005, APPROVING WARRANTS FOR THE PERIOD OF JANUARY 15, THROUGH JANUARY 28, 2026

SUMMARY: Authorizing payment of City expenditures for the period of January 15, 2026, through January 28, 2026, totaling $1,033,107.35.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 26-005, authorizing payment of City expenditures.

FISCAL/FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENT(S):

A. Resolution No. 26-005
B. 2.3.26 Warrant Register

ATTACHMENT A

RESOLUTION NO. 26-005

A RESOLUTION OF THE SOUTH EL MONTE CITY COUNCIL ALLOWING CERTAIN CLAIMS AND DEMANDS FOR THE PERIOD OF JANUARY 15, 2026, THROUGH JANUARY 28, 2026, TOTALING $1,033,107.35.

THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1: That in accordance with Section 37202 of the Government Code, the Finance Director hereby certifies to the accuracy of the following demands and the availability of funds for payment thereof.

_____
Finance Director

SECTION 2: That the following claims and demands have been audited as required by law and that the same are hereby allowed in the amount hereafter set forth.

	CLAIMANT	CLAIM PERIOD	WARRANT #'S	AMOUNT
FY 25/26	Electronic Warrants	1/15/26-1/28/26	DFT0003294-3363	$179,528.74
FY 25/26	Regular Warrants	1/15/26-1/28/26	17819-17923	$483,226.55
Payroll	Direct Deposit	PPE 1/8/26	11882-12025	$176,995.17
Payroll	Check	PPE 1/8/26	2299-2307	$4,016.93
Payroll	Direct Deposit	PPE 1/22/26	12026-12146	$184,921.18
Payroll	Check	PPE 1/22/26	2308-2311	$4,418.78

TOTAL EXPENDITURES RESOLUTION NO. 26-005 $1,033,107.35.

PASSED, APPROVED, AND ADOPTED this 3rd day of February 2026.

_____
Gloria Olmos, Mayor

ATTEST:

_____
Adrian Garcia, MMC, City Clerk

Attachment: Exhibit A – Expense Report

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF SOUTH EL MONTE)

I, Adrian Garcia, MMC, City Clerk of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 26-005, was duly passed and approved by the City Council of the City of South El Monte at a regular meeting of said Council held on the 3rd day of February 2026, and that said Resolution was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Adrian Garcia, MMC, City Clerk

ATTACHMENT B

South El Monte, CA

Warrant Register

City Council Meeting 2/3/26

Payable Dates 1/15/2026 - 1/28/2026

Account Number	Vendor Name	Payment Number	Payment Date	Description (Item)	Amount
68.0900.9000.6025	LOC, INC	17819	01/14/2026	OCT'25 DESIGN SUB CONTRACT#252	3,454.10
68.0900.9020.6025	LOC, INC	17819	01/14/2026	DEC'25 NTP ARCHITECT/SSA #252	3,000.00
01.0120.1210.5919	SAN GABRIEL VALLEY TRIBUNE	17830	01/14/2026	Legal Notice Ad	274.96
01.0120.1210.5933	SOCAL SHRED LLC	17834	01/14/2026	Destruction of Records	55.00
01.0151.1541.5215	DUANE TAKAYAMA	17855	01/15/2026	Youth Basketball Officials Fee	140.00
01.0000.0000.2270	STATE OF CA FRANCHISE TAX BOARD	17858	01/15/2026	A. REYES #1108750878	8.15
15.0450.4510.6025	TAYLOR TENNIS COURTS, INC	17859	01/15/2026	PO 00201 NTP BASKET BALL IMPROVMENT	35,500.00
01.0151.1541.5215	VIEN HO	17860	01/15/2026	Youth Basketball Officials Fee	140.00
01.0151.1541.5215	YASMANY JESUS REAL	17862	01/15/2026	Youth Basketball Officials Fee	280.00
01.0140.1430.5215	JIMMY CURREN	17863	01/15/2026	WIRE AND PANEL REPAIR AT 11102 FARNDON ST	1,325.56
01.0151.1541.5956	ALL STAR ELITE SPORTS	17864	01/22/2026	Youth basketball Uniforms	6,205.15
01.0150.1530.5952	BALTAZAR ESTRADA	17865	01/22/2026	Entertainment for Valentine Luncheon	500.00
01.0151.1541.5215	JATHSON RUIZ	17866	01/22/2026	Youth basketball officials fee	140.00
01.0151.1541.5215	JOSHUA MORENO	17867	01/22/2026	Youth Basketball Officials Fee	245.00
01.0151.1541.5215	KEVIN VAROS	17868	01/22/2026	Youth Basketball Officials Fee	105.00
01.0151.1541.5215	MIGUEL MURRIETA	17869	01/22/2026	Youth Basketball Officials Fee	140.00
01.0151.1541.5215	MIGUEL MURRIETA	17869	01/22/2026	Youth Basketball Officials Fee	140.00
01.0140.1430.5406	REGISTRAR-RECORDER/COUNTY CLERK	17870	01/22/2026	RECORDING FEE FOR LIEN RELEASE - 10105 SCHMIDT RD	20.00
01.0151.1541.5215	ROBERT MORENO	17871	01/22/2026	Youth basketball Officials Fee	105.00
01.0151.1541.5215	ROMAN GALLARDO JR.	17872	01/22/2026	Youth Basketball Officials Fee	70.00
01.0151.1541.5215	VIEN HO	17873	01/22/2026	Youth Basketball officials Fee	70.00
01.0170.1750.5215	WEST COAST ARBORISTS, INC	17874	01/22/2026	10/16-10/31 PARK TREES	12,722.70
01.0151.1541.5215	YAID MORENO	17875	01/22/2026	Youth basketball officials fee	140.00
01.0151.1541.5215	YASMANY JESUS REAL	17876	01/22/2026	Youth Basketball Officials Fee	105.00
36.0360.3600.5204	ADREAN FLORES	17877	01/28/2026	DEC'25 H.C MEETING ATTENDANCE	150.00
01.0150.1540.5951	BASE HILL, INC.	17878	01/28/2026	12/6 RENTAL CLEAN UP	240.00
01.0170.1020.5515	BASE HILL, INC.	17878	01/28/2026	CHALL MAT CLEANING	200.00
01.0150.1510.5406	BROTHERS AWARDS & TROPHIES	17879	01/28/2026	Holiday Home Decorating Plaques	132.90
01.0140.1440.5215	BUREAU VERITAS NORTH AMERICAN INC.	17880	01/28/2026	NOV. '25 - BLDG INSPECTOR SVCS.	6,814.50
01.0000.0000.2510	BUREAU VERITAS NORTH AMERICAN INC.	17880	01/28/2026	NOV. '25 - DEDICATED INSPECTOR FOR KB HOME	3,360.00

Account Number	Vendor Name	Payment Number	Payment Date	Description (Item)	Amount
01.0140.1440.5215	BUREAU VERITAS NORTH AMERICAN INC.	17880	01/28/2026	DEC. '25 - BLDG OFFICIAL SVCS.	155.00
01.0000.0000.2510	BUREAU VERITAS NORTH AMERICAN INC.	17880	01/28/2026	DEC. '25 - DEDICATED BLDG INSPECTOR FOR KB HOME	840.00
01.0140.1440.5215	BUREAU VERITAS NORTH AMERICAN INC.	17880	01/28/2026	DEC. '25 - BLDG INSPECTOR SVCS.	8,489.15
01.0130.1330.5931	COSTAR REALTY INFORMATION, INC	17881	01/28/2026	JAN. '26 - SOFTWARE LICENSE	395.00
01.0160.1620.5520	DDC ELECTRIC SUPPLY, INC.	17882	01/28/2026	ELEC SUPPLIES FOR SCTR	880.30
01.0151.1543.5430	DDC ELECTRIC SUPPLY, INC.	17882	01/28/2026	WORLD CUP SUPPLIES @ KRUSE	1,435.96
01.0170.1710.5520	DIXIE DIESEL & ELECTRIC	17883	01/28/2026	EOC 2026 GENERATOR MNTC	1,126.01
06.0300.3010.5430	DRIFTWOOD DAIRY, INC	17884	01/28/2026	Congregate Program	268.32
06.0300.3020.5430	DRIFTWOOD DAIRY, INC	17884	01/28/2026	Home Delivered Program	29.81
06.0300.3010.5430	DRIFTWOOD DAIRY, INC	17884	01/28/2026	Congregate Program	279.05
06.0300.3020.5430	DRIFTWOOD DAIRY, INC	17884	01/28/2026	Home Delivered Program	31.00
01.0150.1530.5430	EL MONTE PRINTING	17885	01/28/2026	Business Cards for Staff	132.90
44.0800.8010.5406	EL MONTE PRINTING	17885	01/28/2026	Business Cards for Staff	132.90
01.0140.1440.5406	EL MONTE PRINTING	17885	01/28/2026	DEPT. SUPPLIES	55.38
15.0450.4510.6025	EWING IRRIGATION	17886	01/28/2026	NTP IRR IMPROV PROJ	511.29
15.0450.4510.6025	EWING IRRIGATION	17886	01/28/2026	NTP IRRIGATION SYSTEM IMPROV	2,023.82
44.0800.8010.5525	FORD MOTOR COMPANY	17887	01/28/2026	5 YR SOFTWARE PLAN EV CHARGERS	4,313.90
68.0900.9000.5968	GENTRY BROTHERS INC	17888	01/28/2026	DEC'25 CONSTRUCTION SVCS #407	6,859.00
01.0120.1210.5406	GLADWELL GOVERNMENTAL SERVICES, INC	17889	01/28/2026	Legal Review for Retention Records FY 25-26	350.00
01.0140.1410.5204	GRACIE H. RETAMOZA	17890	01/28/2026	JAN '26 - ATTENDED PC MEETING	150.00
06.0300.3010.5215	HUNTINGTON CULINARY	17891	01/28/2026	Congregate Program	4,025.00
06.0300.3020.5215	HUNTINGTON CULINARY	17891	01/28/2026	Home Delivered Program	562.65
06.0300.3010.5215	HUNTINGTON CULINARY	17891	01/28/2026	Congregate Program	6,267.50
06.0300.3020.5215	HUNTINGTON CULINARY	17891	01/28/2026	Home Delivered Program	695.75
01.0140.1410.5204	JACQUELINE RUBIO	17892	01/28/2026	JAN '26 - ATTENDED PC MEETING	150.00
37.0670.6720.5977	JCL TRAFFIC SERVICES	17893	01/28/2026	ST SIGNS ST/RD MNTC	182.77
37.0670.6720.5977	JCL TRAFFIC SERVICES	17893	01/28/2026	ST SIGNS ST/RD MNTC	2,888.03
01.0140.1410.5204	JEFFREY MICHAEL ORTIZ	17894	01/28/2026	JAN '26 - ATTENDED PC MEETING	150.00
01.0100.1030.5215	JL GROUP, LLC	17895	01/28/2026	JUL'25 THRU DEC'25 PROFESSIONAL SERVICES	19,073.63
01.0170.1475.5215	JOHN L. HUNTER AND ASSOCIATES, INC.	17896	01/28/2026	NOV. '25 - IW PGRM SVCS.	4,438.00
70.0900.9020.5215	JOHN L. HUNTER AND ASSOCIATES, INC.	17896	01/28/2026	NOV. '25 - NPDES PGRM SVCS.	3,747.75
01.0170.1475.5215	JOHN L. HUNTER AND ASSOCIATES, INC.	17896	01/28/2026	NOV. '25 - LAND DEVE. PGRM SVCS.	2,721.00
01.0170.1720.5406	JORGE A PULIDO ARRIERO	17897	01/28/2026	3 Five Gallon Drinking Water for Code/PSO	24.96
01.0170.1720.5406	JORGE A PULIDO ARRIERO	17897	01/28/2026	1/21 WATER DELIVERY @ YARD	64.40
01.0140.1410.5204	KENNETH EUEKHEANG TANG	17899	01/28/2026	JAN '26 - ATTENDED PC MEETING	150.00
01.0140.1410.5204	LEONEL A. BARRERA JR	17900	01/28/2026	JAN '26 - ATTENDED PC MEETING	150.00
01.0130.1310.5913	MERCHANT COST CONSULTING, LLC	17901	01/28/2026	DEC'25 BILLING BANK CHARGES	327.75
01.0150.1530.5952	NELSON COMPANIES SPECIAL HOLDING 1, LLC	17903	01/28/2026	Christmas and New Year Luncheon Event Decor	652.39
01.0150.1530.5952	NELSON COMPANIES SPECIAL HOLDING 1, LLC	17903	01/28/2026	Helium Refill - Special Events.	320.00

Account Number	Vendor Name	Payment Number	Payment Date	Description (Item)	Amount
01.0100.1030.5215	OLIVAREZ MADRUGA LAW ORGANIZATION, LLP	17904	01/28/2026	DEC'25 CITY COUNCIL PROF. SERVICES	32,831.68
01.0100.1030.5215	OLIVAREZ MADRUGA LAW ORGANIZATION, LLP	17904	01/28/2026	DEC'25 CITY MANAGER PROF. SERVICES	873.20
01.0100.1030.5215	OLIVAREZ MADRUGA LAW ORGANIZATION, LLP	17904	01/28/2026	DEC'25 CITY CLERK PROF. SERVICES	2,346.00
01.0100.1030.5215	OLIVAREZ MADRUGA LAW ORGANIZATION, LLP	17904	01/28/2026	DEC'25 COMMUNITY SVCS. PROF. SERVICES	319.00
01.0170.1740.5435	OMEGA INDUSTRIAL SUPPLY, INC.	17905	01/28/2026	GRAFFITI REMOVER BUILDINGS/PARK	994.34
01.0150.1530.5952	PARTY PRONTO	17906	01/28/2026	Table & Chairs Rental for Valentine Luncheon	1,011.00
15.0450.4510.6025	R. J. THOMAS MANUFACTURING COMPANY, INC.	17907	01/28/2026	New Temple Park Picnic Tables	7,296.08
01.0170.1020.5956	RED DOT UNIFORMS	17908	01/28/2026	PW UNIFORM JACKET	63.50
36.0360.3600.5204	RUDY LEIJA	17909	01/28/2026	JAN'26 H.C MEETING ATTENDANCE	150.00
01.0130.1310.5280	SECTRAN SECURITY INC.	17910	01/28/2026	JAN'25 ARMORED SVCS	224.60
01.0100.1010.5914	SGV ECONOMIC PARTNERSHIP	17911	01/28/2026	FY'26-27 SGVEP ANNUAL MEMBERSHIP	6,000.00
36.0360.3600.5204	SHANNON RT THAI	17912	01/28/2026	JAN'26 H.C MEETING ATTENDANCE	150.00
36.0360.3600.5204	SHANNON RT THAI	17912	01/28/2026	DEC'25 H.C MEETING ATTENDANCE	150.00
37.0670.6720.5977	SOUTHEAST CONSTRUCTION PRODUCTS,INC	17913	01/28/2026	ST/RD MNTC SUPPLIES	319.85
37.0670.6720.5977	SOUTHEAST CONSTRUCTION PRODUCTS,INC	17913	01/28/2026	RAPID SET GROUNT	35.88
37.0670.6720.5977	SOUTHEAST CONSTRUCTION PRODUCTS,INC	17913	01/28/2026	ST/RD MNTC SUPPLIES	78.85
37.0670.6720.5977	SOUTHEAST CONSTRUCTION PRODUCTS,INC	17913	01/28/2026	ST/RD MNTC MERCED	51.50
01.0151.1543.5430	SOUTHEAST CONSTRUCTION PRODUCTS,INC	17913	01/28/2026	TRIP HAZARD GROUT	35.88
01.0170.1760.5540	SOUTHEAST CONSTRUCTION PRODUCTS,INC	17913	01/28/2026	SAND @ FIRE STATION	93.01
01.0151.1545.5499	SUNBELT RENTALS, INC.	17914	01/28/2026	4 SEAT RENTAL SANTA SLED	883.73
01.0151.1545.5499	SUNBELT RENTALS, INC.	17914	01/28/2026	4 SEAT RENTAL SANTA SLED	589.75
06.0300.3010.5430	SUPERIOR WAREHOUSE GROCERS	17915	01/28/2026	Congregate Program	75.33
06.0300.3020.5430	SUPERIOR WAREHOUSE GROCERS	17915	01/28/2026	Home Delivered Program	8.37
06.0300.3010.5430	SUPERIOR WAREHOUSE GROCERS	17915	01/28/2026	Congregate Program	80.36
06.0300.3020.5430	SUPERIOR WAREHOUSE GROCERS	17915	01/28/2026	Home Delivered Program	8.92
06.0300.3010.5430	SUPERIOR WAREHOUSE GROCERS	17915	01/28/2026	Congregate Program	139.85
06.0300.3020.5430	SUPERIOR WAREHOUSE GROCERS	17915	01/28/2026	Home Delivered Program	15.53
01.0000.0000.4250	SYNERGIES COMPANY	17916	01/28/2026	Duplicate Application	125.24
44.0800.8020.5215	TLC LUXURY LLC	17917	01/28/2026	Farmers Market on 1-23-26	1,512.00
01.0130.1330.5715	T-MOBILE USA INC	17918	01/28/2026	12/21/25 - 1/20/26 - CITY CELL PHONES	1,316.42
68.0900.9000.5968	TORO ENTERPRISES, INC	17919	01/28/2026	SEP'25 CON/ATP5#110	93,085.10
68.0900.9000.5968	TORO ENTERPRISES, INC	17919	01/28/2026	SEP'25 CON RET/ATP5#110	(4,654.25)
68.0900.9000.5968	TORO ENTERPRISES, INC	17919	01/28/2026	OCT'25 CON RET/ATP5#110	(1,968.26)
68.0900.9000.5968	TORO ENTERPRISES, INC	17919	01/28/2026	OCT'25 CON/ATP5#110	39,365.29
68.0900.9000.5968	TORO ENTERPRISES, INC	17919	01/28/2026	NOV'25 CON RET/ATP5#110	(911.24)
68.0900.9000.5968	TORO ENTERPRISES, INC	17919	01/28/2026	NOV'25 CON/ATP5#110	18,224.75
68.0900.9000.5968	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	OCT'25 LABOR COMPL MGRWY#407	78.00
68.0900.9000.5968	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	OCT'25 LABOR COMPL MGRWY#407	780.00
68.0900.9000.5968	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	OCT'25 CON MGMT MGRWY#407	1,595.00

Account Number	Vendor Name	Payment Number	Payment Date	Description (Item)	Amount
68.0900.9000.5968	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	OCT'25 CON MGMT MGRWY#407	700.00
68.0900.9000.5968	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	OCT'25 PJT MGMTGRWYii#408	600.00
01.0170.1105.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 PRGM MGMT#140	973.25
01.0170.1105.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 ADM SVCS. #607	3,913.25
68.0900.9000.5968	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 CON MGMT/MGRWY#407	3,640.00
68.0900.9000.5968	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 PJT MGMT/MGRWY II#408	900.00
01.0170.1105.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 PROF SVCS/ADM#110	4,274.09
01.0170.1105.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 LABOR COMPL/PJT MGMT#607	4,684.10
68.0900.9000.6025	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 LABOR COMPL SVCS#252	1,311.00
01.0140.1440.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV. '25 - BLDG OFFICIAL SVCS.	2,625.00
01.0000.0000.2510	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV. '25 - DEDICATED INSPECTOR FOR KB HOME	1,463.00
01.0170.1105.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 MTHLY ENG SVCS.	20,232.00
01.0140.1440.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 PLAN CHECKS	7,730.62
01.0170.1105.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 TRF 11134 RUSH	581.25
01.0170.1105.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 TRF FUNCTIONAL CLS VERF	1,674.00
01.0170.1105.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	NOV'25 TRF SEMHS CIRCULATION REVIEW	1,666.25
01.0140.1440.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	DEC. '25 - BLDG PLAN CHECK SVCS.	65,543.18
01.0140.1440.5215	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	DEC. '25 - BLDG. OFFICIAL SVCS.	612.50
01.0000.0000.2510	TRANSTECH ENGINEERING, INC.	17920	01/28/2026	DEC. '25 - DEDICATED PERMIT TECH FOR KB HOMES	1,771.00
01.0130.1310.5906	VASQUEZ & COMPANY LLP	17921	01/28/2026	PROGRESS BILLING THRU 12/31/25	3,029.00
01.0170.1710.5520	WATER CHEMISTS,DIV. OF CCI CHEMICAL	17922	01/28/2026	1/15 H2O Treatment	440.41
01.0170.1710.5520	WCC TECHNOLOGIES GROUP	17923	01/28/2026	INTERNET REPAIRS @CHALL	655.00
02.0170.1760.5550	ATHENS SERVICES	DFT0003294	01/07/2026	JAN'26 STREET SWEEPING	7,499.17
01.0120.1210.5406	AMAZON CAPITAL SERVICES, INC	DFT0003316	01/13/2026	Office Supplies	34.15
01.0130.1330.5215	CHARTER COMMUNICATIONS HOLDINGS, LLC	DFT0003319	01/13/2026	12/30/25 - 1/29/26 1819 CENTRAL AVE	101.23
01.0170.1730.5710	SOUTHERN CALIFORNIA EDISON	DFT0003327	01/13/2026	11/29-12/29/25 TYLER AVE PED	3.50
01.0151.1541.5430	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	Youth Basketball Supplies and Equipment	109.15
01.0100.1050.5406	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	TOUCHSCREEN MONITOR / HR	288.51
01.0160.1610.5520	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	CCTR RESTROOM REPAIRS	248.62
01.0150.1530.5952	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	Valentine Luncheon Items: Decor	401.26
01.0120.1210.5406	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	Office supplies	85.17
01.0151.1541.5430	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	Youth Basketball Supplies and Equipment	33.14
01.0130.1310.5406	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	2026 CALENDER	14.96
01.0150.1540.5406	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	Dept. Supplies - Laptop Accessories	121.25
01.0160.1640.5520	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	POOL SHOWER VALVES	1,029.35
01.0150.1530.5952	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	Teddy Bears for Valentine Luncheon (Grams)	63.12
01.0151.1541.5430	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	Youth Basketball Supplies and Equipment	44.41
01.0150.1530.5430	AMAZON CAPITAL SERVICES, INC	DFT0003329	01/22/2026	Supplies for February Social Galantines	152.52
01.0130.1330.5215	CHARTER COMMUNICATIONS HOLDINGS, LLC	DFT0003330	01/22/2026	1/7 - 2/6/26 2028 CENTRAL AVE	145.00

Account Number	Vendor Name	Payment Number	Payment Date	Description (Item)	Amount
01.0100.1020.5916	QUADIENT LEASING USA, INC.	DFT0003331	01/22/2026	1/5 - 1/13/26 POSTAGE CHARGES	2,939.97
01.0100.1020.5916	QUADIENT LEASING USA, INC.	DFT0003331	01/22/2026	9/16 - 10/9/25 POSTAGE CHARGES	2,119.22
01.0100.1020.5916	QUADIENT LEASING USA, INC.	DFT0003331	01/22/2026	10/14 - 11-12/25 POSTAGE CHARGES	2,609.22
01.0100.1020.5916	QUADIENT LEASING USA, INC.	DFT0003331	01/22/2026	11/13 - 12/10/25 POSTAGE CHARGES	2,817.47
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003332	01/22/2026	1/1 - 2/1/26 1415 SANTA ANITA AVE	79.92
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003332	01/22/2026	1/1 - 2/1/26 1900 CENTRAL AVENUE	119.87
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003333	01/22/2026	11/21 - 12/29/25 1415 SANTA ANTIA AVENUE	524.68
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003333	01/22/2026	11/21 - 12/29/25 1341 ISLAND/SANTA ANITA	76.79
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003333	01/22/2026	11/21 - 12/29/25 1556 CENTRAL AVENUE	420.65
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003333	01/22/2026	11/21 - 12/29/25 1402 LERMA	430.56
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003333	01/22/2026	11/21 - 12/29/25 1450 LIDCOMBE AVENUE	432.13
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003333	01/22/2026	11/21 - 12/29/25 1530 CENTRAL AVENUE	445.42
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003333	01/22/2026	11/21 - 12/29/25 1819 CENTRAL AVENUE	470.20
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003333	01/22/2026	11/21 - 12/29/25 1500 CENTRAL AVENUE	673.31
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003333	01/22/2026	11/21 - 12/29/25 1450 LIDCOMBE AVENUE	1,451.35
01.0140.1440.5406	AMAZON CAPITAL SERVICES, INC	DFT0003339	01/28/2026	DEPT. SUPPLIES	33.37
01.0170.1750.5520	AMAZON CAPITAL SERVICES, INC	DFT0003339	01/28/2026	LANDSCAPE MNTC SUPPS	143.38
01.0140.1430.5406	AMAZON CAPITAL SERVICES, INC	DFT0003339	01/28/2026	DEPT. SUPPLIES	348.40
01.0150.1530.5430	AMAZON CAPITAL SERVICES, INC	DFT0003339	01/28/2026	January Craft Supplies	84.14
01.0140.1430.5406	AMAZON CAPITAL SERVICES, INC	DFT0003339	01/28/2026	DEPT. SUPPLIES	77.47
01.0150.1530.5952	AMAZON CAPITAL SERVICES, INC	DFT0003339	01/28/2026	Banners for Lunar Year Luncheon	27.26
01.0140.1430.5406	AMAZON CAPITAL SERVICES, INC	DFT0003339	01/28/2026	DEPT. SUPPLIES	119.60
01.0150.1540.5406	AMAZON CAPITAL SERVICES, INC	DFT0003339	01/28/2026	Dept. Supplies	134.86
01.0170.1740.5435	AMAZON CAPITAL SERVICES, INC	DFT0003339	01/28/2026	CCTR BBCOURT CLEANER	483.60
01.0000.0000.2020	CALPERS RETIREMENT	DFT0003340	01/28/2026	RATE PLAN 27216 MISC	587.70
01.0000.0000.2020	CALPERS RETIREMENT	DFT0003341	01/28/2026	RATE PLAN 23047 MISC (CLASSIC TIER 2)	3,683.63
01.0000.0000.2020	CALPERS RETIREMENT	DFT0003341	01/28/2026	RATE PLAN 685 MISC (CLASSIC)	9,586.71
01.0000.0000.2020	CALPERS RETIREMENT	DFT0003341	01/28/2026	RATE PLAN 27216 (PEPRA)	22,879.68
01.0000.0000.2021	CALPERS RETIREMENT	DFT0003341	01/28/2026	SERVICE CREDIT PURCHASES - ANTONIO OLIVOS	155.77
01.0130.1330.5215	CHARTER COMMUNICATIONS HOLDINGS, LLC	DFT0003342	01/28/2026	1/9 - 2/8/26 INTERNET SVCS /1450 LIDCOMBE AVE	131.24
01.0130.1330.5215	CHARTER COMMUNICATIONS HOLDINGS, LLC	DFT0003343	01/28/2026	1/16-2/15/26 CABLE AND INTERNET SVCS / CHALL	350.13
01.0000.0000.2205	DEPARTMENT OF THE TREASURY	DFT0003344	01/28/2026	FEDERAL PPE 1/17/26	24,097.06
01.0000.0000.2215	DEPARTMENT OF THE TREASURY	DFT0003344	01/28/2026	MED PPE 1/17/26	7,777.32
01.0000.0000.2215	DEPARTMENT OF THE TREASURY	DFT0003344	01/28/2026	FICA PPE 1/17/26	33,254.38
01.0000.0000.2030	EMPLOYMENT DEVELOPMENT DEPT.	DFT0003345	01/28/2026	UI TAX WITHHOLDINGS	3,071.47
01.0000.0000.2030	EMPLOYMENT DEVELOPMENT DEPT.	DFT0003345	01/28/2026	UI TAX WITHHOLDINGS - CORRECTION PPE 1.3.25	(1,010.57)
01.0000.0000.2030	EMPLOYMENT DEVELOPMENT DEPT.	DFT0003345	01/28/2026	TNG (TRAINING TAX WITHOLDING)	191.94
01.0000.0000.2210	EMPLOYMENT DEVELOPMENT DEPT.	DFT0003345	01/28/2026	STATE WITHHOLDINGS	9,287.82
01.0000.0000.2230	EMPOWER RETIREMENT, LLC	DFT0003346	01/28/2026	EMPLOYEE BEFORE TAX	2,965.00

Account Number	Vendor Name	Payment Number	Payment Date	Description (Item)	Amount
01.0000.0000.2230	EMPOWER RETIREMENT, LLC	DFT0003346	01/28/2026	EMPLOYER MATCH	3,955.00
01.0000.0000.2235	EMPOWER RETIREMENT, LLC	DFT0003346	01/28/2026	EMPLOYER MATCH AFTER TAX	37.50
01.0000.0000.2235	EMPOWER RETIREMENT, LLC	DFT0003346	01/28/2026	EMPLOYEE AFTER TAX	1,977.60
01.0000.0000.2355	EMPOWER RETIREMENT, LLC	DFT0003346	01/28/2026	EMPLOYEE LOAN REPAYMENT	1,976.31
01.0000.0000.2270	EXPERT PAY - STATE DISBURSEMENT UNIT	DFT0003347	01/28/2026	CASE 0980438	150.00
01.0000.0000.2270	EXPERT PAY - STATE DISBURSEMENT UNIT	DFT0003347	01/28/2026	CASE 200000002135289	429.50
01.0000.0000.2270	EXPERT PAY - STATE DISBURSEMENT UNIT	DFT0003347	01/28/2026	CASE 200000002163990	448.75
01.0160.1610.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	FLOWERS FOR CC	447.79
01.0160.1610.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	FLOWERS FOR CC	153.10
01.0160.1610.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	SUPPLIES TO PATCH WATER LEAK	111.25
01.0160.1620.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	SUPPLIES FOR SC KITCHEN PROJECT	91.97
01.0160.1650.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	NTP SCORE BOOTH PROJECT	161.50
01.0160.1670.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	PAINT SUPPLIES	202.07
01.0170.1710.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	FLOWERS FOR CITY HALL	187.19
01.0170.1720.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	SUPPLIES FOR MAINT. YARD	220.93
01.0170.1720.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	SUPPLIES TO REPAIR WALL	157.24
01.0170.1720.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	SUPPLIES FOR MAINT. YARD LUNCH ROOM	533.48
01.0170.1740.5962	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	2 WAY RADIOS	171.26
01.0170.1750.5520	HOME DEPOT CREDIT SERVICES	DFT0003348	01/28/2026	TOOL REPLACEMENTS	160.77
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003349	01/28/2026	12/10/25 - 1/7/26 11016 GOMEZ PALACIO DRIVE	25.76
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003349	01/28/2026	12/10/25 - 1/7/26 1926 DURFEE AVENUE	237.48
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003349	01/28/2026	12/10/25 - 1/7/26 2018 DURFEE AVENUE	237.48
01.0170.1730.5720	SAN GABRIEL VALLEY WATER	DFT0003349	01/28/2026	12/10/25 - 1/7/26 1903 DURFEE AVENUE	146.76
01.0170.1730.5705	SO CAL GAS	DFT0003350	01/28/2026	12/16/25 - 1/16/26 1530 CENTRAL AVE	177.93
01.0170.1730.5705	SO CAL GAS	DFT0003351	01/28/2026	12/16/25 - 1/16/26 1824 CENTRAL AVE	91.96
01.0170.1730.5705	SO CAL GAS	DFT0003352	01/28/2026	12/16/25 - 1/16/25 1556 CENTARL AVE	377.76
01.0170.1730.5705	SO CAL GAS	DFT0003353	01/28/2026	12/16/25 - 1/16/26 1900 CENTRAL AVE	129.15
01.0170.1730.5705	SO CAL GAS	DFT0003354	01/28/2026	12/16/25 - 1/16/26 1450 LIDCOMBE AVE	15.29
01.0170.1730.5705	SO CAL GAS	DFT0003355	01/28/2026	12/16/25 - 1/16/26 1500 CENTRAL AVE	2,039.23
01.0170.1730.5710	SOUTHERN CALIFORNIA EDISON	DFT0003356	01/28/2026	12/16/25 - 1/14/26 1530 CENTRAL AVE	2,411.55
01.0170.1730.5710	SOUTHERN CALIFORNIA EDISON	DFT0003357	01/28/2026	12/16/25 - 1/14/26 1556 CENTRAL AVE	2,944.47
01.0170.1730.5710	SOUTHERN CALIFORNIA EDISON	DFT0003358	01/28/2026	12/16/25 - 1/14/26 1415 SANTA ANITA AVE	2,977.90
01.0170.1730.5710	SOUTHERN CALIFORNIA EDISON	DFT0003359	01/28/2026	12/10/25 - 1/09/26 1459 SANTA ANITA AVE	326.69
01.0170.1730.5710	SOUTHERN CALIFORNIA EDISON	DFT0003360	01/28/2026	11/04/25 - 12/04/25 VARIOUS LOCATIONS	3,804.96
01.0170.1730.5710	SOUTHERN CALIFORNIA EDISON	DFT0003361	01/28/2026	12/1/25 - 1/2/26 SANTA ANITA/CENTRAL	903.97
01.0170.1730.5710	SOUTHERN CALIFORNIA EDISON	DFT0003362	01/28/2026	12/16/25 - 1/14/26 1824 CENTRAL AVE	974.14
02.0170.1760.5966	US BANK VOYAGER FLEET SYS	DFT0003363	01/28/2026	12/24 CODE/PSO FUEL	847.17
37.0670.6720.5966	US BANK VOYAGER FLEET SYS	DFT0003363	01/28/2026	12/24 PW FUEL	4,044.08
44.0800.8010.5966	US BANK VOYAGER FLEET SYS	DFT0003363	01/28/2026	12/24 TRANSPO FUEL	795.17

Account Number	Vendor Name	Payment Number	Payment Date	Description (Item)	Amount
				Grand Total	$ 662,755.29

Authorization Signature

Warrant Register
Council Meeting 2/3/26
Grand Total $ 662,755.29

Rene Salas, City Manager

Authorization Signature

Warrant Register
Council Meeting 2/3/26
Grand Total $ 662,755.29

Rene Salas, City Manager

City Council Agenda Report
Agenda Item No. 7.c.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Gerardo Marquez, Director of Community Development & Public Works

SUBJECT: CONSIDERATION AND APPROVAL OF RESOLUTION NO. 26-006, APPROVING FIRST AMENDMENT TO THE CONTRACT SERVICES AGREEMENT WITH COUNCIL FOR WATERSHED HEALTH FOR THE MERCED AVENUE GREENWAY PHASE II DESIGN PROJECT

SUMMARY: The Merced Avenue Greenway Project in the City of South El Monte ("City") 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. The City recently completed Phase I Improvements on Merced Avenue. Phase II of Merced Avenue Project focuses on the north segment of Merced Avenue between Rush St and Garvey Ave within City of South El Monte and El Monte). The proposed improvements include installation of infiltration galleries, construction of pervious concrete, connections to the existing storm drain system, roadway resurfacing, reconstruction of concrete curb ramps, reconstruction of non-compliant sidewalks and driveways, reconstruction of curb and gutter, construction of curb extensions, and planting along Merced Avenue between Fern Street and Garvey Avenue. The City recently received construction phase funds through Active Transportation Program (ATP Cycle 6). Staff recommends an amendment to the Contract Services Agreement with Council for Watershed Health, dated July 25, 2024, to finalize the required design for the ATP Cycle 6 additional scope, in the amount of $219,504.

RECOMMENDED ACTION: Staff recommends City Council:

1. Approve Resolution No. 26-006, approving First Amendment to the Contract Services Agreement with Council for Watershed Health (CWH), dated July 25, 2024, to increase the not-to-exceed contract sum in the amount of Two Hundred Nineteen Thousand Five Hundred Four Dollars ($219,504.00), for a new total not-to-exceed sum of One Million Five Hundred Eight Thousand Two Hundred Two Dollars ($1,508,202.00) and to extend the term of the agreement by one (1) year; and

2. Authorize City Manager or designee to negotiate and execute the amendment, approved as to form by the City Attorney.

FISCAL/FINANCIAL IMPACT: The proposed additional contract services of $219,504 will be funded from the following sources:

Measure M Funds	$219,504.00
Total Funds	**$219,504.00**

DISCUSSION: In 2017, the conceptualization of the Merced Avenue Greenway was undertaken through a grant from the California Coastal Conservancy. During this initial planning and design phase, the projected cost to implement the full extent of the Greenway was assessed and the project was split into two phases - Phase I (southern residential end) and Phase II (northern business end).

Since that time, CWH has been an instrumental partner in applying for grants and assisting the City in securing implementation funding for both phases of construction. This includes $11.9M for Phase I South and another $8.7M (secured to date) for Phase II North construction.

As such, Phase I of the 1.1-mile Merced Avenue Greenway completed construction activities in January 2026 to implement the southern .65-mile segment of the project between Rush Street and Lerma Road.

While $8.7 million has been secured to date for Phase II North, the project remains partially funded, and full construction funding has not yet been obtained. City staff continues to actively pursue additional grant opportunities and external funding sources to close the remaining funding gap and advance Phase II North through full implementation.

On July 25, 2024, the City entered into an Agreement for Contract Services with Consultant to complete the design services for Phase II North. The City was awarded $2.6 million in Active Transportation Program (ATP) Cycle 6 funds as part of the $8.7 million secured to date for Phase II North. These ATP Cycle 6 funds are designated for construction; however, additional design work is required to incorporate the ATP-funded improvements into the Phase II plans and specifications.

The ATP Cycle 6 improvements include the construction of Class II bicycle lanes, installation of crosswalks, sidewalks, ADA-compliant curb ramps, and landscaping, all intended to enhance pedestrian and bicyclist safety along Merced Avenue from Garvey Avenue to Fern Street within the City of El Monte, and from Fern Street to Rush Street within the City of South El Monte.

Staff therefore recommends approval of an amendment to the existing agreement entitled “Agreement for Contract Services”, dated July 25, 2024, with Council for Watershed Health, to increase the not-to-exceed contract sum in the amount of Two Hundred Nineteen Thousand Five Hundred Four Dollars ($219,504.00), for a new total not-to-exceed sum of One Million Five Hundred Eight Thousand Two Hundred Two Dollars ($1,508,202.00) and to extend the term of the agreement by one (1) year to continue

through July 2027, in order to complete the additional design work required to incorporate the ATP Cycle 6 scope into Phase II North.

ATTACHMENT(S):

A. Resolution No. 26-006
B. Amendment 1
C. Exhibit to Attachment B

ATTACHMENT A

RESOLUTION NO. 26-006

A RESOLUTION OF THE SOUTH EL MONTE CITY COUNCIL APPROVING FIRST AMENDMENT TO THE CONTRACT SERVICES AGREEMENT WITH COUNCIL FOR WATERSHED HEALTH FOR THE MERCED AVENUE GREENWAY PHASE II DESIGN PROJECT

WHEREAS, on November 1, 2017, the City of South El Monte ("City") entered into an Agreement for Contract Services with Council for Watershed Health ("CWH") to provide administrative oversight, including grant support services, to complete 60% Design and Environmental Documents ("2017 Agreement") for the Merced Greenway Project ("Project"); and

WHEREAS, following completion of the 30% design development milestone and assessing implementation cost, City made the decision, with concurrence from State Coastal Conservancy, to split the Project into two phases - South (Phase I) and North (Phase II) - and proceeded to 100% Construction Documents for Merced Avenue Greenway South; and

WHEREAS, on July 25, 2024, the City entered into another Agreement for Contract Services with CWH to complete the design services for Phase II North ("2024 Agreement");

WHEREAS, the City and CWH now wish to enter into a First Amendment to the 2024 Agreement to allow for the completion of the design phase for Active Transportation Program ("ATP") Cycle 6 improvements;

WHEREAS, the City and CWY seek to increase the total not-to-exceed amount of the 2024 Agreement by Two Hundred Nineteen Thousand Five Hundred Four Dollars ($219,504.00);

WHEREAS, the City and CWH further wish to extend the term of the services provided under the Agreement by one year.

NOW, THEREFORE, THE SOUTH EL MONTE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The above recitals, and each of them, are true and correct.

SECTION 2. The City Council authorizes the City Manager to execute a First Amendment to the Contract Services Agreement, dated July 25, 2024, with Council for Watershed, to increase the total not-to-exceed contract sum by Two Hundred Nineteen Thousand Five Hundred Four Dollars ($219,504.00), for a new total not-to-exceed sum of One Million Five Hundred Eight Thousand Two Hundred Two Dollars ($1,508,202.00).

SECTION 3. The City Council further authorizes the City Manager to execute a First Amendment to the Contract Services Agreement, dated July 25, 2024, with Council for Watershed to extend the term of the agreement to continue through July 25, 2027.

SECTION 4. The City Clerk shall certify to the passage and adoption of this resolution.

PASSED, APPROVED and ADOPTED this 3rd day of February 2026.

_____
Gloria Olmos, Mayor

ATTEST:

_____
Adrian Garcia, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF SOUTH EL MONTE)

I, Adrian Garcia, City Clerk of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 26-006, was passed and approved by the City Council of the City of South El Monte at a Regular meeting of said Council held on the 3rd day of February 2026, and that said Resolution was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Adrian Garcia, MMC, City Clerk

ATTACHMENT B

FIRST AMENDMENT TO CONTRACT SERVICES AGREEMENT
BETWEEN
CITY OF SOUTH EL MONTE
AND
COUNCIL FOR WATERSHED HEALTH

This First Amendment ("Amendment No. 1") to that certain agreement entitled "Contract Services Agreement", dated July 25, 2024 (hereinafter, "Master Agreement"), is hereby entered into as of February 3, 2026 ("Effective Date"), by and between the CITY OF SOUTH EL MONTE, a California municipal corporation ("City"), and COUNCIL FOR WATERSHED HEALTH, a California 501(c)3 non-profit corporation ("Consultant"). For purposes of this Amendment No. 1, the capitalized term "Parties" shall be a collective reference to both City and Consultant. The capitalized term "Party" may refer to either City or Consultant interchangeably, as appropriate

RECITALS

This Amendment No. 1 is made and entered into with respect to the following facts:

WHEREAS**,** on July 25, 2024, the City entered into an Agreement for Contract Services with Consultant to complete the design services for Phase II North ("Master Agreement") for the Merced Greenway Project ("Project");

WHEREAS, the Master Agreement is attached and incorporated hereto as **Exhibit "A"**;

WHEREAS, the Parties now desire to enter into this Amendment No. 1 to increase the total not-to-exceed contract amount by Two Hundred Nineteen Thousand Five Hundred Four Dollars ($219,504.00) to be funded by Measure M funds, for a new total not-to-exceed sum of One Million Five Hundred Eight Thousand Two Hundred Two Dollars ($1,508,202.00);

WHEREAS, the Parties further wish to extend the term of the services provided under the Master Agreement by one (1) year;

WHEREAS, the execution of this Amendment No. 1 was approved by the City Council of the City of South El Monte at its Regular Meeting held on February 3, 2026, under Agenda Item No. 7.c.

NOW, THEREFORE, in consideration of the mutual agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, and intending to be legally bound hereby, the Parties agree as follows:

Section 1. Section 2.1. of the Master Agreement related to compensation is hereby amended to increase the Not-to-Exceed Sum of **NINE HUNDRED SEVENTY-SIX THOUSAND NINETEEN DOLLARS ($976,019.00)** by **TWO HUNDRED NINETEEN**

THOUSAND FIVE HUNDRED FOUR DOLLARS ($219,504.00) for a new total Not-to Exceed **Sum of ONE MILLION FIVE HUNDRED EIGHT THOUSAND TWO HUNDRED TWO DOLLARS ($1,508,202.00).**

Section 2. Section 3.4 of the Master Agreement related to the term of the agreement is hereby amended to extend the Agreement to continue through July 25, 2027.

Section 3. Except as specifically amended by this Amendment No. 1, all other provisions of the Agreement shall remain binding and in full force and effect. This Amendment No. 1, together with the Master Agreement, shall constitute the entire, complete, final, and exclusive expression of the Parties with respect to the matters addressed in both documents.

Section 4. In the event of any conflict or inconsistency between the provisions of this Amendment No. 1 and the provisions of the Master Agreement, the provisions of this Amendment No. 1 shall control, but only in so far as such provisions conflict with the Master Agreement and no further.

[*SIGNATURE PAGE FOLLOWS*]

IN WITNESS THEREOF, the Parties hereto have executed this Amendment No. 1 on the day and year first shown above.

City:

CITY OF SOUTH EL MONTE,
a California municipal corporation

By: _____
Name: Rene Salas
Title: City Manager

ATTEST:

By: _____
Name: Adrian Garcia
Title: City Clerk

APPROVED AS TO FORM:

By: _____
Name: Susie Altamirano
Title: City Attorney

Consultant:

COUNCIL FOR WATERSHED HEALTH

By:_____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

PROOF OF AUTHORITY TO BIND CONTRACTING PARTY REQUIRED

EXHIBIT C – SCHEDULE OF COMPENSATION

Scope of Work

Task 1 – Project Management

Project management will consist of coordination with the Council for Watershed Health's Project Manager, scheduling, budgeting, and invoicing. The Tetra Tech/Alta Team will work closely with the Council and ensure that project milestones are met.

The Team assumes a 3-month design schedule in order to submit the bid package to Caltrans for Authorization to Proceed (E-76) by the end of March 2026. The Team will prepare a project schedule consistent with key tasks in the scope. A preliminary schedule has been developed and is attached to this proposal. During the 3-month duration, Tetra Tech will attend regular biweekly meetings. This fee assumes up to 6 biweekly meetings.

Task 2 – Site Investigation

Tetra Tech will perform a topographic survey within the project limits utilizing the following survey methods: GNSS Real-Team Kinematic (RTK) and Total Station. All methods will be referenced to an established primary control network for this project. The primary control network will be established through survey observations of found street centerline monuments, found agency benchmarks, and set random control points. The horizontal component of this network will use California State Plane grid coordinates, CASP Zone 5, CSRC (California Spatial Reference Center) Epoch 2017.50, and the North American Datum of 1983 (NAD 83). Project elevations will reference City of Los Angeles benchmarks on the North American Vertical Datum of 1988 (NAVD88).

The survey will locate topographic features and cultural elements within the project extents, including curb, gutter, sidewalk, street surface, striping, tie-ins to adjacent infrastructure and driveways, surface evidence of utilities and measure-downs of relevant gravity utilities, parkways and parkway landscaping (including trees),

fences, walls, and signs. Monumentation sufficient to display street centerlines and sidelines, with widths derived from public records, will also be identified. Once the survey data has been collected and the survey base file drafted, it will be reviewed for quality and accuracy prior to use by the design team.

The Team will perform a site visit to validate and verify current field conditions collected through the topographic survey.

Task 3 – Plans, Specifications, and Estimates

The Team will prepare additional contract documents to include with the Merced Avenue Greenway Phase 2 bid documents. The contract documents suitable for bidding include plans, specifications, and Engineer's estimate of probable costs (PS&Es). The PS&Es will be submitted Draft and Final design levels. The Team will attend a Design Review Workshop after the Draft Submittal. Tetra Tech assumes a 5-day City review period between the Draft Submittal and Design Review Workshop. The Final Submittal will address one round of comments.

The Team estimates 14 additional sheets will be developed as summarized in the preliminary table below.

No. of Sheets	Sheet Type
2	Demolition Plans
4	Street Improvement Plans
3	ADA Street Improvements
1	Typical Street Sections
4	Traffic Signal Plans
14 Total Sheets	

Task 4 – Caltrans Bid Package

The Team will prepare a separate bid schedule and bid plans (as part of the Merced Avenue Greenway Phase 2 bid package) to submit to Caltrans for Authorization to Proceed (E-76).

Assumptions

- This fee assumes a 3-month project duration.
- Biweekly meetings will be held.
- All meetings are virtual.
- Permits are not required for access to the site or to perform the survey work.
- Traffic control plans and/or traffic control are not required to perform the survey work.
- Work is assumed to be within the existing right-of-way. Design will not go beyond the public right-of-way.
- Right-of-way information will be based on online survey database resources available to Tetra Tech, as-builts, Los Angeles County survey data, and other information provided by the City.
- Boundary surveys for adjacent parcels are not included.
- No legal descriptions are being prepared as part of this scope.
- Utility research is not included.

- Geotechnical investigations are not included.
- Storm drain improvements are not included.
- Signal interconnect, new traffic signal poles, new signal cabinets, and work not related to the installation of countdown pedestrian signal heads and pedestrian push buttons are not included.
- CEQA documentation is not included.
- Construction support during construction is not included.

Proposed Fee

The Tetra Tech team proposes to perform the scope of work described above on a **Time and Materials (T&M) basis for $219,504**, as summarized below. Our detailed fee summary is attached as the Price Proposal.

Task	Fee	
Task 1 – Project Management	$	30,490
Task 2 – Site Investigation	$	63,346
Task 3 – Plans, Specifications, and Estimates	$	113,406
Task 4 – Caltrans Bid Documents	$	12,262
Total	**$**	**219,504**

Price Proposal

Revision Date: Nov 12, 2025

Merced Ave Greenway Phase 2 - ATP Improvements

Design Services for ATP Improvements from Fern St to Garvey Ave and at the Merced Ave/Rush St intersection

Submitted to: Council for Watershed Health (Attn: Debbie Enos)

Contract Type: T&M

Labor Plan

11 Resource

Project Phases / Tasks	Schedule From	Schedule Thru	Schedule Months	Work Days Off	Work Days	Total Labor Hrs	Project Director (Jason Fussel, PE, PLS)	QA/QC Manager (Molly Mell, PE)	Project Manager (Elva Pangilinan, PE)	Civil	Mid Civil Engineer (Nhut Pham)	Jr Civil Engineer (Makayla Palmer)	Survey	Project Manager (Jesus Guzman)	Survey Crew Chief (Christopher McMahon)	Survey Asst (Christoper Weedman)	Surveyor III (James Shauermann)	2 Person Survey Crew (Non-Prevailing)	2 Person Survey Crew (Prevailing)
Bill Rate >							350.00	385.00	225.00		155.00	130.00		202.00	171.00	114.00	162.00	286.00	370.00
Proj Area >																			
Project Phases / Tasks						**893**	37	20	210		208	138		18	74	76	22	18	72
Task 1 - Project Management						**88**	**16**	**-**	**72**		**-**	**-**		**-**	**-**	**-**	**-**	**-**	**-**
Project Management and Coordination (13 wks)						56	6		50										
Project Schedule Development						8	4		4										
Biweekly Meetings (6 mtgs @ 1 hr ea)						24	6		18										
Task 2 - Site Visit						**296**	**-**	**-**	**8**		**8**	**-**		**18**	**74**	**76**	**22**	**18**	**72**
Topographic Survey						280								18	74	76	22	18	72
Site Visit						16			8		8								
Task 3 - Plans, Specifications, and Estimates						**473**	**21**	**20**	**106**		**200**	**126**		**-**	**-**	**-**	**-**	**-**	**-**
Draft Submittal						**281**	**13**	**12**	**60**		**120**	**76**		-	-	-	-	-	-
Plans						**234**	-	-	**44**		**120**	**70**		-	-	-	-	-	-
Sidewalk, Driveway, Curb Ramps						234			44		120	70							
Pedestrian Push Buttons, Ped Head Displays						-													
Specifications						8			8										
Cost Estimate						10			4			6							
Internal QA/QC						24	12	12											
Design Review Workshop						5	1		4										
Final Submittal						**192**	**8**	**8**	**46**		**80**	**50**		-	-	-	-	-	-
Plans						**162**	-	-	**36**		**80**	**46**		-	-	-	-	-	-
Sidewalk, Driveway, Curb Ramps						162			36		80	46							
Pedestrian Push Buttons, Ped Head Displays						-													
Specifications						6			6										
Cost Estimate						8			4			4							
Internal QA/QC						16	8	8											
Task 4 - Caltrans Bid Documents						**36**	**-**	**-**	**24**		**-**	**12**		**-**	**-**	**-**	**-**	**-**	**-**
Bid Plans						20			8			12							
Bid Schedule						16			16										
Totals						**893**	37	20	210		208	138		18	74	76	22	18	72

Price Summary / Totals

Task Pricing Totals	219,504
Specify Add'l Fees on Setup	0
Technology Use Fee	
Total Price	**219,504**

Pricing by Resource

Project Phases / Tasks	Labor Rate Esc.	Labor	Subs	Travel	Mat'ls & Equip	ODCs	Task Pricing Totals
	0.00%	178,386	41,118	-	-	-	**219,504**
Task 1 - Project Management		**21,800**	**8,690**	**-**	**-**	**-**	**30,490**
Project Management and Coordination (13 wks)		13,350	1,892				15,242
Project Schedule Development		2,300	1,782				4,082
Biweekly Meetings (6 mtgs @ 1 hr ea)		6,150	5,016				11,166
Task 2 - Site Visit		**63,346**	**-**	**-**	**-**	**-**	**63,346**
Topographic Survey		60,306					60,306
Site Visit		3,040					3,040
Task 3 - Plans, Specifications, and Estimates		**86,280**	**27,126**	**-**	**-**	**-**	**113,406**
Draft Submittal		**51,150**	**18,788**	-	-	-	**69,938**
Plans		**37,600**	**18,788**	-	-	-	**56,388**
Sidewalk, Driveway, Curb Ramps		37,600					37,600
Pedestrian Push Buttons, Ped Head Displays			18,788				18,788
Specifications		1,800					1,800
Cost Estimate		1,680					1,680
Internal QA/QC		8,820					8,820
Design Review Workshop		1,250					1,250
Final Submittal		**35,130**	**8,338**	-	-	-	**43,468**
Plans		**26,480**	**8,338**	-	-	-	**34,818**
Sidewalk, Driveway, Curb Ramps		26,480					26,480
Pedestrian Push Buttons, Ped Head Displays			8,338				8,338
Specifications		1,350					1,350
Cost Estimate		1,420					1,420
Internal QA/QC		5,880					5,880
Task 4 - Caltrans Bid Documents		**6,960**	**5,302**	**-**	**-**	**-**	**12,262**
Bid Plans		3,360	5,302				8,662
Bid Schedule		3,600					3,600
Totals	**0.00%**	**178,386**	**41,118**	**-**	**-**	**-**	**219,504**

RESOLUTION NO. 24-181

A RESOLUTION OF THE SOUTH EL MONTE CITY COUNCIL REPEALING RESOLUTION NO. 24-165 APPROVING AN AMENDED AND RESTATED CONTRACT WITH COUNCIL FOR WATERSHED HEALTH TO PROVIDE ADMINISTRATIVE OVERSIGHT SERVICES FOR THE MERCED GREENWAY PROJECT

WHEREAS, the City entered into an agreement with Council for Watershed Health in 2017 to provide administrative oversight including grant support services for the Merced Greenway Project with a maximum contract sum of $737,901 and funded by the State Coastal Conservancy to originally complete 60% Design and Environmental Documents; and

WHEREAS, the City, following completion of the 30% design development milestone and assessing implementation cost, made the decision, with concurrence from State Coastal Conservancy, to split the Merced Avenue Greenway Project into two phases - South (Phase I) and North (Phase II) and proceeded to 100% Construction Documents for Merced Avenue Greenway South; and

WHEREAS, Phase I has been completed and funded with Prop 1 grant funds at a cost of $751,687; and

WHEREAS, Council for Watershed assisted the City in applying for and receiving grant awards of approximately $8.7 Million to date to implement the future construction of Phase II Merced Avenue Greenway North from U.S. Housing and Urban Development (HUD), Active Transportation Program Cycle 6 (ATP), and CALTRANS Clean California Round 2; and applied to and awaiting determination of award of $3.2M from EPA Community Change Program.

WHEREAS, Grant funding milestone schedule requirements for both the ATP and CALTRANS grants creates an urgency to complete project Construction Documents to 100% for Merced Avenue. As such, the City continues to require the oversight services from Council for Watershed Health until the design phase is completed, however, the City's 2017 agreement expired in 2020;

WHEREAS, the City and Council for Watershed Health wish to enter into an Amended and Restated agreement to allow for the completion of the design phase. which includes an increase to the total compensation by $756,515, to be funded by LA County Flood Control District's Safe Clean Water Program (Measure W) - Municipal for a new maximum contract sum of $1,508,202 (which includes the cost for both Phase I and Phase II).

NOW, THEREFORE, THE SOUTH EL MONTE CITY COUNCIL HEREBY RESOLVES, AS FOLLOWS:

SECTION 1. The City Council authorizes the City Manager to execute an Amended and Restated Agreement with Council for Watershed for a maximum contract sum of $1,508,202 with a 2-year term.

SECTION 2. The City Clerk shall certify to the passage and adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 28th day of May 2024.

Gloria Olmos, Mayor

ATTEST:

Donna G. Schwartz, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF SOUTH EL MONTE)

I, Donna G. Schwartz, City Clerk of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 24-181 was passed and approved by the City Council of the City of South El Monte, at a regular meeting of said Council held on this 28th day of May 2024 and that said Resolution was adopted by the following vote:

AYES: Councilmember(s): Angel, Acosta, Delgado, Mayor Pro Tem Bojorquez, and Mayor Olmos

NOES: Councilmember(s): None

Donna G. Schwartz, City Clerk

CONTRACT SERVICES AGREEMENT

By and Between

CITY OF SOUTH EL MONTE

and

COUNCIL FOR WATERSHED HEALTH

AGREEMENT FOR CONTRACT SERVICES
BETWEEN THE CITY OF SOUTH EL MONTE AND
COUNCIL FOR WATERSHED HEALTH

THIS AGREEMENT FOR CONTRACT SERVICES (herein "Agreement") is made and entered into this 25 day of July, 2024 by and between the CITY OF SOUTH EL MONTE, a California, a municipal corporation ("City") and COUNCIL FOR WATERSHED HEALTH, a California 501(c)3 non-profit corporation ("Consultant"). City and Consultant may be referred to, individually or collectively, as "Party" or "Parties."

RECITALS

A. City and Consultant entered into that certain Agreement for Contractual Services dated November 1st 2017 ("2017 Agreement") whereby Consultant agreed to provide grant support Services in administering the Merced Avenue Greenway Project, funded by the State Coastal Conservancy to originally complete 60% Design and Environmental Documents.

B. The City, following completion of the 30% design development milestone and assessing implementation cost, made the decision, with concurrence from State Coastal Conservancy, to split the Merced Avenue Greenway Project into two phases - South (Phase I) and North (Phase II) and proceeded to 100% Construction Documents for Merced Avenue Greenway South.

C. The Consultant assisted the City in applying for and receiving grant awards of approximately $8.7 Million to date to implement the future construction of Phase II Merced Avenue Greenway North from U.S. Housing and Urban Development (HUD), Active Transportation Program Cycle 6 (ATP), and CALTRANS Clean California Round 2; and applied to and awaiting determination of award of $3.2M from EPA Community Change Program.

D. City will utilize municipal local returns of County of Los Angeles Safe Clean Water Program ("SCWP") Municipal Return Program for the North Merced Avenue Greenway Design Project. City's funding summary is at Exhibit E.

E. After City Council adoption of Resolution number 21-58, the City and SCWP entered into an Agreement on or about January 20, 2022. The funding Agreement is attached hereto as Exhibit E.

F. With Phase I complete, City and Consultant now desire to enter into this Agreement to increase the total compensation by $756,515, to be funded by LA County Flood Control District's Safe Clean Water Program (Measure W) - Municipal to complete Phase II Design; for a new total project cost not to exceed value of $1,508,212 which includes the cost incurred and payments already made to Consultant for Phase I.

G. In the City's funding authorization, the City listed Council for Watershed Health ("Consultant") as a sub-consultant to implement the proposal.

H. Pursuant to the City of South El Monte Municipal Code, City has authority to enter into and execute this Agreement.

I. The Parties desire to formalize the selection of Consultant for performance of those services defined and described particularly in Article 1 of this Agreement and desire that the terms of that performance be as particularly defined and described herein.

OPERATIVE PROVISIONS

NOW, THEREFORE, in consideration of the mutual promises and covenants made by the Parties and contained herein and other consideration, the value and adequacy of which are hereby acknowledged, the parties agree as follows:

ARTICLE 1. SERVICES OF CONSULTANT

1.1 Scope of Services.

In compliance with all terms and conditions of this Agreement, the Consultant shall provide those services specified in the "Scope of Services" attached hereto as Exhibit "A" and incorporated herein by this reference, which may be referred to herein as the "services" or "work" hereunder. As a material inducement to the City entering into this Agreement, Consultant represents and warrants that it has the qualifications, experience, and facilities necessary to properly perform the services required under this Agreement in a thorough, competent, and professional manner, and is experienced in performing the work and services contemplated herein. Consultant shall at all times faithfully, competently and to the best of its ability, experience and talent, perform all services described herein. Consultant covenants that it shall follow the highest professional standards in performing the work and services required hereunder and that all materials will be both of good quality as well as fit for the purpose intended. For purposes of this Agreement, the phrase "highest professional standards" shall mean those standards of practice recognized by one or more first-class firms performing similar work under similar circumstances.

1.2 Compliance with Law.

Consultant shall keep itself informed concerning, and shall render all services hereunder in accordance with, all ordinances, resolutions, statutes, rules, and regulations of the City and any Federal, State or local governmental entity having jurisdiction in effect at the time service is rendered.

1.3 Licenses, Permits, Fees and Assessments.

Consultant shall obtain at its sole cost and expense such licenses, permits and approvals as may be required by law for the performance of the services required by this Agreement. Consultant shall have the sole obligation to pay for any fees, assessments and taxes, plus applicable penalties and interest, which may be imposed by law and arise from or are necessary for the Consultant's performance of the services required by this Agreement, and shall indemnify, defend and hold harmless City, its officers, employees or agents of City, against any such fees, assessments, taxes, penalties or interest levied, assessed or imposed against City hereunder.

1.4 Familiarity with Work.

By executing this Agreement, Consultant warrants that Consultant (i) has thoroughly investigated and considered the scope of services to be performed, (ii) has carefully considered how the services should be performed, and (iii) fully understands the facilities, difficulties and restrictions attending performance of the services under this Agreement. If the services involve work upon any site, Consultant warrants that Consultant has or will investigate the site and is or will be fully acquainted with the conditions there existing, prior to commencement of services hereunder. Should the Consultant discover any latent or unknown conditions, which will materially affect the performance of the services hereunder, Consultant shall immediately inform the City of such fact and shall not proceed except at Consultant's risk until written instructions are received from the Contract Officer.

1.5 Care of Work.

The Consultant shall adopt reasonable methods during the life of the Agreement to furnish continuous protection to the work, and the equipment, materials, papers, documents, plans, studies and/or other components thereof to prevent losses or damages, and shall be responsible for all such damages, to persons or property, until acceptance of the work by City, except such losses or damages as may be caused by City's own negligence.

1.6 Further Responsibilities of Parties.

Both parties agree to use reasonable care and diligence to perform their respective obligations under this Agreement. Both parties agree to act in good faith to execute all instruments, prepare all documents and take all actions as may be reasonably necessary to carry out the purposes of this Agreement. Unless hereafter specified, neither party shall be responsible for the service of the other.

1.7 Additional Services.

City shall have the right at any time during the performance of the services, without invalidating this Agreement, to order extra work beyond that specified in the Scope of Services or make changes by altering, adding to or deducting from said work. No such extra work may be undertaken unless a written order is first given by the Contract Officer to the Consultant, incorporating therein any adjustment in (i) the Contract Sum for the actual costs of the extra work, and/or (ii) the time to perform this Agreement, which said adjustments are subject to the written approval of the Consultant. Any increase in compensation of up to ten percent (10%) of the Contract Sum or $25,000, whichever is less; or, in the time to perform of up to one hundred eighty (180) days, may be approved by the Contract Officer. Any greater increases, taken either separately or cumulatively, must be approved by the City Council. It is expressly understood by Consultant that the provisions of this Section shall not apply to services specifically set forth in the Scope of Services. Consultant hereby acknowledges that it accepts the risk that the services to be provided pursuant to the Scope of Services may be more costly or time consuming than Consultant anticipates and that Consultant shall not be entitled to additional compensation therefor. City may in its sole and absolute discretion have similar work done by other Consultants. No claims for an increase in the Contract Sum or time for performance shall be valid unless the procedures established in this Section are followed.

ARTICLE 2. COMPENSATION AND METHOD OF PAYMENT.

2.1 Contract Sum.

Subject to any limitations set forth in this Agreement, City agrees to pay Consultant the amounts specified in the "Schedule of Compensation" attached hereto as Exhibit "C" and incorporated herein by this reference. The total compensation, including reimbursement for actual expenses, shall not exceed Seven Hundred Fifty-Six Thousand Five Hundred and Fifteen Dollars (**$756,515**) (the "Contract Sum"), unless additional compensation is approved pursuant to Section 1.7.

2.2 Method of Compensation.

The method of compensation may include: (i) payment in accordance with level of effort and/or percentage of completion of the services; provided that (a) time estimates are provided for the performance of sub tasks, and (b) the Contract Sum is not exceeded; or (iv) such other methods as may be specified in the Schedule of Compensation.

2.3 Reimbursable Expenses.

Compensation may include reimbursement for actual and necessary expenditures for reproduction costs, telephone expenses, and travel expenses approved by the Contract Officer in advance, or actual subcontractor expenses of an approved subcontractor pursuant to Section 4.5, and only if specified in the Schedule of Compensation. The Contract Sum shall include the attendance of Consultant at all project meetings reasonably deemed necessary by the City. Coordination of the performance of the work with the City is a critical component of the services. If Consultant is required to attend additional meetings to facilitate such coordination, Consultant shall not be entitled to any additional compensation for attending said meetings.

2.4 Invoices.

Each month Consultant shall furnish to City an original invoice for all work performed and expenses incurred during the preceding month in a form approved by City's Director of Finance. By submitting an invoice for payment under this Agreement, Consultant is certifying compliance with all provisions of the Agreement. The invoice shall contain all information specified in Exhibit "C", and shall detail charges for all necessary and actual expenses by the following categories: labor (by sub-category), travel, materials, equipment, supplies, and sub-contractor contracts. Sub-contractor charges shall also be detailed by such categories. Consultant shall not invoice City for any duplicate services performed by more than one person.

City shall independently review each invoice submitted by the Consultant to determine whether the work performed and expenses incurred are in compliance with the provisions of this Agreement. Except as to any charges for work performed or expenses incurred by Consultant which are disputed by City, or as provided in Section 7.3, City will use its best efforts to cause Consultant to be paid within thirty (30) days of receipt of Consultant's correct and undisputed invoice; however, Consultant acknowledges and agrees that due to City warrant run procedures,

the City cannot guarantee that payment will occur within this time period. In the event any charges or expenses are disputed by City, the original invoice shall be returned by City to Consultant for correction and resubmission. Review and payment by City for any invoice provided by the Consultant shall not constitute a waiver of any rights or remedies provided herein or any applicable law.

When applicable, Consultant's invoice shall be accompanied by support documentation sufficient to validate the charges for each invoice item. Consultant shall submit invoices via email to the: accountsapayable@soelmonte.org.

2.5 Waiver.

Payment to Consultant for work performed pursuant to this Agreement shall not be deemed to waive any defects in work performed by Consultant.

ARTICLE 3. PERFORMANCE SCHEDULE

3.1 Time of Essence.

Time is of the essence in the performance of this Agreement.

3.2 Schedule of Performance.

Consultant shall commence the services pursuant to this Agreement upon receipt of a written notice to proceed and shall perform all services within the time period(s) established in the "Schedule of Performance" attached hereto as Exhibit "D" and incorporated herein by this reference. When requested by the Consultant, extensions to the time period(s) specified in the Schedule of Performance may be approved in writing by the Contract Officer but not exceeding one hundred eighty (180) days cumulatively.

3.3 Force Majeure.

The time period(s) specified in the Schedule of Performance for performance of the services rendered pursuant to this Agreement shall be extended because of any delays due to unforeseeable causes beyond the control and without the fault or negligence of the Consultant, including, but not restricted to, acts of God or of the public enemy, unusually severe weather, fires, earthquakes, floods, epidemics, quarantine restrictions, riots, strikes, freight embargoes, wars, litigation, and/or acts of any governmental agency, including the City, if the Consultant shall within ten (10) days of the commencement of such delay notify the Contract Officer in writing of the causes of the delay. The Contract Officer shall ascertain the facts and the extent of delay, and extend the time for performing the services for the period of the enforced delay when and if in the judgment of the Contract Officer such delay is justified. The Contract Officer's determination shall be final and conclusive upon the parties to this Agreement. In no event shall Consultant be entitled to recover damages against the City for any delay in the performance of this Agreement, however caused, Consultant's sole remedy being extension of the Agreement pursuant to this Section.

3.4 Term.

Unless earlier terminated in accordance with Article 7 of this Agreement, this Agreement shall continue in full force and effect until completion of the services but not exceeding two years (2) years from the date hereof, except as otherwise provided in the Schedule of Performance (Exhibit "D"). [The City may, in its sole discretion, extend the Term for one (1) additional one-year term.]

ARTICLE 4. COORDINATION OF WORK

4.1 Representatives and Personnel of Consultant.

The following principals of Consultant ("Principals") are hereby designated as being the principals and representatives of Consultant authorized to act in its behalf with respect to the work specified herein and make all decisions in connection therewith:

Eileen Alduenda	Executive Director
(Name)	(Title)
Jason Casanova	Director of Planning
(Name)	(Title)

It is expressly understood that the experience, knowledge, capability and reputation of the foregoing principals were a substantial inducement for City to enter into this Agreement. Therefore, the foregoing principals shall be responsible during the term of this Agreement for directing all activities of Consultant and devoting sufficient time to personally supervise the services hereunder. All personnel of Consultant, and any authorized agents, shall at all times be under the exclusive direction and control of the Principals. For purposes of this Agreement, the foregoing Principals may not be replaced nor may their responsibilities be substantially reduced by Consultant without the express written approval of City. Additionally, Consultant shall utilize only competent personnel to perform services pursuant to this Agreement. Consultant shall make every reasonable effort to maintain the stability and continuity of Consultant's staff and subcontractors, if any, assigned to perform the services required under this Agreement. Consultant shall notify City of any changes in Consultant's staff and subcontractors, if any, assigned to perform the services required under this Agreement, prior to and during any such performance.

4.2 Status of Consultant.

Consultant shall have no authority to bind City in any manner, or to incur any obligation, debt or liability of any kind on behalf of or against City, whether by contract or otherwise, unless such authority is expressly conferred under this Agreement or is otherwise expressly conferred in writing by City. Consultant shall not at any time or in any manner represent that Consultant or any of Consultant's officers, employees, or agents are in any manner officials, officers, employees or agents of the City. Neither Consultant, nor any of Consultant's officers, employees or agents, shall obtain any rights to retirement, health care or any other benefits which may otherwise accrue to City's employees. Consultant expressly waives any claim Consultant may have to any such rights.

4.3 Contract Officer.

The Contract Officer shall be the Grants Coordinator, or such person as may be designated by the City Manager. It shall be the Consultant's responsibility to assure that the Contract Officer is kept informed of the progress of the performance of the services and the Consultant shall refer any decisions which must be made by the City to the Contract Officer. Unless otherwise specified herein, any approval of City required hereunder shall mean the approval of the Contract Officer. The Contract Officer shall have authority, if specified in writing by the City Manager, to sign all documents on behalf of the City required hereunder to carry out the terms of this Agreement.

4.4 Independent Consultant.

Neither the City nor any of its employees shall have any control over the manner, mode or means by which Consultant, its agents or employees, perform the services required herein, except as otherwise set forth herein. City shall have no voice in the selection, discharge, supervision or control of Consultant's employees, servants, representatives or agents, or in fixing their number, compensation or hours of service. Consultant shall perform all services required herein as an independent contractor of City and shall remain at all times as to City a wholly independent contractor with only such obligations as are consistent with that role. Consultant shall not at any time or in any manner represent that it or any of its agents or employees are agents or employees of City. City shall not in any way or for any purpose become or be deemed to be a partner of Consultant in its business or otherwise or a joint venturer or a member of any joint enterprise with Consultant. Consultant represents and warrants that the personnel used to provide services to the City pursuant to this Agreement are classified by Consultant as employees and that Consultant issues or will issue a W-2 to such personnel.

In the event that Consultant or any employee, agent, subcontractor, or independent contractor of Consultant providing services under this Agreement claims or is determined by a federal or state agency, a court of competent jurisdiction, or the California Public Employees' Retirement System ("CalPERS") to be classified as other than an independent contractor for the City, then Consultant shall indemnify, defend, and hold harmless the City for the payment of any and all assessed fines, penalties, judgments, employee and/or employer contributions, and any other damages and costs assessed to the City as a consequence of, or in any way attributable to, the assertion that Consultant or any of Consultant's personnel used to provide the Services under this Agreement are other than independent contractors of the City.

4.5 Prohibition Against Subcontracting or Assignment.

The experience, knowledge, capability and reputation of Consultant, its principals and employees were a substantial inducement for City to enter into this Agreement. Therefore, Consultant shall not contract with any other entity to perform in whole or in part the services required hereunder without the express written approval of City. In addition, neither this Agreement nor any interest herein may be transferred, assigned, conveyed, hypothecated or encumbered voluntarily or by operation of law, whether for the benefit of creditors or otherwise, without the prior written approval of City. Transfers restricted hereunder shall include the transfer to any person or group of persons acting in concert of more than twenty five percent (25%) of the present ownership and/or control of Consultant, taking all transfers into account on a cumulative basis. In the event of any such unapproved transfer, including any bankruptcy proceeding, this

Agreement shall be void. No approved transfer shall release Consultant or any surety of Consultant of any liability hereunder without the express consent of City.

ARTICLE 5. INSURANCE AND INDEMNIFICATION

5.1 Insurance Coverages.

Without limiting Consultant's indemnification of City, and prior to commencement of any services under this Agreement, Consultant shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below and in a form satisfactory to City.

(a) General liability insurance. Consultant shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than $1,000,000 per occurrence, $2,000,000 general aggregate, for bodily injury, personal injury, and property damage. The policy must include contractual liability. Any endorsement restricting standard ISO "insured contract" language will not be accepted.

(b) Automobile liability insurance. Consultant shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the Consultant arising out of or in connection with Services to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than $1,000,000 combined single limit for each accident.

(c) Professional liability (errors & omissions) insurance. Consultant shall maintain professional liability insurance that covers the Services to be performed in connection with this Agreement, in the minimum amount of $1,000,000 per claim and in the aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this Agreement and Consultant agrees to maintain continuous coverage through a period no less than three (3) years after completion of the services required by this Agreement.

(d) Workers' compensation insurance. Consultant shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least $1,000,000).

(e) Subcontractors. Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and certified endorsements for each subcontractor. All coverages for subcontractors shall include all of the requirements stated herein.

(f) Additional Insurance. Policies of such other insurance, as may be required in the Special Requirements in Exhibit "B".

5.2 General Insurance Requirements.

(a) Proof of insurance. Consultant shall provide certificates of insurance to City as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by the City's Risk Manager prior to commencement of performance. Current certification

of insurance shall be kept on file with the City at all times during the term of this Agreement. City reserves the right to require complete, certified copies of all required insurance policies, at any time.

(b) Duration of coverage. Consultant shall procure and maintain for the duration of this Agreement insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Services hereunder by Consultant, its agents, representatives, employees or subconsultants.

(c) Primary/noncontributing. Coverage provided by Consultant shall be primary and any insurance or self-insurance procured or maintained by City shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of City before the City's own insurance or self-insurance shall be called upon to protect it as a named insured.

(d) City's rights of enforcement. In the event any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by Consultant or City will withhold amounts sufficient to pay premium from Consultant payments. In the alternative, the City may cancel this Agreement.

(e) Acceptable insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or that is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VI (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the City's Risk Manager.

(f) Waiver of subrogation. All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against City, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow Consultant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Consultant hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

(g) Enforcement of contract provisions (non-estoppel). Consultant acknowledges and agrees that any actual or alleged failure on the part of the City to inform Consultant of non-compliance with any requirement imposes no additional obligations on the City nor does it waive any rights hereunder.

(h) Requirements not limiting. Requirements of specific coverage features or limits contained in this section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and

is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the Consultant maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

(i) Notice of cancellation. Consultant agrees to oblige its insurance agent or broker and insurers to provide to City with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.

(j) Additional insured status. General liability policies shall provide or be endorsed to provide that City and its officers, officials, employees, and agents, and volunteers shall be additional insureds under such policies. This provision shall also apply to any excess/umbrella liability policies.

(k) Prohibition of undisclosed coverage limitations. None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to City and approved of in writing.

(l) Separation of insureds. A severability of interests provision must apply for all additional insureds ensuring that Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.

(m) Pass through clause. Consultant agrees to ensure that its subconsultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by Consultant, provide the same minimum insurance coverage and endorsements required of Consultant. Consultant agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. Consultant agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to the City for review.

(n) Agency's right to revise specifications. The City reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the Consultant ninety (90) days advance written notice of such change. If such change results in substantial additional cost to the Consultant, the City and Consultant may renegotiate Consultant's compensation.

(o) Self-insured retentions. Any self-insured retentions must be declared to and approved by the City. City reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by the City.

(p) Timely notice of claims. Consultant shall give City prompt and timely notice of claims made or suits instituted that arise out of or result from Consultant's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.

(q) Additional insurance. Consultant shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the work.

5.3 Indemnification.

To the full extent permitted by law, Consultant agrees to indemnify, defend and hold harmless the City, its officers, employees and agents ("Indemnified Parties") against, and will hold and save them and each of them harmless from, any and all actions, either judicial, administrative, arbitration or regulatory claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities whether actual or threatened (herein "claims or liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the negligent performance of the work, operations or activities provided herein of Consultant, its officers, employees, agents, subcontractors, or invitees, or any individual or entity for which Consultant is legally liable ("indemnitors"), or arising from Consultant's or indemnitors' reckless or willful misconduct, or arising from Consultant's or indemnitors' negligent performance of or failure to perform any term, provision, covenant or condition of this Agreement, and in connection therewith:

Each party is responsible for, and will indemnify the other, for any damage to, or destruction of their own equipment, tools or other personal property and that of their employees regardless of the cause.

The City agrees to attempt reconciliation prior to bringing legal action by submitting a dispute to mediation by a neutral third party under the laws of the State of California and agreed to by both parties to the agreement. If any legal action is brought by any party to enforce any provision of this Agreement, the prevailing party shall be entitled to recover from the other party reasonable attorneys' fees and court costs in such amount as shall be allowed by the court. For purposes of this provision, 'prevailing party' shall include a party which dismisses an action for recovery hereunder in exchange for payment of the sum allegedly due, performance of the covenants allegedly breached, or consideration substantially equal to the relief sought in the action or proceeding.

(a) ***If mediation by a neutral third party fails to provide any resolution,*** Consultant will defend any action or actions filed in connection with any of said claims or liabilities and will pay all costs and expenses, including legal costs and attorneys' fees incurred in connection therewith;

(b) ***If mediation by a neutral third party fails to provide any resolution,*** Consultant will promptly pay any judgment rendered against the City, its officers, agents or employees for any such claims or liabilities arising out of or in connection with the negligent performance of or failure to perform such work, operations or activities of Consultant hereunder; and Consultant agrees to save and hold the City, its officers, agents, and employees harmless therefrom;

(c) In the event the City, its officers, agents or employees is made a party to any action or proceeding filed or prosecuted against Consultant for such damages or other claims

arising out of or in connection with the negligent performance of or failure to perform the work, operation or activities of Consultant hereunder, ***and if mediation by a neutral third party fails to provide any resolution***, Consultant agrees to pay to the City, its officers, agents or employees, any and all costs and expenses incurred by the City, its officers, agents or employees in such action or proceeding, including but not limited to, legal costs and attorneys' fees.

Consultant shall incorporate similar indemnity agreements with its subcontractors and if it fails to do so Consultant shall be fully responsible to indemnify City hereunder therefore, and failure of City to monitor compliance with these provisions shall not be a waiver hereof. This indemnification includes claims or liabilities arising from any negligent or wrongful act, error or omission, or reckless or willful misconduct of Consultant in the performance of professional services hereunder. The provisions of this Section do not apply to claims or liabilities occurring as a result of City's sole negligence or willful acts or omissions, but, to the fullest extent permitted by law, shall apply to claims and liabilities resulting in part from City's negligence, except that design professionals' indemnity hereunder shall be limited to claims and liabilities arising out of the negligence, recklessness or willful misconduct of the design professional. The indemnity obligation shall be binding on successors and assigns of Consultant and shall survive termination or expiration of this Agreement.

ARTICLE 6. RECORDS, REPORTS, AND RELEASE OF INFORMATION

6.1 Records.

Consultant shall keep, and require subcontractors to keep, such ledgers, books of accounts, invoices, vouchers, canceled checks, reports, studies or other documents relating to the disbursements charged to City and services performed hereunder (the "books and records"), as shall be necessary to perform the services required by this Agreement and enable the Contract Officer to evaluate the performance of such services. Any and all such documents shall be maintained in accordance with generally accepted accounting principles and shall be complete and detailed. The Contract Officer shall have full and free access to such books and records at all times during normal business hours of City, including the right to inspect, copy, audit and make records and transcripts from such records. Such records shall be maintained for a period of three (3) years following completion of the services hereunder, and the City shall have access to such records in the event any audit is required. In the event of dissolution of Consultant's business, custody of the books and records may be given to the City, and access shall be provided by Consultant's successor in interest. Notwithstanding the above, the Consultant shall fully cooperate with the City in providing access to the books and records if a public records request is made and disclosure is required by law including but not limited to the California Public Records Act.

6.2 Reports.

Consultant shall periodically prepare and submit to the Contract Officer such reports concerning the performance of the services required by this Agreement as the Contract Officer shall require. Consultant hereby acknowledges that the City is greatly concerned about the cost of work and services to be performed pursuant to this Agreement. For this reason, Consultant agrees that if Consultant becomes aware of any facts, circumstances, techniques, or events that may or will materially increase or decrease the cost of the work or services contemplated herein or, if Consultant is providing design services, the cost of the project being designed, Consultant shall

promptly notify the Contract Officer of said fact, circumstance, technique or event and the estimated increased or decreased cost related thereto and, if Consultant is providing design services, the estimated increased or decreased cost estimate for the project being designed.

6.3 Ownership of Documents.

All drawings, specifications, maps, designs, photographs, studies, surveys, data, notes, computer files, reports, records, documents and other materials (the "documents and materials") prepared by Consultant, its employees, subcontractors and agents in the performance of this Agreement shall be the property of City and shall be delivered to City upon request of the Contract Officer or upon the termination of this Agreement, and Consultant shall have no claim for further employment or additional compensation as a result of the exercise by City of its full rights of ownership use, reuse, or assignment of the documents and materials hereunder. Any use, reuse or assignment of such completed documents for other projects and/or use of uncompleted documents without specific written authorization by the Consultant will be at the City's sole risk and without liability to Consultant, and Consultant's guarantee and warranties shall not extend to such use, reuse or assignment. Consultant may retain copies of such documents for its own use. Consultant shall have the right to use the concepts embodied therein. All subcontractors shall provide for assignment to City of any documents or materials prepared by them, and in the event Consultant fails to secure such assignment, Consultant shall indemnify City for all damages resulting therefrom. Moreover, Consultant with respect to any documents and materials that may qualify as "works made for hire" as defined in 17 U.S.C. § 101, such documents and materials are hereby deemed "works made for hire" for the City.

6.4 Confidentiality and Release of Information.

(a) All information gained or work product produced by Consultant in performance of this Agreement shall be considered confidential, unless such information is in the public domain or already known to Consultant. Consultant shall not release or disclose any such information or work product to persons or entities other than City without prior written authorization from the Contract Officer.

(b) Consultant, its officers, employees, agents or subcontractors, shall not, without prior written authorization from the Contract Officer or unless requested by the City Attorney, voluntarily provide documents, declarations, letters of support, testimony at depositions, response to interrogatories or other information concerning the work performed under this Agreement. Response to a subpoena or court order shall not be considered "voluntary" provided Consultant gives the City notice of such court order or subpoena.

(c) If Consultant, or any officer, employee, agent or subcontractor of Consultant, provides any information or work product in violation of this Agreement, then the City shall have the right to reimbursement and indemnity from Consultant for any damages, costs and fees, including attorney's fees, caused by or incurred as a result of Consultant's conduct.

(d) Consultant shall promptly notify City should Consultant, its officers, employees, agents or subcontractors be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions or other discovery

request, court order or subpoena from any party regarding this Agreement and the work performed there under. City retains the right, but has no obligation, to represent Consultant or be present at any deposition, hearing or similar proceeding. Consultant agrees to cooperate fully with City and to provide City with the opportunity to review any response to discovery requests provided by Consultant. However, this right to review any such response does not imply or mean the right by the City to control, direct, or rewrite said response.

ARTICLE 7. ENFORCEMENT OF AGREEMENT AND TERMINATION

7.1 California Law.

This Agreement shall be interpreted, construed and governed both as to validity and to performance of the parties in accordance with the laws of the State of California. Legal actions concerning any dispute, claim or matter arising out of or in relation to this Agreement shall be instituted in the Superior Court of the County of Los Angeles, State of California, or any other appropriate court in such county, and Consultant covenants and agrees to submit to the personal jurisdiction of such court in the event of such action. In the event of litigation in a U.S. District Court, venue shall lie exclusively in the Central District of California, in the County of Los Angeles, State of California.

7.2 Disputes; Default.

In the event that Consultant is in default under the terms of this Agreement, the City shall not have any obligation or duty to continue compensating Consultant for any work performed after the date of default. Instead, the City may give notice to Consultant of the default and the reasons for the default. The notice shall include the timeframe in which Consultant may cure the default. This timeframe is presumptively thirty (30) days, but may be extended, though not reduced, if circumstances warrant. During the period of time that Consultant is in default, the City shall hold all invoices and shall, when the default is cured, proceed with payment on the invoices. In the alternative, the City may, in its sole discretion, elect to pay some or all of the outstanding invoices during the period of default. If Consultant does not cure the default, the City may take necessary steps to terminate this Agreement under this Article. Any failure on the part of the City to give notice of the Consultant's default shall not be deemed to result in a waiver of the City's legal rights or any rights arising out of any provision of this Agreement.

7.3 Retention of Funds.

Consultant hereby authorizes City to deduct from any amount payable to Consultant (whether or not arising out of this Agreement) (i) any amounts the payment of which may be in dispute hereunder or which are necessary to compensate City for any losses, costs, liabilities, or damages suffered by City, and (ii) all amounts for which City may be liable to third parties, by reason of Consultant's acts or omissions in performing or failing to perform Consultant's obligation under this Agreement. In the event that any claim is made by a third party, the amount or validity of which is disputed by Consultant, or any indebtedness shall exist which shall appear to be the basis for a claim of lien, City may withhold from any payment due, without liability for interest because of such withholding, an amount sufficient to cover such claim. The failure of City

to exercise such right to deduct or to withhold shall not, however, affect the obligations of the Consultant to insure, indemnify, and protect City as elsewhere provided herein.

7.4 Waiver.

Waiver by any party to this Agreement of any term, condition, or covenant of this Agreement shall not constitute a waiver of any other term, condition, or covenant. Waiver by any party of any breach of the provisions of this Agreement shall not constitute a waiver of any other provision or a waiver of any subsequent breach or violation of any provision of this Agreement. Acceptance by City of any work or services by Consultant shall not constitute a waiver of any of the provisions of this Agreement. No delay or omission in the exercise of any right or remedy by a non-defaulting party on any default shall impair such right or remedy or be construed as a waiver. Any waiver by either party of any default must be in writing and shall not be a waiver of any other default concerning the same or any other provision of this Agreement.

7.5 Rights and Remedies are Cumulative.

Except with respect to rights and remedies expressly declared to be exclusive in this Agreement, the rights and remedies of the parties are cumulative and the exercise by either party of one or more of such rights or remedies shall not preclude the exercise by it, at the same or different times, of any other rights or remedies for the same default or any other default by the other party ***within the performance term of this agreement***.

7.6 Legal Action.

In addition to any other rights or remedies, either party may take legal action, in law or in equity, to cure, correct or remedy any default, to recover damages for any default, to compel specific performance of this Agreement, to obtain declaratory or injunctive relief, or to obtain any other remedy consistent with the purposes of this Agreement. Notwithstanding any contrary provision herein, Consultant shall file a statutory claim pursuant to Government Code Sections 905 et seq. and 910 et seq., in order to pursue a legal action under this Agreement.

7.7 Termination Prior to Expiration of Term.

This Section shall govern any termination of this Contract except as specifically provided in the following Section for termination for cause. The City reserves the right to terminate this Contract at any time, with or without cause, upon thirty (30) days' written notice to Consultant, except that where termination is due to the fault of the Consultant, the period of notice may be such shorter time as may be determined by the Contract Officer. In addition, the Consultant reserves the right to terminate this Contract at any time, with or without cause, upon sixty (60) days' written notice to City, except that where termination is due to the fault of the City, the period of notice may be such shorter time as the Consultant may determine. Upon receipt of any notice of termination, Consultant shall immediately cease all services hereunder except such as may be specifically approved by the Contract Officer. Except where the Consultant has initiated termination, the Consultant shall be entitled to compensation for all services rendered prior to the effective date of the notice of termination and for any services authorized by the Contract Officer thereafter in accordance with the Schedule of Compensation or such as may be approved by the Contract Officer, except as provided in Section 7.3. In the event the Consultant has initiated

termination, the Consultant shall be entitled to compensation only for the reasonable value of the work product actually produced hereunder. In the event of termination without cause pursuant to this Section, the terminating party need not provide the non-terminating party with the opportunity to cure pursuant to Section 7.2.

7.8 Termination for Default of Consultant.

If termination is due to the failure of the Consultant to fulfill its obligations under this Agreement, City may, after compliance with the provisions of Section 7.2, take over the work and prosecute the same to completion by contract or otherwise, and the Consultant shall be liable to the extent that the total cost for completion of the services required hereunder exceeds the compensation herein stipulated (provided that the City shall use reasonable efforts to mitigate such damages), and City may withhold any payments to the Consultant for the purpose of set-off or partial payment of the amounts owed the City as previously stated.

7.9 Attorneys' Fees.

If either party to this Agreement is required to initiate or defend or made a party to any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, whether legal or equitable, shall be entitled to reasonable attorney's fees. Attorney's fees shall include attorney's fees on any appeal, and in addition a party entitled to attorney's fees shall be entitled to all other reasonable costs for investigating such action, taking depositions and discovery and all other necessary costs the court allows which are incurred in such litigation. All such fees shall be deemed to have accrued on commencement of such action and shall be enforceable whether or not such action is prosecuted to judgment.

ARTICLE 8. CITY OFFICERS AND EMPLOYEES: NON-DISCRIMINATION

8.1 Non-liability of City Officers and Employees.

No officer or employee of the City shall be personally liable to the Consultant, or any successor in interest, in the event of any default or breach by the City or for any amount which may become due to the Consultant or to its successor, or for breach of any obligation of the terms of this Agreement.

8.2 Conflict of Interest.

Consultant covenants that neither it, nor any officer or principal of its firm, has or shall acquire any interest, directly or indirectly, which would conflict in any manner with the interests of City or which would in any way hinder Consultant's performance of services under this Agreement. Consultant further covenants that in the performance of this Agreement, no person having any such interest shall be employed by it as an officer, employee, agent or subcontractor without the express written consent of the Contract Officer. Consultant agrees to at all times avoid conflicts of interest or the appearance of any conflicts of interest with the interests of City in the performance of this Agreement.

No officer or employee of the City shall have any financial interest, direct or indirect, in this Agreement nor shall any such officer or employee participate in any decision relating to the Agreement which affects her/his financial interest or the financial interest of any corporation, partnership or association in which (s)he is, directly or indirectly, interested, in violation of any State statute or regulation. The Consultant warrants that it has not paid or given and will not pay or give any third party any money or other consideration for obtaining this Agreement.

8.3 Covenant Against Discrimination.

Consultant covenants that, by and for itself, its heirs, executors, assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of race, color, creed, religion, sex, gender, sexual orientation, marital status, national origin, ancestry or other protected class in the performance of this Agreement. Consultant shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, color, creed, religion, sex, gender, sexual orientation, marital status, national origin, ancestry or other protected class.

8.4 Unauthorized Aliens.

Consultant hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act, 8 U.S.C. § 1101 *et seq.*, as amended, and in connection therewith, shall not employ unauthorized aliens as defined therein. Should Consultant so employ such unauthorized aliens for the performance of work and/or services covered by this Agreement, and should any liability or sanctions be imposed against City for such use of unauthorized aliens, Consultant hereby agrees to and shall reimburse City for the cost of all such liabilities or sanctions imposed, together with any and all costs, including attorneys' fees, incurred by City.

ARTICLE 9. MISCELLANEOUS PROVISIONS

9.1 Notices.

Any notice, demand, request, document, consent, approval, or communication either party desires or is required to give to the other party or any other person shall be in writing and either served personally or sent by prepaid, first-class mail, in the case of the City, to the City Manager and to the attention of the Contract Officer (with her/his name and City title), City of South El Monte, 6330 Pine Avenue, South El Monte, California 90201 and in the case of the Consultant, to the person(s) at the address designated on the execution page of this Agreement. Either party may change its address by notifying the other party of the change of address in writing. Notice shall be deemed communicated at the time personally delivered or in seventy-two (72) hours from the time of mailing if mailed as provided in this Section.

9.2 Interpretation.

The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply.

9.3 Counterparts.

This Agreement may be executed in counterparts, each of which shall be deemed to be an original, and such counterparts shall constitute one and the same instrument.

9.4 Integration; Amendment.

This Agreement including the attachments hereto is the entire, complete and exclusive expression of the understanding of the parties. It is understood that there are no oral agreements between the parties hereto affecting this Agreement and this Agreement supersedes and cancels any and all previous negotiations, arrangements, agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. No amendment to or modification of this Agreement shall be valid unless made in writing and approved by the Consultant and by the City Council. The parties agree that this requirement for written modifications cannot be waived and that any attempted waiver shall be void.

9.5 Severability.

In the event that any one or more of the phrases, sentences, clauses, paragraphs, or sections contained in this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining phrases, sentences, clauses, paragraphs, or sections of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

9.6 Warranty & Representation of Non-Collusion.

No official, officer, or employee of City has any financial interest, direct or indirect, in this Agreement, nor shall any official, officer, or employee of City participate in any decision relating to this Agreement which may affect his/her financial interest or the financial interest of any corporation, partnership, or association in which (s)he is directly or indirectly interested, or in violation of any corporation, partnership, or association in which (s)he is directly or indirectly interested, or in violation of any State or municipal statute or regulation. The determination of "financial interest" shall be consistent with State law and shall not include interests found to be "remote" or "non-interests" pursuant to Government Code Sections 1091 or 1091.5. Consultant warrants and represents that it has not paid or given, and will not pay or give, to any third party including, but not limited to, any City official, officer, or employee, any money, consideration, or other thing of value as a result or consequence of obtaining or being awarded any agreement. Consultant further warrants and represents that (s)he/it has not engaged in any act(s), omission(s), or other conduct or collusion that would result in the payment of any money, consideration, or other thing of value to any third party including, but not limited to, any City official, officer, or employee, as a result of consequence of obtaining or being awarded any agreement. Consultant is aware of and understands that any such act(s), omission(s) or other conduct resulting in such payment of money, consideration, or other thing of value will render this Agreement void and of no force or effect.

Consultant's Authorized Initials 

9.7 Corporate Authority.

The persons executing this Agreement on behalf of the parties hereto warrant that (i) such party is duly organized and existing, (ii) they are duly authorized to execute and deliver this Agreement on behalf of said party, (iii) by so executing this Agreement, such party is formally bound to the provisions of this Agreement, and (iv) that entering into this Agreement does not violate any provision of any other Agreement to which said party is bound. This Agreement shall be binding upon the heirs, executors, administrators, successors and assigns of the parties.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date and year first-above written.

CITY:

CITY OF SOUTH EL MONTE, a municipal corporation

Rene Salas, City Manager

ATTEST:

Sabrina Muhne, Interim City Clerk

APPROVED AS TO FORM:
ALESHIRE & WYNDER, LLP

See Attached
Anthony R. Taylor, City Attorney

CONSULTANT:

COUNCIL FOR WATERSHED HEALTH
By: See Attached
Name: Eileen Alduenda
Title: Executive Director

By:_____
Name: _____
Title:_____

Address:177 E. Colorado Blvd, Ste 200
Pasadena, CA 91105
eileen@watershedhealth.org

Two corporate officer signatures required when Consultant is a corporation, with one signature required from each of the following groups: 1) Chairman of the Board, President or any Vice President; and 2) Secretary, any Assistant Secretary, Chief Financial Officer or any Assistant Treasurer. CONSULTANT'S SIGNATURES SHALL BE DULY NOTARIZED, AND APPROPRIATE ATTESTATIONS SHALL BE INCLUDED AS MAY BE REQUIRED BY THE BYLAWS, ARTICLES OF INCORPORATION, OR OTHER RULES OR REGULATIONS APPLICABLE TO CONSULTANT'S BUSINESS ENTITY.

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EXHIBIT "A"

Updated July 11, 2024

SCOPE OF SERVICES TO COMPLETE MERCED AVE NORTH PHASE II DESIGN

I. The purpose of this Scope of Services is to complete Construction Design Documents and Community Engagement for Merced Avenue North Phase II Design (Rush Street to city boundary with El Monte) over an assumed 12-month project duration.

II. **Consultant will perform the following Services for Merced Avenue design project:**

Task A: Project Administration / Project Management

Consultant shall manage the team comprised of Tetra Tech and its sub-consultant Alta as the project Architect and Engineer (A/E) and community engagement by Active SGV and Climate Resolve. Herein after known as the consultant team. Project management and administration support includes project schedule, project budget tracking, invoicing and project reporting and coordination with the City. The consultant will work closely with City and consultant team to ensure that project milestones are met and information is readily available. Consultant will assist City with grant reporting. Consultant will assist the City to coordinate with outside agencies and funders, as needed.

Deliverables:

- Project design schedule and consultant team coordination
- Assist with coordination and meeting notes for virtual team meetings (Assumes attending up to 14 biweekly meetings through 60% design and up to 6 monthly meetings through 100% construction documents)
- Attend up to two (2) City Council briefing meetings
- Grant reporting assistance

Task B: Community Outreach and Engagement

Community engagement for North Merced Avenue Design project will be coordinated by the consultant to keep the community up to date on project developments.

Consultant team will hold one (1) community public meeting to bring residents up to date on the project and the design alternatives chosen through previously held Merced Avenue pubic workshops. Consultant team will hold up to six (6) outreach pop-ups at local events, up to five (5) community presentations (in person and/or virtual), and canvas door-to-door to further develop/reinforce project identity and the understanding of the project benefits within the community. Consultant team will maintain the project website.

Deliverables:

- Up to three new photo simulations to update outreach materials
- Project Website
- Workshop summary report

- Pop-up engagement reports
- Presentation materials, flyers, media
- Final outreach summary report and presentation slides

Task C: Design and Construction Documents

C.1 Site Investigation
For Phase II, the Consultant's A/E will perform a site visit to validate and verify current field conditions with those collected five (5) years ago. The hydrologic, hydraulic, and Low Impact Development (LID) analysis that was previously performed will be reviewed for completion. Sizing of BMPs will be based on the previous analysis performed for the 85th percentile storm.

The original geotechnical investigation, dated August 22, 2018, performed along Merced Avenue from Lerma Road to Fern Street will be utilized unless site conditions are found to have changed and a new geotechnical investigation is deemed warranted, if that is the case a change order will be requested as additional scope.

A supplemental survey of the Phase II project area will be performed on Merced Avenue between and including the complete intersections of Fern Street and Rush Street plus 25 feet beyond curb return limits on intersecting streets. The survey will take place at no greater than 50-foot intervals and include ground truth and supplemental detailed survey of hardscape features. The survey will be conducted utilizing conventional methods. Monumentation and benchmark verification will be conducted throughout the site.

All data will be represented in California State Plane Coordinates, NAD83 Zone 5. The site will be elevated to local municipal benchmarks (NAVD88).

Deliverables:

- Memorandum of site visit findings
- Supplemental survey

C.2 Conceptual Design
Development of the conceptual design and preparation of a PDR Addendum to update the previously submitted Project Design Report (PDR) to reflect and be consistent with City and community's preferred design combining Alternative A and Alternative C for the project area north of Rush. The layout of the corridor will be drafted for review and included in the addendum, which will summarize the Phase II design elements (from Fern Street to Rush Street) in a memorandum.

A Design Review Workshop with the City and consultant team will be convened for attendees to discuss the Phase II conceptual design and determine any revisions to incorporate into the detailed design. Consultant team will prepare an agenda, meeting materials, and meeting summary notes. The purpose of the workshop will be to finalize the layout and to provide direction to the consultant team to proceed with design.

Deliverables:

- PDR addendum will summarize the Phase II design elements (north of Rush Street) in a memorandum

- Design Review workshop with City - Agenda and Meeting Notes

C.3 Plans, Specifications, and Estimates

The Consultant team will prepare a standalone set of contract documents similar to the Phase I (south of Rush) construction documents. The contract documents will be suitable for bidding including plans, specifications, and Engineer's estimate of probable costs (PS&Es). Design work will commence once the City formally signs-off on the 30% layout and PDR Addendum.

The plans and specifications will be submitted at 60%, Draft 100%, and Final 100% design levels. Cost estimates will be submitted at the 60% and Final 100% design levels. The consultant team will support Design Review Workshops after the 60% and Draft 100% design submittals. The project schedule assumes a 5-day review period between a Design Review Workshop and its preceding submittal.

It is estimated that the plan set will include 49 sheets as summarized in the preliminary table below.

No. of Sheets	Sheet Type
1	Title Sheet
3	Notice to Contractors, Legend, and Abbreviations
3	LID and BMP Plans
3	Demolition Plans
6	Street Improvement Plans
1	ADA Street Improvements
2	Horizontal Control Tables
1	Typical Street Sections
1	LID/BMP Plan and Profile
3	Storm Drain Adjustment Plans
8	Civil Details
5	Signage and Striping
5	Planting Plans
7	Irrigation Plans
	49 Total Sheets

Deliverables:

- 60% Drawings with Draft Cost Estimate
- Draft 100% - For LACPW submittal for plan check
- Final 100% - For Bid Set (Construction Documents comprised of plans, specifications, and Final Engineer's estimate of probable costs)

C.4 – Permits and Plan Reviews

The existing storm drain system north of Rush Street is owned, operated, and maintained by the Los Angeles County Flood Control District (LACFCD). Connections to the County storm drain system will require review and approval by the LACFCD. Consultant team assumes a 6-month

LACFCD review period and one round of comments. The consultant team will support the City with the plan check submittal to LACFCD.

Similar to the Phase I project, the irrigation water source will be the existing recycled water line owned by the San Gabriel Valley Water Company (SGVWC), who will be responsible for the coordination and submittal with LACDPH. The consultant team will coordinate the connection with SGVWC. Consultant team assumes a 3-month LACDPH review period and one round of comments from LACDPH.

Deliverables:

- LACFCD Plan Check plan sheets
- LACDPH Plan Check plan sheets

Scope and Fee Assumptions

- *12-month project duration including City and County review periods.*
- *All meetings are Virtual*
- *No additional geotechnical investigation is required.*
- *No additional CEQA/NEPA documentation is required.*
- *Does not include LACFCD and LACDPH review fees or permit costs.*
- *Bid and Award support is not included.*
- *Construction support during Construction/Implementation is not included.*
- *Excludes Optional Task for WMMS - (See below).*

Optional Task – Watershed Management Modeling System (WMMS) Support for SCWP Application

Upon written notice by the City to conduct this task, the consultant team will utilize the existing modeling approach and data from the baseline hydraulic models developed for the drainage area, to the maximum extent possible, to provide the additional data requested for the Merced Avenue Greenway North Phase. Total volume reduction for the drainage area will be tabulated and provided for the long term annual, 85th percentile storm, and the 90th percentile metals exceedance storm. Pollutants evaluated in the WMMS model for the baseline hydrology analysis [Sediment (lbs/year), Total Nitrogen (lbs/year), Total Phosphorus (lbs/year), Copper (lbs/year), Lead (lbs/year), Zinc (lbs/year), and Fecal coliform] can be tabulated for the drainage area by land use with additional analysis for the existing model output.

Additional TMDL pollutants (Nitrate, Toxics, Chloride, Trash, and E. coli) will require additional analysis based on the results of the WMMS model. Trash reduction will be estimated for the drainage area based on modeled volume reduction and expected trash loads from each land use.

This task includes the following:

- Perform additional post processing for the output from the WMMS model to tabulate the waste load allocation for the drainage area to tabulate total volume reduction, total pollutant load reduction, and pollutant load reduction by land use area for the 85th percentile storm, 90th percentile metals exceedance storm, as well as average annual wet weather flows and average annual dry weather flows. Pollutants evaluated will be Sediment (lbs/year), Total Nitrogen (lbs/year), Total Phosphorus (lbs/year), Cadmium, Copper (lbs/year), Lead (lbs/year), Zinc (lbs/year), and Fecal coliform.

- Tabulate the total pollutant load reduction and pollutant load reduction by land use area for the TMDL pollutants that were not evaluated in the WMMS model. Nitrate, Toxics, Chloride, and E. coli will be calculated based on the modeled reduction for TN and Fecal coliform for each drainage area and land use.
- Use the volume of runoff for each drainage area and the volume of trash expected from each land use type to calculate the volume of trash expected to be collected in the BMP from the drainage area.
- QA/QC.
- Technical Memoranda summarizing the WMMS results for the TMDL pollutant for the drainage area by total area.

Deliverables:

- Draft Technical Memoranda
- Final Technical Memoranda

City Council Agenda Report

Agenda Item No. 8.a.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Gerardo Marquez, Director of Community Development & Public Works

SUBJECT: CONSIDERATION OF ORDINANCE 1286, AMENDING THE SOUTH EL MONTE MUNICIPAL CODE BY MODIFYING TITLE 15 THEREOF ADOPTING BY REFERENCE THE 2026 LOS ANGELES COUNTY BUILDING CODE (TITLE 26), ELECTRICAL CODE (TITLE 27), PLUMBING CODE (TITLE 28), MECHANICAL CODE (TITLE 29), RESIDENTIAL CODE (TITLE 30), GREEN BUILDING STANDARDS CODE (TITLE 31), AND EXISTING BUILDING CODE (TITLE 33), WHICH ADOPTS BY REFERENCE, WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO, TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS.

SUMMARY: Second reading of an ordinance amending the South El Monte Municipal Code by modifying Title 15 thereof, adopting by reference the 2026 Los Angeles County Building Code.

RECOMMENDED ACTION: Staff recommends City Council adopt Ordinance No. 1286 (Attachment “A”) amending the South El Monte Municipal Code by modifying Title 15 thereof adopting by reference the 2026 Los Angeles County Building Code (Title 26), Electrical Code (Title 27), Plumbing Code (Title 28), Mechanical Code (Title 29), Residential Code (Title 30), Green Building Standards Code (Title 31), and Existing Building Code (Title 33), thereby adopting by reference Title 24 of the California Code of Regulations with certain amendments, additions and deletions thereto

FISCAL/FINANCIAL IMPACT: No fiscal impact.

DISCUSSION: Since incorporation, the City has adopted the Los Angeles County building codes by reference. These codes contain amendments and additions to the State Building Codes. The State of California adopts and publishes State Building Codes and mandates they become effective throughout the State 180 days after publication.

On July 1, 2025, the California Building Standards Commission published an updated

version of Title 24 of the California Code of Regulations, i.e. the “California Building Standards Code.” These codes became effective January 1, 2026.

On November 25, 2025, the Los Angeles County Board of Supervisors adopted amended versions of the 2025 California Building Standards Code—including Parts 2, 2.5, 3, 4, 5, 10, and 11 of Title 24—by reference pursuant to California Government Code Section 50022.2. Under California Health and Safety Code Section 17958.5, the County of Los Angeles made express findings that each amendment, addition, or deletion was necessary because of local climatic, topographical or geological conditions.

ANALYSIS:

State law requires local governments to enforce California Code of Regulations Title 24 (the State’s Building Codes, which originate from the International Code Council and the International Association of Pluming and Mechanical Officials). Some jurisdictions in Los Angeles County wait to comply with this requirement until the County of Los Angeles adopts the Building Codes and all of the associated local amendments. Then these jurisdictions adopt the County Building Codes amendments by reference.

Consistent with past practice, staff recommends that the City adopt the 2025 California Building Codes with the 2026 Los Angeles County Building Codes amendments. The major benefits realized by adopting the amended County Codes are:

- The County Codes are readily available for purchase by architects, engineers, and contractors.
- Users can purchase the 2025 California Building Standards Code direct from the ICC (the publisher of the California Building Code) and insert the amended sections from the County, making it easier for users to understand what applies and to achieve compliance.
- The California Building Standards Commission is less likely to challenge to the County’s amendments to the 2025 California Building Codes, which must be individually supported by findings showing local climatic, geological, or topographical conditions justify the amendments.
- Far less language must be codified into the Municipal Code, thereby reducing the City’s codifying costs.

While jurisdictions can establish their own administration of the California Building Standards Code, jurisdictions are only allowed to amend the technical requirements of Title 24 based on local climatic, topographical, or geological conditions, and only if the requirement is more restrictive than the current State Code. Findings must be made for each amendment to Title 24, and a copy of these findings must be filed with the California Building Standards Commission. No local amendment is enforceable unless filed with the California Building Standards Commission. It is the City’s practice to adopt by reference the Los Angeles County Code Titles noted above, including all amendments to the California Building Standards Code for local climatic, topographical or geological conditions and the associated findings supporting each amendment, which are listed in Exhibit "A" to the Ordinance.

California Building Standards Code can be viewed https://www.dgs.ca.gov/BSC/Codes

The Los Angeles County Building Code and Amendments can be viewed at the following links:
County Code, Title 26 - Building Code Amendment
https://file.lacounty.gov/SDSInter/bos/supdocs/208791.pdf
County Code, Title 27 - Electrical Code amendment
https://file.lacounty.gov/SDSInter/bos/supdocs/208789.pdf
County Code, Title 28 - Plumbing Code Amendment
https://file.lacounty.gov/SDSInter/bos/supdocs/208794.pdf
County Code, Title 29 - Mechanical Code Amendment
https://file.lacounty.gov/SDSInter/bos/supdocs/208796.pdf
County Code, Title 30 - Residential Code Amendment
https://file.lacounty.gov/SDSInter/bos/supdocs/208798.pdf
County Code, Title 31 - Green Building Standards Code Amendment
https://file.lacounty.gov/SDSInter/bos/supdocs/208800.pdf
County Code, Title 33 - Existing Building Code Amendment
https://file.lacounty.gov/SDSInter/bos/supdocs/208802.pdf

ATTACHMENT(S):

A. Ordinance No. 1286

ORDINANCE NO. 1286

AN ORDINANCE OF THE CITY OF SOUTH EL MONTE AMENDING THE SOUTH EL MONTE MUNICIPAL CODE CHAPTERS 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, AND 15.16 AND ADOPTING BY REFERENCE THE 2026 LOS ANGELES COUNTY BUILDING CODE (TITLE 26), ELECTRICAL CODE (TITLE 27), PLUMBING CODE (TITLE 28), MECHANICAL CODE (TITLE 29), RESIDENTIAL CODE (TITLE 30), GREEN BUILDING STANDARDS CODE (TITLE 31), AND EXISTING BUILDING CODE (TITLE 33), WHICH ADOPTS BY REFERENCE PARTS 2, 2.5, 3, 4, 5, 9, 10, and 11 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO

WHEREAS, the 2025 California Building Standards Code, codified under Title 24 of the California Code of Regulations ("Title 24"), will be effective throughout the state on January 1, 2026; and

WHEREAS, pursuant to California Health and Safety Code Section 17958.5, the City may adopt amended versions of Title 24 but must make express findings that each amendment, addition, or deletion is necessary because of local climatic, topographical or geological conditions; and

WHEREAS, the City Building Official recommends adopting amended versions of different sections under Title 24 because of those local climatic, topographical and geological conditions in the City of South El Monte expressly identified in **Exhibit "A"**; and

WHEREAS, pursuant to California Health and Safety Code Section 17922, Title 24 must be adopted by reference; and

WHEREAS, for ease of administration and enforcement, the City seeks to adopt by reference, pursuant to California Government Code Sections 50022.2 through 50022.10, the most recently adopted versions of the Los Angeles County Building Code (Title 26), Electrical Code (Title 27), Plumbing Code (Title 28), Mechanical Code (Title 29), Residential Code (Title 30), Green Building Standards Code (Title 31), and Existing Building Code (Title 33), which adopt by reference amended sections of Parts 2, 2.5, 3, 4, 5, 9, 10, and 11 of Title 24; and

WHEREAS, the City finds it necessary to amend the South El Monte Municipal Code pursuant to California Government Code Sections 50022.2 through 50022.10, to adopt by reference the Los Angeles County Codes pertaining to Building and Construction that have adopted by reference specific parts of Title 24 of the California Code of Regulations.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The above recitals are true and correct and incorporated herein by this reference.

SECTION 2: The purpose of this Ordinance is to amend the City of South El Monte Municipal

Code by adopting by reference, pursuant to California Government Code Sections 50022.2 through 50022.10, Los Angeles County Building Code (Title 26), Electrical Code (Title 27), Plumbing Code (Title 28), Mechanical Code (Title 29), Residential Code (Title 30), Green Building Standards Code (Title 31), and Existing Building Code (Title 33), which adopted by reference Parts 2, 2.5, 3, 4, 5, 9, 10, and 11 of Title 24.

SECTION 3: Based on the recommendations and findings contained in this Ordinance, **Exhibit "A,"** and the accompanying staff report, the City Council hereby finds and declares that those certain amendments to Title 24 are reasonably necessary because of local climatic, geological, and topographical conditions existing within the City of South El Monte, and that each such change is required to protect the public health, safety, and welfare.

SECTION 4: Pursuant to California Government Code Section 50022.3, the City Council hereby sets a public hearing for **February 3, 2026 at 6:00 p.m.** and orders notice thereof to be published pursuant to Government Code Section 6066. At the public hearing, the City Council will consider this Ordinance and, after a second reading, whether to adopt by reference the Los Angeles County Building Code (Title 26), Electrical Code (Title 27), Plumbing Code (Title 28), Mechanical Code (Title 29), Residential Code (Title 30), Green Building Standards Code (Title 31), and Existing Building Code (Title 33), which adopted by reference Parts 2, 2.5, 3, 4, 5, 9, 10, and 11 of Title 24 of the California Code of Regulations, thereby amending South El Monte Municipal Code Chapters 15.02, 15.04, 15.06, 15.08, 15.10, 15.12, and 15.16.

SECTION 5: The City Council finds that this Ordinance amending the South El Monte Buildings and Construction Code is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, as it is not a "project" and has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. (Cal. Code Regs., tit.14, § 15378, subd. (a)(5).) Further, this Ordinance is exempt from CEQA as there is no possibility that it or its implementation would have a significant negative effect on the environment. (Cal. Code Regs., tit.14, § 15061, subd. (b)(3).)

SECTION 6: Chapter 15.02 ("Building Code") of Title 15 ("Buildings and Construction") of the South El Monte Municipal Code is hereby amended to reach as follows:

"**15.02.010 LOS ANGELES COUNTY CODE, TITLE 26, BUILDING CODE ADOPTED**

Los Angeles County Building Code, Title 26 of the Los Angeles County Code, as amended and in effect on January 1, 2026, adopting the 2025 California Building Code, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South El Monte Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except as revised in this ordinance by section 15.02.020 below, regulating and controlling the design, construction, quality of materials, grading, use, occupancy, location and maintenance of all buildings or structures and prescribing conditions under which such work may be carried on within the city and providing for the issuance of permits and the collection of fees therefor.

All references made to County may mean City of South El Monte or Los Angeles County depending on the context.

In accordance with Section 50022.6 of the California Government Code, not less than one copy of said Title 26 of the Los Angeles County Building Code together with any and all amendments thereto proposed by the City of South El Monte, has been and is now filed in the office of the Community Development Department, shall remain on file with the Building Official, shall collectively be known as the *City of South El Monte Building Code* and may be

cited as Chapter 15.02 of the South El Monte Municipal Code.

15.02.020 FEE SCHEDULE; MODIFICATION BY RESOLUTION

The fee schedules adopted by Section 15.02.010 shall apply to fees arising under the building code, except where a different fee has been adopted by resolution of the city council.

15.02.030 EFFECT OF ADOPTION.

The adoption of the City Building Code and the repeal, addition or amendment of ordinances by this code shall not affect the following matters:

A. Actions and proceedings which began the effective date of this code.
B. Prosecution for ordinance violations committed before the effective date of this code.
C. Licenses and penalties due and unpaid at the effective date of this code, and the collection of these licenses and penalties.
D. Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.
E. Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

15.02.040 PENALTY; VIOLATIONS.

A. ***General penalty; continuing violations.*** Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

B. ***Violations including aiding, abetting, and concealing.*** Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

C. ***Enforcement by civil action.*** In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city."

SECTION 7: Chapter 15.04 ("Plumbing Code") of Title 15 ("Buildings and Construction") of the South El Monte Municipal Code is hereby amended to reach as follows:

"**15.04.010 LOS ANGELES COUNTY CODE, TITLE 28, PLUMBING CODE ADOPTED**

Los Angeles County Plumbing Code, Title 28 of the Los Angeles County Code, as amended and in effect on January 1, 2026, adopting the 2025 California Plumbing Code, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South El Monte Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except as revised in this ordinance by section 15.04.020 below.

Not less than one copy of said Title 28 of the Los Angeles County Plumbing Code together with any and all amendments thereto proposed by the City of South El Monte, has been and is

now filed in the office of the Community Development Department and shall remain on file with Building Official, and shall collectively be known as the *City of South El Monte Plumbing Code* and may be cited as Chapter 15.04 of the South El Monte Municipal Code, regulating plumbing and drainage systems, house sewers, private sewage disposal systems and prescribing conditions under which such work may be carried on within the city and providing for the issuance of permits and the collection of fees therefor.

15.04.020 FEE SCHEDULE; MODIFICATION BY RESOLUTION

The fee schedules adopted by Section 15.04.010 shall apply to fees arising under the plumbing code, except where a different fee has been adopted by resolution of the city council.

15.04.030 EFFECT OF ADOPTION.

The adoption of the City Plumbing Code and the repeal, addition or amendment of ordinances by this code shall not affect the following matters:

A. Actions and proceedings which began the effective date of this code.
B. Prosecution for ordinance violations committed before the effective date of this code.
C. Licenses and penalties due and unpaid at the effective date of this code, and the collection of these licenses and penalties.
D. Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.
E. Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

15.04.040 PENALTY; VIOLATIONS.

A. ***General penalty; continuing violations.*** Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

B. ***Violations including aiding, abetting, and concealing.*** Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

C. ***Enforcement by civil action.*** In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city."

SECTION 8: Chapter 15.06 ("Residential Code") of Title 15 ("Buildings and Construction") of the South El Monte Municipal Code is hereby amended to reach as follows:

"**15.06.010 LOS ANGELES COUNTY CODE, TITLE 30, RESIDENTIAL CODE ADOPTED**

Los Angeles County Residential Code, Title 30 of the Los Angeles County Code, as amended and in effect on January 1, 2026, adopting the 2025 California Residential Code, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South El Monte Municipal Code with the same force and effect as though set out herein

in full, including all of the regulations, revisions, conditions and terms contained therein except as revised in this ordinance by section 15.06.020 below.

Not less than one copy of said Title 30 of the Los Angeles County Residential Code together with any and all amendments thereto proposed by the City of South El Monte, has been and is now filed in the office of the Community Development Department and shall remain on file with Building Official, and shall collectively be known as the *City of South El Monte Residential Code* and may be cited as Chapter 15.06 of the South El Monte Municipal Code.

15.06.020 FEE SCHEDULE; MODIFICATION BY RESOLUTION

The fee schedules adopted by Section 15.06.010 shall apply to fees arising under the residential code, except where a different fee has been adopted by resolution of the city council.

15.06.030 EFFECT OF ADOPTION.

The adoption of the City Residential Code and the repeal, addition or amendment of ordinances by this code shall not affect the following matters:

A. Actions and proceedings which began the effective date of this code.
B. Prosecution for ordinance violations committed before the effective date of this code.
C. Licenses and penalties due and unpaid at the effective date of this code, and the collection of these licenses and penalties.
D. Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.
E. Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

15.06.040 PENALTY; VIOLATIONS.

A. ***General penalty; continuing violations.*** Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

B. ***Violations including aiding, abetting, and concealing.*** Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

C. ***Enforcement by civil action.*** In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city."

SECTION 9: Chapter 15.08 ("Mechanical Code") of Title 15 ("Buildings and Construction") of the South El Monte Municipal Code is hereby amended to reach as follows:

"**15.08.010 LOS ANGELES COUNTY CODE, TITLE 29, MECHANICAL CODE ADOPTED**

Los Angeles County Mechanical Code, Title 29 of the Los Angeles County Code, as amended and in effect on January 1, 2026, adopting the 2025 California Mechanical Code, is hereby

adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South El Monte Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except as revised in this ordinance by section 15.08.020 below.

Not less than one copy of said Title 29 of the Los Angeles County Mechanical Code together with any and all amendments thereto proposed by the City of South El Monte, has been and is now filed in the office of the Community Development Department and shall remain on file with Building Official, and shall collectively be known as the *City of South El Monte Mechanical Code* and may be cited as Chapter 15.08 of the South El Monte Municipal Code.

15.08.020 FEE SCHEDULE; MODIFICATION BY RESOLUTION

The fee schedules adopted by Section 15.08.010 shall apply to fees arising under the mechanical code, except where a different fee has been adopted by resolution of the city council.

15.08.030 EFFECT OF ADOPTION.

The adoption of the City Mechanical Code and the repeal, addition or amendment of ordinances by this code shall not affect the following matters:

A. Actions and proceedings which began the effective date of this code.
B. Prosecution for ordinance violations committed before the effective date of this code.
C. Licenses and penalties due and unpaid at the effective date of this code, and the collection of these licenses and penalties.
D. Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.
E. Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

15.08.040 PENALTY; VIOLATIONS.

A. ***General penalty; continuing violations.*** Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

B. ***Violations including aiding, abetting, and concealing.*** Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

C. ***Enforcement by civil action.*** In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city."

SECTION 10: Chapter 15.10 ("Electrical Code") of Title 15 ("Buildings and Construction") of the South El Monte Municipal Code is hereby amended to reach as follows:

"**15.10.010 LOS ANGELES COUNTY CODE, TITLE 27, ELECTRICAL CODE ADOPTED**

Los Angeles County Electrical Code, Title 27 of the Los Angeles County Code, as amended and in effect on January 1, 2026, adopting the 2025 California Electrical Code, except as otherwise provided in said Title 27, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022. 10 of the Government Code of the State of California as though fully set forth herein and made a part of the South El Monte Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except as revised in this ordinance by section 15.10.020 below.

Not less than one copy of said Title 27 of the Los Angeles County Electrical Code together with any and all amendments thereto proposed by the City of South El Monte, has been and is now filed in the office of the Community Development Department and shall remain on file with Building Official, and shall collectively be known as the *City of South El Monte Electrical Code* and may be cited as Chapter 15.10 of the South El Monte Municipal Code.

15.10.020 FEE SCHEDULE; MODIFICATION BY RESOLUTION

The fee schedules adopted by Section 15.10.010 shall apply to fees arising under the electrical code, except where a different fee has been adopted by resolution of the city council.

15.10.030 EFFECT OF ADOPTION.

The adoption of the City Electrical Code and the repeal, addition or amendment of ordinances by this code shall not affect the following matters:

A. Actions and proceedings which began the effective date of this code.
B. Prosecution for ordinance violations committed before the effective date of this code.
C. Licenses and penalties due and unpaid at the effective date of this code, and the collection of these licenses and penalties.
D. Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.
E. Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

15.10.040 PENALTY; VIOLATIONS.

A. ***General penalty; continuing violations.*** Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

B. ***Violations including aiding, abetting, and concealing.*** Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

C. ***Enforcement by civil action.*** In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city."

SECTION 11: Chapter 15.12 ("Green Building Standards Code") of Title 15 ("Buildings and

Construction") of the South El Monte Municipal Code is hereby amended to reach as follows:

"**15.12.010 LOS ANGELES COUNTY CODE, TITLE 31, GREEN BUILDING STANDARDS CODE ADOPTED**

Los Angeles County Green Building Standards Code, Title 31 of the Los Angeles County Code, as amended and in effect on January 1, 2026, adopting the 2025 California Green Building Standards Code, except as otherwise provided in said Title 31, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022. 10 of the Government Code of the State of California as though fully set forth herein and made a part of the South El Monte Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except as revised in this ordinance by section 15.12.020 below.

Not less than one copy of said Title 31 of the Los Angeles County Green Building Standards Code together with any and all amendments thereto proposed by the City of South El Monte, has been and is now filed in the office of the Community Development Department and shall remain on file with Building Official, and shall collectively be known as the *City of South El Monte Green Building Standards Code* and may be cited as Chapter 15.12 of the South El Monte Municipal Code.

15.12.020 FEE SCHEDULE; MODIFICATION BY RESOLUTION

The fee schedules adopted by Section 15.12.010 shall apply to fees arising under the green building standards code, except where a different fee has been adopted by resolution of the city council.

15.12.030 EFFECT OF ADOPTION.

The adoption of the City Green Building Standards Code and the repeal, addition or amendment of ordinances by this code shall not affect the following matters:

A. Actions and proceedings which began the effective date of this code.
B. Prosecution for ordinance violations committed before the effective date of this code.
C. Licenses and penalties due and unpaid at the effective date of this code, and the collection of these licenses and penalties.
D. Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.
E. Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

15.12.040 PENALTY; VIOLATIONS.

A. ***General penalty; continuing violations.*** Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

B. ***Violations including aiding, abetting, and concealing.*** Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

C. ***Enforcement by civil action.*** In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city."

SECTION 12: Chapter 15.16 ("Existing Building Code") of Title 15 ("Buildings and Construction") of the South El Monte Municipal Code is hereby amended to reach as follows:

"**15.16.010 LOS ANGELES COUNTY CODE, TITLE 33, EXISTING BUILDING CODE ADOPTED**

Los Angeles County Existing Building Code, Title 33 of the Los Angeles County Existing Building Code, as amended and in effect on January 1, 2026, adopting the 2025 California Existing Building Code, is hereby adopted by reference pursuant to the provisions of Sections 50022.1 through 50022.10 of the Government Code of the State of California as though fully set forth herein, and made a part of the South El Monte Municipal Code with the same force and effect as though set out herein in full, including all of the regulations, revisions, conditions and terms contained therein except as revised in this ordinance by section 15.16.020 below.

Not less than one copy of said Title 33 of the Los Angeles County Existing Building Code together with any and all amendments thereto proposed by the City of South El Monte, has been and is now filed in the office of the Community Development Department and shall remain on file with Building Official, and shall collectively be known as the *City of South El Monte Existing Building Code* and may be cited as Chapter 15.16 of the South El Monte Municipal Code.

15.16.020 FEE SCHEDULE; MODIFICATION BY RESOLUTION

The fee schedules adopted by Section 15.16.010 shall apply to fees arising under the existing building code, except where a different fee has been adopted by resolution of the city council.

15.16.030 EFFECT OF ADOPTION.

The adoption of the City Existing Building Code and the repeal, addition or amendment of ordinances by this code shall not affect the following matters:

A. Actions and proceedings which began the effective date of this code.
B. Prosecution for ordinance violations committed before the effective date of this code.
C. Licenses and penalties due and unpaid at the effective date of this code, and the collection of these licenses and penalties.
D. Bonds and cash deposits required to be posted, filed or deposited pursuant to any ordinance.
E. Matters of record which refer to or are connected with ordinances the substances of which are included in this code; these references shall be construed to apply to the corresponding provisions of the code.

15.16.040 PENALTY; VIOLATIONS.

A. ***General penalty; continuing violations.*** Every act prohibited or declared unlawful and every failure to perform an act required by this code is a misdemeanor or an infraction as set forth in the said respective pertinent sections of this code and any person causing or permitting a violation of any such section of said code shall be subject to the penalties ascribed to each such section as set forth herein. Where silent as to whether a violation is a misdemeanor or infraction, the City Attorney may prosecute such violation as either a misdemeanor or infraction in his/her discretion.

B. ***Violations including aiding, abetting, and concealing.*** Every person who causes, aids, abets or conceals the fact of a violation of this code is guilty of violating this code.

C. ***Enforcement by civil action.*** In addition to the penalties provided herein, the said code may be enforced by civil action. Any condition existing in violation of this code is a public nuisance and may be summarily abated by the city."

SECTION 13: Continuation of existing law. Where substantially the same as existing law, the provisions of the City of South El Monte Buildings and Construction Code shall be considered continuations of existing law and shall not be considered new enactments.

SECTION 14: Maintenance and distribution of code. Not less than one copy of the City of South El Monte Buildings and Construction Codes and all code adopted by reference, duly certified by the City Clerk, shall be kept on file in the office of the City Clerk for examination and use by the public. Amendments to this code shall be noted by ordinance number on the appropriate pages of such code and one complete file of amended ordinances, indexed for ready reference, shall be maintained in the office of the City Clerk for use and examination by the public. Distribution or sale of additional copies of these codes shall be made as directed by the City Council. In addition, one copy of said City of South El Monte Building and Construction Codes may likewise be maintained by the Director of Community Development Department for examination and use by the public.

SECTION 15: Severability of provisions. If any section, subsection, sentence, clause, phrase or portion of this Ordinance and/or the code adopted thereby is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The South El Monte City Council hereby declares that it would have adopted this Ordinance and the code adopted thereby and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions thereof may be declared invalid or unconstitutional.

SECTION 16: Certification and publication. The City Clerk is directed to certify to the passage of this first reading of this Ordinance and to cause this Ordinance to be posted or published as required by law.

[Signatures on next page]

PASSED, APPROVED AND ADOPTED this 20th day of January 2026.

_____
Gloria Olmos, Mayor

ATTEST:

_____
Adrian Garcia, City Clerk

APPROVED AS TO FORM:

_____
Susie A. Altamirano, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF SOUTH EL MONTE)

I, Adrian Garcia, City Clerk of the City of South El Monte, hereby certify that the foregoing Ordinance, being Ordinance No. 1286, was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 2nd day of December 2025, and that thereafter, said Ordinance was duly passed and adopted by the City Council of the City of South El Monte at a regular meeting of said Council held on the 20th day of January 2026, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Adrian Garcia, City Clerk

EXHIBIT "A"

LOCAL AMENDMENT FINDINGS

BUILDING CODE AMENDMENTS

Code Section	Condition	Explanation of Amendment
113.5, 113.5.1, 113.5.2	Administrative	This is an administrative amendment to clarify that structures meeting the conditions specified and affected by the 2025 Eaton and Palisades fire are not required under the Alquist-Priolo Act to conduct an active fault study.
701A.1 701A.2	Climatic	Clarifies the application of Chapter 5 of the California Wildland Interface Code to harden additions, alterations, and/or relocated buildings. Many areas of the County have been designated as Fire Hazard Severity Zones due to the increased risk of fire caused by low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.
701A.3 701A.5 701A.6	Climatic	Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in high fire severity zones in order to further harden residential buildings against fire risk.
701A.7	Climatic	Disallows the use of Class B wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in high fire severity zones in order to further harden residential buildings against fire risk.
1031.2.1	Geological	The greater Los Angeles/Long Beach region is a densely populated area having buildings constructed over and near a vast array of earthquake fault systems capable of producing major earthquakes, similar to or exceeding the geologic activities occurring during the 1994 Northridge Earthquake. The proposed amendment is intended to prevent occupants from being trapped in a building and to allow rescue workers to easily enter after an earthquake.
Table 1507.3.7	Geological	Table amended to require proper anchorage for clay or concrete tiles from sliding or rotating due to the increased risk of significant earthquakes in the County. This amendment incorporates the design provisions developed based on detailed study of the 1994 Northridge and the 1971 Sylmar earthquakes.
1613.8 and 1613.8.1	Geological	Observed damages to one- and two-family dwellings of light frame construction after the Northridge Earthquake may have been partially attributed to vertical irregularities

Code Section	Condition	Explanation of Amendment
		common to this type of occupancy and construction. In an effort to improve quality of construction and incorporate lesson learned from studies after the Northridge Earthquake, the proposed modification to ASCE 7-22, Section 12.2.3.1, Exception 3, by limiting the number of stories and height of the structure to two stories will significantly minimize the impact of vertical irregularities and concentration of inelastic behavior from mixed structural systems. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
1613.8.2	Geological	A joint Structural Engineers Association of Southern California (SEAOSC), Los Angeles County and Los Angeles City Task Force investigated the performance of concrete and masonry construction with flexible wood diaphragm failures after the Northridge earthquake. It was concluded at that time that continuous ties are needed at specified spacing to control cross grain tension in the interior of the diaphragm. Additionally, there was a need to limit subdiaphragm allowable shear loads to control combined orthogonal stresses within the diaphragm. Recognizing the importance and need to continue the recommendation made by the task force while taking into consideration the improved performances and standards for diaphragm construction today, this proposal increases the continuous tie spacing limit to 40 ft in lieu of 25 ft and to use 75% of the allowable code diaphragm shear to determine the depth of the sub-diaphragm in lieu of the 300 plf and is deemed appropriate and acceptable. Due to the frequency of this type of failure during the past significant earthquakes, various jurisdictions within the Los Angeles region have taken this additional step to prevent roof or floor diaphragms from pulling away from concrete or masonry walls. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.
1613.8.3	Geological	The inclusion of the importance factor in the referenced Section equation has the unintended consequence of reducing the minimum seismic separation distance for important facilities such as hospitals, schools, police, and fire stations from adjoining structures. The proposal to omit the importance factor from the referenced equation in Section 12.8.6 will ensure that a safe seismic separation distance is provided. This proposed amendment is a

Code Section	Condition	Explanation of Amendment
		continuation of an amendment adopted during previous code adoption cycles.
1613.9	Geological Topographical	Section is added to improve seismic safety of buildings constructed on or into hillsides. Due to the local topographical and geological conditions of the sites within the greater Los Angeles/Long Beach region and their probabilities for earthquakes, this technical amendment is required to address and clarify special needs for buildings constructed on hillside locations. A SEAOSC and Los Angeles City Joint Task Force investigated the performance of hillside building failures after the Northridge earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by both the City and County of Los Angeles for several years with much success. This amendment is a continuation of an amendment adopted during previous code adoption cycles.
1613.10	Geological	The greater Los Angeles/Long Beach region is a densely populated area having buildings constructed over and near a vast array of fault systems capable of producing major earthquakes, similar to or exceeding the geologic activities occurring during the 1994 Northridge Earthquake. The proposed modification requiring safe design and construction requirements for ceiling suspension systems to resist seismic loads is intended to minimize the amount of damage within a building and therefore needs to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Building Code.
1704.6	Geological Administrative	The language in section 1704.6 of the California Building Code permits the owner to employ any registered design professional to perform structural observations with minimum guidelines. However, it is important that the registered design professional responsible for the structural design has thorough knowledge of the building he/she designed. By requiring the registered design professional responsible for the structural design, or their designee, who was involved with the design to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will be greatly increased. Additional requirements are provided to help clarify the role and duties of the structural

Code Section	Condition	Explanation of Amendment
		observer and the method of reporting and correcting observed deficiencies to the Building Official. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
1704.6.1	Geological	With the higher seismic demand placed on buildings and structures in this region, the language in section 1704.6.1, Item 3, of the California Building Code would permit many low-rise buildings and structures with complex structural elements to be constructed without the benefit of a structural observation. By requiring a registered design professional to observe the construction, the quality of the observation for major structural elements and connections that affect the vertical and lateral load resisting systems of the structure will be greatly increased. An exception is provided to permit simple structures and buildings to be excluded. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
1705.3	Geological	Results from studies after the 1994 Northridge Earthquake indicated that a significant portion of the damage was attributable to lack of quality control during construction resulting in poor performance of the building or structure. Therefore, the amendment restricts the exceptions to the requirement for special inspection. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
1705.13	Geological	In Southern California, very few detached one- or two-family dwellings not exceeding two stories above grade plane are built as "box-type" structures specially for those in hillside areas and near the oceanfront. Many with steel moment frames or braced frames, and/or cantilevered columns, can still be shown as "regular" structures by calculations. With the higher seismic demand placed on buildings and structures in this region, the language in section 1705.13, Item 3, of the California Building Code would permit many detached one- or two-family dwellings not exceeding two stories above grade plane with complex structural elements to be constructed without the benefit of special inspections. By requiring special inspections, the quality of major structural elements and connections that affect the vertical and

Code Section	Condition	Explanation of Amendment
		lateral load resisting systems of the structure will be greatly increased. The exception should only be allowed for detached one- or two-family dwellings not exceeding two stories above grade plane assigned to Seismic Design Categories A, B, and C.
1807.1.4	Climatic Geological	No substantiating data has been provided to show that a wood foundation is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood retaining walls, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems that may result by using wood foundations that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.
1807.1.6	Geological	With the higher seismic demand placed on buildings and structures in this region, it is necessary to take precautionary steps to reduce or eliminate potential problems that may result by following prescriptive design provisions that do not take into consideration the surrounding environment. Plain concrete performs poorly in withstanding the cyclic forces resulting from seismic events. In addition, no substantiating data has been provided to show that under-reinforced foundation walls are effective in resisting seismic loads, and may potentially lead to a higher risk of failure. It is important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these issues into consideration. This amendment is a continuation of an amendment adopted during previous code adoption cycles.
1807.2	Climatic, Geological	No substantiating data has been provided to show that wood foundation systems are effective in supporting

Code Section	Condition	Explanation of Amendment
		buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Wood foundation systems not properly treated and protected against deterioration have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation systems that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.
1807.3.1	Climatic, Geological	No substantiating data has been provided to show that wood foundation systems are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Wood foundation systems not properly treated and protected against deterioration have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the precautionary steps to reduce or eliminate potential problems that may result in using wood foundation systems that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles.
1809.3 and Figure 1809.3	Geological	With the higher seismic demand placed on buildings and structures in this region, it is necessary to take precautionary steps to reduce or eliminate potential problems that may result for under-reinforced footings

Code Section	Condition	Explanation of Amendment
		located on sloped surfaces. Requiring minimum reinforcement for stepped footings is intended to address the problem of poor performance of plain or under-reinforced footings during a seismic event. This amendment is a continuation of an amendment adopted during previous code adoption cycles.
1809.7 and Table 1809.7	Geological	No substantiating data has been provided to show that under-reinforced footings are effective in resisting seismic loads, and therefore they may potentially lead to a higher risk of failure. This amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. With the higher seismic demand placed on buildings and structures in this region, it is necessary to take precautionary steps to reduce or eliminate potential problems that may result by following prescriptive design provisions for footings that do not take into consideration the surrounding environment. It is important that the benefit and expertise of a registered design professional be obtained to properly analyze the structure and take these factors into consideration. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force, which investigated the performance deficiencies observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous code adoption cycles.
1809.12	Climatic Geological	No substantiating data has been provided to show that timber footings are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Timber footings, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems, which may result by using timber footings that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a

Code Section	Condition	Explanation of Amendment
		continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.
1810.3.2.4	Climatic Geological	No substantiating data has been provided to show that timber footings are effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effects of constant moisture in the soil and wood-destroying organisms. Timber footings, when they are not properly treated and protected against deterioration, have performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems that may result by using timber footings that experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.
1905.1	Geological	This amendment is intended to carry over critical provisions for the design of concrete columns in moment frames from the legacy 1997 Uniform Building Code. Increased confinement is critical to the integrity of such columns and these modifications ensure that it is provided when certain thresholds are exceeded. In addition, this amendment carries over from the legacy 1997 Uniform Building Code a critical provision for the design of concrete shear walls. It essentially limits the use of very highly gravity-loaded walls in being included in the seismic load resisting system, since their failure could have catastrophic effect on the building. Furthermore, this amendment was incorporated in the code based on observations from the 1994 Northridge Earthquake. Rebar placed in very thin concrete topping slabs have been observed in some instances to have popped out of the slab due to insufficient concrete coverage. This modification ensures that critical boundary and collector rebars are placed in sufficiently thick topping slab to

Code Section	Condition	Explanation of Amendment
		prevent buckling of such reinforcements. This proposed amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
1905.6.2	Geological	This amendment requires minimum reinforcement in continuous footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force, which investigated the poor performance observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
1905.8 through 1905.10	Geological	These amendments are intended to carry over critical provisions for the design of concrete columns in moment frames from the Uniform Building Code (UBC). Increased confinement is critical to the integrity of such columns and these modifications ensure that it is provided when certain thresholds are exceeded. In addition, this amendment carries over from the UBC a critical provision for the design of concrete shear walls. It essentially limits the use of very highly gravity-loaded walls from being included in the seismic load resisting system, since their failure could have a catastrophic effect on the building. Furthermore, this amendment was incorporated into this Code based on observations from the 1994 Northridge Earthquake. Rebar placed in very thin concrete topping slabs has been observed in some instances to have popped out of the slab due to insufficient concrete coverage. This modification ensures that critical boundary and collector rebars are placed in sufficiently thick slabs to prevent buckling of such reinforcements. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
2304.10.2 and Table 2304.10.2	Geological	Due to the high geologic activities in the Southern California area and the expected higher level of performance on buildings and structures, this proposed local amendment limits the use of staple fasteners in resisting or transferring seismic forces. In September 2007, limited cyclic testing data was provided to the ICC, Los Angeles Chapter Structural Code Committee, showing that stapled wood structural shear panels do not

Code Section	Condition	Explanation of Amendment
		exhibit the same behavior as nailed wood structural shear panels. The test results of stapled wood structural shear panels demonstrated much lower strength and drift than nailed wood structural shear panel test results. Therefore, the use of staples as fasteners to resist or transfer seismic forces shall not be permitted without being substantiated by cyclic testing. This amendment is a continuation of a similar amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
2304.10.3.1	Geological	The overdriving of nails into the structural wood panels still remains a concern when pneumatic nail guns are used for wood structural panel shear wall nailing. Box nails were observed to cause massive and multiple failures of the typical 3/8-inch thick plywood during the 1994 Northridge Earthquake. The use of clipped head nails continues to be restricted from use in wood structural panel shear walls where the minimum nail head size must be maintained in order to minimize nails from pulling through sheathing materials. Clipped or mechanically driven nails used in wood structural panel shear wall construction were found to perform much worse in previous wood structural panel shear wall testing done at the University of California Irvine. The existing test results indicated that, under cyclic loading, the wood structural panel shear walls were less energy absorbent and less ductile. The panels reached ultimate load capacity and failed at substantially less lateral deflection than those using same-size hand-driven nails. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force, which investigated the poor performance observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
2304.12.2.8	Climatic Geological	No substantiating data has been provided to show that wood used in retaining or crib walls is effective in supporting buildings and structures during a seismic event while being subject to deterioration caused by the combined detrimental effect of constant moisture in the soil and wood-destroying organisms. Wood used in retaining or crib walls, when it is not properly treated and protected against deterioration, has performed very poorly. Most contractors are typically accustomed to construction in dry and temperate weather in the Southern

Code Section	Condition	Explanation of Amendment
		California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. The proposed amendment takes the necessary precautionary steps to reduce or eliminate potential problems that may result by using wood in retaining or crib walls, which experience relatively rapid decay due to the fact that the region does not experience temperatures cold enough to destroy or retard the growth and proliferation of wood-destroying organisms. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the local climate and the increased risk of significant earthquakes in the County.
2305.4	Geological	Many of the hold-down connectors currently in use do not have any acceptance report based on dynamic testing protocols. This amendment continues to limit the allowable capacity to 75% of the acceptance report value to provide an additional factor of safety for statically tested anchorage devices. Cyclic forces imparted on buildings and structures by seismic activity cause more damage than equivalent forces that are applied in a static manner. Steel plate washers will reduce the additional damage that can result when hold-down connectors are fastened to wood framing members. This amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force, which investigated the poor performance observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
2306.2 2306.3 2307.2 2308.10.5.1 2308.10.5.2 Figure 2308.10.5.1 and Figure 2308.10.5.2	Geological	The SEAOSC and the Los Angeles City Joint Task Force that investigated damage to buildings and structures during the 1994 Northridge Earthquake recommended reducing allowable shear values in wood structural panel shear walls or diaphragms that were not substantiated by cyclic testing. That recommendation was consistent with a report to the Governor from the Seismic Safety Commission of the State of California recommending that code requirements be "more thoroughly substantiated with testing." The allowable shear values for wood structural panel shear walls or diaphragms fastened with staples are based on monotonic testing and do not take into consideration that earthquake forces load shear wall or diaphragm in a repeating and fully reversible manner. In September 2007, limited cyclic testing was conducted

Code Section	Condition	Explanation of Amendment
		by a private engineering firm to determine if wood structural panels fastened with staples would exhibit the same behavior as wood structural panels fastened with common nails. The test result revealed that wood structural panels fastened with staples demonstrated much lower strength and stiffness than wood structural panels fastened with common nails. It was recommended that the use of staples as fasteners for wood structural panel shear walls or diaphragms not be permitted to resist seismic forces in structures assigned to Seismic Design Categories D, E, and F unless it can be substantiated by cyclic testing. Furthermore, the cities and unincorporated areas within the greater Los Angeles/Long Beach region have taken extra measures to maintain the structural integrity of the framing of shear walls and diaphragms designed for high levels of seismic forces by requiring wood sheathing be applied directly over the framing members and prohibiting the use of panels placed over gypsum sheathing. This amendment is intended to prevent the undesirable performance of nails when gypsum board softens due to cyclic earthquake displacements and the nail ultimately does not have any engagement in a solid material within the thickness of the gypsum board. This amendment continues the previous amendment adopted during the 2007 code adoption cycle.
2308.10.8.1	Geological	With the higher seismic demand placed on buildings and structures in this region, interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. The purpose of this amendment is to limit the use of the exception to structures assigned to Seismic Design Category A, B, or C where lower seismic demands are expected. Requiring interior braced walls be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
Table 2308.10.1	Geological	This amendment specifies minimum sheathing thickness and nail size and spacing so as to provide a uniform standard of construction for designers and buildings to follow. This is intended to improve the performance level

Code Section	Condition	Explanation of Amendment
		of buildings and structures that are subject to the higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by the SEAOSC and the Los Angeles City Joint Task Force, which investigated the performance deficiencies observed in the 1994 Northridge Earthquake. This amendment is a continuation of an amendment adopted during previous code adoption cycles, and is necessary due to the increased risk of significant earthquakes in the County.
2308.10.9	Geological	Due to the high geologic activities in the Southern California area and the required higher level of performance of buildings and structures, this amendment limits the use of staple fasteners in resisting or transferring seismic forces. In September 2007, limited cyclic testing data was provided to the ICC, Los Angeles Chapter Structural Code Committee, showing that stapled wood structural shear panels do not exhibit the same behavior as nailed wood structural shear panels. The test results of stapled wood structural shear panels demonstrated much lower strength and drift than nailed wood structural shear panel test results. Therefore, the use of staples as fasteners to resist or transfer seismic forces shall not be permitted without being substantiated by cyclic testing. This amendment is a continuation of a similar amendment adopted during previous code adoption cycles.
3114;	Climatic, Geologic	The greater Los Angeles/Long Beach region is situated over a vast array of earthquake fault systems capable of producing major earthquakes, similar to or exceeding the geologic activities occurring during the 1994 Northridge Earthquake. The region is further impacted by construction of buildings and structures utilizing traditional construction materials that impact the amount of energy, air quality, greenhouse gas emission and construction waste in the area. The proposed amendment addresses structural design requirements specific to intermodal shipping containers, reduce environmental impact of unused and unrecycled intermodal shipping containers, and increase sustainability by reducing consumption of traditional construction materials. The proposed modification needs to be incorporated into the code to assure that new buildings and additions to existing buildings utilizing intermodal shipping containers are designed and constructed in accordance with the scope and objectives of the California Building Code and

Code Section	Condition	Explanation of Amendment
		California Green Building Standards Code
Appendix C	Climatic, Geologic, Voluntary appendix	Los Angeles County is a diverse region with both densely populated urban areas and rural areas with various agricultural and animal husbandry establishments. Many areas of the County have been designated as Fire Hazard Severity Zones due to the increased risk of fire caused by low humidity, strong winds, and dry vegetation, particularly the rural areas, which are often used for agricultural purposes. Furthermore, the greater Los Angeles/Long Beach region is situated over a vast array of earthquake fault systems capable of producing major earthquakes, similar to or exceeding the geologic activities occurring during the 1994 Northridge Earthquake. Due to the need for agricultural buildings to perform appropriately in the County due to its geology and climate, adoption of building standards for such structures is required.
Appendix H	Climatic, Geologic, Voluntary appendix	Los Angeles County is a diverse region with both densely populated urban areas and rural areas with various signs used in the County. The Los Angeles region is situated over a vast array of earthquake fault systems capable of producing major earthquakes, similar to or exceeding the geologic activities occurring during the 1994 Northridge Earthquake. In addition, weather events occur seasonally with high winds such as the Santa Ana Winds. Due to the need for signs to perform well in the County due to its climate and geology, adoption of building standards for signs is required.
H103.1	Geologic, Administrative, Voluntary appendix	Los Angeles County is a diverse region with both densely populated urban areas and rural areas with various signs used in the County. The greater Los Angeles/Long Beach region is situated over a vast array of earthquake fault systems capable of producing major earthquakes, similar to or exceeding the geologic activities occurring during the 1994 Northridge Earthquake. This provision is amended to cross-reference to applicable legal provisions and also to ensure that signs are located in such a way as to avoid damage to adjacent structures and people given the potential for earthquakes in the County.
H103.2	Geologic, Administrative, Voluntary appendix	Los Angeles County is a diverse region with both densely populated urban areas and rural areas with various signs used in the County. The greater Los Angeles/Long Beach region is situated over a vast array of earthquake fault systems capable of producing major earthquakes, similar to or exceeding the geologic activities occurring during the 1994 Northridge Earthquake. This provision is

Code Section	Condition	Explanation of Amendment
		amended to cross-reference to applicable legal provisions and also to ensure that sign projections and clearances are located in such a way as to avoid damage to adjacent structures and people given the potential for earthquakes in the County.
H104.1	Geologic, Voluntary appendix	The greater Los Angeles/Long Beach region is situated over a vast array of earthquake fault systems capable of producing major earthquakes, similar to or exceeding the geologic activities occurring during the 1994 Northridge Earthquake. Due to the risk of geologic activities in the Southern California area, buildings and structures require a high level of performance, which is directly proportional to the weight of a structure. By adding the weight of a sign to the identification placard, it will improve the ability to provide structural verification in the event of damage or future modifications.
H105.1	Administrative, Voluntary appendix	The amendment provides a cross reference to Chapter 24 for user convenience.
H106.1, H106.2	Administrative, Voluntary appendix	This change corrects a call out from the model electrical code to the relevant local electrical code and clarifies that a separate electrical permit is required for user convenience.
H110.1	Climatic, Voluntary appendix	Due to the potential for severe local weather conditions with torrential rain, it is necessary to clarify that no portions of the roof sign and supporting members may interfere with proper roof drainage to prevent the potential for roof collapse due to water accumulation.
H116	Climatic, Voluntary appendix	Due to the potential for severe local weather with high speed winds and hot, dry conditions, it is necessary that the most recent test standards as specified in Chapter 35 are adopted in lieu of the older test standards specified in Section H116. This ensures that the risk from fires is minimized.
J101.1 to J101.9	Geological Topographical Climatic	Sections revised to include erosion and sediment control measures to address the complex and diverse set of soil types and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J101.10	Geological Topographical Climatic	Section revised to maintain safety and integrity of public or private property adjacent to grading sites due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J103.1 – J103.2 and	Geological Topographical	Sections revised to provide adequate control of grading operations typical to the greater Los Angeles

Code Section	Condition	Explanation of Amendment
Figure J103.2	Climatic	County/Long Beach region due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J104.2.1 – J104.4	Geological Topographical Climatic	Sections revised or added to provide adequate control of grading operations typical to the greater Los Angeles County/Long Beach region due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J105.1- J105.14	Geological Topographical Climatic	Sections revised or added to provide adequate control of grading operations typical to the greater Los Angeles County/Long Beach region due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J106.1	Geological Topographical Climatic	Section revised to require more stringent cut slope ratios to address the complex and diverse set of soil types and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J107.1- J107.7	Geological Topographical Climatic	Sections revised to provide more stringent fill requirements for slope stability and settlement due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J107.8 – J107.9	Geological Topographical Climatic	Sections revised to provide more stringent inspection and testing requirements for fill slope stability due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J108.1 – J108.4	Geological Topographical Climatic	Sections revised to provide more stringent slope setback requirements to address the complex and diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J109.1 – J109.3	Geological Topographical Climatic	Sections revised to provide more stringent drainage and terracing requirements to address the complex and diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J109.5	Geological Topographical Climatic	Subsection added to provide for adequate outlet of drainage flows due to the diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J110.1 - J110.8.5	Geological Topographical Climatic	Sections revised or added to provide for State requirements of storm water pollution prevention and more stringent slope planting, and slope stability

Code Section	Condition	Explanation of Amendment
		requirements to control erosion due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
J111	Geological Topographical Climatic	Section revised to reference additional standards for soils testing due to the complex and diverse set of soil types, climates, and geologic conditions that exist in the greater Los Angeles County/Long Beach region.
Appendix Q Q101.1, Q102.1, Q103.1, Q103.4, Q107.1	Administrative, Voluntary appendix Climatic Geologic Topographical	Adoption of this appendix is necessary because strict compliance with State and local standards and laws would prevent, hinder, or delay the mitigation of the effects of a declared shelter crisis, local emergency or state of emergency. The modifications to this appendix are administrative in nature, to provide clarification of various provisions of the language of this voluntary Appendix.
Q106.1	Climatic	Los Angeles County is subject to extreme temperatures, and many of these membrane structures will be erected and occupied during severe weather events. It is necessary to include this amendment to ensure the safety, health, and comfort of the occupants is maintained during extreme heat and cold.
Q110.1.1, Q110.1.2	Administrative	These sections are a cross reference to the State Plumbing Code requirement for user convenience and is not adding a new building standard nor enacting a more restrictive requirement. To the extent findings are requested, see prefatory language in this Section.
Q110.3	Climatic, Voluntary appendix	The County may utilize mobile restroom facilities that are physically separate from the living facilities. Due to the potential for severe local weather conditions, with extreme temperatures or torrential rain, the distance to the restroom facilities required for the comfort, safety, and health of displaced people should be reduced to 300 feet or as determined by the Building Official.

PLUMBING CODE AMENDMENTS

CODE SECTION	CONDITION	EXPLANATION
Section 304.1	Geological Topographical Climatic	The County of Los Angeles is a densely populated area with buildings constructed within a region where water is scarce and domestic water service is impacted by immoderate and varying weather conditions, including periods of extended drought. The proposed measures will require buildings to be more water efficient and allow greater conservation of domestic water due to these local conditions.
Sections 601.2.3	Geological Topographical Climatic	The County of Los Angeles is a densely populated area with buildings constructed within a region where water is scarce and domestic water service is impacted by immoderate and varying weather conditions, including periods of extended drought. The proposed measures will require buildings to be more water efficient and allow greater conservation of domestic water due to these local conditions.
Section 721.3	Geological Topographical	To allow for the proper operation of existing Los Angeles County sewer infrastructure and establish consistency with Title 20 – Utilities – of the Los Angeles County Code, Division 2 (Sanitary Sewers and Industrial Waste) due to local soil conditions and topography.
Sections 728.1 to 728.6	Geological Topographical	To allow for the proper operation of existing Los Angeles County sewer infrastructure and establish consistency with Title 20 – Utilities – of the Los Angeles County Code, Division 2 (Sanitary Sewers and Industrial Waste) due to local soil conditions and topography.
Table H 101.8	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions and to provide protections for native, protected oak trees that are consistent with Title 22 – Zoning and Planning – of the Los Angeles County Code, Chapter 22.174 (Oak Tree Permits).
Table H 201.1(1)	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions, sewer capacity, and sewage treatment.

Table H 201.1(2)	Geological Topographical	To establish consistency with requirements of the County Health Department for sewer capacity and sewage treatment due to local soil conditions.
Table H 201.1(3)	Geological Topographical	To establish consistency with requirements of the County Health Department for sewer capacity and sewage treatment due to local soil conditions.
Table H 201.1(4)	Geological Topographical	To establish consistency with requirements of the County Health Department for sewer capacity and sewage treatment due to local soil conditions.
Section H 301.1	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions.
Section H 401.3	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions.
Section H 601.5	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions.
Section H 601.8	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions.
Section H 701.2	Geological Topographical	To establish more restrictive requirements for protection of local groundwater due to local soil conditions.
Section H 1001.1	Geological	To establish more restrictive requirements to prevent earth movement based on local soil and seismic conditions.
Section H 1101.6	Geological	To establish more restrictive requirements to prevent earth movement based on local soil and seismic conditions.
Appendix P		

Appendix S	Climatic	To establish requirements for solar thermal energy systems based on provisions in the Uniform Solar, Hydronics and Geothermal Code (USHGC), which is developed by the International Association of Plumbing and Mechanical Officials. The County of Los Angeles is a densely populated area, with elevated levels of greenhouse gas emissions. Standards to regulate the installation of solar thermal energy systems will facilitate safe and efficient installations of these systems to improve local air quality, thereby improving the health of the County's residents, businesses and visitors.

MECHANICAL CODE AMENDMENTS		
CODE SECTION	**CONDITION**	**EXPLANATION**
501.1	Climatic	Additional Health Department requirements are necessary due to local air quality concerns.
510.1.6	Geological	High geologic activities, such as seismic events, in the Southern California area necessitate this local amendment for bracing and support.
603.7.1.1	Geological	High geologic activities, such as seismic events, in the Southern California area necessitate this local amendment for bracing and support.
1114.4	Geological	High geologic activities, such as seismic events, in the Southern California area necessitate this local amendment to reduce damage and potential for toxic refrigerant release during a seismic event caused by shifting equipment and to minimize impacts to the sewer system in such an event.

RESIDENTIAL CODE AMENDMENTS

Code Section	Condition	Explanation of Amendment
R301.1.3.2	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. After the 1994 Northridge Earthquake, the Wood Frame Construction Joint Task Force recommended that the quality of woodframe construction needed to be greatly improved. The Task Force recommended that structural plans be prepared by the engineer or architect so that plan examiners, building inspectors, contractors, and special inspectors may logically follow and construct the seismic force-resisting systems as presented in the construction documents. For buildings or structures located in Seismic Design Category D_0, D_1, D_2, or E that are subject to a greater level of seismic forces, the requirement to have a California licensed architect or engineer prepare the construction documents is intended to minimize or reduce structural deficiencies that may cause excessive damage or injuries in woodframe buildings. Involvement of a registered professional will minimize the occurrence of structural deficiencies such as plan and vertical irregularities, improper shear transfer of the seismic force-resisting system, missed details or connections important to the structural system, and the improper application of the prescriptive requirements of the California Residential Code.

R301.1.5	Geological Topographical	Due to the local topographical and geological conditions of the sites within the greater Los Angeles region and their susceptibility to earthquakes, this technical amendment is required to address and clarify special needs for buildings constructed on hillside locations. A joint Structural Engineers Association of Southern California (SEAOSC) and Los Angeles City Joint Task Force investigated the performance of hillside building failures after the Northridge Earthquake. Numerous hillside failures resulted in loss of life and millions of dollars in damage. These criteria were developed to minimize the damage to these structures and have been in use by the City and County of Los Angeles for several years.
R301.2.2.6	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Due to the high geologic activities in the Southern California area and the necessary higher level of performance required for buildings and structures, this local amendment limits the type of irregular conditions as specified in the California Residential Code. Such limitations are recommended to reduce structural damage in the event of an earthquake. The County of Los Angeles and cities in this region have implemented these extra measures to maintain the structural integrity of the framing of the shear walls and all associated elements when designed for high levels of seismic loads.
R301.2.2.11	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Due to the high geologic activity in the Southern California area and the necessary higher level of performance required for buildings and structures, this local amendment limits the potential anchorage and supporting frame failure resulting from additional weight. There is no limitation for weight of mechanical and plumbing fixtures and equipment in the International Residential Code. Requirements from ASCE 7 and the International Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this amendment that a registered design professional be required to analyze if the floor support is adequate and structurally sound.
Table R302.1(2)	Climatic	This amendment will not allow unprotected openings (openings that do not resist the spread of fire) to be in the exterior wall of a residential building that is located on a property line. This amendment is necessary due to local climatic conditions. The hot, dry weather conditions of late summer in combination with the Santa Ana winds

		creates an extreme fire danger. Residential buildings with unprotected openings located on a property line may permit fires to spread from the inside of the building to adjacent properties and likewise from exterior properties to the interior of the building.
R337.1.1 R337.1.2	Climatic	Clarifies the application of Chapter 5 of the California Wildland Interface Code to also harden additions, alterations, and/or relocated buildings. Many areas of the County have been designated as Fire Hazard Severity Zones due to the increased risk of fire caused by low humidity, strong winds, and dry vegetation. Additions, alterations, and/or relocated buildings have the same fire risk as new buildings.
R337.1.3 R337.1.5 R337.1.6	Climatic	Disallows the use of wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in high fire severity zones in order to further harden residential buildings against fire risk.
R337.1.7	Climatic	Disallows the use of Class B wood-shingle/wood-shake roofs due to the increased risk of fire in the County caused by low humidity, strong winds, and dry vegetation in high fire severity zones in order to further harden residential buildings against fire risk.

R401.1	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Wood foundations, even those that are preservative-treated, encounter a higher risk of deterioration when contacting the adjacent ground. The required seismic anchorage and transfer of lateral forces into the foundation system necessary for 2-story structures and foundation walls could become compromised at varying states of wood decay. In addition, global structure overturning moment and sliding resistance is reduced when utilizing wood foundations as opposed to conventional concrete or masonry systems. However, non-occupied, single-story storage structures pose significantly less risk to human safety and may utilize the wood foundation guidelines specified in this Chapter.

R403.1.2 R403.1.3.6 R403.1.5 Figure R403.1.5	Climatic Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. These amendments require minimum reinforcement in continuous footings and stepped footings to address the problem of poor performance of plain or under-reinforced footings during a seismic event. These amendments implement the recommendations of SEAOSC and the Los Angeles City Joint Task Force resulting from their investigation of the 1994 Northridge Earthquake. Interior walls can easily be called upon to resist over half of the seismic loading imposed on simple buildings or structures. Without a continuous foundation to support the braced wall line, seismic loads would be transferred through other elements such as non-structural concrete slab floors, wood floors, etc. Requiring interior braced walls to be supported by continuous foundations is intended to reduce or eliminate the poor performance of buildings or structures.
R404.2	Climatic Geological	No substantiating data has been provided to show that wood foundations are effective in supporting structures and buildings during a seismic event while being subject to deterioration caused by the presence of water and other materials detrimental to wood foundations in the soil. Wood foundations, when they are not properly treated and protected against deterioration, have performed very poorly and have led to slope failures. Most contractors are typically accustomed to construction in dry weather in the Southern California region and are not generally familiar with the necessary precautions and treatment of wood that makes it suitable for both seismic events and wet applications. With the higher seismic demand placed on buildings and structures in this region, coupled with the dryer weather conditions, it is the intent of this amendment to reduce or eliminate potential problems resulting from the use of wood footings and foundations.

R501.2	Geological	Due to the high geologic activities in the Southern California area and the necessary higher level of performance required for buildings and structures, this local amendment limits the potential anchorage and supporting frame failure resulting from additional weight. There is no limitation for weight of mechanical and plumbing fixtures and equipment in the International Residential Code. Requirements from ASCE 7 and the International Building Code would permit equipment weighing up to 400 lbs. when mounted at 4 feet or less above the floor or attic level without engineering design. Where equipment exceeds this requirement, it is the intent of this amendment that a registered design professional be required to analyze if the floor support is adequate and structurally sound.
R503.2.4 Figure R503.2.4	Geological	Section R502.10 of the Code does not provide any prescriptive criteria to limit the maximum floor opening size, nor does Section R503 provide any details to address the issue of shear transfer near larger floor openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damage caused by seismic forces. Requiring blocking with metal ties around larger floor openings and limiting opening size is consistent with the requirements of Section R301.2.2.6.
Table R602.3(1) Table R602.3(2)	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. In September 2007, limited cyclic testing data was provided to the ICC Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels do not exhibit the same behavior as the nailed wood structural shear panels. The test results of the stapled wood structural shear panels demonstrated lower strength and drift than the nailed wood structural shear panel test results. Therefore, the use of staples as fasteners for shear walls sheathed with other materials shall not be permitted without being substantiated by cyclic testing.

R602.3.2 Table R602.3.2	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads by eliminating single top plate construction. The performance of modern day braced wall panel construction is directly related to an adequate load path extending from the roof diaphragm to the foundation system.
R602.10.2.3	Geological	The greater Los Angeles region is a densely populated area having buildings and structures constructed over and near a vast array of fault systems capable of producing major earthquakes, including, but not limited, to the 1994 Northridge Earthquake. Plywood shear walls with high aspect ratio experienced many failures during the Northridge Earthquake. This proposed amendment specifies a minimum braced wall length to meet an aspect ratio consistent with other sections of the California Residential Code, and to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the California Residential Code. This is intended to improve the performance level of buildings and structures that are subject to the higher seismic demands and reduce and limit potential damage to property. This proposed amendment reflects the recommendations by SEAOSC and the Los Angeles City Joint Task Force that investigated the poor performance observed during the 1994 Northridge Earthquake.

Table R602.10.3(3)	Geological	Due to the high geologic activities in the Southern California area and the necessary higher level of performance of buildings and structures, this local amendment reduces or eliminates the allowable shear values for shear walls sheathed with lath, plaster, or gypsum board. The poor performance of such shear walls sheathed with other materials in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads.
Table R602.10.4	Geological	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. This amendment specifies minimum WSP sheathing thickness and nail size and spacing, so as to provide a uniform standard of construction to improve the performance level of buildings and structures, given the potential for higher seismic demands placed on buildings or structure in this region. This proposed amendment reflects the recommendations by SEAOSC and the Los Angeles City Joint Task Force following the 1994 Northridge Earthquake. In September 2007, cyclic testing data was provided to the Los Angeles Chapter Structural Code Committee showing that stapled wood structural shear panels underperformed nailed wood structural shear panels. Test results of the stapled wood structural shear panels appeared much lower in strength and drift than the nailed wood structural shear panel test results.

Table R602.10.5	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The poor performance of such shear walls sheathed in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity with respect to the "maximum shear wall aspect ratios" of the framing of the shear walls when designed for high levels of seismic loads. This amendment is consistent with the shear wall aspect ratio provision of Section 4.3.3 of AWC SDPWS-2021.
Figure R602.10.6.1	Geological	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. The poor performance of shear walls in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. Box nails were observed to cause massive and multiple failures of the typical 3/8"

		thick 3 ply-plywood during the Northridge Earthquake. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads. The performance of modern day braced wall panel construction is directly related to an adequate load path extending from the roof diaphragm to the foundation system.
Figure R602.10.6.2	Geological	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. The poor performance of such shear walls in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads. Box nails were observed to cause massive and multiple failures of typical 3/8-inch thick plywood during the Northridge Earthquake. This change to the minimum lap splice requirement is consistent with Section 25.5 of ACI 318-19.
Figure R602.10.6.4	Geological	3/8" thick 3 ply-plywood shear walls experienced many failures during the Northridge Earthquake. The poor performance of such shear walls in the 1994 Northridge Earthquake was investigated by SEAOSC and the Los Angeles City Joint Task Force. The County of Los Angeles and cities in this region have taken extra measures to maintain the structural integrity of the framing of the shear walls when designed for high levels of seismic loads. The proposal in which "washers shall be a minimum of 0.229 inch by 3 inches by 3 inches in size" is consistent with Section R602.11.1 of the California Residential Code and Section 2308.7.1 of the California Building Code.
R606.4.4	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The addition of the word "or" will prevent the use of unreinforced parapets in Seismic Design Category D_0, D_1, or D_2, or on townhouses in Seismic Design Category C.
R606.12.2.2.3	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Reinforcement using longitudinal wires for buildings and structures located in high seismic areas is not as ductile as deformed rebar. Having vertical reinforcement closer to the ends of masonry walls helps to improve the seismic performance of masonry buildings and structures.
R803.2.4	Geological	Section R802 of the Code does not provide any prescriptive criteria to limit the maximum size of roof openings, nor does Section R803 provide any details to

		address the issue of shear transfer near larger roof openings. With the higher seismic demand placed on buildings and structures in this region, it is important to ensure that a complete load path is provided to reduce or eliminate potential damage caused by seismic forces. Requiring blocking with metal ties around larger roof openings and limiting the size of openings is consistent with the requirements of Section R301.2.2.6.

R1001.3.1	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. The performance of fireplaces/chimneys without anchorage to the foundation has been observed to be inadequate during major earthquakes. The lack of anchorage to the foundation results in overturn or displacement.
Appendix BJ BJ106.1	Geological	Los Angeles County is prone to seismic activity due to the existence of active faults in the Southern California area. Due to the limited seismic performance information on strawbale construction, this amendment is intended to limit the higher risk strawbale construction poses in a high seismic region.
Appendix CJ CJ101.1, CJ102.1, CJ103.1, CJ103.4, CJ107.1	Administrative, Climatic, Geologic, Topographical	Adoption of this appendix is necessary because strict compliance with state and local standards and laws would prevent, hinder, or delay the mitigation of the effects of a declared shelter crisis or other emergency. The modifications to this appendix are administrative in nature, to provide clarification of various provisions of the language of this voluntary Appendix.
CJ106.1	Climatic	Los Angeles County is subject to extreme temperatures, and many of these membrane structures will be erected and occupied during severe weather events. It is necessary to include this amendment to ensure the safety, health, and comfort of the occupants is maintained during extreme heat and cold.
CJ110.1.1, CJ110.1.2	Administrative	These sections are simply a cross reference to the State Plumbing Code requirement for user convenience and is not adding a new building standard nor enacting a more restrictive requirement. To the extent findings are requested, see prefatory language in this Section.
CJ110.3	Climatic	The County may utilize mobile restroom facilities that are physically separate from the living facilities. Due to the potential for severe local weather conditions, with extreme temperatures or torrential rain, the distance to the restroom facilities required for the comfort, safety, and health of displaced people should be reduced to 300 feet or as determined by the Building Official.

GREEN BUILDING STANDARDS CODE AMENDMENTS		
CODE SECTION	**CONDITION**	**EXPLANATION**
301.1, 301.1.1	Climatic and Topographic	Environmental resources in the County of Los Angeles are scarce due to varying, and occasionally immoderate, temperatures and weather conditions. Expanding the scope of the mandatory requirements of this Code for all residential additions and alterations, and for residential buildings of seven stories or greater in height, will achieve a greater reduction in greenhouse gases, higher efficiencies of energy, water, and material usage, and improved environmental air quality.
301.3, 301.3.3	Climatic and Topographic	Environmental resources in the County of Los Angeles are scarce due to varying, and occasionally immoderate, temperatures and weather conditions. Expanding the scope of the mandatory requirements of this Code for nonresidential buildings and residential buildings of seven stories or greater in height that are greater than or equal to 25,000 square feet in floor area will achieve a greater reduction in greenhouse gases, higher efficiencies of energy, water, and material usage, and improved environmental air quality.
4.106.4.1, 4.106.4.1.1,	Climatic	The County of Los Angeles is a densely populated area with elevated levels of greenhouse gas emissions. The proposed modification to increase the number of EV charging spaces and stations will help to promote the use of electric vehicles and significantly reduce local air and noise pollution and greenhouse gas emissions, thereby improving the health of the County's residents, businesses, and visitors.
4.106.5	Climatic and Topographic	The County of Los Angeles is a densely populated area having residential buildings constructed within a region where water is scarce and maintaining storm water runoff quality is required. The proposed low-impact development measures will allow greater conservation of rain water, increase in groundwater recharge, reduction of storm water runoff, and improvement in storm water runoff quality.
4.106.6, 4.106.6.1, 4.106.6.2, 4.106.6.3, Table 4.106.6(1) Table 4.106.6(2)	Climatic	Environmental resources in the County of Los Angeles are scarce due to varying, and occasionally immoderate, temperatures and weather conditions. Adding mandatory requirements for cool roofs for residential occupancies will achieve a greater reduction in greenhouse gases, higher efficiencies of energy, and improved environmental air quality.

GREEN BUILDING STANDARDS CODE AMENDMENTS		
CODE SECTION	**CONDITION**	**EXPLANATION**
5.106.3	Climatic and Topographic	The County of Los Angeles is a densely populated area having buildings constructed within a region where water is scarce and maintaining storm water runoff quality is required. The proposed low-impact development measures will allow greater conservation of rain water, increase in groundwater recharge, reduction of storm water runoff, and improvement in storm water runoff quality.
5.106.11, 5.106.11.1, 5.106.11.2, 5.106.11.3, Table 5.106.11	Climatic	Environmental resources in the County of Los Angeles are scarce due to varying, and occasionally immoderate, temperatures and weather conditions. Adding mandatory requirements for cool roofs for nonresidential occupancies will achieve a greater reduction in greenhouse gases, higher efficiencies of energy, and improved environmental air quality.
A5.601.1	Climatic and Topographic	Environmental resources in the County of Los Angeles are scarce due to varying, and occasionally immoderate, temperatures and weather conditions. Expanding the scope of the mandatory requirements of this Code for nonresidential buildings and residential buildings of seven stories or greater in height that are greater than or equal to 25,000 square feet in floor area will achieve a greater reduction in greenhouse gases, higher efficiencies of energy, water, and material usage, and improved environmental air quality.

EXISTING BUILDING CODE AMENDMENTS		
CODE SECTION	**CONDITION**	**EXPLANATION**
302.6.1 to 302.6.3	Geologic	The greater Los Angeles/Long Beach region is a densely populated area having buildings constructed over and near a vast array of fault systems capable of producing major earthquakes, including, but not limited to, the 1994 Northridge Earthquake. The purpose of the amendments is to prevent inadequate construction or bracing to increase resistance to horizontal forces, thus minimizing hazards to life or property in the event of an earthquake.

City Council Agenda Report
Agenda Item No. 8.b.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Gerardo Marquez, Director of Community Development & Public Works

SUBJECT: CONSIDERATION OF FIRST READING OF ORDINANCE NO. 1287 AFFIRMING THE PLANNING COMMISSION'S RECOMMENDATION TO APPROVE ZONE TEXT AMENDMENT 25-01 TO AMEND THE SOUTH EL MONTE MUNICIPAL CODE CHAPTER 17.09 AND CHAPTER 5.26 TO ALLOW COMMERCIAL CANNABIS OPERATIONS IN THE MANUFACTURING ZONE AND TO AMEND THE EXISTING REQUIRED BUFFER DISTANCES FROM JURISDICTIONAL BOUNDARIES TO 350 FEET AND MAINTAIN 1,000 FOOT BUFFERS FROM ALL OTHER SENSITIVE USES

SUMMARY: Consideration to introduce Ordinance No. 1287, affirming the Planning Commission's recommendation to approve zoning text amendment to the South El Monte Municipal Code Chapter 17.09 and Chapter 5.26 to allow commercial cannabis operations in the manufacturing zone and to amend the existing required buffer distances from jurisdictional boundaries to 350 feet and maintain 1,000-foot buffers from all other sensitive uses.

RECOMMENDED ACTION: Staff recommends City Council:

1. Conduct a public hearing;
2. Take public testimony;
3. Determine that Ordinance 1287 is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061 (b)(3) (Common Sense Exemption); and
4. Waive the full reading and introduce Ordinance No. 1287 by title only, approving Planning Commission's recommendation and adopting Zone Text Amendment No. 25-01 to:

- Amend the South El Monte Municipal Code Chapter 17.09 to allow retailer commercial cannabis operations as a permitted use within the Manufacturing (M) zone;

- Amend the South El Monte Municipal Code Chapter 5.26 to add the Manufacturing (M) zone as a permissible zone for retailer commercial cannabis operations and amend the existing required buffer distance of 1,000-foot buffer from all existing sensitive uses except for jurisdictional boundaries, the buffer of which will be 350 feet.

FISCAL/FINANCIAL IMPACT: No Anticipated Fiscal Impact.

DISCUSSION:

On November 8, 2022, the voters of South El Monte approved Measure CM, which led to the adoption of Ordinance No. 1260. This Ordinance added Chapter 5.26 to Title 5 of the South El Monte Municipal Code (SEMMC) to allow for the permitting and regulation of retail commercial cannabis operation within the City, allowing for the future issuance of a maximum of three retailer commercial cannabis operation permits. On September 26, 2023, City Council adopted Ordinance No. 1268, amending Chapter 5.26 to Title 5 of the SEMMC.

Only cannabis retailers issued a valid commercial cannabis operation permit, among other approvals, are allowed to operate in the City. The City has not yet issued any commercial cannabis operation permits. Chapter 5.26 specifies zoning and locational restrictions for cannabis retailers, and requires that prospective applicants for a retailer commercial cannabis operation permit obtain site control of a property meeting the City's zoning and locational restrictions in order to be eligible for consideration in the licensing application process. The City's current zoning and locational restrictions result in four (4) compliant parcels, as depicted on the map in Attachment C; specifically, Chapter 5.26 allows for cannabis retail as a permitted use within the Commercial (C) and Commercial-Manufacturing (C-M) zones, including any overlay zone districts covering the C or C-M zones, and includes a buffer requirement that cannabis retailers be located at least 1,000 feet from the following ("sensitive uses"):

- Other Cannabis Retail Operations
- Alcohol or Drug Treatment Facility
- Day Care Centers
- Religious Institutions
- Schools
- Youth Centers
- City Jurisdictional Boundary
- Residential Zoned Properties
- Parks

Notably, although Commercial (C) zones are permissible under Chapter 5.26, no C-zoned properties are eligible locations under the City's current sensitive use and buffer requirements due to proximity to enumerated sensitive uses.

Pursuant to California Business and Professions Code Section 26054(b), state law sets 600-foot buffers from schools, daycare centers, and youth centers, but allows local jurisdictions to specify different buffer requirements.

At the March 18, 2025 City Council Meeting, staff was directed to provide different variations of the Cannabis Retailer Buffer map showing alternative buffer distances as well as the inclusion of Manufacturing Zoned lots.

At the November 18, 2025 City Council Meeting, staff presented different variations of Cannabis Retailer Buffer maps including Manufacturing Zoned lots and showing alternative buffer distances. At the December 17, 2025 Special Planning Commission Meeting, staff presented different variations of Cannabis Retailer Buffer maps including Manufacturing Zoned lots and showing alternative buffer distances the same alternatives as Zone Text Amendment (ZTA) 25-01 to the Planning Commission at the December 17, 2025 Special Planning Commission Meeting. After reviewing all of the alternatives and the inclusion of the Manufacturing Zone, Planning Commission initiated by motion Zoning Text Amendment (ZTA) 25-01 to amend SEMMC Chapters 17.09 and 5.26 to allow retailer commercial cannabis operations as a permitted use within the Manufacturing (M) zone and to maintain the 1,000-foot buffer from all sensitive uses, with the exception of the jurisdictional buffer, which would be reduced to 350 feet, approved Resolution No. 25-08 recommending City Council approve ZTA 25-01.

The table below shows the number of parcels available under the current zoning and locational requirements and under the alternative requirements recommended by Planning Commission:

Number of Eligible Lots		
	Current Zoning and locational requirements	1000 ft w/ 350 ft Jurisdictional Boundary
Commercial-Manufacturing Zone	4	23
Manufacturing Zone	N/A	82
Commercial Zone	0	0

The map in Attachment D displays the lots that would be eligible locations for future cannabis retailers if City Council approves Planning Commission’s recommendation to add Manufacturing (M) zone and reduce buffers from jurisdictional boundaries to 350 feet. The pink lots represent the Commercial-Manufacturing (C-M) zoned lots and the blue lots represent the Manufacturing (M) zoned lots.

FINDINGS

Per SEMMC Sections 17.03.150 (E)(3) and (F)(3), a recommendation by Planning Commission for approval of a Zone Text Amendment and a decision by City Council regarding such recommendation must each be based on the following findings:

1. *Substantial proof exists that the proposed change will promote the public health, safety, convenience and general welfare of the citizens of the city;* Unregulated commercial cannabis activities have the potential to adversely affect the public health and safety of South El Monte residents and those engaged in licensed commercial cannabis operations. The amendment of land use regulations, in alignment with State requirements, specific only to future cannabis retailers vetted by the City's licensing application process and ultimately awarded a commercial cannabis operation permit, that will sell cannabis and cannabis products that will be tested and only sold to those that are lawfully permitted under State law to purchase the products, substantially reduces this threat to the public health and safety. Per SEMMC Chapter 5.26, operating standards, permit application procedures and restrictions have been established to ensure that all amendments made to the code shall not be detrimental to the city in general. The City's screening process (i) requires applicants to hold site control of a location compliant with City zoning and buffer requirements, ensuring a future permittee is located in appropriate location; (ii) ensures that applicants have operational experience, and bars applicants with past violations, disciplinary actions, or evidence of detriment to public health and safety from being awarded a permit; (iii) requires applicants to provide detailed operational and security measures, so only an applicant with plans ensuring full compliance may receive a permit. Chapter 5.26 for allows the City to review each future permittee annually for compliance with all local and State laws, so a permittee that receives a permit then relaxes its operational or security measures would be required to correct deficiencies or be subject to disciplinary actions, including revocation of its permit.
2. *The proposed change is in conformance with the purpose of this chapter and with all applicable, officially adopted policies and plans*; The proposed amendment will allow for commercial cannabis retailer uses that have received a permit through the City's licensing application process to be located within the Manufacturing zone, which is compatible with surrounding industrial and employment-oriented uses, as the footprint of cannabis retailers matches those of other general retail operations. The amendment does not change the operational and security requirements and safeguards established in Chapter 5.26 that ensure future cannabis retailers established in the City will not adversely affect existing businesses. In addition, the proposed amendment to the buffer distance from sensitive uses maintains appropriate separation and continues to protect nearby land uses. Thus, the amendment is consistent with all applicable, officially adopted policies, regulations, and plans.
3. *Streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified*; Cannabis retailer uses typically have building and operational footprints of other general retail uses, and therefore do not require additional streets and public facilities nor impose undue strain on existing infrastructure and services. Proposed modifications to subject sites must meet all applicable Planning and Building & Safety regulations. As such no change in service use will occur to the subject properties.
4. *All uses permitted when the property is reclassified will be compatible with present and potential future uses, and further, existing regulations applying to the property in question;* The proposed amendment will ensure that future uses meet all

applicable standards and requirements per SEMMC Chapter 5.26 and Chapter 17.09 and thus will be compatible with present and future uses.

ENVIRONMENTAL ANALYSIS/DETERMINATION

Staff reviewed the proposed project in accordance with the California Environmental Quality Act (CEQA) guidelines and has been determined that the project is exempt pursuant to CEQA Regulation 15061(b)(3). The amendment does not approve any development or construction, and any future projects will be subject to review pursuant to CEQA. The amendment does not allow for cannabis retailers to establish locations in the City without undergoing the licensing application process and receiving a permit, nor increase the number of available cannabis retailer licenses, and it does not change any building regulations or requirements that could have an environmental impact. In addition, Section 15061(b)(3) includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Additionally, retailer commercial cannabis operations are similar to other commercial uses, subject to the same development and parking standards. Therefore, no further action is required under CEQA.

ATTACHMENT(S):

A. Ordinance 1287
B. Current Buffer Map
C. 1000 ft & 350 ft City Boundary Buffer Map
D. RESO 25-08
E. Public Hearing Notice

ATTACHMENT A

ORDINANCE NO. 1287

AN ORDINANCE OF THE CITY OF SOUTH EL MONTE CITY COUNCIL ADOPTING ZONE TEXT AMENDMENT (NO. 25-01) TO AMEND SOUTH EL MONTE MUNICIPAL CODE CHAPTER 17.09 AND CHAPTER 5.26 TO ALLOW COMMERCIAL CANNABIS OPERATIONS IN THE MANUFACTURING ZONE AND TO AMEND THE EXISTING REQUIRED BUFFER DISTANCE FROM JURISDICTIONAL BOUNDARIES TO 350 FEET AND MAINTAIN 1,000 FOOT BUFFERS FROM ALL OTHER SENSITIVE USES

WHEREAS, on January 1, 2016, a series of bills commonly referred to as Medical Cannabis Regulation and Safety Act ("MCRSA") became effective which established a comprehensive State licensing and regulatory framework for the cultivation, manufacturing, transportation, testing, and distribution and sale of medical cannabis and which affirmed the authority of local governments to impose additional regulations or to prohibit certain activities related to the cultivation, manufacture, transportation, storage, distribution, delivery, and sale of medical cannabis; and

WHEREAS, on November 8, 2016, California voters approved the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") legalizing possession, cultivation, and use of cannabis for recreational use by individuals over the age of twenty-one (21), established a State licensing and regulatory framework which made it legal to sell and distribute cannabis through regulated business as of January 1, 2018, and authorized local governments to impose additional regulations or to prohibit certain activities related to adult use cannabis; and

WHEREAS, on June 27, 2017, the California Legislature passed Senate Bill 94 which integrated the MCRSA with AUMA to create the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA") creating a single regulatory system governing the medical and adult-use cannabis industry in California; and

WHEREAS, the MAUCRSA preserved local control by authorizing local jurisdictions to adopt and enforce local ordinances to exercise control over cannabis-related operations; and

WHEREAS, the MAUCRSA provides that a State commercial cannabis license may not be issued to an applicant whose operations would violate the provisions of any local ordinance or regulation; and

WHEREAS, on November 8, 2022, the voters of the City of South El Monte ("City") adopted Ordinance No. 1260, which added Chapter 5.26 to Title 5 of the South El Monte Municipal Code ("SEMMC") which authorized and taxes certain cannabis businesses within the City; and

WHEREAS, Section 14 of Ordinance No. 1260 and SEMMC Section 5.26.250 permit the City Council of the City ("City Council") to amend the voter -approved cannabis regulations, provided that such amendments do not increase the adopted tax rate and, further, do not amend SEMMC Section 5.26.060; and

WHEREAS, on September 26, 2023, the City Council adopted Ordinance No. 1268 amending SEMMC Chapter 5.26; and

WHEREAS, on November 18, 2025, the City Council reviewed maps of and discussed different variations on the zoning and locational requirements for retailer commercial cannabis operations under Chapter 5.26; and

WHEREAS, a retailer commercial cannabis operation is already a permitted use in the Commercial (C) and Commercial-Manufacturing (C-M) zones, is subject to the same development standards as other commercial retail uses, including but not limited to parking and setbacks; and

WHEREAS, the proposed Ordinance would not result in the approval of any construction or development, any future cannabis retailer uses would have to undergo the licensing application process under Chapter 5.26 and would be subject to review pursuant to the California Environmental Quality Act ("CEQA") (Pub. Res. Code § 21000 *et seq.*); and

WHEREAS, pursuant to SEMMC Section 17.03.150, a Zone Text Amendment ("ZTA") may be initiated by a motion of the Planning Commission; and

WHEREAS, pursuant to SEMMC Section 17.03.150, Planning Commission must hold at least one public hearing on all ZTAs with notice of such public hearing made in accordance with SEMMC Section 17.03.130; and

WHEREAS, pursuant to SEMMC Section 17.03.150, Planning Commission may disapprove, continue to a later meeting, or recommend approval of a ZTA; and

WHEREAS, recommendations for approval of a ZTA must be based on the findings enumerated in SEMMC Section 17.03.150(E)(3); and

WHEREAS, pursuant to SEMMC Section 17.03.150, City Council must hold at least one public hearing on each Planning Commission recommendation to approve a ZTA and may decide to modify, approve, continue, or return to Planning Commission for further study and recommendations the ZTA, based on the required findings contained in SEMMC Section 17.03.150(E)(3); and

WHEREAS, at the December 17, 2025 special meeting, the Planning Commission of the City of South El Monte initiated by motion ZTA 25-01 to amend the South El Monte Municipal Code to allow retailer commercial cannabis operations as a permitted use in the Manufacturing (M) zone and to amend the required buffer distance from jurisdictional boundaries to 350 feet and maintain existing required 1,000 foot buffer distances from all other sensitive uses; and

WHEREAS, a public hearing was held before the Planning Commission on December 17, 2025, to consider the ZTA. All evidence, both written and oral, presented during said public hearing was considered by the Planning Commission of the City of South El Monte; and

WHEREAS, on December 17, 2025, the Planning Commission adopted Resolution No. 25-08 recommending City Council approve ZTA 25-01; and

WHEREAS, a notice of public hearing was posted in the San Gabriel Valley Tribune on January 22, 2026, for the first reading of Ordinance No. 1287 to be considered by City Council on February 3, 2026; and

WHEREAS, a public hearing was held before the City Council on February 3, 2026, to consider the recommendation by Planning Commission to adopt ZTA 25-01. All evidence, both written and oral, presented during said public hearing was considered by City Council in making its determination.

THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1: The City Council hereby approves the first reading of Ordinance No. 1287 which approves a ZTA to the SEMMC as set forth in Section 2 of this Ordinance.

SECTION 2: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated February 3, 2026, which is hereby incorporated into this Ordinance No. 1287 by reference, the City Council approves Planning Commission's recommendation to adopt ZTA 25-01, adopts ZTA 25-01, and hereby makes the following findings concerning ZTA 25-01:

A. Pursuant to South El Monte Municipal Code ("SEMMC") Section 17.03.150, there shall be substantial proof that the proposed change will promote the public health, safety, convenience and general welfare of the citizens of the city.
B. As conditioned, the proposed change is in conformance with the purpose of this chapter and with all applicable, officially adopted policies and plans.
C. As conditioned, streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified.
D. As conditioned, uses permitted when the property is reclassified will be compatible with present and potential future uses, and further, existing regulations applying to the property in question.

SECTION 3: In accordance with SEMMC Section 17.03.150(A), the proposed ZTA is consistent with the City's General Plan and other officially adopted policies and plans, and the goals and objectives stated therein. No goal or policy will be impaired.

SECTION 4: In accordance with SEMMC Section 17.03.150(C), the proposed ZTA does not relate to hazardous waste facilities, and therefore shall be consistent with the portions of the County of Los Angeles hazardous waste management plan as approved November 30, 1989, relating to siting of and siting criteria for hazardous waste facilities.

SECTION 5: Based on the findings enumerated in Section 2, City Council approves ZTA-25-01, attached hereto as Exhibit "A" amending the SEMMC as follows:

A. Amend SEMMC Chapter 17.09 to allow retailer commercial cannabis operations as a permitted use within the Manufacturing (M) zone;
B. Amend SEMMC Chapter 5.26 to provide that retailer commercial cannabis operations are a permitted use subject to Chapter 5.26 in the Manufacturing (M) zone;
C. Amend the sensitive use and buffer requirements under SEMMC Chapter 5.26 to maintain 1,000-Foot buffers from all sensitive uses with the exception of buffer requirements for jurisdictional boundaries, which will be amended to 350 feet.

For the purposes of Exhibit A, ~~strikethroughs~~ represent deletions and <u>double underline</u> represents additions.

<u>SECTION</u> 6: City Council determines that this project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Section 15061(b)(3) (common sense exemption), and a Notice of Exemption has been prepared. The exemption applies only to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

<u>SECTION 7</u>: Any interested party may appeal this decision to the City Council pursuant to Section 17.03 of the South El Monte Municipal Code.

PASSED, APPROVED AND ADOPTED this 3rd day of February 2026.

_____
Gloria Olmos, Mayor

ATTEST:

_____
Adrian Garcia, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Adrian Garcia, City Clerk of the City of South El Monte, hereby certify that the foregoing Ordinance, being Ordinance No. 1287 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 3rd day of February 2026, and that thereafter, said Ordinance was duly passed and adopted by the City Council of the City of South El Monte at a regular meeting of said Council held on the ____ day of _____ 2026, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Adrian Garcia, MMC, City Clerk

EXHIBIT A TO ORDINANCE 1287

5.26.120 Retailer operating standards and restrictions.

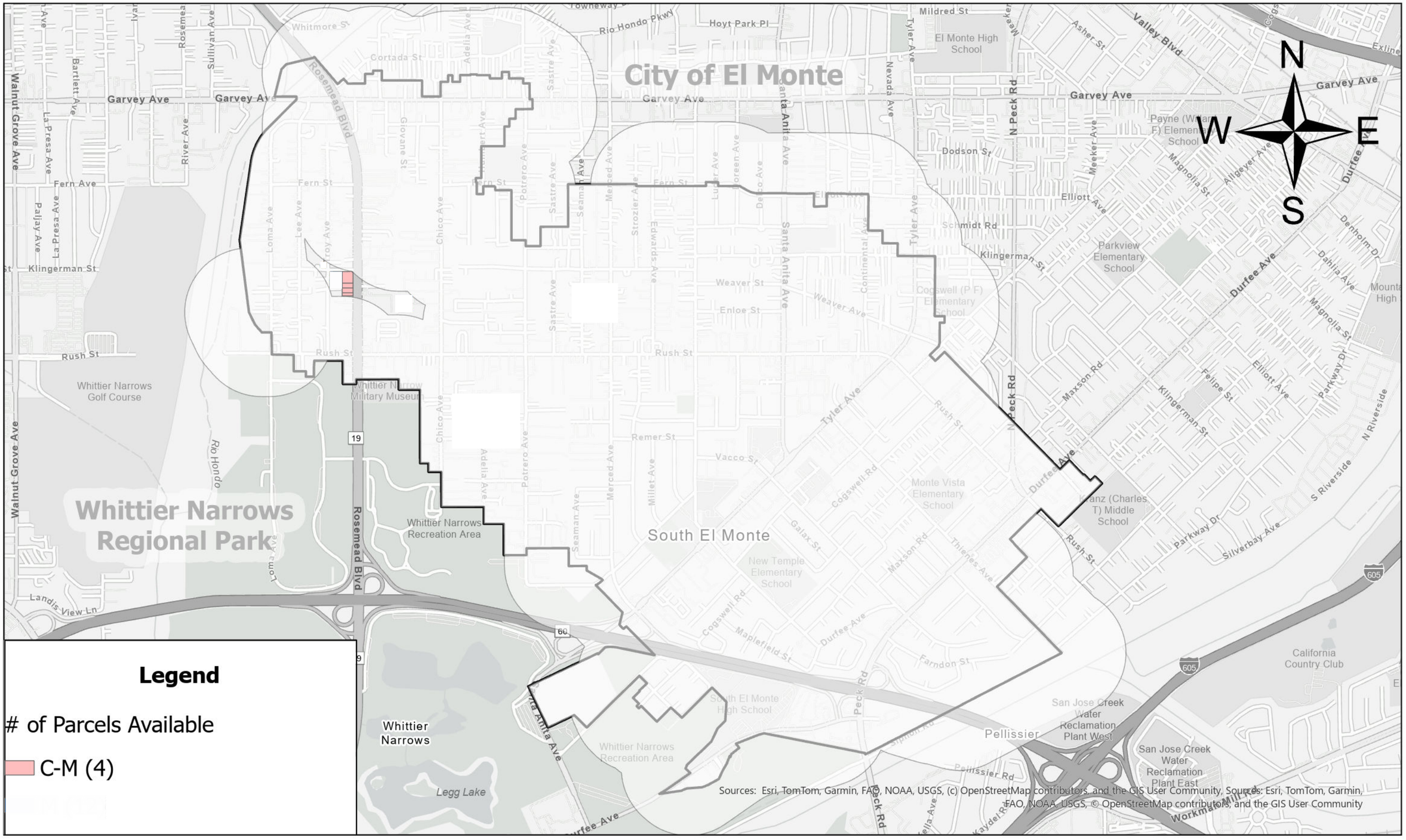
C. Location and Design Requirements. Pursuant to the authority delegated by the state to the city under Section 26054(b) of the State Business and Professions Code and overriding the location and design requirements contained in Section 26054(b) of the State Business and Professions Code, retailer commercial cannabis operations in the city shall be subject to the following location and design requirements:

1. Retailer commercial cannabis operations shall be a permitted use subject to this chapter on property: (a) located more than one thousand feet of any retailer commercial cannabis operation permitted under this chapter, alcohol or drug treatment facility, day care center, religious institution, school, ~~or~~ youth center, park or residentially zoned property; (b) located more than three hundred and fifty (350)~~one thousand~~ feet from the city's jurisdictional boundary ~~or any park or residentially zoned property~~; and (c) zoned M (manufacturing zone), C (commercial zone) or C-M (commercial-manufacturing zone) including any overlay zone districts covering the M (manufacturing zone), C (commercial zone) or C-M (commercial-manufacturing zone).

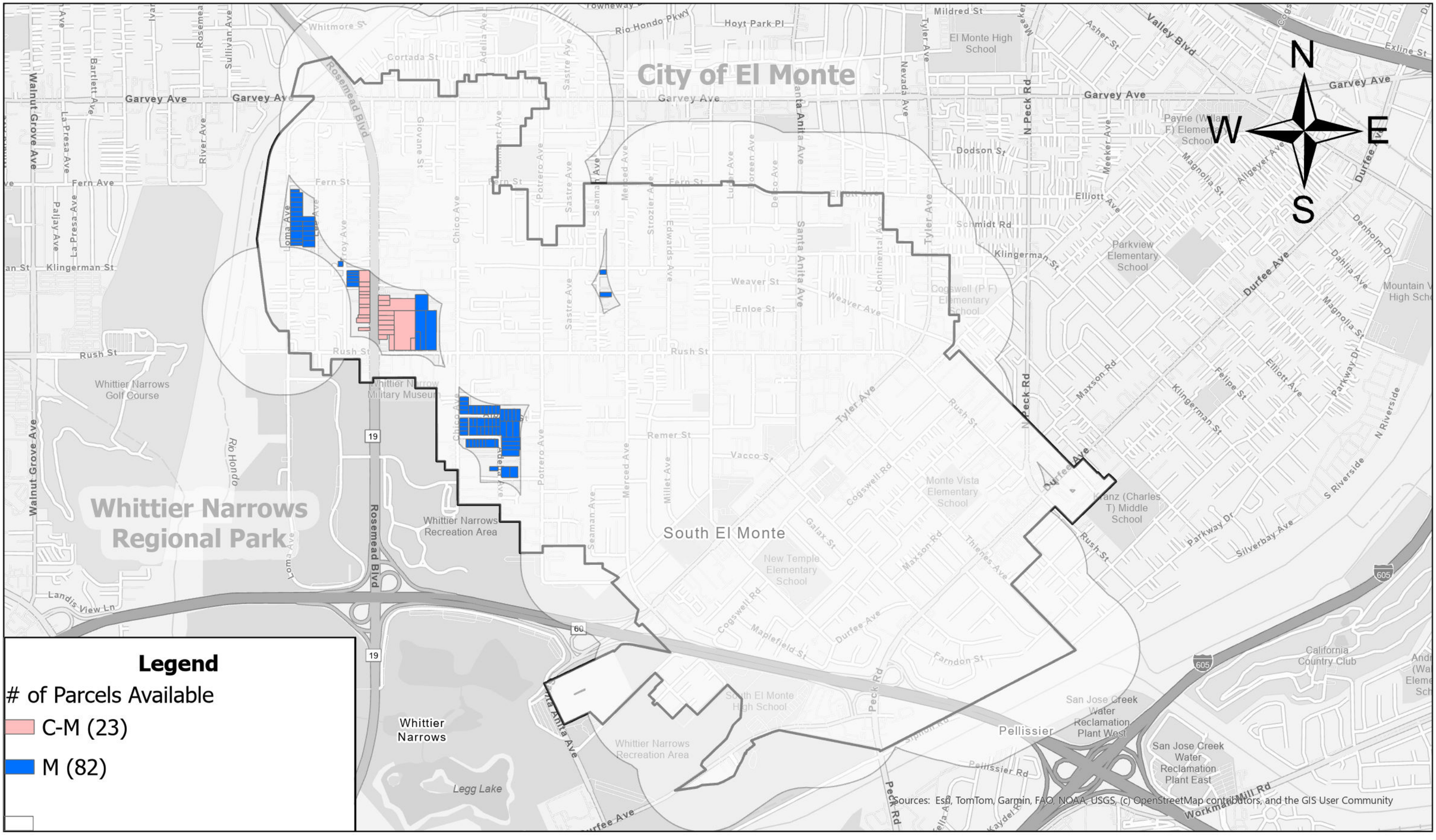
Table 17.09.020-A Uses for Industrial Zones – Manufacturing Zone (M)
The following row is added to Table 17.09.020-A:

Retailer commercial cannabis operations in accordance with Chapter 5.26 of Title 5 of this Code	P

Buffer of 1000 Feet from SEM Boundary and 1000 Feet From Sensitive Uses



Buffer of 350 Feet from SEM Boundary and 1000 Feet From Sensitive Uses



PLANNING COMMISSION

RESOLUTION NO. 25-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE TEXT AMENDMENT (NO. 25-01) TO AMEND SOUTH EL MONTE MUNICIPAL CODE CHAPTER 17.09 AND CHAPTER 5.26 TO ALLOW COMMERCIAL CANNABIS OPERATIONS IN THE MANUFACTURING ZONE AND TO AMEND THE EXISTING REQUIRED BUFFER DISTANCE FROM SENSITIVE USES.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

WHEREAS, on January 1, 2016, a series of bills commonly referred to as Medical Cannabis Regulation and Safety Act ("MCRSA") became effective which established a comprehensive State licensing and regulatory framework for the cultivation, manufacturing, transportation, testing, and distribution and sale of medical cannabis and which affirmed the authority of local governments to impose additional regulations or to prohibit certain activities related to the cultivation, manufacture, transportation, storage, distribution, delivery, and sale of medical cannabis; and

WHEREAS, on November 8, 2016, California voters approved the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") legalizing possession, cultivation, and use of cannabis for recreational use by individuals over the age of twenty-one (21), established a State licensing and regulatory framework which made it legal to sell and distribute cannabis through regulated business as of January 1, 2018, and authorized local governments to impose additional regulations or to prohibit certain activities related to adult use cannabis; and

WHEREAS, on June 27, 2017, the California Legislature passed Senate Bill 94 which integrated the MCRSA with AUMA to create the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA") creating a single regulatory system governing the medical and adult-use cannabis industry in California; and

WHEREAS, the MAUCRSA preserved local control by authorizing local jurisdictions to adopt and enforce local ordinances to exercise control over cannabis-related operations; and

WHEREAS, the MAUCRSA provides that a State commercial cannabis license may not be issued to an applicant whose operations would violate the provisions of any local ordinance or regulation; and

WHEREAS, on November 8, 2022, the voters of the City of South El Monte ("City") adopted Ordinance No. 1260, which added Chapter 5.26 to Title 5 of the South El Monte Municipal Code ("SEMMC") which authorized and taxes certain cannabis businesses within the City; and

WHEREAS, Section 14 of Ordinance No. 1260 and SEMMC Section 5.26.250 permit the City Council of the City ("City Council") to amend the voter -approved cannabis regulations, provided that such amendments do not increase the adopted tax rate and, further, do not amend

SEMMC Section 5.26.060; and

WHEREAS, on September 26, 2023, the City Council adopted Ordinance No. 1268 amending SEMMC Chapter 5.26; and

WHEREAS, on November 18, 2025, the City Council reviewed maps of and discussed different variations on the zoning and locational requirements for retailer commercial cannabis operations under Chapter 5.26; and

WHEREAS, a retailer commercial cannabis operation is already a permitted use in the Commercial (C) and Commercial-Manufacturing (C-M) zones, is subject to the same development standards as other commercial retail uses, including but not limited to parking and setbacks; and

WHEREAS, the proposed Ordinance would not result in the approval of any construction or development, any future cannabis retailer uses would have to undergo the licensing application process under Chapter 5.26 and would be subject to review pursuant to the California Environmental Quality Act ("CEQA") (Pub. Res. Code § 21000 *et seq.*); and

WHEREAS, at the December 17, 2025 special meeting, the Planning Commission of the City of South El Monte initiated a Zone Text Amendment (ZTA) to amend the South El Monte Municipal Code to allow retailer commercial cannabis operations as a permitted use in the Manufacturing (M) zone and to amend the existing required buffer distance from sensitive uses to a 350-foot buffer from the City's jurisdictional boundary and a 1000-foot buffer distance from sensitive uses; and

WHEREAS, pursuant to South El Monte Municipal Code ("SEMMC") Section 17.03.150, a Zone Text Amendment (ZTA) may be initiated by a motion of the Planning Commission; and

WHEREAS, pursuant to SEMMC Section 17.03.150, Planning Commission must hold at least one public hearing on all ZTAs with notice of such public hearing made in accordance with SEMMC Section 17.03.130; and

WHEREAS, pursuant to SEMMC Section 17.03.150, Planning Commission may disapprove, continue to a later meeting, or recommend approval of a ZTA; and

WHEREAS, recommendations for approval of a ZTA must be based on the findings enumerated in SEMMC Section 17.03.150(E)(3); and

WHEREAS, pursuant to SEMMC Section 17.03.150, City Council must hold at least one public hearing on each Planning Commission recommendation to approve a ZTA and may decide to modify, approve, continue, or return to Planning Commission for further study and recommendations the ZTA, based on the required findings contained in SEMMC Section 17.03.150(E)(3); and

WHEREAS, a public hearing was held before the Planning Commission on December 17,

2025, to consider the application. All evidence, both written and oral, presented during said public hearing was considered by the Planning Commission in making its determination.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1: The Planning Commission hereby initiates a ZTA to the SEMMC as set forth in Section 2 of this Resolution.

SECTION 2: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated December 17, 2025, which is hereby incorporated into this Resolution 25-08 by reference, the Planning Commission hereby makes the following findings concerning ZTA 25-01:

A. Pursuant to South El Monte Municipal Code ("SEMMC") Section 17.03.150, there shall be substantial proof that the proposed change will promote the public health, safety, convenience and general welfare of the citizens of the city.

B. As conditioned, the proposed change is in conformance with the purpose of this chapter and with all applicable, officially adopted policies and plans.

C. As conditioned, streets and public facilities existing or proposed are adequate to serve all uses permitted when the property is reclassified.

D. As conditioned, uses permitted when the property is reclassified will be compatible with present and potential future uses, and further, existing regulations applying to the property in question.

SECTION 3: In accordance with SEMMC Section 17.03.150(A), the proposed ZTA is consistent with the City's General Plan and other officially adopted policies and plans, and the goals and objectives stated therein. No goal or policy will be impaired.

SECTION 4: In accordance with SEMMC Section 17.03.150(C), the proposed ZTA does not relate to hazardous waste facilities, and therefore shall be consistent with the portions of the county of Los Angeles hazardous waste management plan as approved November 30, 1989, relating to siting of and siting criteria for hazardous waste facilities.

SECTION 5: Based on the findings enumerated in Section 2, Planning Commission hereby recommends that City Council approve ZTA-25-01, attached hereto as Exhibit "A" amending the SEMMC as follows:

A. Amend SEMMC Chapter 17.09 to allow retailer commercial cannabis operations as a permitted use within the Manufacturing (M) zone;

B. Amend SEMMC Chapter 5.26 to provide that retailer commercial cannabis operations are a permitted use subject to Chapter 5.26 in the Manufacturing (M) zone;

C. Amend the sensitive use and buffer requirements under SEMMC Chapter 5.26 to establish a 350-foot buffer from the City's jurisdictional boundary and a 1000-foot buffer distance from sensitive uses.

For the purposes of Exhibit A, ~~strikethroughs~~ represent deletions and double underline represents additions.

SECTION 6: Planning Commission determines that this project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Section 15061(b)(3) (common sense exemption), and a Notice of Exemption has been prepared. The exemption applies only to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 7: Any interested party may appeal this decision to the City Council pursuant to Section 17.03 of the South El Monte Municipal Code.

[SIGNATURES ON FOLLOWING PAGE]

PASSED, APPROVED AND ADOPTED this 17th day of December 2025.

Chairman

ATTEST:

Secretary

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Renee Reyes, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 25-08 was duly passed and adopted by the Planning Commission of the City of South El Monte at a special meeting of said Commission held on the 17th day of December 2025.

AYES: Commissioner(s) Retamoza, Rubio, Vice Chair Barrera, and Chair Ortiz
NOES:
ABSENT: Commissioner(s) Tang
ABSTAIN:

Secretary

EXHIBIT A TO ORDINANCE 1287

5.26.120 Retailer operating standards and restrictions.

C. Location and Design Requirements. Pursuant to the authority delegated by the state to the city under Section 26054(b) of the State Business and Professions Code and overriding the location and design requirements contained in Section 26054(b) of the State Business and Professions Code, retailer commercial cannabis operations in the city shall be subject to the following location and design requirements:

1. Retailer commercial cannabis operations shall be a permitted use subject to this chapter on property: (a) located more than one thousand feet of any retailer commercial cannabis operation permitted under this chapter, alcohol or drug treatment facility, day care center, religious institution, school, ~~or~~ youth center, park or residentially zoned property; (b) located more than three hundred and fifty (350)~~one thousand~~ feet from the city's jurisdictional boundary ~~or any park or residentially zoned property~~; and (c) zoned M (manufacturing zone), C (commercial zone) or C-M (commercial-manufacturing zone) including any overlay zone districts covering the M (manufacturing zone), C (commercial zone) or C-M (commercial-manufacturing zone).

Table 17.09.020-A Uses for Industrial Zones – Manufacturing Zone (M)

The following row is added to Table 17.09.020-A:

Retailer commercial cannabis operations in accordance with Chapter 5.26 of Title 5 of this Code	P

SAN GABRIEL VALLEY TRIBUNE
Local. News. Matters.
sgvtribune.com

San Gabriel Valley Tribune
Affiliated with SGV Newspaper Group
181 W. Huntington Dr. Suite #209
Monrovia, California 91016
(626) 544-0885

FILE NO. 0011775037

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of Los Angeles

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not party to or interested in the above-entitled matter. I am the principal clerk of the printer of SAN GABRIEL VALLEY TRIBUNE, a newspaper of general circulation for the City of West Covina, by the Superior Court of the County of Los Angeles, State of California, on the date of September 10, 1957, Case Number 684891. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

01/22/2026

I declare under the penalty of perjury that the foregoing is true and correct.

Executed at Monrovia, California
On this 22nd day of January, 2026.

Eva Almeida

Signature

NOTICE OF PUBLIC HEARING
Zone Text Amendment (ZTA 25-01)

NOTICE IS HEREBY GIVEN that the City Council of the City of South El Monte will hold a **Public Hearing** on **Tuesday, February 3, 2025 at 6:00 p.m.**, or as soon thereafter as the matter may be heard, at the **Council Chambers, 1415 Santa Anita Avenue, South El Monte, CA,** to consider a Zone Text Amendment application for No. 25-01 to approve first reading of Ordinance No. 1287, amending the South El Monte Zoning Code Chapter 17.09, Section 17.09.020, Table A to recognize commercial cannabis operations as a permitted use within the Manufacturing (M) zone; and to modify the South El Monte Municipal Code Chapter 5.26, Section 5.26.120 to allow retailer commercial cannabis operations in the Manufacturing zone; and to amend the existing required buffer distance from jurisdictional boundaries to the alternative requirement of a 350-foot buffer.

Any interested party or their representative may appear in person at the meeting and comment on the project. Additional information on this item, including Staff Reports, and other pertinent documents are available for review with the Planning Division. If you challenge the matter in Court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City at, or prior to, the public hearing. The file can be viewed at City Hall, 1415 Santa Anita Avenue, Monday through Thursday from 7:00 am to 5:30 pm except for major holidays. Digital copies can be requested via email at rreyes@soelmonte.org.
Published by: /s/Adrian Garcia, City Clerk
San Gabriel Valley Tribune
Published: 1/22/26

City Council Agenda Report
Agenda Item No. 9.a.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Gerardo Marquez, Director of Community Development & Public Works

SUBJECT: CONSIDERATION OF FIRST READING OF ORDINANCE NO. 1288, AMENDING CHAPTER 5.26 OF TITLE 5 OF THE SOUTH EL MONTE MUNICIPAL CODE THEREBY AMENDING THE CITY'S CANNABIS REGULATIONS IN RELATION TO APPLICATION PROCEDURE AND CRITERIA, PERMITTING AND OPERATIONAL REQUIREMENTS, AND MAKE SUCH OTHER CHANGES TO ALIGN WITH LEGAL DEVELOPMENTS

SUMMARY: Staff is requesting City Council consider for adoption an ordinance amending Chapter 5.26 of Title 5 of the South El Monte Municipal Code, thereby amending the City's cannabis regulations, in relation to application procedure and criteria, permitting and operational requirements, clarification changes, and other changes in order to align with legal developments and to improve the administration thereof.

RECOMMENDED ACTION: Staff recommends City Council:

1. Determine that Ordinance 1288 is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061 (b)(3) (Common Sense Exemption); and
2. Waive the full reading and introduce Ordinance No. 1288 by title only, amending Chapter 5.26 of Title 5 of the South El Monte Municipal Code, thereby amending the City's cannabis regulations, in relation to application procedure and criteria, permitting and operational requirements, clarification changes, and other changes in order to align with legal developments and to improve the administration thereof.

FISCAL/FINANCIAL IMPACT: No fiscal impact is expected from this item.

DISCUSSION:

On November 8, 2022, the voters of South El Monte approved Measure CM, which led to the adoption of Ordinance No. 1260. This Ordinance added Chapter 5.26 to Title 5 of

the South El Monte Municipal Code (SEMMC) to allow for the permitting and regulation of retail commercial cannabis operation within the City, allowing for the future issuance of a maximum of three retailer commercial cannabis operation permits, and prescribing a detailed application selection process and criteria, permitting requirements, and operational requirements ("Commercial Cannabis Operations Regulatory Program"). Ordinance No. 1260 also contained provisions permitting the City Council to make amendments without resubmission to the voters provided that the number of permits cannot be changed. On September 26, 2023, City Council adopted Ordinance No. 1268, amending Chapter 5.26 to Title 5 of the SEMMC.

On March 28, 2024, the City solicited a Request for Proposals (RFP) seeking a cannabis consultant to implement the Commercial Cannabis Operations Regulatory Program. SCI Consulting Group was selected through this RFP process, and on September 10, 2024, the City Council authorized entry into a professional services agreement with SCI Consulting Group.

Only cannabis retailers issued a valid commercial cannabis operation permit, among other approvals, are allowed to operate in the City. The City has not yet issued any commercial cannabis operation permits.

In order to update SEMMC Chapter 5.26 to align with changes in State law, case law, and other recent developments, the proposed Ordinance would make amendments including but not limited to:

- Application procedure, process, and selection criteria;
- Permitting provisions, including term and related administrative items;
- Operational requirements.

While the proposed amendments to SEMMC Chapter 5.26 are shown in Attachment B, the amendment to Section 5.26.120(C)(1) shown therein is subject to City Council's approval of the recommendation by Planning Commission to adopt Zoning Text Amendment (ZTA) 25-01, for consideration as a public hearing, separate from this item under Agenda Item 8.b.

ATTACHMENT(S):

A. Ordinance No. 1288
B. Draft redlined cannabis ordinance
C. Ordinance 1260
D. Ordinance 1268

ATTACHMENT A

ORDINANCE NO. 1288

AN ORDINANCE OF THE CITY OF SOUTH EL MONTE CITY COUNCIL AMENDING CHAPTER 5.26 OF TITLE 5 OF THE SOUTH EL MONTE MUNICIPAL CODE THEREBY AMENDING THE CITY'S CANNABIS REGULATIONS IN RELATION TO APPLICATION PROCEDURE AND CRITERIA, PERMITTING AND OPERATIONAL REQUIREMENTS, AND MAKE SUCH OTHER CHANGES TO ALIGN WITH LEGAL DEVELOPMENTS

THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

WHEREAS, on January 1, 2016, a series of bills commonly referred to as Medical Cannabis Regulation and Safety Act ("MCRSA") became effective which established a comprehensive State licensing and regulatory framework for the cultivation, manufacturing, transportation, testing, and distribution and sale of medical cannabis and which affirmed the authority of local governments to impose additional regulations or to prohibit certain activities related to the cultivation, manufacture, transportation, storage, distribution, delivery, and sale of medical cannabis; and

WHEREAS, on November 8, 2016, California voters approved the Control, Regulate, and Tax Adult Use of Marijuana Act ("AUMA") legalizing possession, cultivation, and use of cannabis for recreational use by individuals over the age of twenty-one (21), established a State licensing and regulatory framework which made it legal to sell and distribute cannabis through regulated business as of January 1, 2018, and authorized local governments to impose additional regulations or to prohibit certain activities related to adult use cannabis; and

WHEREAS, on June 27, 2017, the California Legislature passed Senate Bill 94 which integrated the MCRSA with AUMA to create the Medicinal and Adult-Use Cannabis Regulation and Safety Act ("MAUCRSA") creating a single regulatory system governing the medical and adult-use cannabis industry in California; and

WHEREAS, the MAUCRSA preserved local control by authorizing local jurisdictions to adopt and enforce local ordinances to exercise control over cannabis-related operations; and

WHEREAS, the MAUCRSA provides that a State commercial cannabis license may not be issued to an applicant whose operations would violate the provisions of any local ordinance or regulation; and

WHEREAS, on November 8, 2022, the voters of the City of South El Monte ("City") adopted Ordinance No. 1260, which added Chapter 5.26 to Title 5 of the South El Monte Municipal Code ("SEMMC") which authorized and taxes certain cannabis businesses within the City; and

WHEREAS, Section 14 of Ordinance No. 1260 and SEMMC Section 5.26.250 permit the City Council of the City ("City Council") to amend the voter -approved cannabis regulations, provided that such amendments do not increase the adopted tax rate and, further, do not amend

SEMMC Section 5.26.060; and

WHEREAS, on September 26, 2023, the City Council adopted Ordinance No. 1268 amending SEMMC Chapter 5.26; and

WHEREAS, the City Council desires to amend its commercial cannabis operations regulatory program regulations provided in SEMMC Chapter 5.26.

THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1: The recitals set forth above are true and correct incorporated herein by reference.

SECTION 2: Chapter 5.26 is hereby amended in its entirety as provided in Exhibit A of this Ordinance. For the purposes of Exhibit A, ~~strikethroughs~~ represent deletions and underline represent additions. Notwithstanding the foregoing, the amendments to Section 5.26.120(C)(1) depicted in Exhibit A are subject to City Council adoption of Ordinance No. 1287 approving ZTA 25-01.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

SECTION 4: City Council determines that this project is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Section 15061(b)(3) (common sense exemption), and a Notice of Exemption has been prepared. The exemption applies only to projects where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 5: The City Clerk is directed to certify to the passage and adoption of this Ordinance and to cause this Ordinance to be posted or published as required by law.

PASSED, APPROVED AND ADOPTED this 3rd day of February 2026.

_____
Gloria Olmos, Mayor

ATTEST:

_____
Adrian Garcia, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS
CITY OF SOUTH EL MONTE)

I, Adrian Garcia, City Clerk of the City of South El Monte, hereby certify that the foregoing Ordinance, being Ordinance No. 1288 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 3rd day of February 2026, and that thereafter, said Ordinance was duly passed and adopted by the City Council of the City of South El Monte at a regular meeting of said Council held on the ____ day of _____ 2026, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Adrian Garcia City Clerk

EXHIBIT A – AMENDMENTS TO CHAPTER 5.26

CHAPTER 5.26
COMMERCIAL CANNABIS OPERATIONS REGULATORY PROGRAM

§ 5.26.010. Purpose and intent.

A. The purpose of this chapter is to establish a comprehensive set of regulations with an attendant regulatory permit applicable to the operation of certain types of commercial cannabis operations, while simultaneously establishing an express prohibition on certain other types of commercial cannabis operations.

B. The regulations for, and prohibitions on, specific types of commercial cannabis operations are enacted to preserve the public health, safety, and welfare of the residents and visitors of the city, consistent with the state's Compassionate Use Act of 1996, Medical Marijuana Program Act of 2003, Adult Use of Marijuana Act of 2016, MAUCRSA, and all applicable state laws governing commercial cannabis operations.

C. The issuance of a commercial cannabis operation permit shall constitute a revocable privilege and shall not create or establish any vested rights for the development or use of a property.

D. This chapter and any administrative regulations adopted pursuant to this chapter shall be known as the "commercial cannabis operations regulatory program" or the "program."

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.020. Commercial cannabis operation prohibited without city commercial cannabis operation permit.

It is unlawful to own, establish, operate, use, or permit the establishment or activity of a commercial cannabis operation, or to participate in commercial cannabis operations as an employee, contractor, agent, volunteer, or in any manner or capacity, other than as provided in this chapter and pursuant to both a current and valid city commercial cannabis operation permit, as well as the equivalent state license for such commercial cannabis operation as provided for by Section 26050 of the State Business and Professions Code, and as amended from time to time. The prohibition contained in this section shall include renting, leasing, or otherwise permitting a commercial cannabis operation to occupy or use a location, vehicle, or other mode of transportation.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.XXX Right to Occupy and Use Property

Prior to the City's issuance of a commercial cannabis operation permit pursuant to this Chapter, an applicant shall first provide sufficient evidence of the legal right to occupy and use the proposed property for the proposed use, including, without limitation, a lease, sublease, purchase agreement, assignment of purchase agreement, or lease or purchase option, in the name of the applicant, which may include nominal consideration and be contingent upon issuance of a commercial cannabis operation permit or other approvals. The city shall only consider one applicant per property address or county assessor's identification number. In the event that more than one applicant applies for a commercial cannabis operation permit application at a given property address or a given county assessor's identification number, the commercial cannabis operation permit application with the earliest effective date for the evidence of the legal right to use the proposed property for the proposed use in the name of the applicant shall be accepted, and commercial cannabis operation permit

applications demonstrating any later effective date for the evidence of the legal right to use the proposed property for the proposed use shall be rejected.

§ 5.26.030. Definitions.

As used in this chapter, the following words and phrases shall have the following meanings. Words and phrases not specifically defined below shall have the meanings ascribed to them elsewhere in this Code or shall otherwise be defined by common usage. For definitions of nouns, the singular shall also include the plural; for definitions of verbs, all verb conjugations shall be included. Any reference to state statutes include any regulations promulgated thereunder and is deemed to include any successor or amended version of the referenced statute or regulatory provision.

"Adult use" (i.e., "recreational" or "nonmedical") refers to activity involving cannabis or cannabis products, which is restricted to adults twenty-one years of age and older and who do not possess a physician's recommendation, in contrast to an activity involving medical cannabis or medical cannabis products.

"Alcohol or drug treatment facility" shall have the same definition as "alcoholism or drug abuse recovery or treatment facility" as defined in Section 11834.02(a) of the State Health and Safety Code, which currently defines the term as "any premises, place, or building that provides residential nonmedical services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services." Further, "alcohol or drug treatment facility" shall also include such a facility that provides treatment for minors to the extent permitted by law.

"Applicant" means a person who files an application for a commercial cannabis operation permit under this chapter (and shall not include the owners or the managers of the applicant).

"Cannabis" means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

"Cannabis concentrate" means cannabis that has undergone a process to concentrate one or more active cannabinoids, thereby increasing the product's potency. Resin from granular trichomes from a cannabis plant is a concentrate for purposes of this chapter. A cannabis concentrate is not considered food, as defined by Section 109935 of the Health and Safety Code, or a drug, as defined by Section 109925 of the Health and Safety Code.

"Cannabis products" means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

"City" means the city of South El Monte, state of California.

"City attorney" means the city of South El Monte city attorney, and includes his or her designee(s).

"City council" means the city council of the city of South El Monte.

"City manager" means the city of South El Monte city manager, and includes his or her designee(s).

"Code" means the city of South El Monte Municipal Code, as may be amended.

"Commercial cannabis operation" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale (including retail and wholesale, and including medical-only and adult-use sales) of cannabis and cannabis products; except, as applicable, the activities provided in Section 5.26.220(A) or as preempted by state law.

"Commercial cannabis operation permit" shall mean a city permit issued pursuant to the procedures provided for in this chapter allowing the permit holder to operate a specific type of commercial cannabis operation in the city subject to the requirements of this chapter, state law, and the specific permit.

"County" means the county of Los Angeles, state of California.

"Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

"Customer" means a natural person twenty-one years of age or over or a natural person eighteen years of age that is a qualified patient or primary caregiver.

"Day care center" means, a facility ~~other than a family day care home, infant centers, toddler, preschool, and school age children~~ licensed by the State Department of Social Services pursuant to Section 1596.951 of the State Health and Safety Code other than a family day care home, and includes but is not limited to child day care facilities, child care centers, and preschools serving infants, toddlers, and school age children. Pursuant to the authority delegated by the state to the city under Section 26054(b) of the State Business and Professions Code, this definition of "day care center" under this chapter shall override the definition of "day care center" in MAUCRSA at Section 26001 of the State Business and Professions Code.

"Delivery" means the commercial transfer of cannabis or cannabis products to a customer, and includes the use of any technology platform owned and controlled by the same person making such use.

"Director" means the city of South El Monte community development director, and includes his or her designee(s).

"Distribution" means the procurement, sale, and transport of cannabis and cannabis products between entities licensed for and/or engaged in commercial cannabis operations under state law.

"Distributor" means a person engaged in distribution.

"Edible" means cannabis product that is intended to be used, in whole or in part, for human consumption, including, but not limited to, chewing gum, but excluding products set forth in Division 15 (commencing with Section 32501) of the Food and Agricultural Code. An edible cannabis product is not considered food, as defined by Section 109935 of the State Health and Safety Code, or a drug, as defined by Section 109925 of the State Health and Safety Code.

"Employee" means any person (whether paid or unpaid) who provides regular labor or regular services for a commercial cannabis operation, including, but not limited to, at the location of a commercial cannabis operation. The term "employee" includes managers and owners as used in this chapter.

"Extraction" means the process of obtaining cannabis concentrates from cannabis plants, including, but not limited to, through the use of solvents like butane, alcohol or carbon dioxide.

"Finance director" means the city of South El Monte finance director, and includes his or her

designee(s).

"Fire chief" means the Los Angeles County fire department chief, and includes his or her designee(s).

"Gross receipts" means, except as otherwise specifically provided herein, whether designated as a sales price, royalty, rent, commission, dividend, or other designation, the total amount (including all receipts, cash, credits, and property of any kind or nature) received or payable for sales of goods, wares, or merchandise without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor, or service costs, interest paid or payable, losses, or any other expense whatsoever. However, the following shall be excluded from gross receipts:

1. Cash discounts where allowed and taken on sales;

2. Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser;

3. Such part of the sale price of any property returned by purchasers to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in gross receipts;

4. Receipts derived from the occasional sale of used, obsolete or surplus trade fixtures, machinery, or other equipment used by the taxpayer in the regular course of the taxpayer's business;

5. Cash value of sales, trades, or transactions between departments or units of the same business;

6. Whenever there are included within the gross receipts amounts which reflect sales for which credit is extended and such amount proved uncollectible in a given year, those amounts may be excluded from the gross receipts in the year they prove to be uncollectible; provided, however, if the whole or portion of such amounts excluded as uncollectible are subsequently collected, they shall be included in the amount of gross receipts for the period when they are recovered;

7. Receipts of refundable deposits, except that such deposits when forfeited and taken into income of the business shall not be excluded when in excess of one dollar; and

8. Any proceeds resulting from a transfer or change of ownership or control in the business.

"Identification card" has the same definition as provided for in Section 11362.7(g) of the State Health and Safety Code, and as may be amended, defined as "a document issued by the [State Department of Health Services] that identifies a person authorized to engage in the medical use of cannabis and the person's designated primary caregiver, if any."

"Labeling" means any label or other written, printed, or graphic matter upon cannabis or a cannabis product, upon its container or wrapper, or that accompanies any cannabis or cannabis product.

"Labor peace agreement" means an agreement between a cannabis retailer and any bona fide labor organization that, at a minimum, protects the city's proprietary interests by prohibiting labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with a permittee or applicant~~cannabis retailer~~. This agreement means that the permittee or applicant~~cannabis retailer~~ has agreed not to disrupt efforts by the bona fide labor organization to communicate with, and attempt to organize and represent the permittee or applicant~~cannabis retailer~~'s employees. The agreement shall provide a bona fide labor organization

access at reasonable times to areas in which the permittee or applicant~~cannabis retailer~~'s employees work, for the purpose of meeting with employees to discuss their right to representation, employment rights under state law, and terms and conditions of employment.

"Liquid assets" means assets that can be readily converted into cash. "Liquid assets" include, but are not limited to, the following: funds in checking or savings accounts, certificates of deposit, money market accounts, mutual fund shares, publicly traded stocks, and United States savings bonds. "Liquid assets" does not mean household items, furniture and equipment, vehicles, cannabis or cannabis products, business inventory, or real property and improvements thereto.

"Location" means any parcel of land, whether vacant or occupied by a building, group of buildings, or accessory buildings, and includes the buildings, structures, yards, open spaces, lot width, and lot area.

"Lighting" means the act of illuminating as well as the effect achieved by the arrangement of lights.

"LiveScan" means a system for inkless electronic fingerprinting and the automated background check developed by the California Department of Justice ("DOJ") that involves digitizing fingerprints and electronically transmitting the fingerprint image data along with personal descriptor information to computers at the DOJ for completion of a criminal record check; or such other comparable inkless electronic fingerprinting and automated background check process as determined by the city council.

"Manager" means an employee responsible for management and/or supervision of a commercial cannabis operation, including, but not limited to, any person designated by the permittee to act as the representative or agent of the commercial cannabis operation in managing day-to-day operations with corresponding liabilities and responsibilities, or the person in apparent charge of the premises where the commercial cannabis operation is located. Evidence of management includes, but is not limited to, evidence that the individual has the power to direct, supervise, or hire and dismiss employees, controls hours of operation, create policy rules, or purchase supplies.~~: (1) manager or managing member or other officer of a limited liability company; or (2) president, chief executive officer, secretary, treasurer, chief financial officer, or other officer of a for profit corporation~~.

"Manufacture" or "manufacturing" means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product; includes the activities of a manufacturer.

"Manufacturer" means a person that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container; includes the activity of manufacturing.

"Marijuana" has the same definition as provided for "cannabis" in this chapter.

"MAUCRSA" means the State Medicinal and Adult-Use Cannabis Regulation and Safety Act, codified at Section 11018 et seq., of the State Health and Safety Code, Section 26001 et seq., of the State business and Professions Code, Section 34010 of the State Revenue and Tax Code, and Section 81000 et seq., of the State Food and Agriculture Department Code, as may hereinafter be amended.

"Medical" refers to activity involving medical cannabis or medical cannabis products, in contrast to an activity involving adult-use cannabis or adult-use cannabis products.

"Medical cannabis" or "medical cannabis product" means cannabis or a cannabis product used in

compliance with state law for medical purposes, pursuant to the Compassionate Use Act (Section 11362.5 of the State Health and Safety Code), the Medical Marijuana Program Act (Section 113262.7 et seq., of the State Health and Safety Code), and the MAUCRSA.

"Microbusiness" shall have the same definition as provided for in Section 26070 of the State Business and Professions Code, and as may be amended.

"Minor" means a person under twenty-one years of age.

"Nursery" means a person that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.

"Operations officer(s)" shall refer to the director, the fire chief, the police chief, the finance director, ~~and~~ the city manager, and their designee(s), individually or collectively.

"Owner" means any of the following:

1. A person owning in the aggregate equity interests representing ten percent or more of the voting power of all outstanding equity in the applicant or ~~a commercial~~ permittee;

2. An individual who manages, directs, or controls the operations of the permittee or applicant, including, but not limited to:
   a. An individual with the authority to provide strategic direction and oversight for the overall operations of the commercial cannabis business, such as ~~T~~ the president, chief executive officer, secretary, treasurer, or chief financial officer of an ~~nonprofit~~ applicant or permittee;
   b. ~~3.~~ A member of the board of directors of an ~~nonprofit~~ applicant or permittee.
   c. A general partner of a permittee or applicant that is organized as a partnership.
   d. A non-member manager or managing member of a permittee or applicant that is organized as a limited liability company.
   e. The trustee(s) and all persons who have control of the trust and/or permittee or applicant that is held in trust.
   f. An individual with the authority to execute contracts on behalf of the permittee or applicant.

Notwithstanding the above and/or any specifications for disclosure in the application procedures and review criteria adopted pursuant to this Chapter, every applicant and permittee must have at least one individual person designated as an "owner" for the purpose of compliance with this chapter, including the review and evaluation of any commercial cannabis operation permit application.

"Package" means any container or receptacle used for holding cannabis or cannabis products.

"Packaging" or "packages" means an activity involved with placing cannabis or cannabis products in a package.

"Park" means public land which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trails, swimming pool, athletic field, basketball court, tennis court, pedestrian or bicycle paths, beaches, open space, or similar public land within the city or which is under the control, operation or management of the city recreation and parks department. "Park" shall not include any youth center.

"Permittee" means a person issued a commercial cannabis operation permit by the city.

"Person" means any individual, firm, co-partnership, joint venture, association, corporation,

limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

"Person with an identification card" has the same definition as provided for in Section 11362.7(c) of the State Health and Safety Code, and as may be amended, defined as "an individual who is a qualified patient who has applied for and received a valid identification card pursuant to this article."

"Physician's recommendation" means a determination from a physician that a patient's medical cannabis use is deemed appropriate and is recommended by the physician on the basis of the physician has determined that the patient's health would benefit from the use of cannabis in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which cannabis provides relief, in strict accordance with Section 11362.5 of the State Health and Safety Code.

"Police chief" means the Los Angeles County sheriff, and includes his or her designee(s).

"Police department" means the Los Angeles County sheriff's department.

"Premises" means the designated structure or structures and land specified in a commercial cannabis operation permit application that is owned, leased, or otherwise held under the control of the applicant or permittee where commercial cannabis operation will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one permittee.

"Primary caregiver" has the same definition as provided for in Section 11362.7(d) of the State Health and Safety Code, and as may be amended, defined as "the individual, designated by a qualified patient or by a person with an identification card, who has consistently assumed responsibility for the housing, health, or safety of that patient or person." A "primary caregiver" shall also meet the requirements of Section 11362.7(e) of the State Health and Safety Code, and as may be amended, which provide that a "primary caregiver shall be at least eighteen years of age, unless the primary caregiver is the parent of a minor child who is a qualified patient or a person with an identification card or the primary caregiver is a person otherwise entitled to make medical decisions under state law pursuant to Section 6922, 7002, 7050, or 7120 of the Family Code."

"Qualified patient" has the same definition as provided for in Section 11362.7(f) of the State Health and Safety Code, and as may be amended, defined as "a person who is entitled to the protections of Section 11362.5, but who does not have an identification card issued pursuant to this article."

"Religious institution" means any church, synagogue, mosque, temple, or building which is used primarily for religious worship, religious education, and related religious activities.

"Residentially zoned property" means any parcel of land located within the city zoned: R-1 (single-family residential zone), R-2 (multiple residential zone), or R-3 (multiple residential zone).

"Retailer" means a person engaged in the retail sale or delivery of cannabis or cannabis products to a customer. "Retailer" includes "retailer (medical-only)" and "retailer (medical/adult use)." "Retailer (medical-only)" refers to a retailer which is restricted by the terms of its commercial cannabis operation permit to engaging in the retail sale or delivery of medical cannabis or cannabis products as stated in Section 5.26.120(A). "Retailer (medical/adult-use)" refers to a retailer which is not so restricted by the terms of its commercial cannabis operation permit, and which accordingly may engage in the retail sale or delivery of medical or adult-use cannabis or cannabis products to a customer.

"Retail sale(s)" means any commercial cannabis operation involving the retail sale of cannabis or cannabis products from a retailer.

"Sale(s)" means any sale, exchange, or barter or other transaction for any consideration.

"School" means as evidenced by the State Department of Education school directory, a public school instructing children in grades kindergarten through grade 12, as authorized by the State Department of Education or a private school instructing children in grades kindergarten through grade 12 that has filed a verification of private school affidavit with the State Department of Education pursuant to Section 33190 of the State Education Code, excluding any private school in which education is primarily conducted in a private home. Pursuant to the authority delegated by the state to the city under Section 26054(b) of the State Business and Professions Code, this definition of "school" under this chapter shall override the definition of "school" used in MAUCRSA or Section 11362.768 of the State Health and Safety Code.

"Site" means the premises and actual physical location of a commercial cannabis operation, as well as its accessory structures and parking areas.

"State" means the state of California.

"Testing laboratory" or "testing" refers to a laboratory, facility, or entity that offers or performs tests on cannabis or cannabis products; includes the activity of laboratory testing.

"Youth center" means: (1) any public or private facility that is primarily used to host recreational or social activities for minors, such as private youth membership organizations or clubs, social service teenage club facilities; or (2) a park, playground, or recreational area specifically designed to be used by children that may have play equipment installed, including public grounds designed for athletic activities such as baseball, softball, soccer, or basketball or any facility located on a public or private school grounds, or on city, county, or parks. "Youth center" shall not include any private martial arts, yoga, ballet, music, or similar studio of this nature nor shall it include any private athletic training facility, pizza parlor, restaurant, video arcade, dentist office, or doctor's office primarily serving children. Pursuant to the authority delegated by the state to the city under Section 26054(b) of the State Business and Professions Code, this definition of "youth center" under this chapter shall override the definition of "youth center" in MAUCRSA at Section 26001 of the State Business and Professions Code.
(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.040. Prohibited commercial cannabis operations.

A. Unless otherwise provided by California law, including without limitation as required by the Medicinal Cannabis Patients' Right of Access Act (Business and Professions Code Sections 26321, et seq.), c~~C~~ommercial cannabis operations (including nonprofit operations) within the city that involve the activities of non-storefront retailer (whether medical-only or medical/adult-use), cultivation, manufacturer, testing, distribution, or microbusiness are prohibited, including, but not limited to, commercial cannabis operations licensed by the state in the license classifications listed below as provided in Section 26050 of the State Business and Professions Code:

1. Type 1 = Cultivation; Specialty Outdoor; Small.
2. Type 1A = Cultivation; Specialty Indoor; Small.
3. Type 1B = Cultivation; Specialty Mixed-Light; Small.
4. Type 1C = Cultivation; Specialty Cottage; Small.
5. Type 2 = Cultivation; Outdoor; Small.

6. Type 2A = Cultivation; Indoor; Small.
7. Type 2B = Cultivation; Mixed-Light; Small.
8. Type 3 = Cultivation; Outdoor; Medium.
9. Type 3A = Cultivation; Indoor; Medium.
10. Type 3B = Cultivation; Mixed-Light; Medium.
11. Type 4 = Cultivation; Nursery.
12. Type 5 = Cultivation; Outdoor; Large.
13. Type 5A = Cultivation; Indoor; Large.
14. Type 5B = Cultivation; Mixed-Light; Large.
15. Type 6 = Manufacturer 1.
16. Type 7 = Manufacturer 2.
17. Type 8 = Testing.
18. Type 9 = Non-Storefront Retailer (Delivery Only).
19. Type 11 = Distributor.
20. Type 12 = Microbusiness.

B. The prohibition provided by above subsection A includes any similar activities authorized under new or revised state licenses, or any other state authorization, to allow any type, category or classification of cannabis commercial operations that involve the activities of non-storefront retailer (Type 9, i.e., delivery only) (whether medical-only or medical/adult- use), cultivation, manufacturer, testing, distribution, microbusiness, or similar operations (including nonprofit, collective or cooperative operations).

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.050. Permitted commercial cannabis operations.

A. Unless otherwise provided by California law, including without limitation as required by the Medicinal Cannabis Patients' Right of Access Act (Business and Professions Code Sections 26321, et seq.), c~~C~~ommercial cannabis operations (including nonprofit operations) within the city which involve the activity of retailer (Type 10: medical-only and medical/adult-use) are allowed subject to issuance and maintenance of a valid and current city commercial cannabis operation permit, continuing adherence to this entire chapter and all applicable city and state regulations and laws, and issuance and maintenance of a valid and current equivalent state license type listed below, as provided for in Section 26050 of the State Business and Professions Code:

1. Type 10 = Retailer (Medical-Only; Medical/Adult-Use).

B. The requirements provided by above subsection A apply to any similar activities authorized under new or revised state licenses, or any other state authorization, to allow any type, category or classification of cannabis commercial operations that involve the activity of retailer (medical-only and medical/adult-use) or similar operations (including nonprofit,

collective or cooperative operations).
(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.060. Maximum number of commercial cannabis operation permits.

A. The number of commercial cannabis operation permits for retailer (medical/adult-use) commercial cannabis operations based within the city shall be no more than one.

B. Notwithstanding subsection A of this section, if the city council opts, in its sole discretion, to reinstitute the application procedure after the first year following the operative date of this chapter pursuant to Section 5.26.070(H), then two additional retailer (medical/adult-use) commercial cannabis operation permits may be issued such that the maximum number of commercial cannabis operation permits for retailer (medical/adult-use) commercial cannabis operations based within the city shall be increased to no more than three retailers (medical/adult-use).

C. The number of commercial cannabis operation permits for non-storefront retailer (delivery only) (whether medical-only or medical/adult-use) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the city to engage in delivery within the city shall be zero. However, should a court of competent jurisdiction, as a judicial remedy, order the city council to increase the maximum number of commercial cannabis operation permits for non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the city to engage in delivery within the city, the number of commercial cannabis operation permits for non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the city to engage in delivery within the city shall be no more than two.

D. The maximum number of commercial cannabis operation permits issued for retailer (including medical-only and medical/adult use retailer, individually and collectively) commercial cannabis operations based within the city or non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) based outside the city may not be amended by the city council or regulations promulgated by the city manager pursuant to this chapter. However, the city council may and shall increase the maximum number of commercial cannabis operation permits issued for retailer commercial cannabis operations based within the city or non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) based outside the city: (1) if ordered to do so by a court of competent jurisdiction as a judicial remedy; or (2) by a vote of the people of the city.
(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.070. Commercial cannabis operation permit application procedure.

A. By resolution, the City Council may adopt procedures and review criteria for the City's evaluation of commercial cannabis operation permit applications. A commercial cannabis operation permit application shall be required prior to review and approval of any land use entitlement, business license or other City authorization.

B. The procedures shall provide the process for soliciting commercial cannabis operation permit applications including time frames, limitations, forms, and rules for completing applications.

C. The review criteria shall include detailed instructions on the methodology to be used to evaluate applications on a point, or other evaluation system, tied to particular sets of criteria.

D. The scoring on review criteria shall be used to determine which candidates will be eligible to proceed to the final selection process as determined by City Council resolution.

E. The City Manager or designee shall be authorized to prepare any necessary forms and adopt any necessary rules to implement the procedures guidelines and review criteria.

F. The City reserves the right to reject any or all applications for a commercial cannabis operation permit, to issue less than the maximum number of commercial cannabis operation permit, and/or to issue no commercial cannabis operation permits. The City reserves the right to suspend, cancel, postpone, or modify any request for applications, at any time, without liability, obligation, or commitment to any applicant, person, party, entity, individual, firm, organization, or similar, to the maximum extent permitted under law. Persons submitting applications do so at their sole risk and assume the risk that all or any part of the City's commercial cannabis operation permit program, or any particular category of permit potentially authorized under this chapter, may be cancelled at any time prior to issuance. The City reserves the right to request and obtain additional information from any person submitting an application. In addition to a failure to comply with the requirements of this chapter and/or of any procedure and review criteria adopted by resolution of City Council, an application may be rejected for reasons including but not limited to the following: (i) receipt after the designated time and date of the deadline; (ii) failure to respond to the criteria or format of the process requirements set by Council resolution.

G. Reserved.

H. Per Section 5.26.060(B), City Council may, by resolution or minute action, reinstate the application procedure.

~~A. Following the effective date of this chapter, the city manager, pursuant to Section 5.26.140, shall, as a ministerial duty, make available the necessary forms, adopt any necessary application rules for the submission, intake, review, and approval of applications for retailer (medical-only and medical/adult-use) commercial cannabis operations up to the maximum number of commercial cannabis operation permits authorized in Section 5.26.060.~~

~~B. The city manager shall, as a ministerial duty, cease acceptance of commercial cannabis operation permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations thirty days after making available the necessary forms and adopting any necessary application rules for the submission, intake, review, and approval of commercial cannabis operation permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations.~~

~~C. Within thirty days of ceasing the acceptance of commercial cannabis operation permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations, the city manager shall, as a ministerial duty, review timely submitted commercial cannabis operation permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations for the following minimum requirements:~~

~~1. Payment of an application fee established by resolution of the city council to cover all costs incurred by the city in the application process;~~

~~2. Sufficient evidence of the legal right to use the proposed property for the proposed use, including, without limitation, a lease, sublease, purchase agreement, assignment of purchase agreement, or lease or purchase option, in the name of the applicant, which may include nominal consideration and be contingent upon issuance of a commercial cannabis operation permit or other approvals. The city shall only consider one applicant per property address or county assessor's identification number. In the event that more than one applicant applies for a commercial cannabis operation permit application at a~~

given property address or a given county assessor's identification number, the city manager shall, as a ministerial duty, only accept the commercial cannabis operation permit application with the earliest effective date for the evidence of the legal right to use the proposed property for the proposed use in the name of the applicant;

3. Sufficient evidence to demonstrate that the proposed property complies with the location and zoning requirements in Section 5.26.120;

4. Proof that an owner or owners of the applicant with an aggregate ownership interest of fifty percent or more has served as an owner or owners with an aggregate ownership interest of fifty percent or more of six or more other retailer (medical-only or medical/adult-use) commercial cannabis operations by a city, county, or state since at least January 1, 2022;

5. Proof of funds showing that the applicant has access and control of over five hundred thousand dollars in liquid assets (which such liquid assets having been under possession for at least ninety days prior to the date of the application submission under this section), which may be shown via a binding legal agreement in the name of the applicant such as a promissory note so long as said legal agreement is accompanied by a proof of funds in the name of a party to the agreement that demonstrates access and control of over five hundred thousand dollars in liquid assets under possession for at least ninety days prior to the date of the application submission under this section. Applicants and permittees shall not be required to show that the applicant or permittee has access and control of over five hundred thousand dollars in liquid assets except on initial application pursuant to this Section 5.26.070, a change in location application pursuant to Section 5.26.100, or an ownership transfer application pursuant to Section 5.26.100;

6. For an applicant with two or more employees, proof of a labor peace agreement between a bona fide labor organization and the applicant (the applicant shall provide the city with a copy of the labor peace agreement that contains the signatures of the union representative and the cannabis business). For applicants with less than two employees who have not yet entered into a labor peace agreement, the applicant shall provide a notarized statement indicating that the applicant will enter into and abide by the terms of a labor peace agreement within thirty days after employing two employees;

7. A set of plans, including a site development plan, floor plan(s), building elevations (all four sides), and a conceptual landscape plan with the percentage of landscaping in the parking lot, setback areas, and tree size and species;

8. Colored interior and elevation renderings;

9. A completed background check application and receipt for each owner and manager of the applicant pursuant to Section 5.26.110(H);

10. The following application components: (a) qualifications of the applicant's owners and managers, (b) business and operations plan, (c) security plan, (d) safety plan, (e) neighborhood compatibility plan, (f) labor and employment plan, and (g) community benefits plan; and

11. Disclosure of whether the applicant is applying for a commercial cannabis operation permit as a retailer (medical-only) or retailer (medical/adult-use).

~~The city manager shall, as a ministerial duty, reject any commercial cannabis operation permit application that fails to meet the minimum requirements contained in this subsection C, and applicants shall not have the right to supplement or amend their commercial cannabis operation permit applications.~~

~~D. Within sixty days of completing the application review under subsection C above, the city manager shall, as a ministerial duty, review and score any complete applications pursuant to the following objective review criteria according to the following quantitative evaluation scale, with retailer (medical-only) applicants ranked only against other retailer (medical-only) applicants and retailer (medical/adult-use) applicants ranked only against other retailer (medical/adult-use) applicants unless otherwise provided by administrative regulations promulgated pursuant to Section 5.26.140:~~

~~1. Qualifications of the Applicant's Owners and Managers – Two Hundred Fifty Points. The people of the city find that a proven track-record of for retailer commercial cannabis operations that successfully generate tax revenue carries out the purpose and intent of the program and are, therefore, critical for an applicant to demonstrate the qualifications of the applicant's owners and managers. Accordingly, one hundred fifty of the two hundred fifty points awardable under this subsection shall only be awarded, as a ministerial duty, if an owner or owners of the applicant with an aggregate ownership interest of fifty percent or more is currently at the time of application submission under this section an owner or owners with an aggregate ownership interest of fifty percent or more of a single licensed and lawfully operating retailer commercial cannabis operations (excluding any non-retailer microbusiness, cultivation, manufacturing, distribution, or other nonretailer commercial cannabis operation components) that has generated at least five million dollars in gross receipts in a consecutive six-month period in the year immediately preceding the date of the application submission under this section, as demonstrated by tax payment receipts from, tax filings to, or tax returns filed with a city, county, or state.~~

~~The remaining one hundred of the two hundred fifty points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:~~

~~a. Up to fifty points – A description of the applicant's owner and manager qualifications detailing any special business or professional qualifications or licenses of the applicant's owner and manager that would add to the quality of services that the retailer commercial cannabis operation would provide, including in areas related to cannabis, such as legal, finance, business ownership/ administration, waste management, real estate development, scientific, or healthcare or wellness fields.~~

~~b. Up to fifty points – Documentation that the applicant's owners and managers have experience operating retailer commercial cannabis operations in any jurisdiction where retailer commercial cannabis operations are permitted.~~

~~2. Plans, Renderings, and Overall Location – Fifty Points. The fifty points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:~~

~~a. Up to ten points – A premises diagram in accordance with Section 5006 of Division~~

42 of Title 16 of the State Code of Regulations.

b. Up to ten points – A site development plan that provides information on existing conditions and proposed improvements to the site and how it meets or will meet the development standards outlined in this Code. Information on existing conditions shall include:

i. Exterior photographs showing all sides of any existing structure(s);

ii. Photographs of existing parking areas, landscaping, trash enclosure, and signage;

iii. Information on existing use on the site, including the addresses, uses, and square footages;

iv. Photographs of the existing site if the site is vacant; and

v. Photographs of adjacent properties for context.

c. Up to ten points – A floor plan showing information on the existing layout and proposed layout of the building interior.

d. Up to ten points – Building elevations that provide information on existing conditions and proposed improvements.

e. Up to five points – A conceptual landscape plan with the percentage of landscaping in the parking lot, setback areas, and tree size and species.

f. Up to five points – Colored interior renderings and exterior elevation renderings (for both existing and/or proposed improvements).

3. Business and Operations Plan – One Hundred Points. The one hundred points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to ten points – A written description of the total square footage of the facility with estimated square footage of proposed uses.

b. Up to ten points – A schedule for beginning operations, including a narrative outlining any proposed construction improvements and a timeline for completion.

c. Up to ten points – A budget for construction, operation, maintenance, compensation of employees, equipment costs, utility costs, and other operating costs.

d. Up to five points – A description of the sources(s) of capital and use(s) of capital.

e. Up to ten points – Pro forma financial statements for at least three years of operation.

f. Up to five points – A description of the type of products to be sold and the estimated quantity and value of product(s) to be sold.

g. Up to five points – A description of marketing procedures and tactics.

h. Up to ten points – A description of day-to-day operations that should acknowledge

both state and local laws and should be consistent with industry best practices.

i. Up to five points—A description of hours of operation and opening procedures.

j. Up to ten points—A description of cash handling procedures.

k. Up to ten points—A description of inventory control procedures to include identification of point-of-sale systems, and track and trace software.

l. Up to ten points—A description of transportation, loading and unloading, distribution, or delivery procedures.

4. Security Plan—One Hundred Points. The one hundred points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to twenty points—The security plan shall be prepared by a professional security consultant.

b. Up to ten points—A premises security diagram.

c. Up to fifty points—A description of access control, inventory control, cash handling, and other security procedures and security equipment demonstrating compliance with the security requirements under this chapter.

d. Up to ten points—A description of the intrusion alarm and monitoring system including the name and contact information for the monitoring company.

e. Up to ten points—A description of the services of on-site security guards to include the: (i) number of security guards; (ii) hours security guards will be on site; (iii) locations where security will be positioned; and (iv) security guard responsibilities.

5. Safety Plan—One Hundred Points. The one hundred points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to twenty points—The safety plan shall be prepared by a professional fire prevention and suppression consultant.

b. Up to ten points—A premises safety diagram to include: (i) a description/illustration of evacuation routes; and (ii) location of fire extinguishers and other fire suppression equipment.

c. Up to fifty points—A description of safety procedures, training for emergency situations, and safety equipment demonstrating compliance with the safety requirements under this chapter.

d. Up to ten points—Identify all gases, pesticides, and chemicals to be used and their storage locations.

e. Up to ten points—A description of the firm alarm and monitoring system including the name and contact information for the monitoring company.

6. Neighborhood Compatibility Plan—One Hundred Points. The one hundred points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the

following objective criteria:

a. Up to forty points—A "Good Neighbor Policy" that: (i) includes policies and measures in place to protect adjacent uses from any potential impacts (e.g., noise, light, odor, traffic, etc.) related to the proposed cannabis business; and (ii) describes how the cannabis business and its operating characteristics will be proactively managed so the business is not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding area and will not result in the creation of a nuisance.

b. Up to twenty points—A description of odor mitigation practices to include: (i) identifying potential sources of odor; (ii) a description of odor control devices and techniques employed to ensure that odors from cannabis are not detectable beyond the permitted premises; and (iii) all proposed staff odor training and system maintenance.

c. Up to twenty points—A description of a waste management plan that includes waste disposal locations within the proposed premises and the applicant's security measures and methods of rendering waste unusable and unrecognizable.

d. Up to twenty points—A description of efforts at sustainability/environmental impact mitigation.

7. Community Benefits Plan—Three Hundred Fifty Points. The people of the city find that monetary donations to local nonprofit organizations, financial support of city sponsored activities or organizations, in kind donations to the city or other charitable organizations, and economic incentives to the city, carry out the purpose and intent of the program and are, therefore, critical for an applicant to demonstrate an effective community benefits plan. Accordingly, two hundred of the three hundred fifty points awardable under this subsection shall only be awarded if the applicant pledges to voluntarily provide a public benefit to a public use (or a combination thereof), which is defined as a direct financial contribution equal to two percent of projected gross receipts of the applicant to a public school located within the city, a public park located within the city, and/or a public or nonprofit community organization serving the city or its residents. Beyond the above and as a ministerial duty, no further direct financial contributions shall be considered as part of an applicant's community benefits plan.

The remaining one hundred fifty of the three hundred fifty points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to fifty points—A description of a social responsibility plan to include identification of a community liaison, plans to serve as a social equity business incubator, plans to aide and participate in the work of local nonprofits, community-based organizations, civic organizations, or social services organizations.

b. Up to fifty points—A description of a plan to develop a public health outreach and educational program that outlines the risks of youth use of cannabis and that identifies resources available to youth related to drugs and drug addiction.

c. Up to fifty points—A proposal and description of any community benefits agreement proposed by the applicant pursuant to Section 5.26.130.

8. Labor and Employment Plan—Two Hundred Points. The people of the city find that a proven track-record of cannabis retailer operations with high labor standards and

commitment to labor peace carries out the purpose and intent of the program and are, therefore, critical for an applicant to demonstrate an effective labor and employment plan. Accordingly, one hundred of the two hundred points awardable under this subsection shall only be awarded if the applicant provides documentation that the individual or natural person owner or owners of the applicant (disregarding any intervening or intermediary entity owner or owners of the applicant) with an aggregate ownership interest of fifty percent or more have entered into collective bargaining agreements with a labor organization that currently represents cannabis workers in the United States effective since at least July 1, 2021, inclusive of renewals (and remaining effective, inclusive of renewals, on the date of the application submission under this section) and such collective bargaining agreements accrete or automatically apply to all cannabis retailers permitted or licensed in the state after July 1, 2021 (notwithstanding the fact that employees of such cannabis retailers permitted or licensed in the state after July 1, 2021 (if any), have yet to have had an opportunity to recognize the labor organization that currently represents cannabis workers in the United States), by the individual or natural person owner or owners of the applicant (disregarding any intervening or intermediary entity owner or owners of the applicant) with an aggregate ownership interest of ninety percent or more referenced above.

The remaining one hundred of the two hundred points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to ten points—An organizational chart of showing owners, managers, and employees.

b. Up to ten points—A description of the owner's and manager's roles in day-to-day operations and decisions.

c. Up to ten points—A description of the number of employees, title/position, and their respective responsibilities.

d. Up to fifteen points—A description of compensation to employees, opportunities for continuing education, and employee training.

e. Up to fifteen points—A description of whether the cannabis business is committed to offering employees a living wage.

f. Up to fifteen points—A description of benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.

g. Up to fifteen points—A description of a plan to recruit employees from socially and economically disadvantaged backgrounds.

h. Up to ten points—A description of a plan to have at least fifty percent of employee positions filled and hours worked by employees residing in the city.

E. Upon timely receipt of a commercial cannabis operation permit application, the city manager shall conduct background checks in accordance with Section 5.26.110(H). Following review and scoring of applications completed pursuant to objective review criteria under subsection D, the city manager shall, as a ministerial duty, recommend that the city council issue commercial cannabis operation permits to applicants in order of their rank under subsection D up to the maximum number of commercial cannabis operation permits authorized in

Section 5.26.060. The city council shall consider the city manager's recommendations, and may conduct its own independent review and scoring of applications completed pursuant to objective review criteria under subsection D and substitute such review and scoring for that of the city manager in whole or in part if it sees fit to do so, and shall thereupon, as a ministerial duty, issue commercial cannabis operation permits to applicants in order of their rank under subsection D up to the maximum number of commercial cannabis operation permits authorized in Section 5.26.060. For the initial iteration of the application process pursuant to this section, the number of commercial cannabis operation permits issued shall be no more than the maximum number of commercial cannabis operation permits authorized in Section 5.26.060(A). In the event of a tie in the order of ranking under subsection D between one or more applicants up to the maximum number of commercial cannabis operation permits authorized in Section 5.26.060, the city council shall, as a ministerial duty, break the tie and issue commercial cannabis operation permits to the applicants with the highest scoring application component in the following order: (1) qualifications of the applicant's owners and managers; (2) community benefits plan; (3) labor and employment plan; (4) security plan; (5) safety plan; (6) neighborhood compatibility plan; (7) business and operations plan; and (8) plans, renderings, and overall location. In the event of a tie on all application components between one or more applicants up to the maximum number of commercial cannabis operation permits authorized in Section 5.26.060, the city manager shall arrange for the tied applicants to provide public presentations before the city council, after which the city council shall publicly rank the applicants pursuant to ranking sheets prepared by the city manager that achieve a forced ranking based on all of the objective review criteria and quantitative evaluation scale in subsection D, and the city council shall issue commercial cannabis operation permits to applicants in order of their rank up to the maximum number of commercial cannabis operation permits available following the city manager's/city council's original ranking and issuance of commercial cannabis operation permits and the limits contained in Section 5.26.060. However, the city council shall not issue a commercial cannabis operation permit to any applicant with an applicant, owner, or manager that:

1. Provided false or misleading information on the applicant's commercial cannabis operation permit application;

2. Has been convicted of (or pled no contest to) "an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made" as that term is defined in Section 26057(b)(4) of the State Business and Professions Code; or

3. Has been sanctioned by a licensing authority or a city, county, or state for unlicensed commercial cannabis operations or has had a license suspended or revoked under MAUCRSA in the three years immediately preceding the date the application was submitted.

F. Any decision of the city council under this section shall be a final administrative decision not subject to administrative appeal under any provisions of this chapter or any provisions of this Code but, rather, subject to judicial review and remedies.

G. In the event that: (1) the number of issued commercial cannabis operation permits falls below the maximum number of commercial cannabis operation permits for retailer (medical-only or medical/adult-use) commercial cannabis operations authorized in Section 5.26.060; or (2) the city council is ordered to increase the maximum number of commercial cannabis operation permits issued for retailer (medicalonly or medical/adult-use) commercial cannabis operations by a court of competent jurisdiction as a judicial remedy (e.g., if a court of competent jurisdiction orders the city council to make commercial cannabis operation permits available

~~for non-storefront retailer (delivery only) (including retailers or micro- businesses engaged in delivery) commercial cannabis operations based outside the city to engage in delivery within the city), the city manager shall, as a ministerial duty, within thirty days reinstitute the application procedure under this section, subject to the maximum number of commercial cannabis operation permits authorized and available for issuance pursuant to Section 5.26.060. However, if the city council determines to not issue any permits pursuant to Section 5.26.070(I), then the city manager shall not be required to reinstitute the application procedure provided herein unless directed to do so by a majority of the city council.~~

~~H. Additionally, pursuant to Section 5.26.060(B), at any time after the first year following the operative date of this chapter, the city council may, by resolution or minute action, reinstitute the application procedure under this section for the purpose of considering issuance of one additional retailer (medical/adult-use) commercial cannabis operation permits up to the maximum provided in Section 5.26.060.~~

~~I. Notwithstanding anything to the contrary in this chapter, the city council is not required or obligated to issue any commercial cannabis operation permits to any applicants pursuant to this chapter if the city council determines that the issuance of such permits would be detrimental to the public health and safety.~~

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.080. Limitations on the city's liability.

To the fullest extent permitted by law, the city shall not assume any liability whatsoever with respect to having issued or having failed to issue a commercial cannabis operation permit pursuant to this chapter or otherwise approving or rejecting any retailer commercial cannabis operation and/or commercial cannabis operation permit application. As a condition to the submittal of a commercial cannabis operation permit application and/or the approval of any commercial cannabis operation permit, the applicant shall be required to meet all of the following conditions before they can receive a commercial cannabis operation permit:

A. Execution of an agreement, in a form approved by the city attorney, agreeing to indemnify, defend (at applicant's sole cost and expense), and hold the city, and its officers, officials, employees, representatives, and agents harmless, to the fullest extent permitted by law, from any and all claims, losses, damages, injuries, liabilities, or losses which arise out of or which are in any way related to the city's issuance of the commercial cannabis operation permit or any associated land use entitlements, the city's decision to approve, allow, prohibit, or deny any~~the retailer~~ commercial cannabis operation, any commercial cannabis operation permit or associated land use entitlement, the process used by the city in making ~~its~~ decisions including but not limited to any decision to issue, approve, deny, suspend, revoke, or impose conditions on a commercial cannabis operation permit, any enforcement of conditions of the commercial cannabis operations permit, the City's drafting, adoption, and passage of any ordinances, resolutions, rules, policies, and/or amendments thereto, or the alleged violation of any federal, state, or local laws by the retailer commercial cannabis operation or any of its owners, managers, officers, employees, or agents, and to reimburse the City for all associated fees, costs, and expenses incurred by the City, including but not limited to, attorney fees and costs and court costs.

B. Maintain insurance at coverage limits and with conditions thereon determined necessary and appropriate from time to time by the city attorney.

C. Agree to d~~D~~efend and indemnify, to the fullest extent permitted by law, the city, its elected

and appointed officials, employees and attorneys for all costs and expenses, including, but not limited to, attorneys' fees and court costs, that the city may be required to pay as a result of any legal challenge related to the city's approval of the applicant's commercial cannabis operation permit, any matter arising from the commercial cannabis operations in the City~~operations of said cannabis business~~ and/or related to the city's approval or denial of retailer commercial cannabis operations and/or commercial cannabis operations permit, including but not limited to any appeals of commercial cannabis operation permit or land use entitlement permit licensing processes or decisions including but not limited to the issuance, denial, revocation, or suspension thereof or imposition of conditions thereon, any enforcement of conditions of the commercial cannabis operations permit, the City's drafting, adoption, and passage of any ordinances, resolutions, rules, policies, and/or amendments thereto. The city, at its sole discretion, may participate at its own expense in the defense of any such action, but such participation shall neither relieve nor increase any of the obligations imposed on the applicant hereunder.

D. Provides written authorization to the operations officers to conduct reasonable unannounced inspections of the site~~location~~ of the commercial cannabis operation at the reasonable discretion of the city, including, but not limited to, inspection of security, inventory, and written records and files pertaining to the commercial cannabis operation, for the purposes of ensuring compliance with this chapter and all laws of the city and the state.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.090. Commercial cannabis operation permit term~~.~~, renewal.

A. Subject to this section and Section 5.26.160, the term of each commercial cannabis operation permit shall be ~~indefinite~~ one year from the date of issuance, unless sooner revoked. Commercial cannabis operation permits may be renewed annually as set forth in this Section 5.02.090.

B. Upon the one-year anniversary of the date of issuance for each commercial cannabis operation permit and every year thereafter, or at any time as set forth in Sections 5.26.080(D) and 5.26.110(D), the city manager and/or operations officers ~~shall~~may conduct a performance review of the permittee to assess compliance with the requirements of this chapter and state law~~. Within thirty days of the conclusion of the annual performance review of the permittee, the city manager shall~~ and may issue a letter of compliance or noncompliance outlining all items to be corrected to ensure full compliance, which shall include deadlines for completion of such items. The city manager may revise such deadlines if he or she determines that additional time is needed to complete such items.

C. The permittee shall pay a fee in an amount to be set by the city council via resolution to cover the costs of conducting the performance review, together with any costs incurred by the city to administer the program created under this chapter.

D. An application for renewal of a commercial cannabis operation permit shall be filed at least 60, but no more than 120 calendar days prior to expiration, unless a different time period is set forth by the City Manager.

E. The application for renewal shall be submitted on a form issued or approved by the City Manager.

F. At the time of filing the application for renewal, the applicant shall pay a fee in an amount established by resolution of the City Council. Any applicant submitting an application less than 60 days before its expiration shall be required to pay a late renewal application fee, as established by resolution of the City Council.

G. An application for renewal of a commercial cannabis operation permit may be rejected if any of the following exists:

1. Any grounds for suspension or revocation of the commercial cannabis operation permit under Section 5.26.160;

2. The commercial cannabis operation permit has been suspended or revoked at the time of the application for renewal;

3. The permittee has not been in regular and continuous operation for a minimum of 30 consecutive days prior to the submittal or consideration of renewal application.

4. The permittee fails to or is unable to renew its Cannabis State License, or otherwise does not have an active Type 10, inclusive of suspension or revocation, or similar State license authorizing the permittee to engage in retail commercial cannabis operations.

5. The permittee has made a material false, misleading or fraudulent statement or omission of fact as to any information provided to City pursuant to the South El Monte Municipal Code or the initial selection and award process that was later discovered.

6. The City Manager or designee(s) are authorized to make all decisions concerning the renewal of a commercial cannabis operation permit. In making the decision, the City Manager or designee(s) are authorized to impose additional conditions to the renewal of a permit, if it is determined to be necessary to ensure compliance with State or local laws and regulations or to preserve the public health, safety, or welfare.

7. If a permittee submits the required renewal application within the time periods specified in subsections (D) and (F) of this Section, but a written decision from the City has not been received prior to the expiration of the commercial cannabis operation permit, such permit shall be deemed conditionally renewed until issuance of a written decision on the renewal application.

8. Appeals from the decision of the City Manager shall be conducted as set forth in Section 5.26.170 and shall be subject to a fee as established by resolution of the City Council.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.100. Change in location—Transfer—Updated application information.

A. A commercial cannabis operation permit issued under this Chapter is valid only as to the premises identified in and approved by the commercial cannabis operation permit and is therefore nontransferable to other locations or premises except as authorized in this section. No~~A~~ permittee may change the premises~~business location~~ specified in a commercial cannabis operation permit until any such change in premises is first approved by the City Manager. A permittee seeking to change the premises of its commercial cannabis operation shall be required to submit~~upon submission and approval of~~ a change in location application promulgated~~, as a ministerial duty,~~ by the city manager pursuant to regulations adopted under Section 5.26.140, and any further documentation requested by the City Manager in its sole and absolute discretion. The permittee shall pay an application fee established by resolution of the city council to cover all costs incurred by the city in the review and processing of change in location applications. The city manager shall review the proposed change in

location application for requirements including but not limited to compliance of the new premises with all applicable requirements of this Code, including but not limited to Section 5.26.120(C).~~process such change in location applications as a ministerial duty within thirty days of receipt~~.

B. An owner of a commercial cannabis operation permit shall not transfer fifty percent (50%) or more of ownership or control of such commercial cannabis operation permit to another person unless and until the permittee and transferee obtain an amendment to the commercial cannabis operation permit that is approved by the City Manager~~city council upon recommendation from the city manager stating that the permit may be transferred~~. A permittee seeking to ~~may~~ change fifty percent (50%) or greater of the ownership specified in a commercial cannabis operation permit shall be required to ~~upon~~ submit~~ssion and approval of~~ a change in ownership application promulgated~~, as a ministerial duty,~~ by the city manager pursuant to regulations adopted under Section 5.26.140. The permittee shall pay an application fee established by resolution of the city council to cover all costs incurred by the city in the review and processing of change in ownership applications. The city manager shall review~~process~~ such change in ownership applications for requirements including but not limited to: to~~as a ministerial duty within thirty days once the city manager reasonably~~ determine~~s~~ that the transferee passed the background check required for owners, the transferee is not prohibited from holding a commercial cannabis operation permit or employment with a permittee pursuant to Section 5.26.110(H), and meets all other requirements of this chapter.

C. The existing permittee may conduct business under the existing commercial cannabis operation permit while the city manager reviews the change of ownership application. Denial of a change of ownership application does not result in revocation of the existing commercial cannabis operation permit. ~~Notwithstanding subsection B, during the first three years following the issuance of a commercial cannabis operation permit, the city manager shall not process any application to change the ownership or control of a commercial cannabis operation permit that results in the permittee altering its ownership composition in a manner that would result in the permittee not being entitled to points it was awarded when the permittee was an applicant pursuant to Section 5.26.070. For example, if a permittee received one hundred points when it was an applicant for providing documentation that the individual or natural person owner or owners of the applicant (disregarding any intervening or intermediary entity owner or owners of the applicant) with an aggregate ownership interest of ninety percent or more have entered into a collective bargaining agreement with a labor organization that currently represents cannabis workers in the United States effective since at least July 1, 2021, inclusive of renewals (and remaining effective, inclusive of renewals, on the date of the application submission under this section), the city manager shall not process or authorize any change in ownership or control of the permittee if the change would result in the permittee being unable to continue to satisfy the aforementioned criteria subsequent to its approval~~.

D. Notwithstanding subsection B, no commercial cannabis operation permit may be transferred when the city manager has notified the permittee that its commercial cannabis operation permit has been or may be suspended or revoked.

E. Any attempt to transfer a commercial cannabis operation permit either directly or indirectly in violation of this section is hereby declared void, and such an unpermitted transfer shall be deemed a ground for revocation of the permit.

F. An applicant or permittee shall notify the city manager or designee(s) within fifteen calendar days of any change in the information provided in the applicant or permittee's commercial cannabis operation permit application or any change in status of compliance with the

provisions of this chapter, including any change in ownership or management of less than fifty percent (50%). Any new owners, managers, or employees shall be required to undergo a background check and not be prohibited from holding a commercial cannabis operation permit or employment with a permittee pursuant to Section 5.26.110(H).

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.110. General operating standards and restrictions.

A commercial cannabis operation shall operate in conformance with the following minimum standards, and such standards shall be deemed to be part of the conditions on the permit for a commercial cannabis operation to ensure that its operation is in compliance with state law and this Code, and to mitigate any potential adverse impacts of the commercial cannabis operation on the public health, safety or welfare.

Additional minimum standards may be adopted from time to time either by resolution or ordinance of the city council, or by the city manager pursuant to Section 5.26.140.

A. State Standards. All state requirements and regulations that govern the operation of a commercial cannabis operation, including, but not limited to, ones related specifically to certain types of commercial cannabis operations, shall apply as minimum requirements and regulations and requirements for commercial cannabis operations within the city of South El Monte, in addition to the requirements and regulations of this chapter and this Code.

B. Security. Commercial cannabis operations must comply with the following minimum security requirements. Additionally, any security plan provided by an applicant in its commercial cannabis operation permit application shall be incorporated into the terms and conditions under which the commercial cannabis operation will operate with the City's approval, if and when a commercial cannabis operation permit is issued; such terms and conditions shall be in addition to the requirements of this chapter.

1. General. All cannabis, cannabis products and cash present or kept at the premises shall be securely stored against both unauthorized access as well as theft.

2. Security Cameras.

    a. Security cameras shall be installed and maintained in good condition, with at least ninety days of digitally recorded documentation in a format approved by the city manager and the police chief.

    b. The camera and recording system must be of adequate quality, color rendition, and resolution to allow the identification of any individual present at the site of the commercial cannabis operation.

    c. The cameras shall be in continuous use twenty-four hours per day, seven days per week.

    d. The recording system must be capable of exporting the recorded video in standard MPEG formats to another common medium approved by the city manager, such as DVD and/or a USB drive.

    e. The areas to be covered by the security cameras include, but are not limited to, the storage areas, operation areas, all doors and windows, the parking lot, all exterior sides of the property adjacent to the public rights-of-way, and any other areas as

determined by the city manager and police chief.

f. Remote log-in information will be provided to the operations officers to allow them to view live and recorded security camera images remotely at any time.

3. Alarm System. The location of the commercial cannabis operation shall be alarmed with a centrally-monitored fire and burglar alarm system, and monitored by an alarm company properly licensed by the State Department of Consumer Affairs Bureau of Security and Investigative Services in accordance with Section 7590, et seq., of the State Business and Professions Code and whose agents are properly licensed and registered under applicable law.

   a. Permittees shall ensure that burglar, fire, and panic alarms are operational and monitored by a licensed security company 24 hours a day, seven days a week, and shall provide the City contact information for each licensed security company responsible for monitoring the permittee's alarm systems. Permittees shall promptly notify the City in writing of any change in licensed security company responsible for monitoring the permittee's alarm systems and/or associated contact information.

4. Locked Entrances. All entrances into the building housing a commercial cannabis operation shall be locked from the exterior at all times with entry controlled by employees or security personnel.

5. Windows. All windows on the building that houses the commercial cannabis operation shall be secured against entry from the outside.

6. No employee shall refuse, impede, obstruct or interfere with an inspection conducted pursuant to the authorizations provided by this chapter.

7. A commercial cannabis operation shall notify the City Manager within twenty-four (24) hours of the discovery of any of the following:

   a. Significant discrepancies identified during inventory. The level of significance shall be as determined by the regulations promulgated by the City Manager, or, if not established therein, as set forth in Section 15034 of Division 19 of Title 4 of the California Code of Regulations, as amended from time to time;

   b. Diversion, theft, loss, or any criminal activity involving the permittee, commercial cannabis operation, or any agent or employee thereof;

   c. The loss or authorized alteration of records required to maintained pursuant to this Chapter or otherwise related to inventory, customers, employees, or agents of the permittee or commercial cannabis operation;

   d. Any other breach of security.

C. Odors.

1. A commercial cannabis operation shall have an air treatment system that ensures off-site odors shall not result from its activities.

2. This requirement at a minimum means that the commercial cannabis operation shall be

designed to provide sufficient odor absorbing ventilation and exhaust systems so that any odor generated inside the location of the commercial cannabis operation is not detected outside the building, on adjacent properties or public rights-of-way, or within any other unit located within the same building as the commercial cannabis operation, if the use only occupies a portion of a building.

D. Authorizations.

1. The operations officers shall have the right to enter all areas of the commercial cannabis operation from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with this chapter and all laws of the city and state.

2. In addition to ongoing remote live access to security camera images as set forth in Section 5.26.110(B)(2)(f), r~~R~~ecordings made by security cameras required pursuant to this chapter shall be made available to the operations officers upon verbal request; no search warrant or subpoena shall be needed to view the recorded materials.

E. Records.

1. Commercial cannabis operations shall maintain on site the following records either in paper or electronic form compatible with the City's software and hardware:

a. The full name, address, and telephone numbers of the owner and lessee of the property.

b. The name, date of birth, address, and telephone number of each employee of the commercial cannabis operation; the date each was hired; and the nature of each employee's participation in the commercial cannabis operation.

c. Copies of all required state licenses.

d. An inventory record documenting the dates and amounts of cannabis and cannabis products received at the site, the daily amounts of cannabis and cannabis products on the site, and the daily amounts of cannabis and cannabis products leaving the site for any reason, including, but not limited to, being sold, delivered, or distributed.

e. A written accounting of all expenditures, costs, revenues and profits of the commercial cannabis operation, including, but not limited to, cash and in-kind transactions.

f. A copy of all insurance policies related to the operation of the commercial cannabis operation.

g. A copy of the commercial cannabis operation's most recent year's financial statement and tax return.

h. Proof of a valid and current permit issued by the city in accordance with this chapter, and the equivalent state of California license to operate the commercial cannabis operation. Every commercial cannabis operation shall display at all times during business hours the city permit issued pursuant to the provisions of this chapter, and the equivalent state license, in a conspicuous place so that it may be

readily seen by all persons entering the premises~~location~~ of the commercial cannabis operation.

2. All records required to be maintained by the commercial cannabis operation must be maintained for no less than seven years and are subject to immediate inspection (consistent with requirements pertaining to qualified patient confidentiality pursuant to applicable state and federal law) upon a lawful written request by an operation officer.
3. A commercial cannabis operation shall report any loss, damage, or destruction of these records to the operation officers within twenty-four hours of the loss, damage, or destruction.

F. Site Management.

1. Commercial cannabis operations shall not result in a nuisance or adversely affect the health, welfare, or safety of nearby persons by creating dust, glare, heat, noise, noxious gases, odors, smoke, traffic, vibration, or other impacts, or be hazardous due to use or storage of materials, processes, products or waste. The permittee shall promptly and diligently both prevent as well as eliminate conditions on the site of the commercial cannabis operation that constitute a nuisance.

2. A permittee shall maintain the exterior of the site, including any parking lots under the control of the permittee, free of litter, debris, and trash.

3. The commercial cannabis operation permittee shall properly store and dispose of all waste generated on the site, including chemical and organic waste, in accordance with all applicable laws and regulations.

4. Notwithstanding any provisions of this Code to the contrary, the commercial cannabis operation permittee shall remove all graffiti from the site and parking lots under the control of the commercial cannabis operation permittee within seventy-two hours of discovery~~its application~~.

G. State Board of Equalization Seller's Permit Required.

1. Commercial cannabis operations must obtain a seller's permit from the State Board of Equalization as applicable.

2. Such permit shall be displayed in a conspicuous place so that it may be readily seen by all persons entering the premises~~location~~ of the commercial cannabis operation.

H. Background Checks; Personnel prohibited from holding a commercial cannabis operation permit or employment with a permittee~~Employees~~.

1. All employees must submit to fingerprinting and criminal background checks by the city or its designee.

a. No employee convicted within the last ten years of a felony substantially related to the qualifications, functions or duties of an employee of a commercial cannabis operation (such as a felony conviction for distribution of controlled substances, money laundering, racketeering, etc.) shall be employed by a commercial cannabis operation, and no owner convicted of any of the aforementioned offenses shall be eligible to obtain a commercial cannabis operation permit, unless such employee or owner has obtained a certificate of rehabilitation (expungement of felony record)

under state law or under a similar federal statute or state law where the expungement was granted.

b. At the request of the commercial cannabis operation, the city manager and police chief shall determine the applicability of this section to a potential employee within a reasonable period of time after a written request has been made to the city manager and police chief for such determination.

2. All employees must possess a valid government issued (or equivalent) form of identification containing an identifying photograph of the employee, the name of the employee, the date of birth of the employee, and the residential address of the employee. Color copies of such identification shall be maintained at the location of the commercial cannabis operation. A valid state driver's license will satisfy this requirement.

3. In addition to the disqualifying offenses set forth in Section 5.26.110(H)(1)(a), a person shall not be eligible to obtain a commercial cannabis operation permit or employment with a permittee if the person:

a. Provided false or misleading information on the applicant's commercial cannabis operation permit application;

b. Has been convicted of (or pled no contest to) "an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made" as that term is defined in Section 26057(b)(4) of the State Business and Professions Code; or

c. Has been sanctioned by a licensing authority or a city, county, or state for unlicensed commercial cannabis operations or has had a license suspended or revoked under MAUCRSA in the three years immediately preceding the date the application was submitted.

I. Cannabis Transfer Between Permitted Operations Only. A commercial cannabis operation shall not transfer cannabis or cannabis products to or from another commercial cannabis operation, unless both operations are in possession of all required state and local licenses and permits.

J. Commercial Cannabis Operation Signage.

1. Signs on the premises shall not obstruct the entrance or the video surveillance system. The size, location, and design of any signage must conform to the sign provisions in this Code.

2. Business identification signage shall be limited to that needed for identification only, consisting of a single window sign or wall sign that shall comply with the appropriate sign requirements within the applicable zoning district.

K. Prohibited Personal Activities.

1. Cannabis Use. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty feet of, the site of the commercial cannabis operation.

2. Alcohol Use. No person shall possess, consume, or store any alcoholic beverage on the site of the commercial cannabis operation.

L. No Minors. No minor shall be an employee of, or participate in, a commercial cannabis operation in any capacity, including, but not limited to, as a manager, employee, contractor,

adviser, or volunteer.

M. Exterior Lighting. The exterior of the premises upon which the commercial cannabis operation is operated shall be equipped with and, at all times between sunset and sunrise, shall remain illuminated with fixtures of sufficient intensity and number to illuminate every portion of the property with an illumination level of not less than one foot-candle as measured at the ground level, including, but not limited to, landscaped areas, parking lots, driveways, walkways, entry areas, and refuse storage areas.

N. Building Design. A permittee must maintain the design of the buildings on the site in accordance with the plans that are approved by the city pursuant to this chapter and otherwise approved by the city. No permittee shall modify the buildings on the site contrary to the approved plans, without the approval of the city manager, in addition to any other applicable review and approval of such proposal by the designated City review body pursuant to Title 17 of this Code.

O. Nuisance. A permittee shall take all reasonable steps to discourage and correct conditions that constitute a nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours if related to the members of the subject commercial cannabis operation.

1. "Reasonable steps" shall include immediately calling the police department upon observation of the activity, and requesting that those engaging in activities that constitute a nuisance or are otherwise illegal to cease those activities, unless personal safety would be threatened in making the request.

2. "Nuisance" includes, but is not limited to, disturbances of peace, open public consumption of cannabis, alcohol or controlled substances, excessive pedestrian or vehicular traffic, including the formation of any pedestrian lines outside the building, illegal drug activity, harassment of those passing by, excessive littering, excessive loitering, illegal parking, excessive loud noises~~, especially late at night or early in the morning hours~~, lewd conduct or law enforcement detentions and arrests.

P. Upon and after receiving possession of a commercial cannabis operation permit as provided for in this chapter, a permittee shall:

1. Maintain continuing compliance with criminal background check requirements of this chapter by ensuring that:

a. Upon the hiring, association or retention of an employee by the commercial cannabis operation, the requirements of subsection H are immediately met for such employee by provision of appropriate documentation to the city manager; and

b. The city manager and police chief are immediately informed in writing of any felony conviction as described in subsection H for any current employee.

2. Maintain continuing compliance with all applicable insurance requirements, including, but not limited to, those imposed by the city and this chapter.

Q. Track and trace requirements. Permittees shall create and maintain an active account within the state's track and trace system, as required by the state cannabis laws, prior to commencing any commercial cannabis operation activity. In the event of system failure, the permittee shall keep a hard copy record and transfer the information to the track and trace system

within 24 hours of the system being available, which must be provided to the City upon request.

~~Q. Workforce Plan. A permittee shall implement a workforce plan that includes at least the following provisions:~~

~~1. Commitment for thirty percent of employees to be local hires; this local hiring requirement is satisfied when a permittee shows that it has either hired or made a good faith effort to hire bona fide residents of the city or persons that may establish residency after initial employment with the permittee;~~

~~2. Commitment to offer apprenticeships and/or compensation for continuing education in the field of commercial cannabis operations; and~~

~~3. Paying a living wage to employees. "Living wage" means compensation equivalent to twenty dollars per hour inclusive of benefits but excluding tips.~~

R. Exemption. The regulations contained in this chapter shall not apply to a commercial cannabis operation engaged in the following uses, as long as such use complies strictly with applicable law, including this Code, regulating such use and the location of such use, including, but not limited to, Section 11362.5 of the State Health and Safety Code and Section 11362.71 et seq., of the State Health and Safety Code: A clinic licensed pursuant to Chapter 1 of Division 2 of the State Health and Safety Code; a health care facility licensed pursuant to Chapter 2 of Division 2 of the State Health and Safety Code; a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the State Health and Safety Code; a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the State Health and Safety Code; and a residential hospice or a home health agency licensed pursuant to Chapter 8 of Division 2 of the State Health and Safety Code.

S. Reporting and Tracking of Product and of Gross Sales. Each permittee shall have in place a point-of-sale or management inventory tracking system to track and report on all aspects of the commercial cannabis operation including, but not limited to, such matters as cannabis tracking, inventory data, gross sales (by weight and by sale) and other information which may be deemed necessary by the city. The permittee shall ensure that such information is compatible with the city's record-keeping systems. In addition, the system must have the capability to produce historical transactional data for review. Furthermore, any system selected must be approved and authorized by the city manager prior to being used by the permittee.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.120. Retailer operating standards and restrictions.

A retailer commercial cannabis operation shall operate in conformance with both Section 5.26.110, as well as the following minimum standards, and such standards shall be deemed to be part of the conditions of the commercial cannabis operation permit for a retailer commercial cannabis operation to ensure that its operation is in compliance with state law and this Code, and to mitigate any potential adverse impacts of the commercial cannabis operation on the public health, safety or welfare. It shall be the responsibility of the Permittees, Owners, and Managers of a Commercial Cannabis Operation to ensure that a Commercial Cannabis Operation is, at all times, operating in a manner compliant with all applicable federal, state and local laws, including for as long as applicable, all state cannabis laws, any subsequently enacted state law or regulatory, licensing, or certification standards or requirements, this Chapter, and any specific, additional operating procedures or requirements which may be imposed as conditions of approval of a required license or permit, including but not limited to the Commercial Cannabis Operation Permit.

Additional minimum standards may be adopted from time to time either by resolution or ordinance from the city council, or by the city manager pursuant to Section 5.26.140.

A. City Permit and State License. No person shall engage in retailer commercial cannabis operations without both a current and valid commercial cannabis operation permit and a current and valid equivalent state license as provided for under Section 26200 of the State Business and Professions Code, and as may be amended. Retailer (medical-only) commercial cannabis operations shall only sell, dispense, or provide medical cannabis or medical cannabis products to a qualified patient with a written physician's recommendation, a person with an identification card, or a primary caregiver with written documentation attesting to lawful status as a primary caregiver.

B. State Standards. All state requirements and regulations that govern retailer commercial cannabis operations, including, but not limited to, the regulations promulgated by the State Department of Cannabis Control, and as may be amended, shall apply as minimum requirements and regulations and requirements for retailer commercial cannabis operations within the city, in addition to the requirements and regulations of this chapter and this Code.

C. Location and Design Requirements. Pursuant to the authority delegated by the state to the city under Section 26054(b) of the State Business and Professions Code and overriding the location and design requirements contained in Section 26054(b) of the State Business and Professions Code, retailer commercial cannabis operations in the city shall be subject to the following location and design requirements:

1. Retailer commercial cannabis operations shall be a permitted use subject to this chapter on property: (a) located more than one thousand feet any retailer commercial cannabis operation permitted under this chapter, alcohol or drug treatment facility, day care center, religious institution, school, ~~or~~ youth center, park or residentially zoned property; (b) located more than three hundred and fifty (350) ~~one thousand~~ feet from the city's jurisdictional boundary ~~or any park or residentially zoned property~~; and (c) zoned C (commercial zone) or C-M (commercial-manufacturing zone) including any overlay zone districts covering the C (commercial zone), ~~or~~ C-M (commercial- manufacturing zone), or M (manufacturing) zone.

2. The distances specified in subsection C shall be measured from those sensitive uses in existence at the time the commercial cannabis operation permit application is submitted, the horizontal distance shall be measured in a straight line from the parcel line of the sensitive use to the closest parcel line of the lot on which the cannabis retailer is to be located without regard to intervening structures. ~~The one thousand foot distance specified in subsection C may be reduced to as little as nine hundred feet by administrative regulation pursuant to Section 5.26.140 if necessary to allow for issuance of the number of commercial cannabis operation permits provided by this chapter~~.

3. Each retailer commercial cannabis operation shall:

   a. Be constructed in a manner that prevents odors to surrounding uses, and promotes quality design and construction, and consistency with the surrounding properties. Odors from the cannabis retailer shall not be detectable from outside the premises and adequate odor control technology shall be utilized;

   b. Be provided with adequate electricity, sewerage, disposal, water, fire protection, and storm drainage facilities for the intended purpose; and

c. Provide and maintain a neighborhood compatibility plan so the city manager or designee(s) may find that the cannabis retailer and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance. Any neighborhood compatibility plan provided by an applicant in its commercial cannabis operation permit application shall be incorporated into the terms and conditions under which the commercial cannabis operation will operate with the City's approval, if and when a commercial cannabis operation permit is issued; such terms and conditions shall be in addition to the requirements of this chapter.

D. Customers.

1. Prior to dispensing medical cannabis or medical cannabis products to a qualified patient, a retailer commercial cannabis operation shall verify the age and all necessary documentation of each customer to ensure the customer is not under the age of eighteen years and obtain verification from the recommending physician that the person requesting medical cannabis or medical cannabis products is a qualified patient, and shall maintain a copy of the physician recommendation, or identification card, as described in Section 11362.71 et seq., of the State Health and Safety Code, as may be amended from time to time, on site for period of not less than seven years.

2. Prior to dispensing cannabis or cannabis products to an adult-use customer, a retailer (medical/adult-use) commercial cannabis operation shall verify the age and all necessary documentation of each customer to ensure the customer is not under the age of twenty-one years.

E. Opaque Packaging. All cannabis or cannabis products sold to a customer shall be prohibited from leaving the site unless placed in opaque exit packaging which conceals the nature of the product from human vision.

F. Dispensing and Storage Areas. Entrance to the retailer sales floor and any storage areas shall be locked at all times, and under the control of employees or security personnel.

G. Interior Lighting. The premises within which the commercial cannabis operation is operated shall be equipped with and, at all times during which is open to the public, shall remain illuminated with over-head lighting fixtures of sufficient intensity to illuminate every place to which members of the public or portions thereof are permitted access with an illumination of not less than two foot-candles as measured at the floor level.

H. Signs. A retailer commercial cannabis operation shall notify customers (verbally or by written agreement) and by posting a notice or notices conspicuously at least fifteen-point type within permitted premises that state as follows:

1. "The sale or diversion of cannabis or cannabis products without a license issued by persons entering the site, the city of South El Monte is a violation of state law and the South El Monte Municipal Code."

2. "Secondary sale, barter, or distribution of cannabis or cannabis products purchased from a permittee is a crime and can lead to arrest."

3. "Customers must not loiter in or near these premises and may not consume cannabis or cannabis products in the vicinity of this business or in any place not lawfully permitted.

These premises and vicinity are monitored to ensure compliance."

4. "WARNING: The use of cannabis or cannabis products may impair a person's ability to drive a motor vehicle or operate heavy machinery."

5. "CALIFORNIA PROP. 65 WARNING: Smoking of cannabis and cannabis-derived products will expose you and those in your immediate vicinity to cannabis smoke. Cannabis smoke is known by the State of California to cause cancer and reproductive harm."

I. No Recommendations On Site. A retailer commercial cannabis operation shall not have a physician or any person licensed to recommend medical cannabis for medical use at the location of the retailer commercial cannabis operation to provide a recommendation or physician's recommendation, for the use of medical cannabis.

J. Sanitation. A permittee shall establish and implement written procedures that maintain the highest industry standards of sanitation and cleanliness for the operation so as to ensure cannabis and cannabis products sold to the public are free of harmful contaminants.

K. Training. A permittee shall establish and implement written procedures that provide for the highest industry standards of training for employees.

L. Prohibited Activities. Retailers may not conduct~~No~~ cannabis cultivation, testing or manufacturing, and no cannabis cultivation, testing, or manufacturing shall occur within the premises of the retailer operation.

M. No Alcohol. Retailer commercial cannabis operations shall not hold or maintain a license from the State Department of Alcoholic Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.

N. No Lounge or Café. Retailer commercial cannabis operations shall not operate as a lounge, café or restaurant serving food or drinks for consumption on site. There shall be no seating area, tables, couches, or chairs for the gathering or congregating of members.

O. Age Restriction. Minors, except qualified patients or primary caregivers over the age of eighteen years old as verified customers, are prohibited from entering the premises~~location~~ of the retailer cannabis operation.

P. Public Information. The permittee shall make available to customers a list of the rules and regulations governing medical cannabis use and consumption within the city and recommendations on sensible medical cannabis etiquette.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.125. Delivery operating standards and restrictions.

A. Delivery shall comply with state law at all times.

B. Security plans developed pursuant to this chapter shall include provisions relating to vehicle security and the protection of employees and product during loading and in transit which shall be incorporated, in addition to all requirements of this Chapter, as binding terms and conditions under which the commercial cannabis operation may operate with the City's approval, if and when a commercial cannabis operations permit is issued in accordance with Section 5.26.110(B).

C. A commercial cannabis operation engaged in delivery shall facilitate the delivery of cannabis or cannabis products with a technology platform owned by or licensed to the delivery-only commercial cannabis operation engaged in delivery that uses point-of-sale technology to track and database technology to record and store the following information for each transaction involving the exchange of cannabis or cannabis products between the commercial cannabis operation engaged in delivery and customer:

1. The identity of the individual dispensing cannabis or cannabis products on behalf of the commercial cannabis operation engaged in delivery;

2. The identity of the customer receiving cannabis or cannabis products from the commercial cannabis operation engaged in delivery;

3. The type and quantity of cannabis or cannabis products dispensed by the retailer and received by the customer;

4. The gross receipts charged by the commercial cannabis operation engaged in delivery and received by the individual dispensing cannabis or cannabis products on behalf of the commercial cannabis operation engaged in delivery for the cannabis or cannabis products dispensed and received; and

5. The location or address where the sale or retail sale took place or closed.

D. A commercial cannabis operation engaged in delivery shall maintain a database and provide a list of the individuals and vehicles authorized to conduct delivery, and a copy of the valid state driver's license issued to the driver of any such vehicle on behalf of the commercial cannabis operation engaged in delivery to the city manager.

E. Individuals making deliveries of cannabis or cannabis products on behalf of the commercial cannabis operation engaged in delivery shall maintain a physical copy of the delivery request (and invoice) and shall make it available upon the request of agents or employees of the city requesting documentation.

F. During delivery, a copy of the commercial cannabis operation engaged in delivery's commercial cannabis operation permit and state license shall be in the vehicle at all times, and the driver shall make it available upon the request of agents or employees of the city requesting documentation.

G. A commercial cannabis operation engaged in delivery shall only permit or allow delivery of cannabis or cannabis products in a vehicle that is: (1) insured at or above the legal requirement in the state; (2) capable of securing (locking) the cannabis or cannabis products during transportation; (3) capable of being temperature controlled if perishable cannabis or cannabis products is being transported; and (4) does not display advertising or symbols visible from the exterior of the vehicle that suggest the vehicle is used for cannabis delivery or affiliated with a commercial cannabis operation engaged in delivery.

H. A commercial cannabis operation engaged in delivery shall facilitate deliveries with a technology platform owned by or licensed to the commercial cannabis operation engaged in delivery that uses global positioning system technology to track, and database technology to record and store the following information:

1. The time that the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery departed its premises.

2. The time that the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery completed delivery to the customer.

3. The time that the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery returned to its premises.

4. The route the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery traveled between departing and returning to its premises to conduct delivery.

5. For each individual delivery transaction, the identity of the individual conducting deliveries on behalf of the commercial cannabis operation engaged in delivery.

6. For each individual delivery transaction, the vehicle used to conduct delivery on behalf of the commercial cannabis operation engaged in delivery.

7. For each individual delivery transaction, the identity of the customer receiving cannabis or cannabis products from the commercial cannabis operation engaged in delivery.

8. For each individual delivery transaction, the type and quantity of cannabis or cannabis products dispensed and received.

9. For each individual delivery transaction, the gross receipts charged by the commercial cannabis operation engaged in delivery and received by the individual conducting deliveries on behalf of the commercial cannabis operation engaged in delivery for the cannabis or cannabis products dispensed and received.

I. The individual making deliveries on behalf of the commercial cannabis operation engaged in delivery shall personally verify for each individual delivery transaction the identity of the customer receiving cannabis or cannabis products from the commercial cannabis operation engaged in delivery and: (1) for medical cannabis or medical cannabis products to a qualified patient, the age and all necessary documentation of each customer to ensure the customer is not under the age of eighteen years and obtain verification from the recommending physician that the person requesting medicinal cannabis or medicinal cannabis products is a qualified patient, and shall maintain a copy of the physician recommendation or identification card as described in Section 11362.71 et seq., of the State Health and Safety Code, as may be amended from time to time, on site for period of not less than seven years; or (2) for cannabis or cannabis products to an adult-use customer, age and all necessary documentation of each customer to ensure the customer is not under the age of twenty-one years.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.130. Community benefit ~~agreement~~.

Any community benefit commitments, including but not limited to monetary, volunteer hour, in-kind, or other contributions and/or donations provided by an applicant in its commercial cannabis operation permit application shall be incorporated into the terms and conditions under which the commercial cannabis operation will operate with the City's approval, if and when a commercial cannabis operation permit is issued; such terms and conditions shall be in addition to the requirements of this chapter. ~~The applicant may propose entering into a community benefit agreement in an amount and by terms set by city council resolution with the city setting forth the terms and conditions under which the facility will operate that is in addition to the requirements of this chapter, including, but not limited to, public outreach and education, community service, payment of fees and other charges as mutually agreed, and such other terms and conditions that~~

~~will protect and promote the public health, safety, and welfare of the city and its residents and visitors.~~
(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.140. Administration.

A. Consistently with stated requirements of this chapter (and in particular not to repeal or constructively repeal this chapter), in addition to any regulations adopted under state law, the city manager is authorized to establish any additional rules, regulations, and standards governing the issuance or denial of commercial cannabis operation permits, the ongoing operation of commercial cannabis operations and the city's oversight thereof, or concerning any other subject determined to be necessary to carry out the purposes of this chapter.

B. Such regulations shall be approved by resolution of the city council published on the city's website.

C. Regulations promulgated, by the city manager, shall become effective upon date of publication on the city's website or posting at the location for the city council's meeting agendas. Commercial cannabis operations shall be required to comply with all state and local laws and regulations, including, but not limited to, any rules, regulations or standards adopted by the city manager.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.150. Fees.

An application fee set by resolution of the city council shall be required for formal processing of every application made under this chapter. The city council is further authorized to pass resolutions or ordinances to recover any and all fees and costs incurred by the administration and implementation of this chapter through an appropriate fee recovery mechanism to be imposed upon commercial cannabis operations.
(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.160. Suspension, modification, and revocation.

A. The city manager is authorized to suspend**,** modify, and/or revoke a commercial cannabis operation permit issued pursuant to this chapter upon the determination through written findings of a failure to comply with any provision of this chapter, any commercial cannabis operation permit condition, or any agreement or covenant required or made pursuant to this chapter.

B. Notwithstanding subsection A, the city manager may suspend or revoke a commercial cannabis operation permit if any of the following occur:

1. The equivalent state license has been suspended or revoked by the state; or

2. Operations cease for more than one hundred eighty consecutive or cumulative days in any one year period; or

3. Ownership is changed or transferred without complying with Section 5.26.100; or

4. The commercial cannabis operation fails to maintain required security camera recordings; or

5. The commercial cannabis operation fails to allow inspection of the security recordings, the activity logs, the records, or of the site by operations officers pursuant to this chapter; or

6. The commercial cannabis operation fails to timely make the corrections required pursuant to Section 5.26.090; or

7. The commercial cannabis operation fails to pay any fees required by this chapter.

C. Conditions (if any) of suspension or revocation are at the reasonable discretion of the city manager and may include, but are not limited to, a prohibition on all owners, managers and employees of the suspended or revoked commercial cannabis operation from operating within the city for a period of time set forth in writing and/or a requirement (when operations may resume, if at all, pursuant to the city manager's reasonable determination) for the holder of the suspended or revoked commercial cannabis operation permit to resubmit an application for a commercial cannabis operation permit pursuant to the requirements of this chapter.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.170. Appeals.

Any decision regarding denial of advancement in the commercial cannabis operation permit application process at each phase leading to and including the final selection process, the city manager's suspension or revocation of a commercial cannabis operation permit pursuant to Section 5.26.160, the modification or addition of conditions to a commercial cannabis operation permit, or denial of the renewal of a commercial cannabis operation permit may be appealed ~~to the city council~~ by a permittee or interested party as follows:

A. All appeals shall be heard by a third-party hearing officer. If the appellant wishes to appeal a decision ~~to the city council~~, the appellant must file a written appeal with the city clerk within ten calendar days of the decision. The written appeal shall specify the person making the appeal, the decision appealed from, state the reasons for the appeal, and include any evidence in support of the appeal which the applicant seeks to be ~~considered by the city council~~.

B. Notice of the time and place of an appeal hearing shall be providing to the appellant within thirty days of receipt by the city clerk of the written appeal.

C. The appeal hearing shall be held within sixty days of the filing of the written appeal with the city clerk, unless the sixty-day time limit is waived by the appellant, or unless the city ~~council~~ continues the appeal hearing date for good cause and upon written notification to the appellant.

D. The hearing officer ~~city council~~ shall review the facts of the matter, written documents submitted for review, the basis for making the decision which is under appeal, and then determine whether the appealed decision should be reversed or affirmed. The determination made shall be in writing, shall set forth the reasons for the determination, and shall be final.

E. The provisions of Section 1094.6 of the Code of Civil Procedure set forth the procedure for judicial review of any final determination. Parties seeking such judicial review shall file such action within ninety days of a determination being made final.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.180. Violations and penalties—Public nuisance.

A. Any violation of the provisions of this chapter is punishable as a misdemeanor or an infraction, at the discretion of the city attorney, pursuant to Chapters 1.14 and 1.16 of this Code, except for as preempted by state law and any violation of the provisions of this chapter is subject to administrative citation, at the reasonable discretion of the city, pursuant to Chapters 1.14 and 1.16 of this Code.

B. Public Nuisance Abatement.

1. Any commercial cannabis operation that is conducted in violation of any provision of this chapter is hereby declared to constitute a public nuisance and, as such, may be abated or enjoined from further operation, in accordance with the procedures set forth in Chapter 8.36 of this Code.

2. All costs to abate such public nuisance, including attorneys' fees and court costs, shall be paid by the person causing the nuisance, including the commercial cannabis operation and the property owner where the nuisance is occurring.

C. The remedies described in this section are not mutually exclusive. Pursuit of any one remedy shall not preclude city from availing itself of any or all available administrative, civil, or criminal remedies, at law or equity.

D. Any violation of the provisions of this chapter shall constitute a separate offense for each and every day during which such violation is committed or continued.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.190. Service of notices.

Any notice required by this chapter is deemed issued and served upon the earliest date that either: the notice is deposited in the United States mail, postage pre-paid, addressed to the most recent mailing address provided to the city pursuant to the requirements of this chapter; or, the date upon which personal service of the notice is provided to a responsible party.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.200. Prohibitions.

A. Any commercial cannabis operation in violation of this chapter, or any other applicable state law is expressly prohibited.

B. It is unlawful for any commercial cannabis operation in the city, or any agent, employee or representative of such commercial cannabis operation, to permit any breach of peace or any disturbance of public order or decorum by any tumultuous, riotous or disorderly conduct at the site of the commercial cannabis operation.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.210. Nonconforming use.

No use which purports to have engaged in commercial cannabis operations of any nature prior to the enactment of this chapter shall be deemed to have been a legally established use under the provisions of this Code, or any other city ordinance, rule or regulation, and such use shall not be entitled to claim legal nonconforming status.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.220. Exceptions.

A. To the extent that the following activities are permitted by state law, nothing in this chapter shall prohibit a person twenty-one years of age or older from:

1. Possessing, processing, purchasing, transporting, obtaining or giving away to persons twenty-one years of age or older, without compensation whatsoever, not more than twenty-eight and one-half grams of cannabis not in the form of concentrated cannabis;

2. Possessing, processing, purchasing, transporting, obtaining or giving away to persons twenty-one years of age or older, without compensation whatsoever, up to eight grams of cannabis in the form of concentrated cannabis;

3. Possessing, transporting, purchasing, obtaining, using, manufacturing, or giving away cannabis accessories to persons twenty-one years of age or older without compensation whatsoever; or

4. Engaging in the indoor cultivation of six or fewer live cannabis plants within a single private residence or inside an accessory structure located upon the grounds of a private residence that is fully enclosed and secured, to the extent such cultivation is authorized by Sections 11362.1 and 11362.2, of the State Health and Safety Code, as may be amended from time to time.

B. This chapter shall also not prohibit any commercial cannabis operations that the city is required by law to permit within its jurisdiction pursuant to state law.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.230. Operative date.

This chapter shall be operative ten days after the date that the city council declares that a majority of the city's voters voting at the November 8, 2022, election have voted in favor of this chapter at such election.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.240. Severability.

If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this chapter is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The people of the city of South El Monte hereby declare that they would have adopted this chapter and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.250. City council authority to amend.

The city council has the right and authority to amend this chapter, with the exception of Section 5.26.060 (which may only be amended: (i) if ordered to do so by a court of competent jurisdiction as a judicial remedy; or (ii) by a vote of the people of the city), to further its purposes and intent (including, but not limited to, amendment for more efficient administration as determined by the city council), in any manner that does not increase a tax rate, or otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution, pursuant to Elections Code Section 9217.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

§ 5.26.260. City councilmember conflicts of interest.

Notwithstanding any other provision of this chapter, prior to participating in any decision relating to a cannabis business, each city councilmember shall do all of the following

A. Disclose on the record any financial interest in the cannabis business that is subject to the decision.

B. Disclose on the record any campaign contributions and benefits or gifts received from the cannabis business that is subject to the decision.

C. Disclose on the record any ex parte communications that the city councilmember may have had with a cannabis business that is the subject of the decision.

D. Each city councilmember shall warrant and represent, on the record and in a form approved by the city council, that they have complied with these requirements and all applicable law.

If it is later determined that a city councilmember has not complied with the above requirements or if it is determined that a city councilmember has violated applicable law, then the city councilmember is disqualified from all decisions relating to the cannabis business subject to the decision. The requirements of this Section 5.26.260 shall be in addition to any applicable law, including, without limitation, the California Political Reform Act and the related regulations of the Fair Political Practices Commission.

(Ord. 1260 §2, 2022; Ord. 1268 §3, 2023)

ORDINANCE NO. 1260

AN ORDINANCE ("ORDINANCE") OF THE PEOPLE OF THE CITY OF SOUTH EL MONTE, CALIFORNIA, AMENDING CHAPTER 5.26 (CANNABIS ACTIVITIES) OF TITLE 5 OF THE SOUTH EL MONTE MUNICIPAL CODE TO ONLY PERMIT CANNABIS COMMERCIAL OPERATIONS THAT INVOLVE THE ACTIVITY OF RETAILER (MEDICAL/ADULT USE); REPEALING CHAPTER 17.31 OF TITLE 17 OF THE SOUTH EL MONTE MUNICIPAL CODE, RELATING TO CANNABIS ACTIVITY PROHIBITIONS; AMENDING SOUTH EL MONTE MUNICIPAL CODE SECTIONS 17.14.030, 17.16.030, AND 17.18.030(O), RELATING TO PERMITTED USES IN THE COMMERCIAL (C), COMMERCIAL-MANUFACTURING (C-M), AND MANUFACTURING (M) ZONES; ADDING SECTION 9.08.045 TO CHAPTER 9.08 OF TITLE 9 OF THE SOUTH EL MONTE MUNICIPAL CODE; AMENDING SOUTH EL MONTE MUNICIPAL CODE SECTION 5.04.045, RELATING TO BUSINESS LICENSE REQUIREMENTS FOR COMMERCIAL CANNABIS RETAILERS; AND APPROVING A GENERAL CANNABIS BUSINESS TAX BY ADDING CHAPTER 3.40 (CANNABIS BUSINESS TAX) TO TITLE 3 OF THE SOUTH EL MONTE MUNICIPAL CODE

WHEREAS, in 1996 State of California ("State") voters approved Proposition 215, the Compassionate Use Act of 1996 ("CUA"), codified as Section 11362.5 of the State Health and Safety Code, to exempt certain patients and their primary caregivers from criminal liability under state law for the possession and cultivation of cannabis for medical purposes; and

WHEREAS, in 2003 the State legislature enacted Senate Bill 420, the Medical Marijuana Program Act ("MMPA"), codified as Sections 11362.7, *et seq.*, of the State Health and Safety Code, and as later amended, to clarify the scope of the CUA relating to the possession and cultivation of cannabis for medical purpose, and to authorize local governing bodies to adopt and enforce laws consistent with its provisions; and

WHEREAS, in October 2015, the State legislature adopted AB 266, AB 243, and SB 643, collectively referred to as the Medical Cannabis Regulation and Safety Act ("MCRSA"), which established a comprehensive regulatory and licensing scheme for commercial medical cannabis operations; and

WHEREAS, at the November 8, 2016 general election, the Control, Regulate and Tax Adult Use of Marijuana Act ("AUMA") was approved by State voters as Proposition 64, which established a comprehensive regulatory and licensing scheme for commercial adult-use (recreational) cannabis operations, and which also legalized limited personal recreational cannabis use, possession, and cultivation; and

WHEREAS, on June 27, 2017 Governor Brown signed Senate Bill 94, the Medicinal and Adult Use Cannabis Regulation and Safety Act ("MAUCRSA"), which merged the regulatory regimes of MCRSA and AUMA; and

WHEREAS, under MAUCRSA the State began issuing licenses in 2018 for both medical and adult-use (recreational) cannabis businesses in twenty (20) different categories, which are found

in Section 26050 of the State Business & Professions Code, to include licensing categories cannabis cultivators, manufacturers, testers, retailers, distributors, and microbusinesses; and

WHEREAS, the MAUCRSA, through Section 26200(a)(1) of the State Business and Professions Code, provides local jurisdictions the right to completely prohibit the establishment or operation of any or all of the twenty (20) different categories of medical and recreational business operations to be licensed by the State under Section 26050 of the State Business and Professions Code; and

WHEREAS, the MAUCRSA, through Section 26055(d) of the State Business &and Professions Code, provides that a State commercial cannabis license may not be issued to an applicant whose operations would violate the provisions of any local ordinance or regulation; and

WHEREAS, the MAUCRSA, through Section 26200(a)(1) of the State Business & Professions Code, provides local jurisdictions the right to adopt and enforce local ordinances to regulate any or all of the twenty (20) different categories of medical and adult-use business operations to be licensed by the State under Section 26050 of the State Business and Professions Code, including, but not limited to, local zoning and land use requirements; and

WHEREAS, the MAUCRSA, Section 26201 of the State Business and Professions Code, provides that any standards, requirements, and regulations regarding health and safety, environmental protection, testing, security, food safety, and worker protections established by the state for the twenty (20) different categories of medical and adult-use business operations to be licensed by the State under Section 26050 of the State Business and Professions Code shall be the minimum standards, and a local jurisdiction may establish additional standards, requirements, and regulations; and

WHEREAS, pursuant to the above-described express statutory authority and its police power, the City of South El Monte (the "City") now desires to amend Chapter 5.26 (Cannabis Activities) of Title 5 of the City Municipal Code to permit certain commercial adult-use cannabis uses (retail (medical / adult-use / non-medical) sales); and

WHEREAS, pursuant to the above-described express statutory authority and its police power, the City now desires to amend Chapter 5.26 (Cannabis Activities) of Title 5 of the City Municipal Code so as to expressly authorize the City Manager to issue administrative rules and regulations governing commercial cannabis uses within the City; and

WHEREAS, as part of this Ordinance, the City desires to impose a tax upon commercial cannabis operations, to be known as the "Cannabis Business Tax," pursuant to voter approval, so that every person engaged in conducting a commercial cannabis operation shall pay a cannabis business tax, regardless of whether such operation has a valid permit pursuant to the South El Monte Municipal Code; and

WHEREAS, pursuant to subdivision (b) of Section 2 of Article XIIIC of the California Constitution and Section 53720 *et seq.* of the Government Code, the City Council is authorized to impose a general tax upon submission of such general tax to the voters of the City and approval by a

majority of the voters voting on the issue, at an election consolidated with a regularly scheduled general election for members of the City Council; and

WHEREAS, presently the City has no specific local tax on cannabis commercial operations; and

WHEREAS, MAUCRSA and AUMA do not preempt local taxation of commercial cannabis operations; and

WHEREAS, pursuant to Government Code Section 9222 and Government Code Sections 53720 *et seq.*, on August 2, 2022, the City Council approved this Ordinance for submittal to the voters of the City, and called a General Municipal Election for that purpose to be held on November 8, 2022, and consolidated with the Statewide General Election that will be held on the same date; and

WHEREAS, although the City does not desire nor intend by this Ordinance to allow any commercial cannabis uses in the City other than the medical cannabis retailers that may be permitted pursuant to Chapter 5.26 of the City's Municipal Code, the City does desire to seek voter approval for a broad cannabis tax that is applicable to permitted commercial cannabis uses, any unlawful or unpermitted commercial cannabis uses which may be in operation at any time, and any potential commercial cannabis uses that may be allowed in the future; and

WHEREAS, if this Ordinance is approved by a majority of voters, then this Ordinance will, among other amendments, amend the South El Monte Municipal Code to add a new Chapter 3.40 ("Cannabis Business Tax") to Title 3 (Revenue and Finance) of the South El Monte Municipal Code to enact the Cannabis Business Tax, which includes a "commercial cannabis tax" and a "commercial cannabis cultivation tax," as such terms are used in said Chapter 3.40; and

WHEREAS, the City desires and intends that revenue generated from said cannabis taxes can be spent for unrestricted general revenue purposes; and

WHEREAS, the City finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to both the exemption provided by Section 26055(h) of the State Business and Professions Code as well as Sections 15060(c)(3) and 15061(b)(3) of the CEQA Guidelines; and

WHEREAS, nothing in this Ordinance shall be construed to allow any person to engage in conduct that endangers others or causes a public nuisance;

NOW, THEREFORE, THE PEOPLE OF THE CITY OF SOUTH EL MONTE, CALIFORNIA FIND AND ORDAIN AS FOLLOWS:

SECTION 1. FINDINGS. The people of the City of South El Monte hereby make the following findings:

A. The recitals set forth above are all true and correct and are incorporated herein as findings of fact.

B. The regulation of commercial cannabis activities established by this Ordinance amendment are to protect and promote the public health, safety and welfare, and are enacted pursuant to the authority granted to the City by State law.

C. Tax revenue from commercial cannabis operations can provide funds for additional City services to promote and protect the general health and welfare of the citizens of the City.

SECTION 2. NEW CANNABIS REGULATIONS. Chapter 5.26 (Cannabis Activities) of Title 5 (Business Taxes, Licenses, and Regulations) of the City Municipal Code is hereby retitled and amended in its entirety to read as follows:

"CHAPTER 5.26 - COMMERCIAL CANNABIS OPERATIONS REGULATORY PROGRAM

Sec. 5.26.010 - Purpose and intent.

Sec. 5.26.020 - Commercial cannabis operation prohibited without City Commercial Cannabis Operation Permit.

Sec. 5.26.030 - Definitions.

Sec. 5.26.040 - Prohibited commercial cannabis operations.

Sec. 5.26.050 – Permitted commercial cannabis operations.

Sec. 5.26.060 - Maximum number of Commercial Cannabis Operation Permits.

Sec. 5.26.070 - Commercial Cannabis Operation Permit application procedure.

Sec. 5.26.080 - Limitations on the City's liability.

Sec. 5.26.090 - Commercial Cannabis Operation Permit term.

Sec. 5.26.100 - Change in location; transfer; updated application information.

Sec. 5.26.110 - General operating standards and restrictions.

Sec. 5.26.120 - Retailer operating standards and restrictions.

Sec. 5.26.120.5 - Delivery operating standards and restrictions.

Sec. 5.26.130 – Community benefits agreement.

Sec. 5.26.140 - Administration.

Sec. 5.26.150 - Fees.

Sec. 5.26.160 - Suspension and revocation.

Sec. 5.26.170 – Appeals.

Sec. 5.26.180 – Violations and penalties; public nuisance.

Sec. 5.26.190 - Service of notices.

Sec. 5.26.200 - Prohibitions.

Sec. 5.26.210 - Nonconforming use.

Sec. 5.26.220 – Exceptions.

Sec. 5.26.230 – Operative date.

Sec. 5.26.240 – Severability.

Sec. 5.26.250 – City Council Authority to Amend.

Sec. 5.26.260 – City Councilmember Conflicts of Interest.

Sec. 5.26.010 - Purpose and intent.

A. The purpose of this chapter is to establish a comprehensive set of regulations with an attendant regulatory permit applicable to the operation of certain types of commercial cannabis operations, while simultaneously establishing an express prohibition on certain other types of commercial cannabis operations.

B. The regulations for, and prohibitions on, specific types of commercial cannabis operations are enacted to preserve the public health, safety, and welfare of the residents and visitors of the City , consistent with the State's Compassionate Use Act of 1996, Medical Marijuana Program Act of 2003, Adult Use of Marijuana Act of 2016 MAUCRSA, and all applicable State laws governing commercial cannabis operations.

C. The issuance of a Commercial Cannabis Operation Permit shall constitute a revocable privilege and shall not create or establish any vested rights for the development or use of a property.

D. This chapter and any administrative regulations adopted pursuant to this chapter shall be known as the "Commercial Cannabis Operations Regulatory Program" or the "Program".

Sec. 5.26.020 - Commercial cannabis operation prohibited without City Commercial Cannabis Operation Permit.

It shall be unlawful to own, establish, operate, use, or permit the establishment or activity of a commercial cannabis operation, or to participate in commercial cannabis operations as an employee, contractor, agent, volunteer, or in any manner or capacity, other than as provided in this chapter and pursuant to both a current and valid City Commercial Cannabis Operation Permit, as well as the equivalent State license for such commercial cannabis operation as provided for by Section 26050 of the State Business & Professions Code, and as amended from time to time. The prohibition contained in this section shall include renting, leasing, or otherwise permitting a commercial cannabis operation to occupy or use a location, vehicle, or other mode of transportation.

Sec. 5.26.030 - Definitions.

As used in this chapter, the following words and phrases shall have the following meanings. Words and phrases not specifically defined below shall have the meanings ascribed to them elsewhere in this Code or shall otherwise be defined by common usage. For definitions of nouns, the singular shall also include the plural; for definitions of verbs, all verb conjugations shall be included. Any reference to State statutes includes any regulations promulgated thereunder and is deemed to include any successor or amended version of the referenced statute or regulatory provision.

A. "Adult use" (i.e., "recreational" or "non-medical") refers to activity involving cannabis or cannabis products, which is restricted to adults 21 years of age and older and who do not possess a physician's recommendation, in contrast to an activity involving medical cannabis or medical cannabis products.

B. "Alcohol or drug treatment facility" shall have the same definition as "alcoholism or drug abuse recovery or treatment facility" as defined in Section 11834.02(a) of the State Health and Safety Code, which currently defines the term as "any premises, place, or building that provides residential nonmedical services to adults who are

recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services." Further, "alcohol or drug treatment facility" shall also include such a facility that provides treatment for minors to the extent permitted by law.

C. "Applicant" means a person who files an application for a Commercial Cannabis Operation Permit under this chapter. (and shall not include the owners or the managers of the applicant).

D. "Cannabis" means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

E. "Cannabis concentrate" means cannabis that has undergone a process to concentrate one or more active cannabinoids, thereby increasing the product's potency. Resin from granular trichomes from a cannabis plant is a concentrate for purposes of this division. A cannabis concentrate is not considered food, as defined by Section 109935 of the Health and Safety Code, or a drug, as defined by Section 109925 of the Health and Safety Code.

F. "Cannabis products" means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

G. "City" means the City of South El Monte, State of California.

H. "City Attorney" means the City of South El Monte City Attorney, and includes his/her designee(s).

I. "City Council" means the City Council of the City of City of South El Monte.

J. "City Manager" means the City of South El Monte City Manager, and includes his/her designee(s).

K. "Code" means the City of South El Monte Municipal Code, and may be amended.

L. "Commercial cannabis operation" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale (including retail and wholesale, and including medical-only and adult-use sales) of cannabis and cannabis products; except, as applicable, the activities provided in Section 5.26.220(A) or as preempted by State law.

M. "Commercial Cannabis Operation Permit" shall mean a City permit issued pursuant to the procedures provided for in this chapter allows the permit holder to operate a specific type of commercial cannabis operation in the City subject to the requirements of this chapter, State law, and the specific permit.

N. "County" means the County of Los Angeles, State of California.

O. "Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

P. "Customer" means a natural person twenty-one (21) years of age or over or a natural person eighteen (18) years of age that is a qualified patient or primary caregiver.

Q. "Day care center" means, a facility other than a family day care home, infant centers, toddler, preschool, and school age children licensed by the State Department of Social Services pursuant to Section 1596.951 of the State Health and Safety Code. Pursuant to the authority delegated by the State to the City under Section 26054(b) of the State Business and Professions Code, this definition of "day care center" under this chapter shall override the definition of "day care center" in MAUCRSA at Section 26001 of the State Business and Professions Code.

R. "Delivery" means the commercial transfer of cannabis or cannabis products to a customer, and includes the use of any technology platform owned and controlled by the same person making such use.

S. "Director" means the City of South El Monte Community Development Director, and includes his/her designee(s).

T. "Distribution" means the procurement, sale, and transport of cannabis and cannabis products between entities licensed for and/or engaged in commercial cannabis operations under State law.

U. "Distributor" means a person engaged in distribution.

V. "Edible" means cannabis product that is intended to be used, in whole or in part, for human consumption, including, but not limited to, chewing gum, but excluding products set forth in Division 15 (commencing with Section 32501) of the Food and Agricultural Code. An edible cannabis product is not considered food, as defined by Section 109935 of the State Health and Safety Code, or a drug, as defined by Section 109925 of the State Health and Safety Code.

W. "Employee" means any person (whether paid or unpaid) who provides regular labor or regular services for a commercial cannabis operation, including, but not limited to, at the location of a commercial cannabis operation. The term "employee" includes managers and owners as used in this chapter.

X. "Extraction" means the process of obtaining cannabis concentrates from cannabis plants, including but not limited to through the use of solvents like butane, alcohol or carbon dioxide.

Y. "Finance Director" means the City of South El Monte Finance Director, and includes his/her designee(s).

Z. "Fire Chief" means the City of Los Angeles County Fire Department Chief, and includes his/her designee(s).

AA. "Gross receipts" means, except as otherwise specifically provided herein, whether designated as a sales price, royalty, rent, commission, dividend, or other designation, the total amount (including all receipts, cash, credits, and property of any kind or nature) received or payable for sales of goods, wares, or merchandise without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor, or service costs, interest paid or payable, losses, or any other expense

whatsoever. However, the following shall be excluded from gross receipts:

1. Cash discounts where allowed and taken on sales;
2. Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser
3. Such part of the sale price of any property returned by purchasers to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in gross receipts;
4. Receipts derived from the occasional sale of used, obsolete, or surplus trade fixtures, machinery, or other equipment used by the taxpayer in the regular course of the taxpayer's business
5. Cash value of sales, trades, or transactions between departments or units of the same business
6. Whenever there are included within the gross receipts amounts which reflect sales for which credit is extended and such amount proved uncollectible in a given year, those amounts may be excluded from the gross receipts in the year they prove to be uncollectible; provided, however, if the whole or portion of such amounts excluded as uncollectible are subsequently collected, they shall be included in the amount of gross receipts for the period when they are recovered
7. Receipts of refundable deposits, except that such deposits when forfeited and taken into income of the business shall not be excluded when in excess of one dollar; and
8. Any proceeds resulting from a transfer or change of ownership or control in the business.

BB. "Identification card" has the same definition as provided for in Section 11362.7(g) of the State Health and Safety Code , and as may be amended, defined as "a document issued by the [State Department of Health Services] that identifies a person authorized to engage in the medical use of cannabis and the person's designated primary caregiver, if any."

CC. "Labeling" means any label or other written, printed, or graphic matter upon cannabis or a cannabis product, upon its container or wrapper, or that accompanies any cannabis or cannabis product.

DD. "Labor peace agreement" means an agreement between a cannabis retailer and any bona fide labor organization that, at a minimum, protects the City's proprietary interests by prohibiting labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with a cannabis retailer. This agreement means that the cannabis retailer has agreed not to disrupt efforts by the bona fide labor organization to communicate with, and attempt to organize and represent, the cannabis retailer's employees. The agreement shall provide a bona fide labor organization access at reasonable times to areas in which the cannabis retailer's employees work, for the purpose of meeting with employees to

discuss their right to representation, employment rights under State law, and terms and conditions of employment.

EE. "Liquid Assets" means assets that can be readily converted into cash. "Liquid assets" include, but are not limited to, the following: funds in checking or savings accounts, certificates of deposit, money market accounts, mutual fund shares, publicly traded stocks, and United States savings bonds. "Liquid assets" does not mean household items, furniture and equipment, vehicles, cannabis or cannabis products, business inventory, or real property and improvements thereto.

FF. "Location" means any parcel of land, whether vacant or occupied by a building, group of buildings, or accessory buildings, and includes the buildings, structures, yards, open spaces, lot width, and lot area.

GG. "Lighting" means the act of illuminating as well as the effect achieved by the arrangement of lights.

HH. "Live scan" means a system for inkless electronic fingerprinting and the automated background check developed by the California Department of Justice ("DOJ") that involves digitizing fingerprints and electronically transmitting the fingerprint image data along with personal descriptor information to computers at the DOJ for completion of a criminal record check; or such other comparable inkless electronic fingerprinting and automated background check process as determined by the City Council.

II. "Manager" means an employee responsible for management and/or supervision of a commercial cannabis operation including but not limited to, any (i) manager or managing member or other officer of a limited liability company or (ii) president, chief executive officer, secretary, treasurer, chief financial officer, or other officer of a for profit corporation.

JJ. "Manufacture" or "manufacturing" means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product; includes the activities of a manufacturer.

KK. "Manufacturer" means a person that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container; includes the activity of manufacturing.

LL. "Marijuana" has the same definition as provided for "cannabis" in this chapter.

MM. "MAUCRSA" means the State Medicinal and Adult-Use Cannabis Regulation and Safety Act, codified at Sections 11018 *et seq.* of the State Health and Safety Code, Sections 26001 *et seq.* of the State Business and Professions Code, Section 34010 of the State Revenue and Tax Code, and Sections 81000 *et seq.* of the State Food and Agriculture Department Code, as may hereinafter be amended.

NN. "Medical" refers to activity involving medical cannabis or medical cannabis products, in contrast to an activity involving adult-use cannabis or adult-use cannabis products.

OO. "Medical cannabis" or "medical cannabis product" means cannabis or a cannabis product used in compliance with state law for medical purposes, pursuant to the

Compassionate Use Act (Section 11362.5 of the State Health and Safety Code §), the Medical Marijuana Program Act (Sections 113262.7, *et seq.* of the State Health and Safety Code), and the MAUCRSA.

PP. "Minor" means a person under twenty-one (21) years of age.

QQ. "Owner" means any of the following:

1. A person owning in the aggregate equity interests representing ten (10) percent or more of the voting power of all outstanding equity in the applicant or a commercial permittee.

2. The president, chief executive officer, secretary, treasurer, or chief financial officer of a nonprofit applicant or permittee; or

3. A member of the board of directors of a nonprofit applicant or permittee.

Notwithstanding the above, every applicant and permittee must have at least one individual person designated as an "owner" for the purpose of compliance with this chapter, including the review and evaluation of any Commercial Cannabis Operation Permit application.

RR. "Microbusiness" shall have the same definition as provided for in Section 26070 of the State Business and Professions Code, and as may be amended.

SS. "Nursery" means a person that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.

TT. "Operations Officer(s)" shall refer to the Director, the Fire Chief, the Police Chief, the Finance Director and the City Manager, individually or collectively.

UU. "Package" means any container or receptacle used for holding cannabis or cannabis products.

VV. "Packaging" or "packages" means an activity involved with placing cannabis or cannabis products in a package.

WW. "Park" means public land which has been designated for park or recreational activities, including but not limited to a park, playground, nature trails, swimming pool, athletic field, basketball court, tennis court, pedestrian or bicycle paths, beaches, open space, or similar public land within the City or which is under the control, operation or management of the City Recreation and Parks Department. "Park" shall not include any youth center.

XX. "Permittee" means a person issued a Commercial Cannabis Operation Permit by the City.

YY. "Person" means any individual, firm, co-partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

ZZ. "Person with an identification card" has the same definition as provided for in Section 11362.7(c) of the State Health and Safety Code, and as may be amended, defined as "an individual who is a qualified patient who has applied for and received a valid identification card pursuant to this article."

AAA. "Physician's recommendation" means a determination from a physician that a patient's medical cannabis use is deemed appropriate and is recommended by the physician on the basis of the physician has determined that the patient's health would benefit from the use of cannabis in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which cannabis provides relief, in strict accordance with Section 11362.5 of the State Health and Safety Code.

BBB. "Police Chief" means the Los Angeles County Sheriff, and includes his/her designee(s).

CCC. "Police Department" means the Los Angeles County Sheriff's Department.

DDD. "Premises" means the designated structure or structures and land specified in a Commercial Cannabis Operation Permit application that is owned, leased, or otherwise held under the control of the applicant or permittee where commercial cannabis operation will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one permittee."

EEE. "Primary caregiver" has the same definition as provided for in Section 11362.7(d) of the State Health and Safety Code, and as may be amended, defined as "the individual, designated by a qualified patient or by a person with an identification card, who has consistently assumed responsibility for the housing, health, or safety of that patient or person". A "primary caregiver" shall also meet the requirements of Section 11362.7(e) of the State Health and Safety Code , and as may be amended, which provide that a "primary caregiver shall be at least 18 years of age, unless the primary caregiver is the parent of a minor child who is a qualified patient or a person with an identification card or the primary caregiver is a person otherwise entitled to make medical decisions under state law pursuant to Sections 6922, 7002, 7050, or 7120 of the Family Code."

FFF. "Qualified patient" has the same definition as provided for in Section 11362.7(f) of the State Health and Safety Code , and as may be amended, defined as "a person who is entitled to the protections of Section 11362.5, but who does not have an identification card issued pursuant to this article."

GGG. "Religious institution" means any church, synagogue, mosque, temple, or building which is used primarily for religious worship, religious education, and related religious activities.

HHH. "Residentially zoned property" means any parcel of land located within the City zoned: R-1 (Single-Family Residential Zone), R-2 (Multiple Residential Zone), or R-3 (Multiple Residential Zone)

III. "Retailer" means a person engaged in the retail sale or delivery of cannabis or cannabis products to a customer. "Retailer" includes "Retailer (Medical-Only)" and "Retailer (Medical/Adult Use)." "Retailer (Medical-Only)" refers to a retailer which is restricted by the terms of its Commercial Cannabis Operation Permit to engaging in the retail sale or delivery of medical cannabis or cannabis products as stated in Section 5.26.120(A). "Retailer (Medical/Adult-Use)" refers to a retailer which is not so restricted by the terms of its Commercial Cannabis Operation Permit, and which accordingly may engage in the retail sale or delivery of medical or adult-use cannabis or cannabis products to a customer.

JJJ. "Retail sale(s)" means any commercial cannabis operation involving the retail sale

of cannabis or cannabis products from a retailer.

KKK. "Sale(s)" means any sale, exchange, or barter or other transaction for any consideration.

LLL. "School" means as evidenced by the State Department of Education school directory, a public school instructing children in grades kindergarten through 12, as authorized by the State Department of Education or a private school instructing children in grades kindergarten through 12 that has filed a verification of private school affidavit with the State Department of Education pursuant to Section 33190 of the State Education Code, excluding any private school in which education is primarily conducted in a private home. Pursuant to the authority delegated by the State to the City under Section 26054(b) of the State Business and Professions Code, this definition of "school" under this chapter shall override the definition of "school" used in MAUCRSA or Section 11362.768 of the State Health and Safety Code.

MMM. "Site" means the premises and actual physical location of a Commercial Cannabis Operation, as well as its accessory structures and parking areas

NNN. "State" means the State of California.

OOO. "Testing laboratory" or "testing" refers to a laboratory, facility, or entity that offers or performs tests on cannabis or cannabis products; includes the activity of laboratory testing.

PPP. "Youth center" means, (A) any public or private facility that is primarily used to host recreational or social activities for minors, such as private youth membership organizations or clubs, social service teenage club facilities, or (B) a park, playground, or recreational area specifically designed to be used by children that may have play equipment installed, including public grounds designed for athletic activities such as baseball, softball, soccer, or basketball or any facility located on a public or private school grounds, or on City, County, or parks. "Youth center" shall not include any private martial arts, yoga, ballet, music, or similar studio of this nature nor shall it include any private athletic training facility, pizza parlor, restaurant, video arcade, dentist office, or doctor's office primarily serving children. Pursuant to the authority delegated by the State to the City under Section 26054(b) of the State Business and Professions Code, this definition of "youth center" under this chapter shall override the definition of "youth center" in MAUCRSA at Section 26001 of the State Business and Professions Code.

Sec. 5.26.040 - Prohibited commercial cannabis operations.

A. Commercial cannabis operations (including non-profit operations) within the City that involve the activities of non-storefront retailer (whether medical-only or medical/adult-use), cultivation, manufacturer, testing, distribution, or microbusiness are prohibited, including but not limited to commercial cannabis operations licensed by the State in the license classifications listed below as provided in Section 26050 of the State Business and Professions Code:

1. Type 1 = Cultivation; Specialty Outdoor; Small.
2. Type 1A = Cultivation; Specialty Indoor; Small.
3. Type 1B = Cultivation; Specialty Mixed Light; Small.

4. Type 1C = Cultivation; Specialty Cottage; Small.
5. Type 2 = Cultivation; Outdoor; Small.
6. Type 2A = Cultivation; Indoor; Small.
7. Type 2B = Cultivation; Mixed-light; Small.
8. Type 3 = Cultivation; Outdoor; Medium.
9. Type 3A = Cultivation; Indoor; Medium.
10. Type 3B = Cultivation; Mixed-Light; Medium.
11. Type 4 = Cultivation; Nursery.
12. Type 5= Cultivation; Outdoor; Large.
13. Type 5A = Cultivation; Indoor; Large
14. Type 5B = Cultivation; Mixed-Light; Large.
15. Type 6 = Manufacturer 1.
16. Type 7 = Manufacturer 2.
17. Type 8 = Testing.
18. Type 9 = Non-Storefront Retailer (Delivery Only)
19. Type 11 = Distributor
20. Type 12 = Microbusiness.

B. The prohibition provided by above subsection (A) includes any similar activities authorized under new or revised State licenses, or any other State authorization, to allow any type, category or classification of cannabis commercial operations that involve the activities of non-storefront retailer (Type 9, i.e., delivery only) (whether medical-only or medical/adult-use), cultivation, manufacturer, testing, distribution, microbusiness, or similar operations (including non-profit, collective or cooperative operations).

Sec. 5.26.050 - Permitted commercial cannabis operations.

A. Commercial cannabis operations (including non-profit operations) within the City which involve the activity of retailer (Type 10; medical-only and medical/adult-use) are allowed subject to issuance and maintenance of a valid and current City Commercial Cannabis Operation Permit, continuing adherence to this entire chapter and all applicable City and State regulations and laws, and issuance and maintenance of a valid and current equivalent state license type listed below, as provided for in Section 26050 of the State Business and Professions Code:

1. Type 10 = Retailer (Medical-Only; Medical/Adult-Use).

B. The requirements provided by above subsection (A) apply to any similar activities authorized under new or revised State licenses, or any other State authorization, to allow any type, category or classification of cannabis commercial operations that involve the activity of retailer (medical-only and medical/adult-use) or similar operations (including non-profit, collective or cooperative operations).

Sec. 5.26.060 -Maximum Number of Commercial Cannabis Operation Permits.

A. The number of Commercial Cannabis Operation Permits for retailer (medical/adult-use) commercial cannabis operations based within the City shall be no more than one (1).

B. Notwithstanding Subsection (A) of this Section, if the City Council opts, in its sole discretion, to reinstitute the application procedure after the first year following the operative date of this chapter pursuant to Section 5.26.070(H), then two (2) additional retailer (medical/adult-use) Commercial Cannabis Operation Permits may be issued such that the maximum number of Commercial Cannabis Operation Permits for retailer (medical/adult-use) commercial cannabis operations based within the City shall be increased to no more than three (3) retailers (medical/adult-use).

C. The number of Commercial Cannabis Operation Permits for non-storefront retailer (delivery only) (whether medical-only or medical/adult-use) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the City to engage in delivery within the City shall be zero (0). However, should a court of competent jurisdiction, as a judicial remedy, order the City Council to increase the maximum number of Commercial Cannabis Operation Permits for non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the City to engage in delivery within the City, the number of Commercial Cannabis Operation Permits for non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the City to engage in delivery within the City shall be no more than two (2).

D. The maximum number of Commercial Cannabis Operation Permits issued for retailer (including medical-only and medical/adult use retailer, individually and collectively) commercial cannabis operations based within the City or non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) based outside the City may not be amended by the City Council or regulations promulgated by the City Manager pursuant to this chapter. However, the City Council may and shall increase the maximum number of Commercial Cannabis Operation Permits issued for retailer commercial cannabis operations based within the City or non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) based outside the City (i) if ordered to do so by a court of competent jurisdiction as a judicial remedy or (ii) by a vote of the People of the City.

Sec. 5.26.070 Commercial Cannabis Operation Permit application procedure.

A. Following the effective date of this chapter, the City Manager, pursuant to Section 5.26.140, shall, as a ministerial duty, make available the necessary forms, adopt any necessary application rules for the submission, intake, review, and approval of applications for retailer (medical-only and medical/adult-use) commercial cannabis operations up to the maximum number of Commercial Cannabis Operation Permits authorized in Section 5.26.060.

B. The City Manager shall, as a ministerial duty, cease acceptance of Commercial

Cannabis Operation Permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations thirty (30) days after making available the necessary forms and adopting any necessary application rules for the submission, intake, review, and approval of Commercial Cannabis Operation Permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations.

C. Within thirty (30) days of ceasing the acceptance of Commercial Cannabis Operation Permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations, the City Manager shall, as a ministerial duty, review timely submitted Commercial Cannabis Operation Permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations for the following minimum requirements:

1. Payment of an application fee established by resolution of the City Council within forty-five (45) days following the effective date of this chapter to cover all costs incurred by the City in the application process;

2. Sufficient evidence of the legal right to use the proposed property for the proposed use, to include a lease, sublease, purchase agreement, assignment of purchase agreement, or lease or purchase option, in the name of the applicant, which may include nominal consideration and be contingent upon issuance of a Commercial Cannabis Operation Permit or other approvals. The City shall only consider one applicant per property address or County Assessor's Identification Number. In the event that more than one applicant applies for a Commercial Cannabis Operation Permit application at a given property address or a given County Assessor's Identification Number, the City Manager shall, as a ministerial duty, only accept the Commercial Cannabis Operation Permit application with the earliest effective date for the evidence of the legal right to use the proposed property for the proposed use in the name of the applicant;

3. Sufficient evidence to demonstrate that the proposed property complies with the location and zoning requirements in Section 5.26.120;

4. Proof that an owner or owners of the applicant with an aggregate ownership interest of fifty (50) percent or more has served as an owner or owners with an aggregate ownership interest of fifty (50) percent or more of six or more other retailer (medical-only or medical/adult-use) commercial cannabis operations by a city, county, or state since at least January 1, 2022;

5. Proof of funds showing that the applicant has access and control of over $500,000.00 in Liquid Assets (which such Liquid Assets having been under possession for at least ninety (90) days prior to the date of the application submission under this Section), which may be shown via a binding legal agreement in the name of the applicant such as a promissory note so long as said legal agreement is accompanied by a proof of funds in the name of a party to the agreement that demonstrates access and control of over $500,000.00 in

Liquid Assets under possession for at least ninety (90) days prior to the date of the application submission under this Section. Applicants and permittees shall not be required to show that the applicant or permittee has access and control of over $500,000.00 in Liquid Assets except on initial application pursuant to this Section 5.26.070, a change in location application pursuant to Section 5.26.100, or an ownership transfer application pursuant to Section 5.26.100;

6. For an applicant with two (2) or more employees, proof of a labor peace agreement between a bona fide labor organization and the applicant (the applicant shall provide the City with a copy of the labor peace agreement that contains the signatures of the union representative and the cannabis business). For applicants with less than two (2) employees who have not yet entered into a labor peace agreement, the applicant shall provide a notarized statement indicating that the applicant will enter into and abide by the terms of a labor peace agreement within thirty (30) days after employing two (2) employees;

7. A set of plans, including a site development plan, floor plan(s), building elevations (all four (4) sides), and a conceptual landscape plan with the percentage of landscaping in the parking lot, setback areas, and tree size and species;

8. Colored interior and elevation renderings;

9. A completed background check application and receipt for each owner and manager of the applicant pursuant to Section 5.26.110(H); and

10. The following application components: (a) Qualifications of the applicant's owners and managers; (b) business and operations plan; (c) security plan; (d) safety plan; (e) neighborhood compatibility plan; (f) labor and employment plan; and (g) community benefits plan.

11. Disclosure of whether the applicant is applying for a Commercial Cannabis Operation Permit as a retailer (medical-only) or retailer (medical/adult-use).

The City Manager shall, as a ministerial duty, reject any Commercial Cannabis Operation Permit application that fails to meet the minimum requirements contained in this Subsection (C), and applicants shall not have the right to supplement or amend their Commercial Cannabis Operation Permit applications.

D. Within sixty (60) days of completing the application review under Subsection (C) above, the City Manager shall, as a ministerial duty, review and score any complete applications pursuant to the following objective review criteria according to the following quantitative evaluation scale, with retailer (medical-only) applicants ranked only against other retailer (medical-only) applicants and retailer (medical/adult-use) applicants ranked only against other retailer (medical/adult-use) applicants unless otherwise provided by administrative regulations promulgated pursuant to Section 5.26.140:

1. Qualifications of the applicant's owners and managers – 250 points

The People of the City find that a proven track-record of for retailer commercial cannabis operations that successfully generate tax revenue carries out the purpose and intent of the Program and are, therefore, critical for an applicant to demonstrate the qualifications of the applicant's owners and managers. Accordingly, 150 of the 250 points awardable under this Subsection (1) shall only be awarded, as a ministerial duty, if an owner or owners of the applicant with an aggregate ownership interest of fifty (50) percent or more is currently at the time of application submission under this Section an owner or owners with an aggregate ownership interest of fifty (50) percent or more of a single licensed and lawfully operating retailer commercial cannabis operations (excluding any non-retailer microbusiness, cultivation, manufacturing, distribution, or other non-retailer commercial cannabis operation components) that has generated at least $5,000,000.00 in gross receipts in a consecutive six-month period in the year immediately preceding the date of the application submission under this Section, as demonstrated by tax payment receipts from, tax filings to, or tax returns filed with a city, county, or state.

The remaining 100 of the 250 points awardable under this Subsection (1) shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to 50 points – A description of the applicant's owner and manager qualifications detailing any special business or professional qualifications or licenses of the applicant's owner and manager that would add to the quality of services that the retailer commercial cannabis operation would provide, including in areas related to cannabis, such as legal, finance, business ownership / administration, waste management, real estate development, scientific, or healthcare or wellness fields.

b. Up to 50 points – Documentation that the applicant's owners and managers have experience operating retailer commercial cannabis operations in any jurisdiction where retailer commercial cannabis operations are permitted.

2. Plans, renderings, and overall location – 50 points

The 50 points awardable under this Subsection (2) shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to 10 points – A premise diagram in accordance with Section 5006 of Division 42 of Title 16 of the State Code of Regulations.

b. Up to 10 points – A site development plan that provides information on existing conditions and proposed improvements to the site and how it meets or will meet the development standards outlined in this Code. Information on existing conditions shall include:

   i. Exterior photographs showing all sides of any existing structure(s);
   ii. Photographs of existing parking areas, landscaping, trash enclosure, and signage;

iii. Information on existing use on the site, including the addresses, uses, and square footages;
iv. Photographs of the existing site if the site is vacant; and
v. Photographs of adjacent properties for context.

c. Up to 10 points – A floor plan showing information on the existing layout and proposed layout of the building interior.

d. Up to 10 points – Building elevations that provide information on existing conditions and proposed improvements.

e. Up to 5 points – A conceptual landscape plan with the percentage of landscaping in the parking lot, setback areas, and tree size and species.

f. Up to 5 points – Colored interior renderings and exterior elevation renderings (for both existing and/or proposed improvements).

3. Business and operations plan – 100 points

The 100 points awardable under this Subsection (3) shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to 10 points – A written description of the total square footage of the facility with estimated square footage of proposed uses.

b. Up to 10 points – A schedule for beginning operations, including a narrative outlining any proposed construction improvements and a timeline for completion.

c. Up to 10 points – A budget for construction, operation, maintenance, compensation of employees, equipment costs, utility costs, and other operating costs.

d. Up to 5 points – A description of the sources(s) of capital and use(s) of capital.

e. Up to 10 points – Pro forma financial statements for at least three (3) years of operation.

f. Up to 5 points – A description of the type of products to be sold and the estimated quantity and value of product(s) to be sold.

g. Up to 5 points – A description of marketing procedures and tactics.

h. Up to 10 points – A description of day-to-day operations that should acknowledge both state and local laws and should be consistent with industry best practices.

i. Up to 5 points – A description of hours of operation and opening procedures. j. Up to 10 points – A description of cash handling procedures.

j. Up to 10 points – A description of inventory control procedures to include

identification of point-of-sale systems, and track and trace software.

k. Up to 10 points – A description of transportation, loading and unloading, distribution, or delivery procedures.

4. Security plan – 100 points

The 100 points awardable under this Subsection (4) shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to 20 points – The security plan shall be prepared by a professional security consultant.

b. Up to 10 points – A premises security diagram.

c. Up to 50 points – A description of access control, inventory control, cash handling, and other security procedures and security equipment demonstrating compliance with the security requirements under this chapter.

d. Up to 10 points – A description of the intrusion alarm and monitoring system including the name and contact information for the monitoring company.

e. Up to 10 points – A description of the services of on-site security guards to include the (i) number of security guards; (ii) the hours security guards will be on-site; (iii) locations where security will be positioned; and (iv) security guard responsibilities.

5. Safety plan – 100 points

The 100 points awardable under this Subsection (5) shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to 20 points – The safety plan shall be prepared by a professional fire prevention and suppression consultant.

b. Up to 10 points – A premises safety diagram to include (1) a description / illustration of evacuation routes and (2) location of fire extinguishers and other fire suppression equipment.

c. Up to 50 points – A description of safety procedures, training for emergency situations, and safety equipment demonstrating compliance with the safety requirements under this chapter.

d. Up to 10 points – Identify all gases, pesticides, and chemicals to be used and their storage locations.

e. Up to 10 points – A description of the firm alarm and monitoring system including the name and contact information for the monitoring company.

6. Neighborhood compatibility plan – 100 points

The 100 points awardable under this Subsection (6) shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to 40 points – A "Good Neighbor Policy" that (i) includes policies and measures in place to protect adjacent uses from any potential impacts (*e.g.,* noise, light, odor, traffic, etc.) related to the proposed cannabis business and (ii) describes how the cannabis business and its operating characteristics will be proactively managed so the business is not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding area and will not result in the creation of a nuisance.

b. Up to 20 points – A description of odor mitigation practices to include: (i) identifying potential sources of odor; (ii) a description of odor control devices and techniques employed to ensure that odors from cannabis are not detectable beyond the permitted premises; and (iii) all proposed staff odor training and system maintenance.

c. Up to 20 points – A description of a waste management plan that includes waste disposal locations within the proposed premises and the applicant's security measures and methods of rendering waste unusable and unrecognizable.

d. Up to 20 points – A description of efforts at sustainability / environmental impact mitigation.

7. Community benefits plan – 100 points

The People of the City find that monetary donations to local non-profit organizations, financial support of City sponsored activities or organizations, in kind donations to the City or other charitable organizations, and economic incentives to the City carry out the purpose and intent of the Program and are, therefore, critical for an applicant to demonstrate an effective community benefits plan. Accordingly, 50 of the 100 points awardable under this Subsection (7) shall only be awarded if the applicant pledges to voluntarily provide a public benefit to a public use (or a combination thereof), which is defined as a direct financial contribution equal to two (2) percent of projected gross receipts of the applicant to a public school located within the City, a public park located within the City, and/or a public or nonprofit community organization serving the City or its residents. Beyond the above and as a ministerial duty, no further direct financial contributions shall be considered as part of an applicant's community benefits plan.

The remaining 50 of the 100 points awardable under this Subsection (7) shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to 25 points – A description of a social responsibility plan to include identification of a community liaison, plans to serve as a social equity business incubator, plans to aide and participate in the work of local non-

profits, community- based organizations, civic organizations, or social services organizations.

b. Up to 25 points – A description of a plan to develop a public health outreach and educational program that outlines the risks of youth use of cannabis and that identifies resources available to youth related to drugs and drug addiction.

8. Labor and employment plan – 200 points

The People of the City find that a proven track-record of cannabis retailer operations with high labor standards and commitment to labor peace carries out the purpose and intent of the Program and are, therefore, critical for an applicant to demonstrate an effective labor and employment plan. Accordingly, 100 of the 200 points awardable under this Subsection (8) shall only be awarded if the applicant provides documentation that the individual or natural person owner or owners of the applicant (disregarding any intervening or intermediary entity owner or owners of the applicant) with an aggregate ownership interest of fifty (50) percent or more have entered into collective bargaining agreements with a labor organization that currently represents cannabis workers in the United States effective since at least July 1, 2021, inclusive of renewals (and remaining effective, inclusive of renewals, on the date of the application submission under this Section) and such collective bargaining agreements accrete or automatically apply to all cannabis retailers permitted or licensed in the State after July 1, 2021 (notwithstanding the fact that employees of such cannabis retailers permitted or licensed in the State after July 1, 2021 (if any), have yet to have had an opportunity to recognize the labor organization that currently represents cannabis workers in the United States), by the individual or natural person owner or owners of the applicant (disregarding any intervening or intermediary entity owner or owners of the applicant) with an aggregate ownership interest of ninety (90) percent or more referenced above.

The remaining 100 of the 200 points awardable under this Subsection (8) shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to 10 points – An organizational chart of showing owners, managers, and employees.

b. Up to 10 points – A description of the owner's and manager's roles in day-to-day operations and decisions.

c. Up to 10 points – A description of the number of employees, title / position, and their respective responsibilities

d. Up to 15 points – A description of compensation to employees, opportunities for continuing education, and employee training.

e. Up to 15 points – A description of whether the cannabis business is committed to offering employees a living wage.

f. Up to 15 points – A description of benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.

g. Up to 15 points – A description of a plan to recruit employees from socially and economically disadvantaged backgrounds.

h. Up to 10 points – A description of a plan to have at least 50% of employee positions filled and hours worked by employees residing in the City.

E. Upon timely receipt of a Commercial Cannabis Operation Permit application, the City Manager shall conduct background checks in accordance with Section 5.26.110(H). Following review and scoring of applications completed pursuant to objective review criteria under Subsection (D), the City Manager shall, as a ministerial duty, recommend that the City Council issue Commercial Cannabis Operation Permits to applicants in order of their rank under Subsection (D) up to the maximum number of Commercial Cannabis Operation Permits authorized in Section 5.26.060. The City Council shall consider the City Manager's recommendations, and may conduct its own independent review and scoring of applications completed pursuant to objective review criteria under Subsection (D) and substitute such review and scoring for that of the City Manager in whole or in part if it sees fit to do so, and shall thereupon, as a ministerial duty, issue Commercial Cannabis Operation Permits to applicants in order of their rank under Subsection (D) up to the maximum number of Commercial Cannabis Operation Permits authorized in Section 5.26.060. For the initial iteration of the application process pursuant to this section, the number of Commercial Cannabis Operation Permits issued shall be no more than two (2) retailer (medical-only) and one retailer (medical/adult use) Commercial Cannabis Operation Permits. In the event of a tie in the order of ranking under Subsection (D) between one or more applicants up to the maximum number of Commercial Cannabis Operation Permits authorized in Section 5.26.060, the City Council shall, as a ministerial duty, break the tie and issue Commercial Cannabis Operation Permits to the applicants with the highest scoring application component in the following order: (1) Qualifications of the applicant's owners and managers; (2) labor and employment plan; (3) security plan; (4) safety plan; (5) community benefits plan; (6) neighborhood compatibility plan; (7) business and operations plan; and (8) plans, renderings, and overall location. In the event of a tie on all application components between one or more applicants up to the maximum number of Commercial Cannabis Operation Permits authorized in Section 5.26.060, the City Manager shall not hold a public lottery, but rather arrange for the tied applicants to provide public presentations before the City Council, after which the City Council shall publicly rank the applicants pursuant to ranking sheets prepared by the City Manager that achieve a forced ranking based on all of the objective review criteria and quantitative evaluation scale in Subsection (D), and the City Council shall issue Commercial Cannabis Operation Permits to applicants in order of their rank up to the maximum number of Commercial Cannabis Operation Permits available following the City Manager/City Council's original ranking and

issuance of Commercial Cannabis Operation Permits and the limits contained in Section 5.26.060. However, the City Council shall not issue a Commercial Cannabis Operation Permit to any applicant with an applicant, owner, or manager that:

1. Provided false or misleading information on the applicant's Commercial Cannabis Operation Permit application;

2. Has been convicted of (or pled no contest to) "an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made" as that term is defined in 26057(b)(4) of the State Business and Professions Code; or

3. Has been sanctioned by a licensing authority or a city, county, or state for unlicensed commercial cannabis operations or has had a license suspended or revoked under MAUCRSA in the three (3) years immediately preceding the date the application was submitted.

F. Any decision of the City Council under this Section 5.26.070 shall be a final administrative decision not subject to administrative appeal under any provisions of this chapter or any provisions of this Code but, rather, subject to judicial review and remedies.

G. In the event that (1) the number of active, operating retailer (medical-only or medical/adult-use) commercial cannabis operations and issued Commercial Cannabis Operation Permits falls below the maximum number of Commercial Cannabis Operation Permits for retailer (medical-only or medical/adult-use) commercial cannabis operations authorized in Section 5.26.060 or (2) the City Council is ordered to increase the maximum number of Commercial Cannabis Operation Permits issued for retailer (medical-only or medical/adult-use) commercial cannabis operations by a court of competent jurisdiction as a judicial remedy (*e.g.*, if a court of competent jurisdiction orders the City Council to make Commercial Cannabis Operation Permits available for non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the City to engage in delivery within the City), the City Manager shall, as a ministerial duty, within thirty (30) days reinstitute the application procedure under this Section 5.26.070, subject to the maximum number of Commercial Cannabis Operation Permits authorized and available (not allocated to an active, lawfully operating retailer) for issuance pursuant to Section 5.26.060. For the purpose of this Section, a retailer (medical-only or medical/adult-use) commercial cannabis operation shall be considered operating if (1) upon initial issuance of Commercial Cannabis Operation Permit (or approval of a change in location pursuant to Section 5.26.100), the retailer commercial cannabis operation commences lawful operations within twenty-four (24) months or (2) following initial commencement of lawful operations, the retailer commercial cannabis operation does not cease or abandon operations for one-hundred eighty (180) consecutive or cumulative days in any one (1) year period.

H. Additionally, at any time during the second year from the operative date of this chapter, the City Council may, by resolution or minute action, reinstitute the application procedure under this Section 5.26.070 for the purpose of considering issuance of one additional retailer (medical/adult-use) Commercial Cannabis Operation Permit, in which case the maximum number of Commercial Cannabis

Operation Permits for retailer (adult-use/medical) commercial cannabis operations based in the City shall increase from one to two as stated in Section 5.26.060(B).

Sec. 5.26.080 - Limitations on the City's liability.

To the fullest extent permitted by law, the City shall not assume any liability whatsoever with respect to having issued a Commercial Cannabis Operation Permit pursuant to this chapter or otherwise approving any retailer commercial cannabis operation. As a condition to the approval of any Commercial Cannabis Operation Permit, the applicant shall be required to meet all of the following conditions before they can receive a Commercial Cannabis Operation Permit:

A. Execution of an agreement, in a form approved by the City Attorney, agreeing to indemnify, defend (at applicant's sole cost and expense), and hold the City, and its officers, officials, employees, representatives, and agents harmless, from any and all claims, losses, damages, injuries, liabilities, or losses which arise out of or which are in any way related to the City's issuance of the Commercial Cannabis Operation Permit, the City's decision to approve the retailer commercial cannabis operation, the process used by the City in making its decision, or the alleged violation of any federal, State, or local laws by the retailer commercial cannabis operation or any of its owners, managers, officers, employees, or agents.

B. Maintain insurance at coverage limits, and with conditions thereon determined necessary and appropriate from time to time by the City Attorney.

C. Defend and indemnify the City, its elected and appointed officials, employees and attorneys for all costs and expenses, including but not limited to attorneys' fees and court costs, that the City may be required to pay as a result of any legal challenge related to the City's approval of the applicant's Commercial Cannabis Operation Permit, any matter arising from the operations of said cannabis business and/or related to the City's approval of retailer commercial cannabis operations. The City, at its sole discretion, may participate at its own expense in the defense of any such action, but such participation shall neither relieve nor increase any of the obligations imposed on the applicant hereunder.

D. Provides written authorization to the Operations Officers to conduct reasonable unannounced inspections of the location of the commercial cannabis operation at the reasonable discretion of the City, including but not limited to inspection of security, inventory, and written records and files pertaining to the commercial cannabis operation, for the purposes of ensuring compliance with this chapter and all laws of the City and the State.

Sec. 5.26.090 - Commercial Cannabis Operation Permit term.

A. Subject to this Section 5.26.090 and Section 5.26.160, the term of each Commercial Cannabis Operation Permit shall be indefinite.

B. Upon the one (1) year anniversary of the date of issuance for each Commercial Cannabis Operation Permit and every year thereafter, the City Manager shall conduct

a performance review of the permittee to assess compliance with the requirements of this chapter and State law. Within thirty (30) days of the conclusion of the annual performance review of the permittee, the City Manager shall issue a letter of compliance or noncompliance outlining all items to be corrected to ensure full compliance. In the event of any noncompliance, the permittee shall have sixty (60) days to remedy such noncompliance. However, in the event such noncompliance items cannot be reasonably remedied within sixty (60) days, such noncompliance items shall not constitute a serious material violation of any law and/or any rule, regulation, and/or standard adopted pursuant to this chapter subject to suspension or revocation under Section 5.26.160 if the permittee commences correction of such noncompliance items within sixty (60) days and thereafter diligently prosecutes correction of such noncompliance items to completion.

C. The permittee shall pay a fee in an amount to be set by the City Council via resolution to cover the costs of conducting the performance review, together with any costs incurred by the City to administer the Program created under this chapter.

Section 5.26.100 – Change in location; transfer, updated application information.

A. A permittee may change the business location specified in a Commercial Cannabis Operation Permit upon submission and approval of a change in location application promulgated, as a ministerial duty, by the City Manager pursuant to regulations adopted under Section 5.26.140 within one-hundred eighty (180) days following the effective date of this chapter. The permittee shall pay an application fee established by resolution of the City Council to cover all costs incurred by the City in the review and processing of change in location applications. The City Manager shall process such change in location applications as a ministerial duty within thirty (30) days of receipt.

B. An owner of a Commercial Cannabis Operation Permit shall not transfer ownership or control of such Commercial Cannabis Operation Permit to another person unless and until the permittee and transferee obtain an amendment to the Commercial Cannabis Operation Permit that is approved by the City Council upon recommendation from the City Manager stating that the permit may be transferred. A permittee may change the ownership specified in a Commercial Cannabis Operation Permit upon submission and approval of a change in ownership application promulgated, as a ministerial duty, by the City Manager pursuant to regulations adopted under Section 5.26.140 within one-hundred eighty (180) days following the effective date of this chapter. The permittee shall pay an application fee established by resolution of the City Council to cover all costs incurred by the City in the review and processing of change in ownership applications. The City Manager shall process such change in ownership applications as a ministerial duty within thirty (30) days once the City Manager reasonably determines that the transferee passed the background check required for owners and meets all other requirements of this chapter.

C. Notwithstanding Subsection (B), during the first three years following the issuance of

a Commercial Cannabis Operation Permit, the City Manager shall not process any application to change the ownership or control of a Commercial Cannabis Operation Permit that results in the permittee altering its ownership composition in a manner that would result in the permittee not being entitled to points it was awarded when the permittee was an applicant pursuant to Section 5.26.070. For example, if a permittee received 100 points when it was an applicant for providing documentation that the individual or natural person owner or owners of the applicant (disregarding any intervening or intermediary entity owner or owners of the applicant) with an aggregate ownership interest of ninety (90) percent or more have entered into a collective bargaining agreement with a labor organization that currently represents cannabis workers in the United States effective since at least July 1, 2021, inclusive of renewals (and remaining effective, inclusive of renewals, on the date of the application submission under this Section), the City Manager shall not process or authorize any change in ownership or control of the permittee if the change would result in the permittee being unable to continue to satisfy the aforementioned criteria subsequent to its approval.

D. Notwithstanding Subsection (B), no Commercial Cannabis Operation Permit may be transferred when the City Manager has notified the permittee that its Commercial Cannabis Operation Permit has been or may be suspended or revoked.

E. Any attempt to transfer a Commercial Cannabis Operation Permit either directly or indirectly in violation of this Section 5.26.100 is hereby declared void, and such an unpermitted transfer shall be deemed a ground for revocation of the permit.

F. An applicant or permittee shall notify the City Manager or designee(s) within fifteen (15) calendar days of any material change in the information provided in the applicant or permittee's Commercial Cannabis Operation Permit application or any change in status of compliance with the provisions of this chapter, including any change in ownership or management...

Sec. 5.26.110 - General operating standards and restrictions.

A commercial cannabis operation shall operate in conformance with the following minimum standards, and such standards shall be deemed to be part of the conditions on the permit for a commercial cannabis operation to ensure that its operation is in compliance with State law and this Code, and to mitigate any potential adverse impacts of the commercial cannabis operation on the public health, safety or welfare.

Additional minimum standards may be adopted from time to time either by resolution or ordinance from the City Council, or by the City Manager pursuant to Section 5.26.140.

A. State Standards. All state requirements and regulations that govern the operation of a commercial cannabis operation, including but not limited to ones related specifically to certain types of commercial cannabis operations, shall apply as minimum requirements and regulations and requirements for commercial cannabis operations within the City of South El Monte, in addition to the requirements and regulations of this chapter and this Code.

B. Security.

1. General. All cannabis, cannabis products and cash present or kept at the premises shall be securely stored against both unauthorized access as well as theft.

2. Security Cameras.

   a. Security cameras shall be installed and maintained in good condition, with at least ninety (90) days of digitally recorded documentation in a format approved by the City Manager and the Police Chief.

   b. The camera and recording system must be of adequate quality, color rendition, and resolution to allow the identification of any individual present at the site of the commercial cannabis operation.

   c. The cameras shall be in continuous use 24 hours per day, 7 days per week.

   d. The recording system must be capable of exporting the recorded video in standard MPEG formats to another common medium approved by the City Manager, such as DVD and/or a USB drive.

   e. The areas to be covered by the security cameras include, but are not limited to, the storage areas, operation areas, all doors and windows, the parking lot, all exterior sides of the property adjacent to the public rights of way, and any other areas as determined by the City Manager and Police Chief.

   f. Remote log-in information will be provided to the Operations Officers to allow them to view live and recorded security camera images remotely at any time.

3. Alarm System. The location of the commercial cannabis operation shall be alarmed with a centrally-monitored fire and burglar alarm system, and monitored by an alarm company properly licensed by the State Department of Consumer Affairs Bureau of Security and Investigative Services in accordance with Sections 7590, *et seq.* of the State Business and Professions Code . and whose agents are properly licensed and registered under applicable law.

4. Locked Entrances. All entrances into the building housing a commercial cannabis operation shall be locked from the exterior at all times with entry controlled by employees.

5. Windows. All windows on the building that houses the commercial cannabis operation shall be secured against entry from the outside.

6. No employee shall refuse, impede, obstruct or interfere with an inspection conducted pursuant to the authorizations provided by this chapter.

C. Odors.

1. A commercial cannabis operation shall have an air treatment system that ensures off-site odors shall not result from its activities.

2. This requirement at a minimum means that the commercial cannabis operation shall be designed to provide sufficient odor absorbing ventilation and exhaust systems so that any odor generated inside the location of the commercial cannabis operation is not detected outside the building, on adjacent properties or public rights-of-way, or within any other unit located within the same

building as the commercial cannabis operation, if the use only occupies a portion of a building.

D. Authorizations.

1. The Operations Officers shall have the right to enter all areas of the commercial cannabis operation from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with this chapter and all laws of the City and State.

2. Recordings made by security cameras required pursuant to this chapter shall be made available to the Operations Officers upon verbal request; no search warrant or subpoena shall be needed to view the recorded materials.

E. Records.

1. Commercial cannabis operations shall maintain on-site the following records either in paper or electronic form:

   a. The full name, address, and telephone numbers of the owner and lessee of the property.

   b. The name, date of birth, address, and telephone number of each employee of the commercial cannabis operation; the date each was hired; and the nature of each employee's participation in the commercial cannabis operation.

   c. Copies of all required state licenses.

   d. An inventory record documenting the dates and amounts of cannabis and cannabis products received at the site, the daily amounts of cannabis and cannabis products on the site, and the daily amounts of cannabis and cannabis products leaving the site for any reason, including but not limited to being sold, delivered, or distributed.

   e. A written accounting of all expenditures, costs, revenues and profits of the commercial cannabis operation, including but not limited to cash and in-kind transactions.

   f. A copy of all insurance policies related to the operation of the commercial cannabis operation.

   g. A copy of the commercial cannabis operation's most recent year's financial statement and tax return.

   h. Proof of a valid and current permit issued by the City in accordance with this chapter, and the equivalent State of California license to operate the commercial cannabis operation. Every commercial cannabis operation shall display at all times during business hours the City permit issued pursuant to the provisions of this chapter, and the equivalent State license, in a conspicuous place so that it may be readily seen by all persons entering the location of the commercial cannabis operation.

2. All records required to be maintained by the commercial cannabis operation must be maintained for no less than seven (7) years and are subject to immediate inspection (consistent with requirements pertaining to qualified patient confidentiality pursuant to applicable State and federal law) upon a

lawful written request by an Operation Officer.

3. A commercial cannabis operation shall report any loss, damage, or destruction of these records to the Operation Officers within twenty-four (24) hours of the loss, damage, or destruction.

F. Site Management.

1. Commercial cannabis operations shall not result in a nuisance or adversely affect the health, welfare, or safety of nearby persons by creating dust, glare, heat, noise, noxious gases, odors, smoke, traffic, vibration, or other impacts, or be hazardous due to use or storage of materials, processes, products or waste. The permittee shall promptly and diligently both prevent as well as eliminate conditions on the site of the commercial cannabis operation that constitute a nuisance.

2. A permittee shall maintain the exterior of the site, including any parking lots under the control of the permittee, free of litter, debris, and trash.

3. The Commercial Cannabis Operation permittee shall properly store and dispose of all waste generated on the site, including chemical and organic waste, in accordance with all applicable laws and regulations.

4. Notwithstanding any provisions of this code to the contrary, the Commercial Cannabis Operation permittee shall remove all graffiti from the site and parking lots under the control of the Commercial Cannabis Operation Permittee within 72 hours of its application.

G. State Board of Equalization Seller's Permit Required.

1. Commercial cannabis operations must obtain a Seller's Permit from the State Board of Equalization as applicable.

2. Such permit shall be displayed in a conspicuous place so that it may be readily seen by all persons entering the location of the commercial cannabis operation.

H. Employees.

1. All employees must submit to fingerprinting and criminal background checks by the City.

a. No employee convicted within the last ten years of a felony substantially related to the qualifications, functions or duties of an employee of a commercial cannabis operation (such as a felony conviction for distribution of controlled substances, money laundering, racketeering, etc.) shall be employed by a commercial cannabis operation, unless such employee has obtained a certificate of rehabilitation (expungement of felony record) under State law or under a similar federal statute or state law where the expungement was granted.

b. At the request of the commercial cannabis operation, the City Manager and Police Chief shall determine the applicability of this Section to a potential employee within a reasonable period of time after a written request has been made to the City Manager and Police Chief for such determination.

2. All employees must possess a valid government issued (or equivalent) form

of identification containing an identifying photograph of the employee, the name of the employee, the date of birth of the employee, and the residential address of the employee. Color copies of such identification shall be maintained at the location of the commercial cannabis operation. A valid State driver's license will satisfy this requirement.

I. Cannabis Transfer Between Permitted Operations Only.

A commercial cannabis operation shall not transfer cannabis or cannabis products to or from another commercial cannabis operation, unless both operations are in possession of all required State and local licenses and permits.

J. Commercial Cannabis Operation Signage.

1. Signs on the premises shall not obstruct the entrance or the video surveillance system. The size, location, and design of any signage must conform to the sign provisions in this Code.

2. Business identification signage shall be limited to that needed for identification only, consisting of a single window sign or wall sign that shall comply with the appropriate sign requirements within the applicable zoning district.

K. Prohibited Personal Activities.

1. Cannabis Use. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within 20 feet of, the site of the commercial cannabis operation.

2. Alcohol Use. No person shall possess, consume, or store any alcoholic beverage on the site of the commercial cannabis operation.

L. No Minors. No minor shall be an employee of, or participate in, a commercial cannabis operation in any capacity, including but not limited to, as a manager, employee, contractor, adviser, or volunteer.

M. Exterior Lighting. The exterior of the premises upon which the commercial cannabis operation is operated shall be equipped with and, at all times between sunset and sunrise, shall remain illuminated with fixtures of sufficient intensity and number to illuminate every portion of the property with an illumination level of not less than one foot-candle as measured at the ground level, including, but not limited to, landscaped areas, parking lots, driveways, walkways, entry areas, and refuse storage areas.

N. Building Design. A permittee must maintain the design of the buildings on the site in accordance with the plans that are approved by the City pursuant to this chapter and otherwise approved by the City. No permittee shall modify the buildings on the site contrary to the approved plans, without the approval of the City Manager.

O. Nuisance. A permittee shall take all reasonable steps to discourage and correct conditions that constitute a nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours if related to the members of the subject commercial cannabis operation.

1. "Reasonable steps" shall include immediately calling the Police Department upon observation of the activity, and requesting that those engaging in activities that constitute a nuisance or are otherwise illegal to cease those activities, unless personal safety would be threatened in making the request.

2. "Nuisance" includes but is not limited to disturbances of peace, open public consumption of cannabis, alcohol or controlled substances, excessive pedestrian or vehicular traffic, including the formation of any pedestrian lines outside the building, illegal drug activity, harassment of those passing by, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct or law enforcement detentions and arrests.

P. Upon and after receiving possession of a Commercial Cannabis Operation Permit as provided for in this chapter, a permittee shall:

1. Maintain continuing compliance with criminal background check requirements of this chapter by ensuring that:

a. Upon the hiring, association or retention of an employee by the commercial cannabis operation, the requirements of Section 5.26 are immediately met for such employee by provision of appropriate documentation to the City Manager; and

b. the City Manager and Police Chief are immediately informed in writing of any felony conviction as described in 5.26.110(H) for any current employee.

2. Maintain continuing compliance with all applicable insurance requirements, including, but not limited to, those imposed by City and this chapter.

Q. Workforce Plan. A permittee shall implement a workforce plan that includes at least the following provisions:

1. Commitment for thirty percent (30%) of employees to be local hires; this local hiring requirement is satisfied when a permittee shows that it has either hired or made a good faith effort to hire bona fide residents of the City or persons that may establish residency after initial employment with the permittee;

2. Commitment to offer apprenticeships and/or compensation for continuing education in the field of commercial cannabis operations; and

3. Paying a living wage to employees. "Living wage" means compensation equivalent to $20 per hour inclusive of benefits but excluding tips.

R. Exemption. The regulations contained in this chapter shall not apply to a commercial cannabis operation engaged in the following uses, as long as such use complies strictly with applicable law, including this Code, regulating such use and the location of such use, including, but not limited to, Section 11362.5 of the State Health and Safety Code and Sections 11362.71 *et seq.* of the State Health And Safety Code: A clinic licensed pursuant to Chapter 1 of Division 2 of the State Health and Safety Code; a health care facility licensed pursuant to Chapter 2 of Division 2 of the State Health and Safety Code; a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the State Health and Safety Code; a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the State Health and Safety Code; and, a residential hospice or a home health agency licensed pursuant to Chapter 8 of Division 2 of the State Health and Safety Code.

Sec. 5.26.120 – Retailer operating standards and restrictions.

A retailer commercial cannabis operation shall operate in conformance with both Section 5.26.110, as well as the following minimum standards, and such standards shall be deemed to be part of the conditions of the Commercial Cannabis Operation Permit for a retailer commercial cannabis operation to ensure that its operation is in compliance with State law and this Code, and to mitigate any potential adverse impacts of the commercial cannabis operation on the public health, safety or welfare.

Additional minimum standards may be adopted from time to time either by resolution or ordinance from the City Council, or by the City Manager pursuant to Section 5.26.140.

A. City Permit and State License. No person shall engage in retailer commercial cannabis operations without both a current and valid Commercial Cannabis Operation Permit and a current and valid equivalent State license as provided for under Section 26200 of the State Business and Professions Code, and as may be amended. Retailer (medical-only) commercial cannabis operations shall only sell, dispense, or provide medical cannabis or medical cannabis products to a qualified patient with a written physician's recommendation, a person with an identification card, or a primary caregiver with written documentation attesting to lawful status as a primary caregiver.

B. State Standards. All state requirements and regulations that govern retailer commercial cannabis operations, including but not limited to the regulations promulgated by the State Department of Cannabis Control, and as may be amended, shall apply as minimum requirements and regulations and requirements for retailer commercial cannabis operations within the City, in addition to the requirements and regulations of this chapter and this Code.

C. Location and Design Requirements.

Pursuant to the authority delegated by the State to the City under Section 26054(b) of the State Business and Professions Code and overriding the location and design requirements contained in Section 26054(b) of the State Business & Professions Code, retailer commercial cannabis operations in the City shall be subject to the following location and design requirements:

1. Retailer commercial cannabis operations shall be a permitted use subject to this chapter on property (1) located more than one-thousand (1,000) feet any retailer commercial cannabis operation permitted under this chapter, alcohol or drug treatment facility, day care center, religious institution, school, or youth center, (2) located more than one-thousand (1,000) feet from the City's jurisdictional boundary or any park or residentially zoned property, and (3) zoned: C (Commercial Zone) or C-M (Commercial-Manufacturing Zone) including any overlay zone districts covering the C (Commercial Zone) or C-M (Commercial-Manufacturing Zone).

2. The distances specified in Subsection (C) shall be the horizontal distance measured in a straight line from the parcel line of the sensitive use to the closest parcel line of the lot on which the cannabis retailer is to be located without regard to intervening structures. The 1,000 foot distance specified in Subsection (C) may be reduced to as little as 900 feet by administrative

regulation pursuant to Section 5.26.140 if necessary to allow for issuance of the number of Commercial Cannabis Operation Permits provided by this chapter.

3. Each retailer commercial cannabis operation shall:

   a. Be constructed in a manner that prevents odors to surrounding uses, and promotes quality design and construction, and consistency with the surrounding properties. Odors from the cannabis retailer shall not be detectable from outside the premises and adequate odor control technology shall be utilized;

   b. Be provided with adequate electricity, sewerage, disposal, water, fire protection, and storm drainage facilities for the intended purpose; and

   c. Provide and maintain a neighborhood compatibility plan so the City Manager or designee(s) may find that the cannabis retailer and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance.

D. Customers.

1. Prior to dispensing medical cannabis or medical cannabis products to a qualified patient, a retailer commercial cannabis operation shall verify the age and all necessary documentation of each customer to ensure the customer is not under the age of eighteen (18) years and obtain verification from the recommending physician that the person requesting medical cannabis or medical cannabis products is a qualified patient, and shall maintain a copy of the physician recommendation, or identification card, as described in Sections 11362.71 et seq. of the State Health and Safety Code, as may be amended from time to time, on site for period of not less than seven (7) years.

2. Prior to dispensing cannabis or cannabis products to an adult-use customer, a retailer (medical/adult-use) commercial cannabis operation shall verify the age and all necessary documentation of each customer to ensure the customer is not under the age of twenty-one (21) years.

E. Opaque Packaging. All cannabis or cannabis products sold to a customer shall be prohibited from leaving the site unless placed in opaque packaging which conceals the nature of the product from human vision.

F. Dispensing and Storage Areas. Entrance to the retailer sales floor and any storage areas shall be locked at all times, and under the control of employees.

G. Interior Lighting. The premises within which the commercial cannabis operation is operated shall be equipped with and, at all times during which is open to the public, shall remain illuminated with overhead lighting fixtures of sufficient intensity to illuminate every place to which members of the public or portions thereof are permitted access with an illumination of not less than two foot-candles as measured

at the floor level.

H. Signs. A retailer commercial cannabis operation shall notify customers (verbally or by written agreement) and by posting a notice or notices conspicuously at least 15-point type within permitted premises that state as follows:

1. "The sale or diversion of cannabis or cannabis products without a license issued by persons entering the site, the City of South El Monte is a violation of State law and the South El Monte Municipal Code."

2. "Secondary sale, barter, or distribution of cannabis or cannabis products purchased from a permittee is a crime and can lead to arrest."

3. "Customers must not loiter in or near these premises and may not consume cannabis or cannabis products in the vicinity of this business or in any place not lawfully permitted. These premises and vicinity are monitored to ensure compliance."

4. "WARNING: The use of cannabis or cannabis products may impair a person's ability to drive a motor vehicle or operate heavy machinery."

5. "CALIFORNIA PROP. 65 WARNING: Smoking of cannabis and cannabis-derived products will expose you and those in your immediate vicinity to cannabis smoke. Cannabis smoke is known by the State of California to cause cancer and reproductive harm."

I. "No Recommendations On-site. A retailer commercial cannabis operation shall not have a physician or any person licensed to recommend medical cannabis for medical use at the location of the retailer commercial cannabis operation to provide a recommendation or physician's recommendation, for the use of medical cannabis.

J. Sanitation. A permittee shall establish and implement written procedures that maintain the highest industry standards of sanitation and cleanliness for the operation so as to ensure cannabis and cannabis products sold to the public are free of harmful contaminants.

K. Training. A permittee shall establish and implement written procedures that provide for the highest industry standards of training for employees.

L. Prohibited Activities. No cannabis cultivation, testing or manufacturing shall occur within the premises of the retailer operation.

M. No Alcohol. Retailer commercial cannabis operations shall not hold or maintain a license from the State Department of Alcoholic Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.

N. No Lounge or Cafe. Retailer commercial cannabis operations shall not operate as a lounge, cafe or restaurant serving food or drinks for consumption on-site. There shall be no seating area, tables, couches, or chairs for the gathering or congregating of members.

O. Age Restriction. Minors, except qualified patients or primary caregivers over the age of eighteen (18) years old as verified customers, are prohibited from entering the location of the retailer cannabis operation.

P. Public Information. The permittee shall make available to customers a list of the rules and regulations governing medical cannabis use and consumption within the City and

recommendations on sensible medical cannabis etiquette.

Sec. 5.26.120.5 – Delivery operating standards and restrictions.

A. Delivery shall comply with State law at all times.

B. Security plans developed pursuant to this chapter shall include provisions relating to vehicle security and the protection of employees and product during loading and in transit.

C. A commercial cannabis operation engaged in delivery shall facilitate the delivery of cannabis or cannabis products with a technology platform owned by or licensed to the delivery-only commercial cannabis operation engaged in delivery that uses point-of-sale technology to track and database technology to record and store the following information for each transaction involving the exchange of cannabis or cannabis products between the commercial cannabis operation engaged in delivery and customer:

1. The identity of the individual dispensing cannabis or cannabis products on behalf of the commercial cannabis operation engaged in delivery;

2. The identity of the customer receiving cannabis or cannabis products from the commercial cannabis operation engaged in delivery;

3. The type and quantity of cannabis or cannabis products dispensed and received;

4. The gross receipts charged by the commercial cannabis operation engaged in delivery and received by the individual dispensing cannabis or cannabis products on behalf of the commercial cannabis operation engaged in delivery for the cannabis or cannabis products dispensed and received; and

5. The location or address where the sale or retail sale took place or closed.

D. A commercial cannabis operation engaged in delivery shall maintain a database and provide a list of the individuals and vehicles authorized to conduct delivery, and a copy of the valid State driver's license issued to the driver of any such vehicle on behalf of the commercial cannabis operation engaged in delivery to the City Manager.

E. Individuals making deliveries of cannabis or cannabis products on behalf of the commercial cannabis operation engaged in delivery shall maintain a physical copy of the delivery request (and invoice) and shall make it available upon the request of agents or employees of the City requesting documentation.

F. During delivery, a copy of the commercial cannabis operation engaged in delivery's Commercial Cannabis Operation Permit and State license shall be in the vehicle at all times, and the driver shall make it available upon the request of agents or employees of the City requesting documentation.

G. A commercial cannabis operation engaged in delivery shall only permit or allow delivery of cannabis or cannabis products in a vehicle that is (1) insured at or above

the legal requirement in the State; (2) capable of securing (locking) the cannabis or cannabis products during transportation; (3) capable of being temperature controlled if perishable cannabis or cannabis products is being transported; and (4) does not display advertising or symbols visible from the exterior of the vehicle that suggest the vehicle is used for cannabis delivery or affiliated with a commercial cannabis operation engaged in delivery.

H. A commercial cannabis operation engaged in delivery shall facilitate deliveries with a technology platform owned by or licensed to the commercial cannabis operation engaged in delivery that uses global positioning system technology to track, and database technology to record and store the following information:

1. The time that the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery departed its premises.
2. The time that the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery completed delivery to the customer.
3. The time that the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery returned to its premises.
4. The route the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery traveled between departing and returning to its premises to conduct delivery.
5. For each individual delivery transaction, the identity of the individual conducting deliveries on behalf of the commercial cannabis operation engaged in delivery.
6. For each individual delivery transaction, the vehicle used to conduct delivery on behalf of the commercial cannabis operation engaged in delivery.
7. For each individual delivery transaction, the identity of the customer receiving cannabis or cannabis products from the commercial cannabis operation engaged in delivery.
8. For each individual delivery transaction, the type and quantity of cannabis or cannabis products dispensed and received.
9. For each individual delivery transaction, the gross receipts charged by the commercial cannabis operation engaged in delivery and received by the individual conducting deliveries on behalf of the commercial cannabis operation engaged in delivery for the cannabis or cannabis products dispensed and received.

I. The individual making deliveries on behalf of the commercial cannabis operation engaged in delivery shall personally verify for each individual delivery transaction the identity of the customer receiving cannabis or cannabis products from the commercial cannabis operation engaged in delivery and (1) for medical cannabis or medical cannabis products to a qualified patient, the age and all necessary

documentation of each customer to ensure the customer is not under the age of eighteen (18) years and obtain verification from the recommending physician that the person requesting medicinal cannabis or medicinal cannabis products is a qualified patient, and shall maintain a copy of the physician recommendation or identification card as described in Sections 11362.71 *et seq.* of the State Health and Safety Code, as may be amended from time to time, on site for period of not less than seven (7) years or (2) for cannabis or cannabis products to an adult-use customer, age and all necessary documentation of each customer to ensure the customer is not under the age of twenty-one (21) years.

Sec. 5.26.130 – Community Benefit Agreement.

The applicant may propose entering into a community benefit agreement in an amount and by terms set by City Council resolution with the City setting forth the terms and conditions under which the facility will operate that is in addition to the requirements of this chapter, including, but not limited to, public outreach and education, community service, payment of fees and other charges as mutually agreed, and such other terms and conditions that will protect and promote the public health, safety, and welfare of the City and its residents and visitors.

Sec. 5.26.140 – Administration.

A. Consistently with stated requirements of this chapter (and in particular not to repeal or constructively repeal this chapter), in addition to any regulations adopted under State law, the City Manager is authorized to establish any additional rules, regulations, and standards governing the issuance or denial of Commercial Cannabis Operation Permits, the ongoing operation of commercial cannabis operations and the City's oversight thereof, or concerning any other subject determined to be necessary to carry out the purposes of this chapter.

B. Such regulations shall be approved by resolution of the City Council published on the City's website.

C. Regulations promulgated, by the City Manager, shall become effective upon date of publication. Commercial cannabis operations shall be required to comply with all State and local laws and regulations, including but not limited to any rules, regulations or standards adopted by the City Manager.

Sec. 5.26.150 - Fees.

An application fee set by resolution of the City Council shall be required for formal processing of every application made under this chapter. The City Council is further authorized to pass resolutions to recover any and all fees and costs incurred by the administration and implementation of this chapter through an appropriate fee recovery mechanism to be imposed upon commercial cannabis operations.

Sec. 5.26.160 - Suspension and revocation.

A. The City Manager is authorized to suspend and/or revoke a Commercial Cannabis Operation Permit issued pursuant to this chapter upon the determination through written findings of a failure to materially comply with any provision of this chapter, any Commercial Cannabis Operation Permit condition, or any agreement or covenant required or made pursuant to this chapter.

B. Notwithstanding Subsection (A), the City Manager may suspend or revoke a Commercial Cannabis Operation Permit if any of the following occur:

1. The equivalent State license has been suspended or revoked by the State; or
2. Operations cease for more than one hundred eight (180) consecutive or cumulative days in any one (1) year period; or
3. Ownership is changed or transferred without complying with Section 5.26.100; or
4. The commercial cannabis operation fails to maintain required security camera recordings; or
5. The commercial cannabis operation fails to allow inspection of the security recordings, the activity logs, the records, or of the site by Operations Officers pursuant to this chapter.

C. Conditions (if any) of suspension or revocation are at the reasonable discretion of the City Manager and may include, but are not limited to, a prohibition on all owners, managers and employees of the suspended or revoked commercial cannabis operation from operating within the City for a period of time set forth in writing and/or a requirement (when operations may resume, if at all, pursuant to the City Manager's reasonable determination) for the holder of the suspended or revoked Commercial Cannabis Operation Permit to resubmit an application for a Commercial Cannabis Operation Permit pursuant to the requirements of this chapter.

Sec. 5.26.170 – Appeals.

Any decision regarding the City Manager's suspension or revocation of a Commercial Cannabis Operation Permit pursuant to Section 5.26.160 may be appealed to the City Council by a permittee or interested party as follows:

A. If the appellant wishes to appeal a decision to the City Council, the appellant must file a written appeal with the City Clerk within ten (10) calendar days of the decision. The written appeal shall specify the person making the appeal, the decision appealed from, state the reasons for the appeal, and include any evidence in support of the appeal which the applicant seeks to be considered by the City Council.

B. Notice of the time and place of an appeal hearing shall be providing to the appellant within thirty (30) days of receipt by the City Clerk of the written appeal.

C. The appeal hearing shall be held within sixty (60) days of the filing of the written appeal with the City Clerk, unless the 60 day time limit is waived by the appellant, or unless the City Council continues the appeal hearing date for good cause and upon written notification to the appellant.

D. The City Council shall review the facts of the matter, written documents submitted for review, the basis for making the decision which is under appeal, and then determine whether the appealed decision should be reversed or affirmed. The determination made shall be in writing, shall set forth the reasons for the determination, and shall be final.

E. The provisions of Section 1094.6 of the Code of Civil Procedure sets forth the procedure for judicial review of any final determination. Parties seeking such judicial review shall file such action within ninety (90) days of a determination being made final.

Sec. 5.26.180 – Violations and penalties; public nuisance.

A. Any material violation of the provisions of this chapter is punishable as a misdemeanor or an infraction, at the discretion of the City Attorney, pursuant to Chapters 1.14 and 1.16 of this Code, except for as preempted by State law and material any violation of the provisions of this chapter is subject to administrative citation, at the reasonable discretion of the City, pursuant to Chapters 1.14 and 1.16 of this Code.

B. Public Nuisance Abatement.

1. Any commercial cannabis operation that is conducted in material violation of any provision of this chapter is hereby declared to constitute a public nuisance and, as such, may be abated or enjoined from further operation, in accordance with the procedures set forth in Chapter 8.36 of this Code.

2. All costs to abate such public nuisance, including attorneys' fees and court costs, shall be paid by the person causing the nuisance, including the commercial cannabis operation and the property owner where the nuisance is occurring.

C. The remedies described in this section are not mutually exclusive. Pursuit of any one remedy shall not preclude City from availing itself of any or all available administrative, civil, or criminal remedies, at law or equity.

D. Any material violation of the provisions of this chapter shall constitute a separate offense for each and every day during which such violation is committed or continued.

Sec. 5.26.190 - Service of notices.

Any notice required by this chapter is deemed issued and served upon the earliest date that either: the notice is deposited in the United States mail, postage pre-paid, addressed to the most recent mailing address provided to the City pursuant to the requirements of this chapter; or, the date upon which personal service of the notice is provided to a responsible party.

Sec. 5.26.200 - Prohibitions.

A. Any commercial cannabis operation in violation of this chapter, or any other applicable State law is expressly prohibited.

B. It is unlawful for any commercial cannabis operation in the City, or any agent, employee or representative of such commercial cannabis operation, to permit any breach of peace or any disturbance of public order or decorum by any tumultuous, riotous or disorderly conduct at the site of the commercial cannabis operation.

Sec. 5.26.210 - Nonconforming use.

No use which purports to have engaged in commercial cannabis operations of any nature prior to the enactment of this chapter shall be deemed to have been a legally established use under the provisions of this Code, or any other City ordinance, rule or regulation, and such use shall not be entitled to claim legal nonconforming status.

Sec. 5.26.220 – Exceptions

A. To the extent that the following activities are permitted by state law, nothing in this chapter shall prohibit a person twenty-one (21) years of age or older from:

1. Possessing, processing, purchasing, transporting, obtaining or giving away to persons twenty-one (21) years of age or older, without compensation

whatsoever, not more than twenty-eight and one-half (28.5) grams of cannabis not in the form of concentrated cannabis;

2. Possessing, processing, purchasing, transporting, obtaining or giving away to persons twenty-one (21) years of age or older, without compensation whatsoever, up to eight grams of cannabis in the form of concentrated cannabis;

3. Possessing, transporting, purchasing, obtaining, using, manufacturing, or giving away cannabis accessories to persons twenty-one (21) years of age or older without compensation whatsoever; or

4. Engaging in the indoor cultivation of six (6) or fewer live cannabis plants within a single private residence or inside an accessory structure located upon the grounds of a private residence that is fully enclosed and secured, to the extent such cultivation is authorized by Sections 11362.1 and 11362.2, of the State Health and Safety Code, as may be amended from time to time.

B. This chapter shall also not prohibit any commercial cannabis operations that the City is required by law to permit within its jurisdiction pursuant to State law.

Sec. 5.26.230 – Operative date.

This chapter shall be operative ten (10) days after the date that the City Council declares that a majority of the City's voters voting at the November 8, 2022, election have voted in favor of this chapter at such election.

Sec. 5.26.240 - Severability.

If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this chapter is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The people of the City of South El Monte hereby declare that they would have adopted this chapter and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

Sec. 5.26.250. City Council Authority to Amend.

The City Council has the right and authority to amend this chapter, with the exception of Section 5.26.060 (which may only be amended (i) if ordered to do so by a court of competent jurisdiction as a judicial remedy or (ii) by a vote of the People of the City), to further its purposes and intent (including but not limited to amendment for more efficient administration as determined by the City Council), in any manner that does not increase a tax rate, or otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution, pursuant to Elections Code Section 9217.

Sec. 5.26.260. City Councilmember Conflicts of Interest.

Notwithstanding any other provision of this Chapter, prior to participating in any decision relating to a cannabis business, each city councilmember shall do all of the following

1. Disclose on the record any financial interest in the cannabis business that is subject to the decision.

2. Disclose on the record any campaign contributions and benefits or gifts received from the cannabis business that is subject to the decision.

3. Disclose on the record any ex parte communications that the city councilmember may have had with a cannabis business that is the subject of the decision.

4. Each city councilmember shall warrant and represent, on the record and in a form approved by the City Council, that they have complied with these requirements and all applicable law.

If it is later determined that a city councilmember has not complied with the above requirements or if it is determined that a city councilmember has violated applicable law, then the city councilmember is disqualified from all decisions relating to the cannabis business subject to the decision. The requirements of this Section 5.26.260 shall be in addition to any applicable law, including, without limitation, the California Political Reform Act and the related regulations of the Fair Political Practices Commission."

SECTION 3. REPEAL OF CHAPTER 17.31. Chapter 17.31 of Title 17 of the City Municipal Code is hereby repealed in its entirety.

SECTION 4. AMENDMENT TO SECTION 17.18.030(O). Section 17.18.030(O) of Chapter 17.18 of Title 17 of the South El Monte Municipal Code is hereby repealed in its entirety.

SECTION 5. ADDITION OF SECTION 9.08.045. Section 9.08.045 shall be added to Chapter 9.08 of Title 9 of the South El Monte Municipal Code as follows:

"This Chapter shall not apply to a retailer commercial cannabis operation permitted pursuant to Chapter 5.26 of Title 5 of this Code."

SECTION 6. AMENDMENT TO SECTION 17.14.030. Section 17.14.030 of Chapter 17.14 of Title 17 of the City Municipal Code is hereby amended by adding Subsection (S) as follows:

"Retailer commercial cannabis operations in accordance with Chapter 5.26 of Title 5 of this Code."

SECTION 7. AMENDMENT TO SECTION 17.16.030. Section 17.16.030 of Chapter 17.16 of Title 17 of the City Municipal Code is hereby amended by adding Subsection (F) as follows:

"Retailer commercial cannabis operations in accordance with Chapter 5.26 of Title 5 of this Code."

SECTION 8. SENSITIVE USES. The People of the City find that the definitions of the sensitive uses (alcohol or drug treatment facilities, day care centers, parks, religious institutions, schools, and youth centers) under the amendment to Chapter 5.26 of the City Municipal Code in this Ordinance are subject to some degree of interpretation. However, the People of the City also find that certainty regarding the identification of sensitive uses (alcohol or drug treatment facilities, day care centers, parks, religious institutions, schools, and youth centers) under the amendments to Chapter 5.26 of the City Municipal Code in this Ordinance is required to carry out the purpose and intent of the Ordinance so the that People, the City, and prospective applicants can clearly identify where and where not lawful retailer commercial cannabis operations under this Ordinance may be located. Accordingly and pursuant to the authority delegated by the State to the People of the City under Section 26054(b) of the State Business and Professions Code and overriding the location and design requirements contained in Section 26054(b) of the State Business and Professions Code, the sensitive uses established by resolution of the City Council (including alcohol or drug treatment facilities, day care centers, parks, religious institutions, schools, and youth centers) and only those sensitive uses shall be considered under the amendment to Section 5.26.070 of the City Municipal Code in this Ordinance for the purpose of the initial establishment of retailer commercial cannabis operations pursuant to the initial iteration of the retailer commercial cannabis operations application procedure

under the amendment to Section 5.26.070 of the City Municipal Code in this Ordinance (to include any review and scoring of any applications pursuant to the objective review criteria and quantitative evaluation scale under the amendment to Section 5.26.070 of the City Municipal Code in this Ordinance). Only following the initial iteration of the retailer commercial cannabis operations application procedure and the initial issuance of Commercial Cannabis Operation Permits under the amendment to Section 5.26.070 of the City Municipal Code in this Ordinance, and except as otherwise provided by the City Council resolution, may the City Manager designee reinterpret the list of sensitive uses for the purpose of subsequent iterations of the retailer commercial cannabis operations application procedure under the amendment to Section 5.26.070 of the City Municipal Code in this Ordinance and change in location applications under the amendment to Section 5.26.130 of the City Municipal Code in this Ordinance.

SECTION 9. AMENDMENT TO SECTION 5.04.045. Section 5.04.045 of Title 5 of the South El Monte Municipal Code is hereby amended to add "Retailer (Type 10) Commercial Cannabis Operations (Medical / Adult-Use / Non-Medical) in accordance with Chapter 5.26 of Title 5 of this Code" as a new item number 9 to the list of businesses, occupations, or other activities requiring licenses in the City as set forth in Los Angeles County Code Section 7.04.010 as amended by South El Monte Municipal Code Section 5.04.045, and to renumber existing items 9 through 45 of the list accordingly.

SECTION 10. ADDITION OF CHAPTER 3.40 (CANNABIS BUSINESS TAX). Chapter 3.40 (Cannabis Business Tax) is hereby added to Title 3 (Revenue and Finance) of the South El Monte Municipal Code, to read in its entirety as follows:

"CHAPTER 3.40 CANNABIS BUSINESS TAX

Section 3.40.010. Definitions.

Section 3.40.020. Tax.

Section 3.40.030. Operation of Tax.

Section 3.40.040. Returns and Remittances.

Section 3.40.050. Failure to Pay Tax.

Section 3.40.060. Refunds and Claims.

Section 3.40.070. Enforcement.

Section 3.40.080. Debts; Deficiencies; Determinations; Hearings.

Section 3.40.090. Operative Date.

Section 3.40.100. City Council Authority to Amend.

Section 3.40.110. City Councilmember Conflicts of Interest.

Sec. 3.40.010. Definitions.

The following definitions apply to this chapter unless the context clearly denotes otherwise. Terms not defined herein shall be given the definitions set forth in Chapter 5.26 of this Code.

A. "Cannabis" shall have the meaning set forth in Section 5.26.030 of this Code.

B. "Cannabis products" shall have the meaning set forth in Section 5.26.030 of this Code.

C. "City" means the City of South El Monte.

D. "Code" shall mean the South El Monte Municipal Code.

E. "Commercial cannabis operation" shall have the meaning set forth in Section 5.26.030 of this Code. "Commercial cannabis activity" and "cannabis business" shall be synonymous with "commercial cannabis operation."

F. "Cultivation" shall have the meaning set forth in Section 5.26.030 of this Code.

G. "Delivery" shall have the meaning set forth in Section 5.26.030 of this Code.

H. "Distribution" shall have the meaning set forth in Section 5.26.030 of this Code.

I. "Distributor" shall have the meaning set forth in Section 5.26.030 of this Code.

J. "Edible" shall have the meaning set forth in Section 5.26.030 of this Code.

K. "City Manager" means the City's City Manager, or his or her designee.

L. "Location" shall have the meaning set forth in Section 5.26.030 of this Code.

M. "Manufacture" or "manufacturing" shall have the meaning set forth in Section 5.26.030 of this Code.

N. "Manufactured cannabis" means raw cannabis that has undergone a process whereby the raw agricultural product has been transformed into a concentrate, an edible product, or a topical product.

O. "Manufacturer" shall have the meaning set forth in Section 5.26.030 of this Code.

P. "Marijuana" has the same definition as "cannabis."

Q. "Operation" means a "commercial cannabis operation."

R. "Permit," or "local permit" means a Commercial Cannabis Operation Permit, as that term is defined in Section 5.26.030 of this Code.

S. "Person" shall have the meaning set forth in Section 5.26.030 of this Code.

T. "Proceeds" means total amount of gross revenue actually received or receivable by a commercial cannabis operation from all sales of goods of any kind, including but not limited to cannabis and cannabis products; the total amount of compensation actually received or receivable for the performance of any act or service whatever nature it may be, including but not limited to commercial cannabis activity, from which a charge is made or credit allowed, whether such service is done singly and/or as part of or in connection with the sale of materials; goods, wares or merchandise; discounts, rents, royalties, fees, commissions, dividends or other gains. Proceeds includes all receipts, cash, credits and property of any kind or nature, consideration of any nature, without any deduction therefrom on account of the cost of property sold, the cost of materials used, labor or services costs, interest paid or payable or losses or other expenses or deduction whatsoever. Excluded from Proceeds are any taxes required by law to be added to the purchase and collected from the consumer or purchaser, such part of the sales price of any property returned by the purchaser to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in Proceeds. Proceeds may also exclude such other amounts that may be permitted by the City Manager as not being included in Proceeds pursuant to administrative rulings or instructions provided by the City Manager. "Proceeds" is intended to include all gross revenue of the commercial operation

whether for commercial cannabis activities or other activities (e.g., revenue from sales of other goods at the location).

U. "Retailer" means a person engaged in the retail sale or delivery of cannabis or cannabis products to a customer. A retailer may be a storefront or non-storefront retailer.

V. "Space utilized as cultivation area" shall mean any space or ground, floor or other surface area (whether horizontal or vertical) which is used during the cannabis germination, seedling, vegetative, pre-flowering, flowering and/or harvesting phases, including without limitation any space used for activities such as growing, planting, seeding, germinating, lighting, warming, cooling, aerating, fertilizing, watering, irrigating, topping, pinching, cropping, trimming, curing or drying cannabis or any such space available for or used for storing any products, supplies or equipment related to any such activities, no matter where such storage may take place or such storage space may be located. "Space used as cultivation area" shall include space used to cultivate cannabis plants on platforms and stack them in multiple layers on top of each other (i.e., vertical cultivation). "Space utilized as cultivation area" shall be calculated in square feet and measured using clearly identifiable and/or apparent boundaries, including all of the space within the boundaries. Such space may be noncontiguous but each unique area included in the total calculation shall be separated by an identifiable and/or apparent boundary, including but not limited to, interior walls, shelves, and greenhouse walls, nursery wall or canopy walls, hoop house walls, garden benches, hedgerows, fencing, garden beds, or garden plots. "Space used as cultivation area" includes space which is immediately available for the activities described herein even if not being used at the time of determination. The City Manager shall determine the "space utilized as cultivation area" during the initial Term of the operation, and at least annually thereafter.

W. "Tax" means the commercial cannabis tax and commercial cannabis cultivation tax imposed by this chapter.

X. "Term" means such term or period of time as may be designated by the City Manager for reporting or payment of tax, provided, however, that if no such term is designated, Term shall mean a calendar month (meaning that the annual tax shall be divided by 12 for the appropriate fiscal year). Notwithstanding the foregoing, the Term for payment of tax may be set on a monthly, quarterly, semi-annual or annual basis by the City Manager. Taxes may be prorated to the extent the City Manager provides for a term other than that specified above, to the extent a commercial cannabis operation commences on a date other than the first date of a Term, upon cessation of the business, or for other appropriate reasons.

Y. "Testing laboratory" shall have the meaning set forth in Section 5.26.030 of this Code.

Sec. 3.40.020. Tax.

A. Commercial Cannabis Tax (non-cultivation). Every person conducting a commercial cannabis operation other than cultivation in the City, regardless of whether such operation has a valid permit pursuant to this Code, shall pay, on a per-Term basis, a commercial cannabis tax (non-cultivation) of not more than eight percent (8%) of the proceeds of the commercial cannabis operation.

B. Commercial Cannabis Cultivation Tax. Every person conducting a commercial cannabis operation involving cultivation in the City, regardless of whether such

operation has a valid permit pursuant to this Code, shall pay a maximum commercial cannabis cultivation tax of no more than twenty-five dollars ($25) per square foot per fiscal year (July 1 to June 30) for space utilized as cultivation area. Notwithstanding the foregoing, taxes imposed on space utilized as cultivation area shall be adjusted annually on July 1 of each year, commencing July 1, 2023, after the date of imposition based on changes in the Consumer Price Index ("CPI") for all urban consumers in the Los Angeles-Long Beach-Anaheim areas (or similar index) as published by the United States Government Bureau of Labor Statistics for the prior calendar year; provided, however, no adjustment shall decrease any maximum tax imposed by this chapter.

C. Purpose of Tax. The revenue generated by the commercial cannabis tax and the commercial cannabis cultivation tax may be spent for unrestricted general revenue purposes.

D. Intent of Tax. The taxes provided for in this chapter do not authorize any commercial cannabis operation or use that is not otherwise expressly allowed by this Code. The taxes provided for in this chapter are intended to both allow the City to levy the taxes on commercial cannabis operations and uses that are authorized or allowed in the City as of the date of enactment of this chapter and to provide the City with the ability to levy the taxes on potential future commercial cannabis operations and uses that may after enactment of this chapter be allowed in the City by local ordinance or initiative. The taxes imposed by this chapter are in addition to all other applicable taxes imposed by this Code, including, but not limited to, the sales and use tax imposed by Chapter 3.04 of Title 3 and the business license fees imposed by Chapter 5.04 of Title 5.

E. Automatic Maximum Rates. The tax rates of the commercial cannabis tax (non-cultivation) and the commercial cannabis cultivation tax shall automatically be set at the maximum rates specified in this chapter each July 1 unless established otherwise at a lower rate by resolution or ordinance of the City Council.

F. Authority to Levy Tax at Lower than Maximum Authorized Rate. The City Council may, at any time, by resolution or ordinance and without voter approval, levy the tax at any rate lower than the maximum rate authorized by this chapter; provided, however, the maximum tax rate permitted to be levied without further voter approval shall be and remain the maximum tax rate set forth in this chapter.

G. Future Exemptions, Exceptions, Penalties and Interest Permitted. The City Council may establish exemptions, incentives, or other reductions, and penalties and interest charges or determinations of tax due for failure to pay the tax in a timely manner, as otherwise allowed by this Code or California law. No action by the City Council under this section shall prevent it from later increasing the tax or removing any exemption, incentive, or reduction, and thereby restoring the maximum tax specified in this chapter.

Sec. 3.40.030. Operation of Tax.

A. Failure to pay the taxes set forth in this chapter shall be subject to penalties, interest charges, and determinations of tax due as set forth in this chapter and as the City Council may establish, and the City may use any or all other enforcement remedies provided for in this Code, or pursuant to state law.

B. The payment of the tax required pursuant to this chapter shall not be construed as authorizing the conduct or continuance of any illegal business or of a legal business

in an illegal manner. Nothing in this chapter shall be construed to authorize commercial cannabis operations.

C. Taxes provided for hereunder are not sales or use taxes and shall not be calculated or assessed as such. The taxes shall not be separately identified or otherwise specifically assessed or charged to any individual, consumer or customer; rather, the taxes are imposed upon the commercial cannabis operation.

D. The City Manager shall promulgate rules, regulations, and procedures to implement and administer this chapter to ensure the efficient and timely collection of the tax imposed by this chapter, including without limitation, formulation and implementation of penalties and interest to be assessed for failure to pay the tax as provided.

Sec. 3.40.040. Returns and Remittances.

The tax shall be due and payable as follows:

A. Each person owing tax, within 45 days (or such other period as may be established by the City Manager) after the conclusion of each Term, shall prepare and submit a tax return to the City Manager. The tax return shall include all information necessary to determine the amount of tax owed for the subject Term, including the proceeds of the commercial cannabis operation (for all operations other than cultivation) and the total square footage of space utilized as cultivation area, for cultivation operations. At the time the tax return is filed, the full amount of the tax owed for the preceding term shall be remitted to the City. Where the Term is set on an annual basis, the City Manager may require prorated payments or estimated tax payments on more frequent intervals during the Term, as such intervals may be established by the City Manager.

B. All tax returns shall be completed on forms provided by the City Manager.

C. Tax returns and payments for all outstanding taxes owed the City are immediately due to the City Manager upon cessation of business of a commercial cannabis operation for any reason or upon sale of a commercial cannabis operation.

D. Whenever any payment, statement, report, request or other communication received by the City Manager is received after the time prescribed by this section for the receipt thereof, but is in an envelope bearing a postmark showing that it was mailed on or prior to the date prescribed in this section for the receipt thereof, or whenever the City Manager is furnished substantial proof that the payment, statement, report, request, or other communication was in fact deposited in the United States mail on or prior to the date prescribed for receipt thereof, the City Manager may regard such payment, statement, report, request, or other communication as having been timely received. If the due date falls on a date the City Hall is closed, or on a Saturday, Sunday, or federal holiday, the due date shall be the next regular business day on which the City Hall is open to the public following the due date.

E. Unless otherwise specified in this chapter, taxes shall be deemed delinquent if not paid on or before the due date pursuant to this section.

F. The City Manager is not required to send a delinquency or other notice or bill to any person subject to payment of tax pursuant to this chapter, and failure to send such notice or bill shall not affect the validity of any tax or penalty due under this chapter.

Sec. 3.40.050. Failure to Pay Tax.

Any person who fails or refuses to pay any tax required to be paid pursuant to this chapter on or before the due date shall pay penalties and interest as follows:

A. A penalty of no more than twenty-five percent (25%) of the amount of tax remaining unpaid (in addition to the amount of unpaid tax), plus interest on the unpaid tax calculated from the due date of the tax at a rate not to exceed twelve percent (12%) per year (or one percent (1%) per month), and these penalties and interest rates will automatically be set at the maximum amounts unless established otherwise as a lower amount by resolution of the City Council.

B. Whenever a check is submitted in payment of a tax and the check is subsequently returned unpaid by the bank upon which the check is drawn, and the check is not redeemed prior to the due date, the taxpayer will be liable for the tax amount due plus penalties and interest as provided for in this section, as well as any other amount allowed under state law.

C. The tax due shall be that amount due and payable from the operative date of this chapter.

D. The City Manager may waive the penalties of up to twenty-five percent (25%) each imposed upon any person if:

1. The person provides evidence satisfactory to the City Manager that failure to pay timely was due to circumstances beyond the control of the person and occurred notwithstanding the exercise of ordinary care and the absence of willful neglect, and the person paid the delinquent tax and accrued interest owed the City prior to applying to the City Manager for a waiver.

2. The waiver provisions specified in this subsection shall not apply to interest accrued on delinquent tax, and a waiver shall be granted no more than once during any twenty-four month period for any given payor of commercial cannabis tax (non-cultivation), and no more than once during any five (5) year period for any given payor of commercial cannabis cultivation tax.

Sec. 3.40.060. Refunds and Claims.

A. No refund or claim shall be made of any tax collected pursuant to this chapter, except as provided in this section.

B. No refund of any tax collected pursuant to this chapter shall be made because of the discontinuation, dissolution, or other termination of an operation.

C. Any person entitled to a refund of taxes paid pursuant to this chapter may elect in writing to have such refund applied as a credit against cannabis business taxes for the next term.

D. Whenever the amount of any tax, penalty, or interest has been overpaid, paid more than once, or has been erroneously or illegally collected or received by the City under this chapter, such amount may be refunded to the claimant who paid the tax, provided that a written claim for refund is filed with the City Manager if the claim is equal to or less than $5,000 and the City Council if the claim is more than $5,000. Refund claims must be filed as set forth above within one year of the subject tax payment pursuant to Government Code Section 911.2. Each person requesting a refund or making a claim shall file the claim as provided herein. The submission of a written

claim, which shall be acted upon by the City Manager if less than or equal to $5,000 or the City Council if more than $5,000, shall be a prerequisite to suit thereon. (See Section 935 of the California Government Code). The City Manager, or the City Council where the claim is in excess of $5,000, shall act upon the refund claim within the time period set forth in Government Code Section 912.4. If the City Council fails or refuses to act on a refund claim within the time prescribed by Government Section 912.4, the claim shall be deemed to have been rejected by the City Council on the last day of the period within which the City Council was required to act upon the claim as provided in Government Code Section 912.4. The City Manager or City Clerk or other officer charged with such duty shall give notice of the action in a form that substantially complies with that set forth in Government Code Section 913. To the extent allowed by law, nothing herein shall permit the filing of a claim on behalf of a class or group of taxpayers unless each member of the class has submitted a written claim as provided by this Section 3.40.060.

E. The City Manager shall have the right and authority to examine and audit all the books and business records of the claimant in order to determine the eligibility of the claimant to the claimed refund. No claim for refund shall be allowed if the claimant therefor refuses to allow such examination of claimant's books and business records after request by the City Manager to do so. The authorization herein shall extend to any agent hired by the City to audit the books, including an independent auditor.

F. In the event that the tax was erroneously paid and the error is attributable to the City, the entire amount of the tax erroneously paid shall be refunded to the claimant. If the error is attributable to the claimant, the City shall retain the amount set forth in this chapter from the amount to be refunded to cover expenses.

G. The City Manager shall initiate a refund of any tax which has been overpaid or erroneously collected whenever the overpayment or erroneous collection is revealed by a City audit of tax receipts. In the event that the tax was erroneously paid and the error is attributable to the City, the entire amount of the tax erroneously paid shall be refunded to the claimant. If the error is attributable to the claimant, the City shall retain the amount set forth in this chapter from the amount to be refunded to cover expenses.

Sec. 3.40.070. Enforcement.

A. It shall be the duty of the City Manager to enforce each and all of the provisions of this chapter.

B. For purposes of administration and enforcement of this chapter generally, the City Manager, with the assistance of the City Attorney, may from time to time promulgate administrative rules and regulations.

C. The City Manager shall have the power to audit and examine all books and records of operations as well as persons engaged in the conducting of an operation, including both state and federal income tax returns, California sales tax returns, logs, receipts, bank records, or other evidence documenting the proceeds of the operation and/or space utilized as cultivation area, or persons engaged in the conduct of an operation, for the purpose of ascertaining the amount of tax, if any, required to be paid by the provisions of this chapter, and for the purpose of verifying any statements or any item thereof when filed by any person pursuant to this chapter. If such operation or person, after written demand by the City Manager, refuses to make available for audit, examination or verification such books, records, or equipment as the City Manager

requests, the City Manager may, after full consideration of all information within the City Manager's knowledge concerning the operation and activities of the person so refusing, make a determination of tax due in the manner provided in Section 3.40.080.

D. The City Manager shall have the power to enter upon the premises upon reasonable notice to the commercial cannabis operation at least once per Term for the purposes of determining space utilized as cultivation area, to review items requested in subsection C of this section or as otherwise needed for enforcement of this chapter.

E. The conviction and punishment of any person for failure to pay the required tax shall not excuse or exempt such person from any civil action for the tax debt unpaid at the time of such conviction. No civil action shall prevent a criminal prosecution for any violation of the provisions of this chapter or of any state law requiring the payment of all taxes.

F. Any person violating any provision of this chapter or any regulation or rule passed in accordance herewith, or knowingly or intentionally misrepresenting to any officer or employee of the City any material fact, either concerning the operation and administration of this chapter, or as provided for in this chapter, shall be deemed guilty of a misdemeanor. Notwithstanding the foregoing, the City Attorney/Prosecutor, in his or her discretion, may elect to charge and prosecute any violation as an infraction in lieu of a misdemeanor or to not charge and prosecute at all.

Sec. 3.40.080. Debts; Deficiencies; Determinations; Hearings.

A. The amount of any tax, penalties, and interest imposed by this chapter shall be deemed a debt to the City, and any person conducting an operation without also making payment to the City of the taxes, penalties and interest imposed by this chapter shall be liable in an action in the name of the City in any court of competent jurisdiction for the full amount of the tax, and penalties and interest owed by such operation.

B. If the City Manager is not satisfied that any statement filed as required by this chapter is correct, or that the amount of tax is correctly computed, the City Manager may compute and determine the amount to be paid and make a deficiency determination upon the basis of the facts contained in the statement or upon the basis of any information in his or her possession or that may come into his or her possession. One or more deficiency determinations of the amount of tax due for a period or periods may be made. When a person ceases or discontinues an operation, a deficiency determination may be made at any time within three years thereafter as to any liability arising from engaging in such business whether or not a deficiency determination is issued prior to the date the tax would otherwise be due.

C. Under any of the following circumstances, the City Manager may make and give notice of a determination of the amount of tax owed by a person under this chapter:

1. If the person has not filed any statement or return required by this chapter.

2. If the person has not paid any tax due under the provisions of this chapter.

3. If the person has not, after demand by the City Manager, filed a corrected statement or return, or furnished to the City Manager adequate substantiation of the information contained in a statement or return already filed, or paid any additional amount of tax due under this chapter.

4. If the City Manager determines that the nonpayment of any tax due under this chapter is due to fraud, a penalty of twenty-five percent (25%) of the amount

of the tax shall be added thereto in addition to penalties and interest otherwise stated in this chapter.

5. The notice of determination shall separately set forth the amount of any tax known or estimated by the City Manager, after consideration of all information within his or her knowledge concerning the business and activities of the person assessed, to be due under this chapter, and such notice shall include the amount of any penalties or interest accrued on each amount to the date of the notice of determination.

6. The notice of determination shall be served upon the person either by handing it to him or her personally, or by a deposit of the notice in the United States mail, postage prepaid thereon, addressed to the person at the address of the location of the business appearing on the face of the business tax certificate issued under this Code or to such other address as such person shall register with the City Manager for the purpose of receiving notices provided under this chapter; or, should the person have no business tax certificate issued and should the person have no address registered with the City Manager for such purpose, then to such person's last known address. For the purposes of this section, a service by mail is complete at the time of deposit in the United States mail.

D. Within ten days after the date of service of a notice of determination of the amount of tax owed by a person under this chapter, or other determination of the City Manager pursuant to subsection (C)(5) of this section, the person may apply in writing to the City Manager for a hearing on the determination. If application for a hearing before the City is not timely made, the tax assessed by the City Manager shall become final. The procedures for such a hearing shall be conducted as required by law and as follows:

1. The City Council delegates its authority to conduct such a hearing on the determination to an independent hearing officer. The compensation of the hearing officer shall not depend on any particular outcome of the appeal. The hearing officer shall have full authority and duty to preside over the hearing on the determination in the manner set forth herein and as required by law.

2. Within 30 days of the receipt of any such application for hearing, the City Manager shall cause the matter to be set for hearing before the independent hearing officer, unless a later date is agreed to by the City Manager and the person requesting the hearing.

3. Notice of the hearing shall be given by the City Manager to the person requesting the hearing not later than five days prior to the date of the hearing. For good cause, the hearing officer may continue the administrative hearing from time to time. At the hearing, the applicant may appear and offer evidence to show why the determination of the City Manager should not be confirmed and fixed as the tax due or the other determination of the City Manager pursuant to subsection (C)(5). In conducting the hearing, the hearing officer shall not be limited by the technical rules of evidence. Failure of the person who applied for a hearing on the determination to appear shall not affect the validity of the proceedings or order issued thereon.

4. Upon conclusion of the hearing, or no later than 10 days after the conclusion of the hearing, the hearing officer shall determine and reassess the proper tax

to be charged or make such other determination as provided in subsection (C)(5) and shall give written notice to the person in the manner prescribed in this chapter for giving notice of determination, and the hearing officer shall submit its decision and the record to the City Clerk. The decision of the hearing officer shall be final.

5. The provisions of this section apply to any decision, deficiency determination, assessment, or other decision or ruling of the City Manager, except decisions made pursuant to Section 3.40.060 (Refunds and Claims). Any person aggrieved by any decision subject to this section shall comply with the hearing procedure of this section. Pursuant to Government Code Section 935(b), compliance with this section shall be a prerequisite to a suit thereon. To the extent allowed by law, nothing herein shall permit the filing of a claim or action on behalf of a class or group of taxpayers.

Sec. 3.40.090. – Operative date.

This chapter shall be operative ten (10) days after the date that the City Council declares that a majority of the City's voters voting at the November 8, 2022, election have voted in favor of this chapter at such election.

Sec. 3.40.100. City Council Authority to Amend.

The City Council has the right and authority to amend this chapter, to further its purposes and intent (including but not limited to amendment for more efficient administration as determined by the City Council), in any manner that does not increase a tax rate, or otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution, pursuant to Elections Code Section 9217.

Sec. 3.40.110. City Councilmember Conflicts of Interest.

Notwithstanding any other provision of this Chapter, prior to participating in any decision relating to a cannabis business, each city councilmember shall do all of the following

1. Disclose on the record any financial interest in the cannabis business that is subject to the decision.

2. Disclose on the record any campaign contributions and benefits or gifts received from the cannabis business that is subject to the decision.

3. Disclose on the record any ex parte communications that the city councilmember may have had with a cannabis business that is the subject of the decision.

4. Each city councilmember shall warrant and represent, on the record and in a form approved by the City Council, that they have complied with these requirements and all applicable law.

If it is later determined that a city councilmember has not complied with the above requirements or if it is determined that a city councilmember has violated applicable law, then the city councilmember is disqualified from all decisions relating to the cannabis business subject to the decision. The requirements of this Section 3.40.110 shall be in addition to any applicable law, including, without limitation, the California Political Reform Act and the related regulations of the Fair Political Practices Commission."

SECTION 11. SEVERABILITY. If any provision, section, paragraph, sentence, phrase, or word of this Ordinance is, rendered or declared invalid, illegal, or unconstitutional by any final action in a court of competent jurisdiction or by reason or any preemptive legislation, such constitutionality, illegality or invalidity shall only affect such provison, section, paragraph, sentence, phrase, or word and shall not affect or impair any remaining provisions, sections, paragraphs, sentences, phrases, or words, or the application of this Ordinance to any other perosn or circumstance, and to that end, the provisons hereof are severalble. It is hereby declared to the the inteinto of the People of the City that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, section, paragraph, sentence, phrase, or word not been included herein.

SECTION 12. APPROPRIATIONS LIMIT. Pursuant to Article XIIIB of the California Constitution, the appropriations limit for the City of South El Monte is increased to the maximum extent over the maximum period of time allowed under the law consistent with the revenues generated by this tax.

SECTION 13. CONFLICTING MEASURES. The People of the City find and declare that the provisions of this Ordinance relating to the regulation and taxation of commercial cannabis operations in the City may conflict with one or more provisions of other initiative measures. It is the intent of the People that if this Ordinance receives a greater number of affirmative votes than a conflicting measure at the same election, this Ordinance shall prevail in its entirety over a conflicting measure.

SECTION 14. AMENDMENT. Following the operative date of this Ordinance, the City Council may, pursuant to the procedures set forth in the State Government Code and the City Municipal Code and without prior approval of the electorate, amend this Ordinance including Chapter 5.26 (Cannabis Activities) of Title 5 (Business Taxes, Licenses, and Regulations) of the City Municipal Code, with the exception of Section 5.26.060 of the City Municipal Code, which may only be amended (i) if ordered to do so by a court of competent jurisdiction as a judicial remedy or (ii) by a vote of the People of the City.

SECTION 15. CEQA. The City Council finds that this Ordinance is not subject to the CEQA pursuant to both the exemption provided by Sections 15060(c)(3) and 15061(b)(3) of the CEQA Guidelines.

SECTION 16. OPERATIVE DATE. This Ordinance shall be operative 10 days after the date that the City Council declares that a majority of the City's voters voting at the November 8, 2022, election have voted in favor of a cannabis-related measure at such election.

SECTION 17. CERTIFICATION. The Mayor of the City of South El Monte is hereby authorized and ordered to attest to the adoption of the Ordinance by the voters of the City of South El Monte by signing where indicated below.

PASSED, APPROVED and ADOPTED by the People of the City of South El Monte, California voting on the 8th day of November 2022.

Gloria Olmos, Mayor

ATTEST:

Donna G. Schwarz, City Clerk

APPROVED AS TO FORM:

Anthony R. Taylor, City Attorney

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Ad Order Number:	0011576380
Customer's Reference/PO Number:	
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Notice ID:	BNWUyoQpSF9yBzNSWZ7h
Invoice Text:	ORDINANCE NO. 1260 AN ORDINANCE (“ORDINANCE”) OF THE PEOPLE OF THE CITY OF SOUTH EL MONTE, CALIFORNIA, AMENDING CHAPTER 5.26 (CANNABIS ACTIVITIES) OF TITLE 5 OF THE SOUTH EL MONTE MUNICIPAL CODE TO ONLY PERMIT CANNABIS COMMERCIAL OPERATIONS THAT INVOLVE THE ACTIVITY OF RETAILER (MEDICAL/ADULT USE); REPEALING CHAPTER 17.31 OF TITLE 17 OF THE SOUTH EL MONTE MUNICIPAL CODE, RELATING TO CANNABIS ACTIVITY PROHIBITIONS; AMENDING SOUTH EL MONTE MUNICIPAL CODE SECTIONS 17.14.030, 17.16.030, AND 17.18.030(O), RELATING TO PERMITTED USES IN THE COMMERCIAL (C), COMMERCIAL-MANUFACTURING (C-M), AND MANUFACTURING (M) ZONES; ADDING SECTION 9.08.045 TO CHAPTER 9.08 OF TITLE 9 OF THE SOUTH EL MONTE MUNICIPAL CODE; AMENDING SOUTH EL MONTE MUNICIPAL CODE SECTION 5.04.045, RELATING TO BUSINESS LICENSE REQUIREMENTS FOR COMMERCIAL CANNABIS RETAILERS; AND APPROVING A GENERAL CANNABIS BUSINESS TAX BY ADDING CHAPTER 3.40 (CANNABIS BUSINESS TAX) TO TITLE 3 OF THE SOUTH EL MONTE MUNICIPAL CODE NOTICE IS HEREBY GIVEN THAT at a regular city council meeting held Tuesday, August 2, 2022, the City of South El Monte City Council adopted Resolution No. 22-68, Calling for an Election with City Cannabis Measure (Ordinance No. 1260) and Requesting Consolidation. Resolution No. 22-68 submitted Ordinance No. 1260 to the voters for their consideration at the General Municipal Election held Tuesday November 8, 2022. Ordinance No. 1260 was approved by the voters at the General Municipal Election held Tuesday November 8,

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PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of Los Angeles

I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years, and not party to or interested in the above-entitled matter. I am the principal clerk of the printer of SAN GABRIEL VALLEY TRIBUNE, a newspaper of general circulation for the City of West Covina, by the Superior Court of the County of Los Angeles, State of California, on the date of September 10, 1957, Case Number 684891. The notice, of which the annexed is a true printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

12/15/2022

I declare under the penalty of perjury that the foregoing is true and correct.

Executed at Monrovia, California
On this 15th day of December, 2022.

Eva Almeida
Signature

ORDINANCE NO. 1260

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As adopted by the voters, Ordinance No. 1260 makes several changes to the South El Monte Municipal Code. The effect of these changes is that limited cannabis retail businesses (1 adult-use/medical with option of up to 3 total after the measure's 1st year) are permitted and regulated within the City. The locations of these uses are also limited to certain zones (e.g., commercial or commercial-manufacturing zones), and further, subject to certain distance requirements (e.g., must be least 1,000 feet from alcohol or drug treatment facility, day care center, religious institution, school, or youth center). It also establishes a general tax at a maximum 8% of nonculitivation cannabis business proceeds and $25/square foot of cultivation space (with CPI increases) applicable to permitted/unpermitted businesses. The taxes would be imposed until ended by voters.

A full and complete copy is available in the Office of the City Clerk located at 1415 Santa Anita Avenue, South El Monte, California

Published pursuant to Government Code Section 36933.

By: /s/ Donna G. Schwartz, CMC, City Clerk, Elections Official

San Gabriel Valley Tribune
Published: 12/15/22

ORDINANCE NO. 1268

AN ORDINANCE OF THE SOUTH EL MONTE CITY COUNCIL AMENDING CHAPTER 5.26 OF TITLE 5 OF THE SOUTH EL MONTE MUNICIPAL CODE THEREBY AMENDING THE CITY'S CANNABIS REGULATIONS IN RELATION TO APPLICATION SELECTION CRITERIA, MAKE CLARIFICATION CHANGES, AND MAKE SUCH OTHER CHANGES IN ORDER TO IMPROVE THE ADMINISTRATION THEREOF

WHEREAS, on November 8, 2022, the voters of the City of South El Monte adopted Ordinance No. 1260, which added Chapter 5.26 to Title 5 of the South El Monte Municipal Code ("SEMMC") and which authorized and taxes certain cannabis businesses within the City of South El Monte ("City"); and

WHEREAS, Section 14 of Ordinance No. 1260 and SEMMC Section 5.26.250 permit the City Council to amend the voter-approved cannabis regulations, provided that such amendments do not increase the adopted tax rate and, further, do not amend SEMMC Section 5.26.060; and

WHEREAS, by adoption of this Ordinance, the City Council does not intend to amend Chapter 5.26 of Title 5 of the SEMMC in manner that violates Section 14 of Ordinance No. 1260 and SEMMC Section 5.26.250; and

WHEREAS, the City Council desires to amend its cannabis business regulations provided in Chapter 5.26 of Title 5 of the SEMMC ("Chapter 5.26") so that the City is better able to administer thereof.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH EL MONTE DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The recitals set forth above are incorporated herein by this reference.

SECTION 2. CEQA. The City Council finds that the amended ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to CEQA Regulations 15060(c)(3) and 15061(b)(3). Section 15060(c)(3) of the CEQA Guidelines, excludes from CEQA review, those activities that are not "projects" within the meaning of Section 15378 of the California Code of regulations. The amendment to the ordinance does not increase the number of cannabis businesses and it does not change any building regulations or requirements that could be an environmental impact. In addition, CEQA Guidelines Section 15061(b)(3) includes the general rule that CEQA applies only to activities which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The amended ordinance makes changes to the City's cannabis regulations in order to improve the administration of the City's cannabis regulations and cannabis businesses. As such, it can be seen with a certainty that there will be no impact upon the environment due to the approval of the amended ordinance. Furthermore, the adoption of the amended ordinance is exempt from CEQA because the creation of a government funding mechanism which does not involve any commitment to any specific project is not a "project" under CEQA pursuant to Public Resources Code Section 21080 and CEQA Guideline 15378(b)(4).

SECTION 3. Amendment to Chapter 5.26. Chapter 5.26 is hereby amended in its entirety as provided in Exhibit A of this Ordinance (For the purposes of Exhibit A, ~~strikethroughs~~ represent deletions and double underline represent additions).

SECTION 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or any part thereof is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause or phrase would be subsequently declared invalid or unconstitutional.

SECTION 5. Certification and publication. The ordinance shall take effect on January 1, 2023 and within (5) days after its passage, the City Clerk of the City of South El Monte shall certify to the passage and adoption of this ordinance and to its approval by the Mayor and City Council and the Building Official shall cause the same to be filed with the California Building Standards Commission. And within (15) days after its passage, the City Clerk shall certify to the adoption of this ordinance and shall cause a summary of same to be published once in a newspaper of general circulation within the City of South El Monte.

PASSED, APPROVED, AND ADOPTED this 26th day of September, 2023.

Gloria Olmos, Mayor

ATTEST:

Donna G. Schwartz, City Clerk

APPROVED AS TO FORM:

Anthony R. Taylor, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF SOUTH EL MONTE)

I, Donna G. Schwartz, City Clerk of the City of South El Monte, do hereby certify that the foregoing ordinance, being Ordinance No. 1268 was passed and approved by the City Council of the City of South El Monte at a regular meeting of said Council held on the 26th day of September, 2023 by the following vote:

AYES: Councilmember(s): Acosta, Mayor Pro Tem Angel, and Mayor Olmos
NOES: Councilmember(s): Delgado
ABSTAIN: Councilmember(s): Bojorquez

Donna G. Schwartz, City Clerk

Chapter 5.26 COMMERCIAL CANNABIS OPERATIONS REGULATORY PROGRAM

5.26.010 Purpose and intent.

A. The purpose of this chapter is to establish a comprehensive set of regulations with an attendant regulatory permit applicable to the operation of certain types of commercial cannabis operations, while simultaneously establishing an express prohibition on certain other types of commercial cannabis operations.

B. The regulations for, and prohibitions on, specific types of commercial cannabis operations are enacted to preserve the public health, safety, and welfare of the residents and visitors of the city, consistent with the state's Compassionate Use Act of 1996, Medical Marijuana Program Act of 2003, Adult Use of Marijuana Act of 2016 MAUCRSA, and all applicable state laws governing commercial cannabis operations.

C. The issuance of a commercial cannabis operation permit shall constitute a revocable privilege and shall not create or establish any vested rights for the development or use of a property.

D. This chapter and any administrative regulations adopted pursuant to this chapter shall be known as the "commercial cannabis operations regulatory program" or the "program."

5.26.020 Commercial cannabis operation prohibited without city commercial cannabis operation permit.

It is unlawful to own, establish, operate, use, or permit the establishment or activity of a commercial cannabis operation, or to participate in commercial cannabis operations as an employee, contractor, agent, volunteer, or in any manner or capacity, other than as provided in this chapter and pursuant to both a current and valid city commercial cannabis operation permit, as well as the equivalent state license for such commercial cannabis operation as provided for by Section 26050 of the State Business and Professions Code, and as amended from time to time. The prohibition contained in this section shall include renting, leasing, or otherwise permitting a commercial cannabis operation to occupy or use a location, vehicle, or other mode of transportation.

5.26.030 Definitions.

As used in this chapter, the following words and phrases shall have the following meanings. Words and phrases not specifically defined below shall have the meanings ascribed to them elsewhere in this Code or shall otherwise be defined by common usage. For definitions of nouns, the singular shall also include the plural; for definitions of verbs, all verb conjugations shall be included. Any reference to state statutes includes any regulations promulgated thereunder and is deemed to include any successor or amended version of the referenced statute or regulatory provision.

"Adult use" (i.e., "recreational" or "non-medical") refers to activity involving cannabis or cannabis products, which is restricted to adults twenty-one years of age and older and who do not possess a physician's recommendation, in contrast to an activity involving medical cannabis or medical cannabis products.

"Alcohol or drug treatment facility" shall have the same definition as "alcoholism or drug abuse recovery or treatment facility" as defined in Section 11834.02(a) of the State Health and Safety Code, which currently defines the term as "any premises, place, or building that provides residential nonmedical services to adults who are recovering from problems related to alcohol, drug, or alcohol and drug misuse or abuse, and who need alcohol, drug, or alcohol and drug recovery treatment or detoxification services." Further, "alcohol or drug treatment facility" shall also include such a facility that provides treatment for minors to the extent permitted by law.

"Applicant" means a person who files an application for a commercial cannabis operation permit under this chapter (and shall not include the owners or the managers of the applicant).

"Cannabis" means all parts of the plant Cannabis sativa Linnaeus, Cannabis indica, or Cannabis ruderalis, whether growing or not; the seeds thereof; the resin, whether crude or purified, extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or resin. "Cannabis" also means the separated resin, whether crude or purified, obtained from cannabis. "Cannabis" does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.

"Cannabis concentrate" means cannabis that has undergone a process to concentrate one or more active cannabinoids, thereby increasing the product's potency. Resin from granular trichomes from a cannabis plant is a concentrate for purposes of this chapter. A cannabis concentrate is not considered food, as defined by Section 109935 of the Health and Safety Code, or a drug, as defined by Section 109925 of the Health and Safety Code.

"Cannabis products" means cannabis that has undergone a process whereby the plant material has been transformed into a concentrate, including but not limited to, concentrated cannabis, or an edible or topical product containing cannabis or concentrated cannabis and other ingredients.

"City" means the city of South El Monte, state of California.

"City attorney" means the city of South El Monte city attorney, and includes his or her designee(s).

"City council" means the city council of the city of South El Monte.

"City manager" means the city of South El Monte city manager, and includes his or her designee(s).

"Code" means the city of South El Monte Municipal Code, as may be amended.

"Commercial cannabis operation" includes the cultivation, possession, manufacture, distribution, processing, storing, laboratory testing, packaging, labeling, transportation, delivery, or sale (including retail and wholesale, and including medical-only and adult-use sales) of cannabis and cannabis products; except, as applicable, the activities provided in Section 5.26.220(A) or as preempted by state law.

"Commercial cannabis operation permit" shall mean a city permit issued pursuant to the procedures provided for in this chapter allowing the permit holder to operate a specific type of commercial cannabis operation in the city subject to the requirements of this chapter, state law, and the specific permit.

"County" means the county of Los Angeles, state of California.

"Cultivation" means any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of cannabis.

"Customer" means a natural person twenty-one years of age or over or a natural person eighteen years of age that is a qualified patient or primary caregiver.

"Day care center" means, a facility other than a family day care home, infant centers, toddler, preschool, and school age children licensed by the State Department of Social Services pursuant to Section 1596.951 of the State Health and Safety Code. Pursuant to the authority delegated by the state to the city under Section 26054(b) of the State Business and Professions Code, this definition of "day care center" under this chapter shall override the definition of "day care center" in MAUCRSA at Section 26001 of the State Business and Professions Code.

"Delivery" means the commercial transfer of cannabis or cannabis products to a customer, and includes the use of any technology platform owned and controlled by the same person making such use.

"Director" means the city of South El Monte community development director, and includes his or her designee(s).

"Distribution" means the procurement, sale, and transport of cannabis and cannabis products between entities licensed for and/or engaged in commercial cannabis operations under state law.

"Distributor" means a person engaged in distribution.

"Edible" means cannabis product that is intended to be used, in whole or in part, for human consumption, including, but not limited to, chewing gum, but excluding products set forth in Division 15 (commencing with Section 32501) of the Food and Agricultural Code. An edible cannabis product is not considered food, as defined by Section 109935 of the State Health and Safety Code, or a drug, as defined by Section 109925 of the State Health and Safety Code.

"Employee" means any person (whether paid or unpaid) who provides regular labor or regular services for a commercial cannabis operation, including, but not limited to, at the location of a commercial cannabis operation. The term "employee" includes managers and owners as used in this chapter.

"Extraction" means the process of obtaining cannabis concentrates from cannabis plants, including, but not limited to, through the use of solvents like butane, alcohol or carbon dioxide.

"Finance director" means the city of South El Monte finance director, and includes his or her designee(s).

"Fire chief" means the Los Angeles County fire department chief, and includes his or her designee(s).

"Gross receipts" means, except as otherwise specifically provided herein, whether designated as a sales price, royalty, rent, commission, dividend, or other designation, the total amount (including all receipts, cash, credits, and property of any kind or nature) received or payable for sales of goods, wares, or merchandise without any deduction therefrom on account of the cost of the property sold, the cost of materials used, labor, or service costs, interest paid or payable, losses, or any other expense whatsoever. However, the following shall be excluded from gross receipts:

1. Cash discounts where allowed and taken on sales;

2. Any tax required by law to be included in or added to the purchase price and collected from the consumer or purchaser;

3. Such part of the sale price of any property returned by purchasers to the seller as refunded by the seller by way of cash or credit allowances or return of refundable deposits previously included in gross receipts;

4. Receipts derived from the occasional sale of used, obsolete, or surplus trade fixtures, machinery, or other equipment used by the taxpayer in the regular course of the taxpayer's business;

5. Cash value of sales, trades, or transactions between departments or units of the same business;

6. Whenever there are included within the gross receipts amounts which reflect sales for which credit is extended and such amount proved uncollectible in a given year, those amounts may be excluded from the gross receipts in the year they prove to be uncollectible; provided, however, if the whole or portion of such amounts excluded as uncollectible are subsequently collected, they shall be included in the amount of gross receipts for the period when they are recovered;

7. Receipts of refundable deposits, except that such deposits when forfeited and taken into income of the business shall not be excluded when in excess of one dollar; and

8. Any proceeds resulting from a transfer or change of ownership or control in the business.

"Identification card" has the same definition as provided for in Section 11362.7(g) of the State Health and Safety Code, and as may be amended, defined as "a document issued by the [State Department of Health Services] that identifies a person authorized to engage in the medical use of cannabis and the person's designated primary caregiver, if any."

"Labeling" means any label or other written, printed, or graphic matter upon cannabis or a cannabis product, upon its container or wrapper, or that accompanies any cannabis or cannabis product.

"Labor peace agreement" means an agreement between a cannabis retailer and any bona fide labor

organization that, at a minimum, protects the city's proprietary interests by prohibiting labor organizations and members from engaging in picketing, work stoppages, boycotts, and any other economic interference with a cannabis retailer. This agreement means that the cannabis retailer has agreed not to disrupt efforts by the bona fide labor organization to communicate with, and attempt to organize and represent, the cannabis retailer's employees. The agreement shall provide a bona fide labor organization access at reasonable times to areas in which the cannabis retailer's employees work, for the purpose of meeting with employees to discuss their right to representation, employment rights under state law, and terms and conditions of employment.

"Liquid assets" means assets that can be readily converted into cash. "Liquid assets" include, but are not limited to, the following: funds in checking or savings accounts, certificates of deposit, money market accounts, mutual fund shares, publicly traded stocks, and United States savings bonds. "Liquid assets" does not mean household items, furniture and equipment, vehicles, cannabis or cannabis products, business inventory, or real property and improvements thereto.

"Location" means any parcel of land, whether vacant or occupied by a building, group of buildings, or accessory buildings, and includes the buildings, structures, yards, open spaces, lot width, and lot area.

"Lighting" means the act of illuminating as well as the effect achieved by the arrangement of lights.

"LiveScan" means a system for inkless electronic fingerprinting and the automated background check developed by the California Department of Justice ("DOJ") that involves digitizing fingerprints and electronically transmitting the fingerprint image data along with personal descriptor information to computers at the DOJ for completion of a criminal record check; or such other comparable inkless electronic fingerprinting and automated background check process as determined by the city council.

"Manager" means an employee responsible for management and/or supervision of a commercial cannabis operation, including, but not limited to, any: (1) manager or managing member or other officer of a limited liability company; or (2) president, chief executive officer, secretary, treasurer, chief financial officer, or other officer of a for profit corporation.

"Manufacture" or "manufacturing" means to compound, blend, extract, infuse, or otherwise make or prepare a cannabis product; includes the activities of a manufacturer.

"Manufacturer" means a person that conducts the production, preparation, propagation, or compounding of cannabis or cannabis products either directly or indirectly or by extraction methods, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis at a fixed location that packages or repackages cannabis or cannabis products or labels or relabels its container; includes the activity of manufacturing.

"Marijuana" has the same definition as provided for "cannabis" in this chapter.

"MAUCRSA" means the State Medicinal and Adult-Use Cannabis Regulation and Safety Act, codified at Section 11018 et seq., of the State Health and Safety Code, Section 26001 et seq., of

the State Business and Professions Code, Section 34010 of the State Revenue and Tax Code, and Section 81000 et seq., of the State Food and Agriculture Department Code, as may hereinafter be amended.

"Medical" refers to activity involving medical cannabis or medical cannabis products, in contrast to an activity involving adult-use cannabis or adult-use cannabis products.

"Medical cannabis" or "medical cannabis product" means cannabis or a cannabis product used in compliance with state law for medical purposes, pursuant to the Compassionate Use Act (Section 11362.5 of the State Health and Safety Code), the Medical Marijuana Program Act (Section 113262.7 et seq., of the State Health and Safety Code), and the MAUCRSA.

"Microbusiness" shall have the same definition as provided for in Section 26070 of the State Business and Professions Code, and as may be amended.

"Minor" means a person under twenty-one years of age.

"Nursery" means a person that produces only clones, immature plants, seeds, and other agricultural products used specifically for the planting, propagation, and cultivation of cannabis.

"Operations officer(s)" shall refer to the director, the fire chief, the police chief, the finance director and the city manager, individually or collectively.

"Owner" means any of the following:

1. A person owning in the aggregate equity interests representing ten percent or more of the voting power of all outstanding equity in the applicant or a commercial permittee;

2. The president, chief executive officer, secretary, treasurer, or chief financial officer of a nonprofit applicant or permittee; or

3. A member of the board of directors of a nonprofit applicant or permittee.

Notwithstanding the above, every applicant and permittee must have at least one individual person designated as an "owner" for the purpose of compliance with this chapter, including the review and evaluation of any commercial cannabis operation permit application.

"Package" means any container or receptacle used for holding cannabis or cannabis products.

"Packaging" or "packages" means an activity involved with placing cannabis or cannabis products in a package.

"Park" means public land which has been designated for park or recreational activities, including, but not limited to, a park, playground, nature trails, swimming pool, athletic field, basketball court, tennis court, pedestrian or bicycle paths, beaches, open space, or similar public land within the city or which is under the control, operation or management of the city recreation and parks department. "Park" shall not include any youth center.

"Permittee" means a person issued a commercial cannabis operation permit by the city.

"Person" means any individual, firm, co-partnership, joint venture, association, corporation, limited liability company, estate, trust, business trust, receiver, syndicate, or any other group or combination acting as a unit.

"Person with an identification card" has the same definition as provided for in Section 11362.7(c) of the State Health and Safety Code, and as may be amended, defined as "an individual who is a qualified patient who has applied for and received a valid identification card pursuant to this article."

"Physician's recommendation" means a determination from a physician that a patient's medical cannabis use is deemed appropriate and is recommended by the physician on the basis of the physician has determined that the patient's health would benefit from the use of cannabis in the treatment of cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which cannabis provides relief, in strict accordance with Section 11362.5 of the State Health and Safety Code.

"Police chief" means the Los Angeles County sheriff, and includes his or her designee(s).

"Police department" means the Los Angeles County sheriff's department.

"Premises" means the designated structure or structures and land specified in a commercial cannabis operation permit application that is owned, leased, or otherwise held under the control of the applicant or permittee where commercial cannabis operation will be or is conducted. The premises shall be a contiguous area and shall only be occupied by one permittee.

"Primary caregiver" has the same definition as provided for in Section 11362.7(d) of the State Health and Safety Code, and as may be amended, defined as "the individual, designated by a qualified patient or by a person with an identification card, who has consistently assumed responsibility for the housing, health, or safety of that patient or person." A "primary caregiver" shall also meet the requirements of Section 11362.7(e) of the State Health and Safety Code, and as may be amended, which provide that a "primary caregiver shall be at least eighteen years of age, unless the primary caregiver is the parent of a minor child who is a qualified patient or a person with an identification card or the primary caregiver is a person otherwise entitled to make medical decisions under state law pursuant to Section 6922, 7002, 7050, or 7120 of the Family Code."

"Qualified patient" has the same definition as provided for in Section 11362.7(f) of the State Health and Safety Code, and as may be amended, defined as "a person who is entitled to the protections of Section 11362.5, but who does not have an identification card issued pursuant to this article."

"Religious institution" means any church, synagogue, mosque, temple, or building which is used primarily for religious worship, religious education, and related religious activities.

"Residentially zoned property" means any parcel of land located within the city zoned: R-1 (single-family residential zone), R-2 (multiple residential zone), or R-3 (multiple residential zone).

"Retailer" means a person engaged in the retail sale or delivery of cannabis or cannabis products to a customer. "Retailer" includes "retailer (medical-only)" and "retailer (medical/adult use)." "Retailer (medical-only)" refers to a retailer which is restricted by the terms of its commercial cannabis operation permit to engaging in the retail sale or delivery of medical cannabis or cannabis products as stated in Section 5.26.120(A). "Retailer (medical/adult-use)" refers to a retailer which is not so restricted by the terms of its commercial cannabis operation permit, and which accordingly may engage in the retail sale or delivery of medical or adult-use cannabis or cannabis products to a customer.

"Retail sale(s)" means any commercial cannabis operation involving the retail sale of cannabis or cannabis products from a retailer.

"Sale(s)" means any sale, exchange, or barter or other transaction for any consideration.

"School" means as evidenced by the State Department of Education school directory, a public school instructing children in grades kindergarten through grade 12, as authorized by the State Department of Education or a private school instructing children in grades kindergarten through grade 12 that has filed a verification of private school affidavit with the State Department of Education pursuant to Section 33190 of the State Education Code, excluding any private school in which education is primarily conducted in a private home. Pursuant to the authority delegated by the state to the city under Section 26054(b) of the State Business and Professions Code, this definition of "school" under this chapter shall override the definition of "school" used in MAUCRSA or Section 11362.768 of the State Health and Safety Code.

"Site" means the premises and actual physical location of a commercial cannabis operation, as well as its accessory structures and parking areas.

"State" means the state of California.

"Testing laboratory" or "testing" refers to a laboratory, facility, or entity that offers or performs tests on cannabis or cannabis products; includes the activity of laboratory testing.

"Youth center" means: (1) any public or private facility that is primarily used to host recreational or social activities for minors, such as private youth membership organizations or clubs, social service teenage club facilities; or (2) a park, playground, or recreational area specifically designed to be used by children that may have play equipment installed, including public grounds designed for athletic activities such as baseball, softball, soccer, or basketball or any facility located on a public or private school grounds, or on city, county, or parks. "Youth center" shall not include any private martial arts, yoga, ballet, music, or similar studio of this nature nor shall it include any private athletic training facility, pizza parlor, restaurant, video arcade, dentist office, or doctor's office primarily serving children. Pursuant to the authority delegated by the state to the city under Section 26054(b) of the State Business and Professions Code, this definition of "youth center" under this chapter shall override the definition of "youth center" in MAUCRSA at Section 26001 of the State Business and Professions Code.

5.26.040 Prohibited commercial cannabis operations.

A. Commercial cannabis operations (including non-profit operations) within the city that involve the activities of non-storefront retailer (whether medical-only or medical/adult-use), cultivation, manufacturer, testing, distribution, or microbusiness are prohibited, including, but not limited to, commercial cannabis operations licensed by the state in the license classifications listed below as provided in Section 26050 of the State Business and Professions Code:

1. Type 1 = Cultivation; Specialty Outdoor; Small.
2. Type 1A = Cultivation; Specialty Indoor; Small.
3. Type 1B = Cultivation; Specialty Mixed Light; Small.
4. Type 1C = Cultivation; Specialty Cottage; Small.
5. Type 2 = Cultivation; Outdoor; Small.
6. Type 2A = Cultivation; Indoor; Small.
7. Type 2B = Cultivation; Mixed-light; Small.
8. Type 3 = Cultivation; Outdoor; Medium.
9. Type 3A = Cultivation; Indoor; Medium.
10. Type 3B = Cultivation; Mixed-Light; Medium.
11. Type 4 = Cultivation; Nursery.
12. Type 5 = Cultivation; Outdoor; Large.
13. Type 5A = Cultivation; Indoor; Large.
14. Type 5B = Cultivation; Mixed-Light; Large.
15. Type 6 = Manufacturer 1.
16. Type 7 = Manufacturer 2.
17. Type 8 = Testing.
18. Type 9 = Non-Storefront Retailer (Delivery Only).
19. Type 11 = Distributor.
20. Type 12 = Microbusiness.

B. The prohibition provided by above subsection A includes any similar activities authorized under new or revised state licenses, or any other state authorization, to allow any type, category or classification of cannabis commercial operations that involve the activities of non-storefront

retailer (Type 9, i.e., delivery only) (whether medical-only or medical/adult-use), cultivation, manufacturer, testing, distribution, microbusiness, or similar operations (including non-profit, collective or cooperative operations).

5.26.050 Permitted commercial cannabis operations.

A. Commercial cannabis operations (including non-profit operations) within the city which involve the activity of retailer (Type 10: medical-only and medical/adult-use) are allowed subject to issuance and maintenance of a valid and current city commercial cannabis operation permit, continuing adherence to this entire chapter and all applicable city and state regulations and laws, and issuance and maintenance of a valid and current equivalent state license type listed below, as provided for in Section 26050 of the State Business and Professions Code:

1. Type 10 = Retailer (Medical-Only; Medical/Adult-Use).

B. The requirements provided by above subsection A apply to any similar activities authorized under new or revised state licenses, or any other state authorization, to allow any type, category or classification of cannabis commercial operations that involve the activity of retailer (medical-only and medical/adult-use) or similar operations (including non-profit, collective or cooperative operations).

5.26.060 Maximum number of commercial cannabis operation permits.

A. The number of commercial cannabis operation permits for retailer (medical/adult-use) commercial cannabis operations based within the city shall be no more than one.

B. Notwithstanding subsection A of this section, if the city council opts, in its sole discretion, to reinstitute the application procedure after the first year following the operative date of this chapter pursuant to Section 5.26.070(H), then two additional retailer (medical/adult-use) commercial cannabis operation permits may be issued such that the maximum number of commercial cannabis operation permits for retailer (medical/adult-use) commercial cannabis operations based within the city shall be increased to no more than three retailers (medical/adult-use).

C. The number of commercial cannabis operation permits for non-storefront retailer (delivery only) (whether medical-only or medical/adult-use) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the city to engage in delivery within the city shall be zero. However, should a court of competent jurisdiction, as a judicial remedy, order the city council to increase the maximum number of commercial cannabis operation permits for non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the city to engage in delivery within the city, the number of commercial cannabis operation permits for non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the city to engage in delivery within the city shall be no more than two.

D. The maximum number of commercial cannabis operation permits issued for retailer

(including medical-only and medical/adult use retailer, individually and collectively) commercial cannabis operations based within the city or non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) based outside the city may not be amended by the city council or regulations promulgated by the city manager pursuant to this chapter. However, the city council may and shall increase the maximum number of commercial cannabis operation permits issued for retailer commercial cannabis operations based within the city or non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) based outside the city: (1) if ordered to do so by a court of competent jurisdiction as a judicial remedy; or (2) by a vote of the people of the city.

5.26.070 Commercial cannabis operation permit application procedure.

A. Following the effective date of this chapter, the city manager, pursuant to Section 5.26.140, shall, as a ministerial duty, make available the necessary forms, adopt any necessary application rules for the submission, intake, review, and approval of applications for retailer (medical-only and medical/adult-use) commercial cannabis operations up to the maximum number of commercial cannabis operation permits authorized in Section 5.26.060.

B. The city manager shall, as a ministerial duty, cease acceptance of commercial cannabis operation permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations thirty days after making available the necessary forms and adopting any necessary application rules for the submission, intake, review, and approval of commercial cannabis operation permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations.

C. Within thirty days of ceasing the acceptance of commercial cannabis operation permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations, the city manager shall, as a ministerial duty, review timely submitted commercial cannabis operation permit applications for retailer (medical-only and medical/adult-use) commercial cannabis operations for the following minimum requirements:

1. Payment of an application fee established by resolution of the city council ~~within forty-five days following the effective date of this chapter~~ to cover all costs incurred by the city in the application process;

2. Sufficient evidence of the legal right to use the proposed property for the proposed use, ~~to~~ including, without limitation, ~~e~~ a lease, sublease, purchase agreement, assignment of purchase agreement, or lease or purchase option, in the name of the applicant, which may include nominal consideration and be contingent upon issuance of a commercial cannabis operation permit or other approvals. The city shall only consider one applicant per property address or county assessor's identification number. In the event that more than one applicant applies for a commercial cannabis operation permit application at a given property address or a given county assessor's identification number, the city manager shall, as a ministerial duty, only accept the commercial cannabis operation permit application with the earliest effective date for the evidence of the legal right to use the proposed property for the proposed use in the name of the applicant;

3. Sufficient evidence to demonstrate that the proposed property complies with the

location and zoning requirements in Section 5.26.120;

4. Proof that an owner or owners of the applicant with an aggregate ownership interest of fifty percent or more has served as an owner or owners with an aggregate ownership interest of fifty percent or more of six or more other retailer (medical-only or medical/adult-use) commercial cannabis operations by a city, county, or state since at least January 1, 2022;

5. Proof of funds showing that the applicant has access and control of over five hundred thousand dollars in liquid assets (which such liquid assets having been under possession for at least ninety days prior to the date of the application submission under this section), which may be shown via a binding legal agreement in the name of the applicant such as a promissory note so long as said legal agreement is accompanied by a proof of funds in the name of a party to the agreement that demonstrates access and control of over five hundred thousand dollars in liquid assets under possession for at least ninety days prior to the date of the application submission under this section. Applicants and permittees shall not be required to show that the applicant or permittee has access and control of over five hundred thousand dollars in liquid assets except on initial application pursuant to this Section 5.26.070, a change in location application pursuant to Section 5.26.100, or an ownership transfer application pursuant to Section 5.26.100;

6. For an applicant with two or more employees, proof of a labor peace agreement between a bona fide labor organization and the applicant (the applicant shall provide the city with a copy of the labor peace agreement that contains the signatures of the union representative and the cannabis business). For applicants with less than two employees who have not yet entered into a labor peace agreement, the applicant shall provide a notarized statement indicating that the applicant will enter into and abide by the terms of a labor peace agreement within thirty days after employing two employees;

7. A set of plans, including a site development plan, floor plan(s), building elevations (all four sides), and a conceptual landscape plan with the percentage of landscaping in the parking lot, setback areas, and tree size and species;

8. Colored interior and elevation renderings;

9. A completed background check application and receipt for each owner and manager of the applicant pursuant to Section 5.26.110(H);

10. The following application components: (a) qualifications of the applicant's owners and managers, (b) business and operations plan, (c) security plan, (d) safety plan, (e) neighborhood compatibility plan, (f) labor and employment plan, and (g) community benefits plan; and

11. Disclosure of whether the applicant is applying for a commercial cannabis operation permit as a retailer (medical-only) or retailer (medical/adult-use).

The city manager shall, as a ministerial duty, reject any commercial cannabis operation permit application that fails to meet the minimum requirements contained in this subsection C, and applicants shall not have the right to supplement or amend their commercial cannabis operation permit applications.

D. Within sixty days of completing the application review under subsection C above, the city manager shall, as a ministerial duty, review and score any complete applications pursuant to the following objective review criteria according to the following quantitative evaluation scale, with retailer (medical-only) applicants ranked only against other retailer (medical-only) applicants and retailer (medical/adult-use) applicants ranked only against other retailer (medical/adult-use) applicants unless otherwise provided by administrative regulations promulgated pursuant to Section 5.26.140:

1. Qualifications of the Applicant's Owners and Managers—Two Hundred Fifty Points. The people of the city find that a proven track-record of for retailer commercial cannabis operations that successfully generate tax revenue carries out the purpose and intent of the program and are, therefore, critical for an applicant to demonstrate the qualifications of the applicant's owners and managers. Accordingly, one hundred fifty of the two hundred fifty points awardable under this subsection shall only be awarded, as a ministerial duty, if an owner or owners of the applicant with an aggregate ownership interest of fifty percent or more is currently at the time of application submission under this section an owner or owners with an aggregate ownership interest of fifty percent or more of a single licensed and lawfully operating retailer commercial cannabis operations (excluding any non-retailer microbusiness, cultivation, manufacturing, distribution, or other non-retailer commercial cannabis operation components) that has generated at least five million dollars in gross receipts in a consecutive six-month period in the year immediately preceding the date of the application submission under this section, as demonstrated by tax payment receipts from, tax filings to, or tax returns filed with a city, county, or state.

The remaining one hundred of the two hundred fifty points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to fifty points—A description of the applicant's owner and manager qualifications detailing any special business or professional qualifications or licenses of the applicant's owner and manager that would add to the quality of services that the retailer commercial cannabis operation would provide, including in areas related to cannabis, such as legal, finance, business ownership/administration, waste management, real estate development, scientific, or healthcare or wellness fields.

b. Up to fifty points—Documentation that the applicant's owners and managers have experience operating retailer commercial cannabis operations in any jurisdiction where retailer commercial cannabis operations are permitted.

2. Plans, Renderings, and Overall Location—Fifty Points. The fifty points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to ten points—A premises diagram in accordance with Section 5006 of Division 42 of Title 16 of the State Code of Regulations.

b. Up to ten points—A site development plan that provides information on existing conditions and proposed improvements to the site and how it meets or will meet the development standards outlined in this Code. Information on existing conditions shall

include:

i. Exterior photographs showing all sides of any existing structure(s);

ii. Photographs of existing parking areas, landscaping, trash enclosure, and signage;

iii. Information on existing use on the site, including the addresses, uses, and square footages;

iv. Photographs of the existing site if the site is vacant; and

v. Photographs of adjacent properties for context.

c. Up to ten points—A floor plan showing information on the existing layout and proposed layout of the building interior.

d. Up to ten points—Building elevations that provide information on existing conditions and proposed improvements.

e. Up to five points—A conceptual landscape plan with the percentage of landscaping in the parking lot, setback areas, and tree size and species.

f. Up to five points—Colored interior renderings and exterior elevation renderings (for both existing and/or proposed improvements).

3. Business and Operations Plan—One Hundred Points. The one hundred points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to ten points—A written description of the total square footage of the facility with estimated square footage of proposed uses.

b. Up to ten points—A schedule for beginning operations, including a narrative outlining any proposed construction improvements and a timeline for completion.

c. Up to ten points—A budget for construction, operation, maintenance, compensation of employees, equipment costs, utility costs, and other operating costs.

d. Up to five points—A description of the sources(s) of capital and use(s) of capital.

e. Up to ten points—Pro forma financial statements for at least three years of operation.

f. Up to five points—A description of the type of products to be sold and the estimated quantity and value of product(s) to be sold.

g. Up to five points—A description of marketing procedures and tactics.

h. Up to ten points—A description of day-to-day operations that should acknowledge both state and local laws and should be consistent with industry best practices.

i. Up to five points—A description of hours of operation and opening procedures.

j. Up to ten points—A description of cash handling procedures.

k. Up to ten points—A description of inventory control procedures to include identification of point-of-sale systems, and track and trace software.

l. Up to ten points—A description of transportation, loading and unloading, distribution, or delivery procedures.

4. Security Plan—One Hundred Points. The one hundred points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to twenty points—The security plan shall be prepared by a professional security consultant.

b. Up to ten points—A premises security diagram.

c. Up to fifty points—A description of access control, inventory control, cash handling, and other security procedures and security equipment demonstrating compliance with the security requirements under this chapter.

d. Up to ten points—A description of the intrusion alarm and monitoring system including the name and contact information for the monitoring company.

e. Up to ten points—A description of the services of on-site security guards to include the: (i) number of security guards; (ii) hours security guards will be on site; (iii) locations where security will be positioned; and (iv) security guard responsibilities.

5. Safety Plan—One Hundred Points. The one hundred points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to twenty points—The safety plan shall be prepared by a professional fire prevention and suppression consultant.

b. Up to ten points—A premises safety diagram to include: (i) a description/illustration of evacuation routes; and (ii) location of fire extinguishers and other fire suppression equipment.

c. Up to fifty points—A description of safety procedures, training for emergency situations, and safety equipment demonstrating compliance with the safety

requirements under this chapter.

d. Up to ten points—Identify all gases, pesticides, and chemicals to be used and their storage locations.

e. Up to ten points—A description of the firm alarm and monitoring system including the name and contact information for the monitoring company.

6. Neighborhood Compatibility Plan—One Hundred Points. The one hundred points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to forty points—A "Good Neighbor Policy" that: (i) includes policies and measures in place to protect adjacent uses from any potential impacts (e.g., noise, light, odor, traffic, etc.) related to the proposed cannabis business; and (ii) describes how the cannabis business and its operating characteristics will be proactively managed so the business is not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding area and will not result in the creation of a nuisance.

b. Up to twenty points—A description of odor mitigation practices to include: (i) identifying potential sources of odor; (ii) a description of odor control devices and techniques employed to ensure that odors from cannabis are not detectable beyond the permitted premises; and (iii) all proposed staff odor training and system maintenance.

c. Up to twenty points—A description of a waste management plan that includes waste disposal locations within the proposed premises and the applicant's security measures and methods of rendering waste unusable and unrecognizable.

d. Up to twenty points—A description of efforts at sustainability/environmental impact mitigation.

7. Community Benefits Plan—~~One Hundred Points~~Three Hundred Fifty Points. The people of the city find that monetary donations to local non-profit organizations, financial support of city sponsored activities or organizations, in kind donations to the city or other charitable organizations, and economic incentives to the city carry out the purpose and intent of the program and are, therefore, critical for an applicant to demonstrate an effective community benefits plan. Accordingly, ~~fifty~~ two hundred of the three hundred fifty~~one hundred~~ points awardable under this subsection shall only be awarded if the applicant pledges to voluntarily provide a public benefit to a public use (or a combination thereof), which is defined as a direct financial contribution equal to two percent of projected gross receipts of the applicant to a public school located within the city, a public park located within the city, and/or a public or nonprofit community organization serving the city or its residents. Beyond the above and as a ministerial duty, no further direct financial contributions shall be considered as part of an applicant's community benefits plan.

The remaining ~~fifty~~ one hundred fifty of the three hundred fifty ~~one hundred~~ points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective

criteria:

a. Up to ~~twenty-five~~fifty points—A description of a social responsibility plan to include identification of a community liaison, plans to serve as a social equity business incubator, plans to aide and participate in the work of local non-profits, community-based organizations, civic organizations, or social services organizations.

b. Up to ~~twenty-five~~fifty points—A description of a plan to develop a public health outreach and educational program that outlines the risks of youth use of cannabis and that identifies resources available to youth related to drugs and drug addiction.

c. Up to fifty points – A proposal and description of any community benefits agreement proposed by the applicant pursuant to Section 5.26.130.

8. Labor and Employment Plan—Two Hundred Points. The people of the city find that a proven track-record of cannabis retailer operations with high labor standards and commitment to labor peace carries out the purpose and intent of the program and are, therefore, critical for an applicant to demonstrate an effective labor and employment plan. Accordingly, one hundred of the two hundred points awardable under this subsection shall only be awarded if the applicant provides documentation that the individual or natural person owner or owners of the applicant (disregarding any intervening or intermediary entity owner or owners of the applicant) with an aggregate ownership interest of fifty percent or more have entered into collective bargaining agreements with a labor organization that currently represents cannabis workers in the United States effective since at least July 1, 2021, inclusive of renewals (and remaining effective, inclusive of renewals, on the date of the application submission under this section) and such collective bargaining agreements accrete or automatically apply to all cannabis retailers permitted or licensed in the State after July 1, 2021 (notwithstanding the fact that employees of such cannabis retailers permitted or licensed in the state after July 1, 2021 (if any), have yet to have had an opportunity to recognize the labor organization that currently represents cannabis workers in the United States), by the individual or natural person owner or owners of the applicant (disregarding any intervening or intermediary entity owner or owners of the applicant) with an aggregate ownership interest of ninety percent or more referenced above.

The remaining one hundred of the two hundred points awardable under this subsection shall be awarded, as a ministerial duty, pursuant to the following objective criteria:

a. Up to ten points—An organizational chart of showing owners, managers, and employees.

b. Up to ten points—A description of the owner's and manager's roles in day-to-day operations and decisions.

c. Up to ten points—A description of the number of employees, title/position, and their respective responsibilities.

d. Up to fifteen points—A description of compensation to employees, opportunities for continuing education, and employee training.

e. Up to fifteen points—A description of whether the cannabis business is committed to offering employees a living wage.

f. Up to fifteen points—A description of benefits provided to employees such as health care, vacation, and medical leave, to the degree they are offered as part of employment.

g. Up to fifteen points—A description of a plan to recruit employees from socially and economically disadvantaged backgrounds.

h. Up to ten points—A description of a plan to have at least fifty percent of employee positions filled and hours worked by employees residing in the city.

E. Upon timely receipt of a commercial cannabis operation permit application, the city manager shall conduct background checks in accordance with Section 5.26.110(H). Following review and scoring of applications completed pursuant to objective review criteria under subsection D, the city manager shall, as a ministerial duty, recommend that the city council issue commercial cannabis operation permits to applicants in order of their rank under subsection D up to the maximum number of commercial cannabis operation permits authorized in Section 5.26.060. The city council shall consider the city manager's recommendations, and may conduct its own independent review and scoring of applications completed pursuant to objective review criteria under subsection D and substitute such review and scoring for that of the city manager in whole or in part if it sees fit to do so, and shall thereupon, as a ministerial duty, issue commercial cannabis operation permits to applicants in order of their rank under subsection D up to the maximum number of commercial cannabis operation permits authorized in Section 5.26.060. For the initial iteration of the application process pursuant to this section, the number of commercial cannabis operation permits issued shall be no more than the maximum number of Commercial Cannabis Operation Permits authorized in Section 5.26.060(A)~~two retailers (medical-only) and one retailer (medical/adult use) commercial cannabis operation permits~~. In the event of a tie in the order of ranking under subsection D between one or more applicants up to the maximum number of commercial cannabis operation permits authorized in Section 5.26.060, the city council shall, as a ministerial duty, break the tie and issue commercial cannabis operation permits to the applicants with the highest scoring application component in the following order: (1) qualifications of the applicant's owners and managers; (2) community benefits plan; (3) labor and employment plan; (4~~3~~) security plan; (5~~4~~) safety plan~~; (5) community benefits plan~~; (6) neighborhood compatibility plan; (7) business and operations plan; and (8) plans, renderings, and overall location. In the event of a tie on all application components between one or more applicants up to the maximum number of commercial cannabis operation permits authorized in Section 5.26.060, the city manager shall ~~not hold a public lottery, but rather~~ arrange for the tied applicants to provide public presentations before the city council, after which the city council shall publicly rank the applicants pursuant to ranking sheets prepared by the city manager that achieve a forced ranking based on all of the objective review criteria and quantitative evaluation scale in subsection D, and the city council shall issue commercial cannabis operation permits to applicants in order of their rank up to the maximum number of commercial cannabis operation permits available following the city manager's/city council's original ranking and issuance of commercial cannabis operation permits and the limits contained in Section 5.26.060. However, the city council shall not issue a commercial cannabis operation permit to any applicant with an applicant, owner, or manager that:

1. Provided false or misleading information on the applicant's commercial cannabis operation permit application;

2. Has been convicted of (or pled no contest to) "an offense that is substantially related to the qualifications, functions, or duties of the business or profession for which the application is made" as that term is defined in Section 26057(b)(4) of the State Business and Professions Code; or

3. Has been sanctioned by a licensing authority or a city, county, or state for unlicensed commercial cannabis operations or has had a license suspended or revoked under MAUCRSA in the three years immediately preceding the date the application was submitted.

F. Any decision of the city council under this Section 5.26.070 shall be a final administrative decision not subject to administrative appeal under any provisions of this chapter or any provisions of this Code but, rather, subject to judicial review and remedies.

G. In the event that: (1) the number of ~~active, operating retailer (medical-only or medical/adult-use) commercial cannabis operations and~~ issued commercial cannabis operation permits falls below the maximum number of commercial cannabis operation permits for retailer (medical-only or medical/adult-use) commercial cannabis operations authorized in Section 5.26.060; or (2) the city council is ordered to increase the maximum number of commercial cannabis operation permits issued for retailer (medical-only or medical/adult-use) commercial cannabis operations by a court of competent jurisdiction as a judicial remedy (e.g., if a court of competent jurisdiction orders the city council to make commercial cannabis operation permits available for non-storefront retailer (delivery only) (including retailers or microbusinesses engaged in delivery) commercial cannabis operations based outside the city to engage in delivery within the city), the city manager shall, as a ministerial duty, within thirty days reinstitute the application procedure under this Section 5.26.070, subject to the maximum number of commercial cannabis operation permits authorized and available ~~(not allocated to an active, lawfully operating retailer)~~ for issuance pursuant to Section 5.26.060. However, if the city council determines to not issue any permits pursuant to Section 5.26.070(I), then the city manager shall not be required to reinstitute the application procedure provided herein unless directed to do so by a majority of the city council. ~~For the purpose of this section, a retailer (medical-only or medical/adult-use) commercial cannabis operation shall be considered operating if: (1) upon initial issuance of commercial cannabis operation permit (or approval of a change in location pursuant to Section 5.26.100), the retailer commercial cannabis operation commences lawful operations within twenty-four months; or (2) following initial commencement of lawful operations, the retailer commercial cannabis operation does not cease or abandon operations for one hundred eighty consecutive or cumulative days in any one-year period.~~

H. Additionally, pursuant to Section 5.26.060(B), at any time after the first year following ~~during the second year from~~ the operative date of this chapter, the city council may, by resolution or minute action, reinstitute the application procedure under this section for the purpose of considering issuance of one additional retailer (medical/adult-use) commercial cannabis operation permits up to the maximum provided~~, in which case the maximum number of commercial cannabis operation permits for retailer (adult-use/medical) commercial cannabis operations based in the city shall increase from one to two as stated~~ in Section 5.26.060~~(B)~~.

I. Notwithstanding anything to the contrary in this chapter, the city council is not required or obligated to issue any commercial cannabis operation permits to any applicants pursuant to this chapter if the city council determines that the issuance of such permits would be detrimental to the public health and safety.

5.26.080 Limitations on the city's liability.

To the fullest extent permitted by law, the city shall not assume any liability whatsoever with respect to having issued a commercial cannabis operation permit pursuant to this chapter or otherwise approving any retailer commercial cannabis operation. As a condition to the approval of any commercial cannabis operation permit, the applicant shall be required to meet all of the following conditions before they can receive a commercial cannabis operation permit:

A. Execution of an agreement, in a form approved by the city attorney, agreeing to indemnify, defend (at applicant's sole cost and expense), and hold the city, and its officers, officials, employees, representatives, and agents harmless, from any and all claims, losses, damages, injuries, liabilities, or losses which arise out of or which are in any way related to the city's issuance of the commercial cannabis operation permit, the city's decision to approve the retailer commercial cannabis operation, the process used by the city in making its decision, or the alleged violation of any federal, state, or local laws by the retailer commercial cannabis operation or any of its owners, managers, officers, employees, or agents.

B. Maintain insurance at coverage limits, and with conditions thereon determined necessary and appropriate from time to time by the city attorney.

C. Defend and indemnify the city, its elected and appointed officials, employees and attorneys for all costs and expenses, including, but not limited to, attorneys' fees and court costs, that the city may be required to pay as a result of any legal challenge related to the city's approval of the applicant's commercial cannabis operation permit, any matter arising from the operations of said cannabis business and/or related to the city's approval of retailer commercial cannabis operations. The city, at its sole discretion, may participate at its own expense in the defense of any such action, but such participation shall neither relieve nor increase any of the obligations imposed on the applicant hereunder.

D. Provides written authorization to the operations officers to conduct reasonable unannounced inspections of the location of the commercial cannabis operation at the reasonable discretion of the city, including, but not limited to, inspection of security, inventory, and written records and files pertaining to the commercial cannabis operation, for the purposes of ensuring compliance with this chapter and all laws of the city and the state.

5.26.090 Commercial cannabis operation permit term.

A. Subject to this section and Section 5.26.160, the term of each commercial cannabis operation permit shall be indefinite.

B. Upon the one-year anniversary of the date of issuance for each commercial cannabis operation permit and every year thereafter, the city manager shall conduct a performance review

of the permittee to assess compliance with the requirements of this chapter and state law. Within thirty days of the conclusion of the annual performance review of the permittee, the city manager shall issue a letter of compliance or noncompliance outlining all items to be corrected to ensure full compliance, which shall include deadlines for completion of such items. The city manager may revise such deadlines if he or she determines that additional time is needed to complete such items. ~~In the event of any noncompliance, the permittee shall have sixty days to remedy such noncompliance. However, in the event such noncompliance items cannot be reasonably remedied within sixty days, such noncompliance items shall not constitute a serious material violation of any law and/or any rule, regulation, and/or standard adopted pursuant to this chapter subject to suspension or revocation under Section 5.26.160 if the permittee commences correction of such noncompliance items within sixty days and thereafter diligently prosecutes correction of such noncompliance items to completion.~~

C. The permittee shall pay a fee in an amount to be set by the city council via resolution to cover the costs of conducting the performance review, together with any costs incurred by the city to administer the program created under this chapter.

5.26.100 Change in location—Transfer—Updated application information.

A. A permittee may change the business location specified in a commercial cannabis operation permit upon submission and approval of a change in location application promulgated, as a ministerial duty, by the city manager pursuant to regulations adopted under Section 5.26.140 ~~within one hundred eighty days following the effective date of this chapter~~. The permittee shall pay an application fee established by resolution of the city council to cover all costs incurred by the city in the review and processing of change in location applications. The city manager shall process such change in location applications as a ministerial duty within thirty days of receipt.

B. An owner of a commercial cannabis operation permit shall not transfer ownership or control of such commercial cannabis operation permit to another person unless and until the permittee and transferee obtain an amendment to the commercial cannabis operation permit that is approved by the city council upon recommendation from the city manager stating that the permit may be transferred. A permittee may change the ownership specified in a commercial cannabis operation permit upon submission and approval of a change in ownership application promulgated, as a ministerial duty, by the city manager pursuant to regulations adopted under Section 5.26.140 ~~within one hundred eighty days following the effective date of this chapter~~. The permittee shall pay an application fee established by resolution of the city council to cover all costs incurred by the city in the review and processing of change in ownership applications. The city manager shall process such change in ownership applications as a ministerial duty within thirty days once the city manager reasonably determines that the transferee passed the background check required for owners and meets all other requirements of this chapter.

C. Notwithstanding subsection B, during the first three years following the issuance of a commercial cannabis operation permit, the city manager shall not process any application to change the ownership or control of a commercial cannabis operation permit that results in the permittee altering its ownership composition in a manner that would result in the permittee not being entitled to points it was awarded when the permittee was an applicant pursuant to Section 5.26.070. For example, if a permittee received one hundred points when it was an applicant for

providing documentation that the individual or natural person owner or owners of the applicant (disregarding any intervening or intermediary entity owner or owners of the applicant) with an aggregate ownership interest of ninety percent or more have entered into a collective bargaining agreement with a labor organization that currently represents cannabis workers in the United States effective since at least July 1, 2021, inclusive of renewals (and remaining effective, inclusive of renewals, on the date of the application submission under this section), the city manager shall not process or authorize any change in ownership or control of the permittee if the change would result in the permittee being unable to continue to satisfy the aforementioned criteria subsequent to its approval.

D. Notwithstanding subsection B, no commercial cannabis operation permit may be transferred when the city manager has notified the permittee that its commercial cannabis operation permit has been or may be suspended or revoked.

E. Any attempt to transfer a commercial cannabis operation permit either directly or indirectly in violation of this section is hereby declared void, and such an unpermitted transfer shall be deemed a ground for revocation of the permit.

F. An applicant or permittee shall notify the city manager or designee(s) within fifteen calendar days of any ~~material~~ change in the information provided in the applicant or permittee's commercial cannabis operation permit application or any change in status of compliance with the provisions of this chapter, including any change in ownership or management.

5.26.110 General operating standards and restrictions.

A commercial cannabis operation shall operate in conformance with the following minimum standards, and such standards shall be deemed to be part of the conditions on the permit for a commercial cannabis operation to ensure that its operation is in compliance with state law and this Code, and to mitigate any potential adverse impacts of the commercial cannabis operation on the public health, safety or welfare.

Additional minimum standards may be adopted from time to time either by resolution or ordinance ~~from~~ of the city council, or by the city manager pursuant to Section 5.26.140.

A. State Standards. All state requirements and regulations that govern the operation of a commercial cannabis operation, including, but not limited to, ones related specifically to certain types of commercial cannabis operations, shall apply as minimum requirements and regulations and requirements for commercial cannabis operations within the city of South El Monte, in addition to the requirements and regulations of this chapter and this Code.

B. Security.

1. General. All cannabis, cannabis products and cash present or kept at the premises shall be securely stored against both unauthorized access as well as theft.

2. Security Cameras.

a. Security cameras shall be installed and maintained in good condition, with

at least ninety days of digitally recorded documentation in a format approved by the city manager and the police chief.

b. The camera and recording system must be of adequate quality, color rendition, and resolution to allow the identification of any individual present at the site of the commercial cannabis operation.

c. The cameras shall be in continuous use twenty-four hours per day, seven days per week.

d. The recording system must be capable of exporting the recorded video in standard MPEG formats to another common medium approved by the city manager, such as DVD and/or a USB drive.

e. The areas to be covered by the security cameras include, but are not limited to, the storage areas, operation areas, all doors and windows, the parking lot, all exterior sides of the property adjacent to the public rights-of-way, and any other areas as determined by the city manager and police chief.

f. Remote log-in information will be provided to the operations officers to allow them to view live and recorded security camera images remotely at any time.

3. Alarm System. The location of the commercial cannabis operation shall be alarmed with a centrally-monitored fire and burglar alarm system, and monitored by an alarm company properly licensed by the State Department of Consumer Affairs Bureau of Security and Investigative Services in accordance with Section 7590, et seq., of the State Business and Professions Code and whose agents are properly licensed and registered under applicable law.

4. Locked Entrances. All entrances into the building housing a commercial cannabis operation shall be locked from the exterior at all times with entry controlled by employees.

5. Windows. All windows on the building that houses the commercial cannabis operation shall be secured against entry from the outside.

6. No employee shall refuse, impede, obstruct or interfere with an inspection conducted pursuant to the authorizations provided by this chapter.

C. Odors.

1. A commercial cannabis operation shall have an air treatment system that ensures off-site odors shall not result from its activities.

2. This requirement at a minimum means that the commercial cannabis operation shall be designed to provide sufficient odor absorbing ventilation and exhaust systems so that any odor generated inside the location of the commercial cannabis operation is not detected outside the building, on adjacent properties or public rights-of-way, or within any other unit located within the same building as the commercial cannabis operation, if the use only occupies a portion of a building.

D. Authorizations.

1. The operations officers shall have the right to enter all areas of the commercial cannabis operation from time to time unannounced for the purpose of making reasonable inspections to observe and enforce compliance with this chapter and all laws of the city and state.

2. Recordings made by security cameras required pursuant to this chapter shall be made available to the operations officers upon verbal request; no search warrant or subpoena shall be needed to view the recorded materials.

E. Records.

1. Commercial cannabis operations shall maintain on site the following records either in paper or electronic form:

a. The full name, address, and telephone numbers of the owner and lessee of the property.

b. The name, date of birth, address, and telephone number of each employee of the commercial cannabis operation; the date each was hired; and the nature of each employee's participation in the commercial cannabis operation.

c. Copies of all required state licenses.

d. An inventory record documenting the dates and amounts of cannabis and cannabis products received at the site, the daily amounts of cannabis and cannabis products on the site, and the daily amounts of cannabis and cannabis products leaving the site for any reason, including, but not limited to, being sold, delivered, or distributed.

e. A written accounting of all expenditures, costs, revenues and profits of the commercial cannabis operation, including, but not limited to, cash and in-kind transactions.

f. A copy of all insurance policies related to the operation of the commercial cannabis operation.

g. A copy of the commercial cannabis operation's most recent year's financial statement and tax return.

h. Proof of a valid and current permit issued by the city in accordance with this chapter, and the equivalent state of California license to operate the commercial cannabis operation. Every commercial cannabis operation shall display at all times during business hours the city permit issued pursuant to the provisions of this chapter, and the equivalent state license, in a conspicuous place so that it may be readily seen by all persons entering the location of the commercial cannabis operation.

2. All records required to be maintained by the commercial cannabis operation must be maintained for no less than seven years and are subject to immediate inspection (consistent with requirements pertaining to qualified patient confidentiality pursuant to applicable state and federal

law) upon a lawful written request by an operation officer.

3. A commercial cannabis operation shall report any loss, damage, or destruction of these records to the operation officers within twenty-four hours of the loss, damage, or destruction.

F. Site Management.

1. Commercial cannabis operations shall not result in a nuisance or adversely affect the health, welfare, or safety of nearby persons by creating dust, glare, heat, noise, noxious gases, odors, smoke, traffic, vibration, or other impacts, or be hazardous due to use or storage of materials, processes, products or waste. The permittee shall promptly and diligently both prevent as well as eliminate conditions on the site of the commercial cannabis operation that constitute a nuisance.

2. A permittee shall maintain the exterior of the site, including any parking lots under the control of the permittee, free of litter, debris, and trash.

3. The commercial cannabis operation permittee shall properly store and dispose of all waste generated on the site, including chemical and organic waste, in accordance with all applicable laws and regulations.

4. Notwithstanding any provisions of this Code to the contrary, the commercial cannabis operation permittee shall remove all graffiti from the site and parking lots under the control of the commercial cannabis operation permittee within seventy-two hours of its application.

G. State Board of Equalization Seller's Permit Required.

1. Commercial cannabis operations must obtain a seller's permit from the State Board of Equalization as applicable.

2. Such permit shall be displayed in a conspicuous place so that it may be readily seen by all persons entering the location of the commercial cannabis operation.

H. Employees.

1. All employees must submit to fingerprinting and criminal background checks by the city.

a. No employee convicted within the last ten years of a felony substantially related to the qualifications, functions or duties of an employee of a commercial cannabis operation (such as a felony conviction for distribution of controlled substances, money laundering, racketeering, etc.) shall be employed by a commercial cannabis operation, unless such employee has obtained a certificate of rehabilitation (expungement of felony record) under state law or under a similar federal statute or state law where the expungement was granted.

b. At the request of the commercial cannabis operation, the city manager and police chief shall determine the applicability of this section to a potential employee within

a reasonable period of time after a written request has been made to the city manager and police chief for such determination.

2. All employees must possess a valid government issued (or equivalent) form of identification containing an identifying photograph of the employee, the name of the employee, the date of birth of the employee, and the residential address of the employee. Color copies of such identification shall be maintained at the location of the commercial cannabis operation. A valid state driver's license will satisfy this requirement.

I. Cannabis Transfer Between Permitted Operations Only. A commercial cannabis operation shall not transfer cannabis or cannabis products to or from another commercial cannabis operation, unless both operations are in possession of all required state and local licenses and permits.

J. Commercial Cannabis Operation Signage.

1. Signs on the premises shall not obstruct the entrance or the video surveillance system. The size, location, and design of any signage must conform to the sign provisions in this Code.

2. Business identification signage shall be limited to that needed for identification only, consisting of a single window sign or wall sign that shall comply with the appropriate sign requirements within the applicable zoning district.

K. Prohibited Personal Activities.

1. Cannabis Use. No person shall smoke, ingest, or otherwise consume cannabis in any form on, or within twenty feet of, the site of the commercial cannabis operation.

2. Alcohol Use. No person shall possess, consume, or store any alcoholic beverage on the site of the commercial cannabis operation.

L. No Minors. No minor shall be an employee of, or participate in, a commercial cannabis operation in any capacity, including, but not limited to, as a manager, employee, contractor, adviser, or volunteer.

M. Exterior Lighting. The exterior of the premises upon which the commercial cannabis operation is operated shall be equipped with and, at all times between sunset and sunrise, shall remain illuminated with fixtures of sufficient intensity and number to illuminate every portion of the property with an illumination level of not less than one foot-candle as measured at the ground level, including, but not limited to, landscaped areas, parking lots, driveways, walkways, entry areas, and refuse storage areas.

N. Building Design. A permittee must maintain the design of the buildings on the site in accordance with the plans that are approved by the city pursuant to this chapter and otherwise approved by the city. No permittee shall modify the buildings on the site contrary to the approved plans, without the approval of the city manager.

O. Nuisance. A permittee shall take all reasonable steps to discourage and correct conditions

that constitute a nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours if related to the members of the subject commercial cannabis operation.

1. "Reasonable steps" shall include immediately calling the police department upon observation of the activity, and requesting that those engaging in activities that constitute a nuisance or are otherwise illegal to cease those activities, unless personal safety would be threatened in making the request.

2. "Nuisance" includes, but is not limited to, disturbances of peace, open public consumption of cannabis, alcohol or controlled substances, excessive pedestrian or vehicular traffic, including the formation of any pedestrian lines outside the building, illegal drug activity, harassment of those passing by, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct or law enforcement detentions and arrests.

P. Upon and after receiving possession of a commercial cannabis operation permit as provided for in this chapter, a permittee shall:

1. Maintain continuing compliance with criminal background check requirements of this chapter by ensuring that:

a. Upon the hiring, association or retention of an employee by the commercial cannabis operation, the requirements of subsection H are immediately met for such employee by provision of appropriate documentation to the city manager; and

b. the city manager and police chief are immediately informed in writing of any felony conviction as described in subsection H for any current employee.

2. Maintain continuing compliance with all applicable insurance requirements, including, but not limited to, those imposed by the city and this chapter.

Q. Workforce Plan. A permittee shall implement a workforce plan that includes at least the following provisions:

1. Commitment for thirty percent of employees to be local hires; this local hiring requirement is satisfied when a permittee shows that it has either hired or made a good faith effort to hire bona fide residents of the city or persons that may establish residency after initial employment with the permittee;

2. Commitment to offer apprenticeships and/or compensation for continuing education in the field of commercial cannabis operations; and

3. Paying a living wage to employees. "Living wage" means compensation equivalent to twenty dollars per hour inclusive of benefits but excluding tips.

R. Exemption. The regulations contained in this chapter shall not apply to a commercial cannabis operation engaged in the following uses, as long as such use complies strictly with

applicable law, including this Code, regulating such use and the location of such use, including, but not limited to, Section 11362.5 of the State Health and Safety Code and Section 11362.71 et seq., of the State Health and Safety Code: A clinic licensed pursuant to Chapter 1 of Division 2 of the State Health and Safety Code; a health care facility licensed pursuant to Chapter 2 of Division 2 of the State Health and Safety Code; a residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the State Health and Safety Code; a residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the State Health and Safety Code; and a residential hospice or a home health agency licensed pursuant to Chapter 8 of Division 2 of the State Health and Safety Code.

5.26.120 Retailer operating standards and restrictions.

A retailer commercial cannabis operation shall operate in conformance with both Section 5.26.110, as well as the following minimum standards, and such standards shall be deemed to be part of the conditions of the commercial cannabis operation permit for a retailer commercial cannabis operation to ensure that its operation is in compliance with state law and this Code, and to mitigate any potential adverse impacts of the commercial cannabis operation on the public health, safety or welfare.

Additional minimum standards may be adopted from time to time either by resolution or ordinance from the city council, or by the city manager pursuant to Section 5.26.140.

A. City Permit and State License. No person shall engage in retailer commercial cannabis operations without both a current and valid commercial cannabis operation permit and a current and valid equivalent state license as provided for under Section 26200 of the State Business and Professions Code, and as may be amended. Retailer (medical-only) commercial cannabis operations shall only sell, dispense, or provide medical cannabis or medical cannabis products to a qualified patient with a written physician's recommendation, a person with an identification card, or a primary caregiver with written documentation attesting to lawful status as a primary caregiver.

B. State Standards. All state requirements and regulations that govern retailer commercial cannabis operations, including, but not limited to, the regulations promulgated by the State Department of Cannabis Control, and as may be amended, shall apply as minimum requirements and regulations and requirements for retailer commercial cannabis operations within the city, in addition to the requirements and regulations of this chapter and this Code.

C. Location and Design Requirements. Pursuant to the authority delegated by the state to the city under Section 26054(b) of the State Business and Professions Code and overriding the location and design requirements contained in Section 26054(b) of the State Business and Professions Code, retailer commercial cannabis operations in the city shall be subject to the following location and design requirements:

1. Retailer commercial cannabis operations shall be a permitted use subject to this chapter on property: (1) located more than one thousand feet any retailer commercial cannabis operation permitted under this chapter, alcohol or drug treatment facility, day care center, religious institution, school, or youth center; (2) located more than one thousand feet from the city's jurisdictional boundary or any park or residentially zoned property; and (3) zoned C (commercial

zone) or C-M (commercial-manufacturing zone) including any overlay zone districts covering the C (commercial zone) or C-M (commercial-manufacturing zone).

2. The distances specified in subsection C shall be the horizontal distance measured in a straight line from the parcel line of the sensitive use to the closest parcel line of the lot on which the cannabis retailer is to be located without regard to intervening structures. The one thousand foot distance specified in subsection C may be reduced to as little as nine hundred feet by administrative regulation pursuant to Section 5.26.140 if necessary to allow for issuance of the number of commercial cannabis operation permits provided by this chapter.

3. Each retailer commercial cannabis operation shall:

a. Be constructed in a manner that prevents odors to surrounding uses, and promotes quality design and construction, and consistency with the surrounding properties. Odors from the cannabis retailer shall not be detectable from outside the premises and adequate odor control technology shall be utilized;

b. Be provided with adequate electricity, sewerage, disposal, water, fire protection, and storm drainage facilities for the intended purpose; and

c. Provide and maintain a neighborhood compatibility plan so the city manager or designee(s) may find that the cannabis retailer and its operating characteristics are not detrimental to the public health, safety, convenience, or welfare of persons residing, working, visiting, or recreating in the surrounding neighborhood and will not result in the creation of a nuisance.

D. Customers.

1. Prior to dispensing medical cannabis or medical cannabis products to a qualified patient, a retailer commercial cannabis operation shall verify the age and all necessary documentation of each customer to ensure the customer is not under the age of eighteen years and obtain verification from the recommending physician that the person requesting medical cannabis or medical cannabis products is a qualified patient, and shall maintain a copy of the physician recommendation, or identification card, as described in Section 11362.71 et seq., of the State Health and Safety Code, as may be amended from time to time, on site for period of not less than seven years.

2. Prior to dispensing cannabis or cannabis products to an adult-use customer, a retailer (medical/adult-use) commercial cannabis operation shall verify the age and all necessary documentation of each customer to ensure the customer is not under the age of twenty-one years.

E. Opaque Packaging. All cannabis or cannabis products sold to a customer shall be prohibited from leaving the site unless placed in opaque packaging which conceals the nature of the product from human vision.

F. Dispensing and Storage Areas. Entrance to the retailer sales floor and any storage areas shall be locked at all times, and under the control of employees.

G. Interior Lighting. The premises within which the commercial cannabis operation is operated shall be equipped with and, at all times during which is open to the public, shall remain illuminated with overhead lighting fixtures of sufficient intensity to illuminate every place to which members of the public or portions thereof are permitted access with an illumination of not less than two foot-candles as measured at the floor level.

H. Signs. A retailer commercial cannabis operation shall notify customers (verbally or by written agreement) and by posting a notice or notices conspicuously at least fifteen-point type within permitted premises that state as follows:

1. "The sale or diversion of cannabis or cannabis products without a license issued by persons entering the site, the city of South El Monte is a violation of state law and the South El Monte Municipal Code."

2. "Secondary sale, barter, or distribution of cannabis or cannabis products purchased from a permittee is a crime and can lead to arrest."

3. "Customers must not loiter in or near these premises and may not consume cannabis or cannabis products in the vicinity of this business or in any place not lawfully permitted. These premises and vicinity are monitored to ensure compliance."

4. "WARNING: The use of cannabis or cannabis products may impair a person's ability to drive a motor vehicle or operate heavy machinery."

5. "CALIFORNIA PROP. 65 WARNING: Smoking of cannabis and cannabis-derived products will expose you and those in your immediate vicinity to cannabis smoke. Cannabis smoke is known by the State of California to cause cancer and reproductive harm."

I. No Recommendations On Site. A retailer commercial cannabis operation shall not have a physician or any person licensed to recommend medical cannabis for medical use at the location of the retailer commercial cannabis operation to provide a recommendation or physician's recommendation, for the use of medical cannabis.

J. Sanitation. A permittee shall establish and implement written procedures that maintain the highest industry standards of sanitation and cleanliness for the operation so as to ensure cannabis and cannabis products sold to the public are free of harmful contaminants.

K. Training. A permittee shall establish and implement written procedures that provide for the highest industry standards of training for employees.

L. Prohibited Activities. No cannabis cultivation, testing or manufacturing shall occur within the premises of the retailer operation.

M. No Alcohol. Retailer commercial cannabis operations shall not hold or maintain a license from the State Department of Alcoholic Beverage Control to sell alcoholic beverages, or operate a business that sells alcoholic beverages.

N. No Lounge or Café. Retailer commercial cannabis operations shall not operate as a lounge,

café or restaurant serving food or drinks for consumption on site. There shall be no seating area, tables, couches, or chairs for the gathering or congregating of members.

O. Age Restriction. Minors, except qualified patients or primary caregivers over the age of eighteen years old as verified customers, are prohibited from entering the location of the retailer cannabis operation.

P. Public Information. The permittee shall make available to customers a list of the rules and regulations governing medical cannabis use and consumption within the city and recommendations on sensible medical cannabis etiquette.

5.26.125 Delivery operating standards and restrictions.

A. Delivery shall comply with state law at all times.

B. Security plans developed pursuant to this chapter shall include provisions relating to vehicle security and the protection of employees and product during loading and in transit.

C. A commercial cannabis operation engaged in delivery shall facilitate the delivery of cannabis or cannabis products with a technology platform owned by or licensed to the delivery-only commercial cannabis operation engaged in delivery that uses point-of-sale technology to track and database technology to record and store the following information for each transaction involving the exchange of cannabis or cannabis products between the commercial cannabis operation engaged in delivery and customer:

1. The identity of the individual dispensing cannabis or cannabis products on behalf of the commercial cannabis operation engaged in delivery;

2. The identity of the customer receiving cannabis or cannabis products from the commercial cannabis operation engaged in delivery;

3. The type and quantity of cannabis or cannabis products dispensed and received;

4. The gross receipts charged by the commercial cannabis operation engaged in delivery and received by the individual dispensing cannabis or cannabis products on behalf of the commercial cannabis operation engaged in delivery for the cannabis or cannabis products dispensed and received; and

5. The location or address where the sale or retail sale took place or closed.

D. A commercial cannabis operation engaged in delivery shall maintain a database and provide a list of the individuals and vehicles authorized to conduct delivery, and a copy of the valid state driver's license issued to the driver of any such vehicle on behalf of the commercial cannabis operation engaged in delivery to the city manager.

E. Individuals making deliveries of cannabis or cannabis products on behalf of the commercial cannabis operation engaged in delivery shall maintain a physical copy of the delivery request (and invoice) and shall make it available upon the request of agents or employees of the

city requesting documentation.

F. During delivery, a copy of the commercial cannabis operation engaged in delivery's commercial cannabis operation permit and state license shall be in the vehicle at all times, and the driver shall make it available upon the request of agents or employees of the city requesting documentation.

G. A commercial cannabis operation engaged in delivery shall only permit or allow delivery of cannabis or cannabis products in a vehicle that is: (1) insured at or above the legal requirement in the state; (2) capable of securing (locking) the cannabis or cannabis products during transportation; (3) capable of being temperature controlled if perishable cannabis or cannabis products is being transported; and (4) does not display advertising or symbols visible from the exterior of the vehicle that suggest the vehicle is used for cannabis delivery or affiliated with a commercial cannabis operation engaged in delivery.

H. A commercial cannabis operation engaged in delivery shall facilitate deliveries with a technology platform owned by or licensed to the commercial cannabis operation engaged in delivery that uses global positioning system technology to track, and database technology to record and store the following information:

1. The time that the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery departed its premises.

2. The time that the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery completed delivery to the customer.

3. The time that the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery returned to its premises.

4. The route the individual conducting delivery on behalf of the commercial cannabis operation engaged in delivery traveled between departing and returning to its premises to conduct delivery.

5. For each individual delivery transaction, the identity of the individual conducting deliveries on behalf of the commercial cannabis operation engaged in delivery.

6. For each individual delivery transaction, the vehicle used to conduct delivery on behalf of the commercial cannabis operation engaged in delivery.

7. For each individual delivery transaction, the identity of the customer receiving cannabis or cannabis products from the commercial cannabis operation engaged in delivery.

8. For each individual delivery transaction, the type and quantity of cannabis or cannabis products dispensed and received.

9. For each individual delivery transaction, the gross receipts charged by the commercial cannabis operation engaged in delivery and received by the individual conducting deliveries on behalf of the commercial cannabis operation engaged in delivery for the cannabis or

cannabis products dispensed and received.

I. The individual making deliveries on behalf of the commercial cannabis operation engaged in delivery shall personally verify for each individual delivery transaction the identity of the customer receiving cannabis or cannabis products from the commercial cannabis operation engaged in delivery and: (1) for medical cannabis or medical cannabis products to a qualified patient, the age and all necessary documentation of each customer to ensure the customer is not under the age of eighteen years and obtain verification from the recommending physician that the person requesting medicinal cannabis or medicinal cannabis products is a qualified patient, and shall maintain a copy of the physician recommendation or identification card as described in Section 11362.71 et seq., of the State Health and Safety Code, as may be amended from time to time, on site for period of not less than seven years; or (2) for cannabis or cannabis products to an adult-use customer, age and all necessary documentation of each customer to ensure the customer is not under the age of twenty-one years.

5.26.130 Community benefit agreement.

The applicant may propose entering into a community benefit agreement in an amount and by terms set by city council resolution with the city setting forth the terms and conditions under which the facility will operate that is in addition to the requirements of this chapter, including, but not limited to, public outreach and education, community service, payment of fees and other charges as mutually agreed, and such other terms and conditions that will protect and promote the public health, safety, and welfare of the city and its residents and visitors.

5.26.140 Administration.

A. Consistently with stated requirements of this chapter (and in particular not to repeal or constructively repeal this chapter), in addition to any regulations adopted under state law, the city manager is authorized to establish any additional rules, regulations, and standards governing the issuance or denial of commercial cannabis operation permits, the ongoing operation of commercial cannabis operations and the city's oversight thereof, or concerning any other subject determined to be necessary to carry out the purposes of this chapter.

B. Such regulations shall be approved by resolution of the city council published on the city's website.

C. Regulations promulgated, by the city manager, shall become effective upon date of publication on the city's website or posting at the location for the city council's meeting agendas. Commercial cannabis operations shall be required to comply with all state and local laws and regulations, including, but not limited to, any rules, regulations or standards adopted by the city manager.

5.26.150 Fees.

An application fee set by resolution of the city council shall be required for formal processing of every application made under this chapter. The city council is further authorized to pass resolutions or ordinances to recover any and all fees and costs incurred by the administration and

implementation of this chapter through an appropriate fee recovery mechanism to be imposed upon commercial cannabis operations.

5.26.160 Suspension and revocation.

A. The city manager is authorized to suspend and/or revoke a commercial cannabis operation permit issued pursuant to this chapter upon the determination through written findings of a failure to ~~materially~~ comply with any provision of this chapter, any commercial cannabis operation permit condition, or any agreement or covenant required or made pursuant to this chapter.

B. Notwithstanding subsection A, the city manager may suspend or revoke a commercial cannabis operation permit if any of the following occur:

1. The equivalent state license has been suspended or revoked by the state; or

2. Operations cease for more than one hundred eighty consecutive or cumulative days in any one-year period; or

3. Ownership is changed or transferred without complying with Section 5.26.100; or

4. The commercial cannabis operation fails to maintain required security camera recordings; or

5. The commercial cannabis operation fails to allow inspection of the security recordings, the activity logs, the records, or of the site by operations officers pursuant to this chapter.

6. The commercial cannabis operation fails to timely make the corrections required pursuant to Section 5.26.090.

7. The commercial cannabis operation fails to pay any fees required by this chapter.

C. Conditions (if any) of suspension or revocation are at the reasonable discretion of the city manager and may include, but are not limited to, a prohibition on all owners, managers and employees of the suspended or revoked commercial cannabis operation from operating within the city for a period of time set forth in writing and/or a requirement (when operations may resume, if at all, pursuant to the city manager's reasonable determination) for the holder of the suspended or revoked commercial cannabis operation permit to resubmit an application for a commercial cannabis operation permit pursuant to the requirements of this chapter.

5.26.170 Appeals.

Any decision regarding the city manager's suspension or revocation of a commercial cannabis operation permit pursuant to Section 5.26.160 may be appealed to the city council by a permittee or interested party as follows:

A. If the appellant wishes to appeal a decision to the city council, the appellant must file a

written appeal with the city clerk within ten calendar days of the decision. The written appeal shall specify the person making the appeal, the decision appealed from, state the reasons for the appeal, and include any evidence in support of the appeal which the applicant seeks to be considered by the city council.

B. Notice of the time and place of an appeal hearing shall be providing to the appellant within thirty days of receipt by the city clerk of the written appeal.

C. The appeal hearing shall be held within sixty days of the filing of the written appeal with the city clerk, unless the sixty-day time limit is waived by the appellant, or unless the city council continues the appeal hearing date for good cause and upon written notification to the appellant.

D. The city council shall review the facts of the matter, written documents submitted for review, the basis for making the decision which is under appeal, and then determine whether the appealed decision should be reversed or affirmed. The determination made shall be in writing, shall set forth the reasons for the determination, and shall be final.

E. The provisions of Section 1094.6 of the Code of Civil Procedure sets forth the procedure for judicial review of any final determination. Parties seeking such judicial review shall file such action within ninety days of a determination being made final.

5.26.180 Violations and penalties—Public nuisance.

A. Any ~~material~~ violation of the provisions of this chapter is punishable as a misdemeanor or an infraction, at the discretion of the city attorney, pursuant to Chapters 1.14 and 1.16 of this Code, except for as preempted by state law and ~~material~~ any violation of the provisions of this chapter is subject to administrative citation, at the reasonable discretion of the city, pursuant to Chapters 1.14 and 1.16 of this Code.

B. Public Nuisance Abatement.

1. Any commercial cannabis operation that is conducted in ~~material~~ violation of any provision of this chapter is hereby declared to constitute a public nuisance and, as such, may be abated or enjoined from further operation, in accordance with the procedures set forth in Chapter 8.36 of this Code.

2. All costs to abate such public nuisance, including attorneys' fees and court costs, shall be paid by the person causing the nuisance, including the commercial cannabis operation and the property owner where the nuisance is occurring.

C. The remedies described in this section are not mutually exclusive. Pursuit of any one remedy shall not preclude city from availing itself of any or all available administrative, civil, or criminal remedies, at law or equity.

D. Any ~~material~~ violation of the provisions of this chapter shall constitute a separate offense for each and every day during which such violation is committed or continued.

5.26.190 Service of notices.

Any notice required by this chapter is deemed issued and served upon the earliest date that either: the notice is deposited in the United States mail, postage pre-paid, addressed to the most recent mailing address provided to the city pursuant to the requirements of this chapter; or, the date upon which personal service of the notice is provided to a responsible party.

5.26.200 Prohibitions.

A. Any commercial cannabis operation in violation of this chapter, or any other applicable state law is expressly prohibited.

B. It is unlawful for any commercial cannabis operation in the city, or any agent, employee or representative of such commercial cannabis operation, to permit any breach of peace or any disturbance of public order or decorum by any tumultuous, riotous or disorderly conduct at the site of the commercial cannabis operation.

5.26.210 Nonconforming use.

No use which purports to have engaged in commercial cannabis operations of any nature prior to the enactment of this chapter shall be deemed to have been a legally established use under the provisions of this Code, or any other city ordinance, rule or regulation, and such use shall not be entitled to claim legal nonconforming status.

5.26.220 Exceptions.

A. To the extent that the following activities are permitted by state law, nothing in this chapter shall prohibit a person twenty-one years of age or older from:

1. Possessing, processing, purchasing, transporting, obtaining or giving away to persons twenty-one years of age or older, without compensation whatsoever, not more than twenty-eight and one-half grams of cannabis not in the form of concentrated cannabis;

2. Possessing, processing, purchasing, transporting, obtaining or giving away to persons twenty-one years of age or older, without compensation whatsoever, up to eight grams of cannabis in the form of concentrated cannabis;

3. Possessing, transporting, purchasing, obtaining, using, manufacturing, or giving away cannabis accessories to persons twenty-one years of age or older without compensation whatsoever; or

4. Engaging in the indoor cultivation of six or fewer live cannabis plants within a single private residence or inside an accessory structure located upon the grounds of a private residence that is fully enclosed and secured, to the extent such cultivation is authorized by Sections 11362.1 and 11362.2, of the State Health and Safety Code, as may be amended from time to time.

B. This chapter shall also not prohibit any commercial cannabis operations that the city is required by law to permit within its jurisdiction pursuant to state law.

5.26.230 Operative date.

This chapter shall be operative ten days after the date that the city council declares that a majority of the city's voters voting at the November 8, 2022, election have voted in favor of this chapter at such election.

5.26.240 Severability.

If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this chapter is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The people of the city of South El Monte hereby declare that they would have adopted this chapter and each section, subsection, subdivision, sentence, clause, phrase, word, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, words or portions thereof be declared invalid or unconstitutional.

5.26.250 City council authority to amend.

The city council has the right and authority to amend this chapter, with the exception of Section 5.26.060 (which may only be amended: (i) if ordered to do so by a court of competent jurisdiction as a judicial remedy; or (ii) by a vote of the people of the city), to further its purposes and intent (including, but not limited to, amendment for more efficient administration as determined by the city council), in any manner that does not increase a tax rate, or otherwise constitute a tax increase for which voter approval is required by Article XIII C of the California Constitution, pursuant to Elections Code Section 9217.

5.26.260 City councilmember conflicts of interest.

Notwithstanding any other provision of this chapter, prior to participating in any decision relating to a cannabis business, each city councilmember shall do all of the following

A. Disclose on the record any financial interest in the cannabis business that is subject to the decision.

B. Disclose on the record any campaign contributions and benefits or gifts received from the cannabis business that is subject to the decision.

C. Disclose on the record any ex parte communications that the city councilmember may have had with a cannabis business that is the subject of the decision.

D. Each city councilmember shall warrant and represent, on the record and in a form approved by the city council, that they have complied with these requirements and all applicable law.

If it is later determined that a city councilmember has not complied with the above requirements or if it is determined that a city councilmember has violated applicable law, then the city councilmember is disqualified from all decisions relating to the cannabis business subject to the decision. The requirements of this Section 5.26.260 shall be in addition to any applicable law, including, without limitation, the California Political Reform Act and the related regulations of the Fair Political Practices Commission.

City Council Agenda Report
Agenda Item No. 9.b.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Masami Higa, Director of Finance

SUBJECT: FISCAL 2025-26 MID-YEAR BUDGET REVIEW

SUMMARY: Fiscal 2025-26 Mid-Year Budget Review

RECOMMENDED ACTION: Staff recommend City Council discuss and provide direction to staff.

FISCAL/FINANCIAL IMPACT: The expected fiscal impact for Fiscal 2025–26 is approximately $400,000, increasing the General Fund surplus from $100,000 to $500,000. However, this forecast is subject to change based on revenues expected from future economic activity and the level of General Fund's expenditure in the second half of the fiscal year.

DISCUSSION: Prior to the adoption of the Fiscal 2025-26 Budget on July 1, 2025, the City held a Budget Study Session on June 3, 2025, and June 17, 2025, whereby City Council and staff worked together to balance the Fiscal 2025-26 budget, and to minimize the General Fund's reliance on reserves over the next four fiscal years (FY2026-27 through FY2029-30). This was accomplished by initiating five major cost-cutting measures:

1. Minimizing conference and seminar costs.
2. Conducting an RFP for IT services.
3. Providing a medical opt-out benefit to employees.
4. Outsourcing parking enforcement.
5. Not filling one vacant position for Code Enforcement.

The City resorted to the cost-cutting measures above, because of the expected decrease in the estimated sales tax revenues as a result of the global tariffs. The Fiscal 2025-26 adopted budget was balanced with a General Fund surplus of $100,570.

On January 8, 2026, staff met with HdL to go over the sales tax results for the period July 1, 2025 through September 30, 2025. Based on those results, the sales tax revenues

came in higher than budgeted, changing the estimated sales tax revenues for the fiscal year to be about $200,000 higher. Also, during the first half of the fiscal year, the General Fund expended less than appropriated. Based on forecasting this trend for the second half of the fiscal year, the General Fund surplus is now expected to be $533,070, or $432,500 higher than adopted. However, this forecast is subject to change due to many uncertainties that still exist in our economy.

For the past several years, the City has been diligent in improving its financial condition, intrusted with the funds from the passage of Measure ES and Measure SEM. The City has also been investing any idle funds wisely, earning nearly 5% in recent years. Although the interest rate has come down, the City still continues to earn about 4% on its idle funds.

The City is currently working diligently to prepare its Fiscal 2026-27 budget according to its budget preparation calendar with multiple rounds of review. Staff will continue to hold Budget Study Sessions with City Council.

The City received the Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA) for Fiscal Years 2021-22, 2022-23, and 2023-24 by submitting its audited Annual Comprehensive Financial Report (ACFR) to GFOA each year. The same ACFR's were reviewed by the California Policy Center, which publishes the fiscal health ranking of all counties, cities, and school districts in California. In Fiscal 2021-22, South El Monte was ranked 259 out of 456 cities. In Fiscal 2022-23, this ranking climbed to 99 out of 456 cities. In Fiscal 2023-24, this ranking climbed to 37 out of 410 cities, or in the top 10%. For Fiscal Year 2024-25, the City will be submitting its ACFR as well as its new Popular Annual Financial Report (PAFR) to GFOA for two separate independent awards. For Fiscal 2025-26, the City also received its first Distinguished Budget Presentation Award. In the near future, if the City is successful in obtaining all three Awards, that is on the ACFR, PAFR, and Budget, the City will be designated as a Triple Crown City by GOFA. Although the City has not yet solved all the challenges associated with the City's General Fund's financial future, such national awards and recognition should be celebrated, as it shows its on the right track.

Staff recommend City Council discuss and provide direction to staff. With good budgeting, financial reporting, and open dialogue, staff believes those challenges can be overcome.

ATTACHMENT(S):

A. FY25-26 Mid-Year Budget Presentation_01262026

CITY OF SOUTH EL MONTE

FY2025-26

Mid-Year Budget Review

February 3, 2026

OVERVIEW

- FY 25-26 City-Wide Summary
- Five Year Forecast Updated
- City Cash & Investment Balances
- FY 26-27 Budget Calendar
- Statewide Fiscal Health Ranking
- National Awards

FISCAL YEAR 25-26
CITY-WIDE SUMMARY
(IN $MILLIONS)

Description	6 Months Budget	6 Months Actual	6 Months Variance	12 Months Budget	12 Months Forecast	12 Months Variance
General Fund Revenues	$13.2	$10.7	$(2.5)	$26.5	$26.5	$0.0
General Fund Expenditures	13.2	13.2	0.0	26.4	26.0	0.4
General Fund Total	0.0	(2.5)	(2.5)	0.1	0.5	0.4
Special Revenue Funds Revenues	13.9	8.1	(5.8)	27.8	18.1	(9.7)
Special Revenue Funds Expenditures	16.2	5.9	10.3	32.5	22.1	10.4
Special Revenue Funds Total	(2.3)	2.2	4.5	(4.7)	(4.0)	0.7
City-Wide Total	$(2.3)	$(0.3)	$2.0	$(4.6)	$(3.5)	$1.1

UPDATED FIVE YEAR FORECAST

	FY 24-25 Actual Note 1	FY 25-26 Budget	FY 25-26 Forecast	Escalation Factor	FY 26-27 Forecast	FY 27-28 Forecast	FY 28-29 Forecast	FY 29-30 Forecast
General Fund								
Revenues	26,038,436	26,453,304	26,507,014	2%	26,970,344	27,620,294	28,286,153	28,974,473
Expenditures	25,368,353	26,352,734	25,973,944	5%	26,988,854	28,297,748	29,672,088	31,115,146
Net Surplus (Deficit)	670,083	100,570	533,070		(18,510)	(677,454)	(1,385,935)	(2,140,673)
Fund Balance	18,046,617	18,147,187	18,579,687		18,561,177	17,883,723	16,497,788	14,357,115
Reserve % of Expenditures	71.1%	71.5%	71.5%		68.8%	63.2%	55.6%	46.1%

Note 1: In Fiscal 23-24, the City had to reduce its reserve balance by 1,339,770 mainly for cash set aside in a PARS 115 Trust for OPEB.

12/31/25 CASH BALANCES STOPPED HERE

Account Name	Type	Balance
City of South El Monte	Checking	$3,568,785
Metro	Checking	440,968
Older American Act	Checking	5,029
CAMP	Investment	107,993
LAIF (4.20%)	Investment	26,211,181
Time Value Investments	Investment	0
Total		$30,333,956

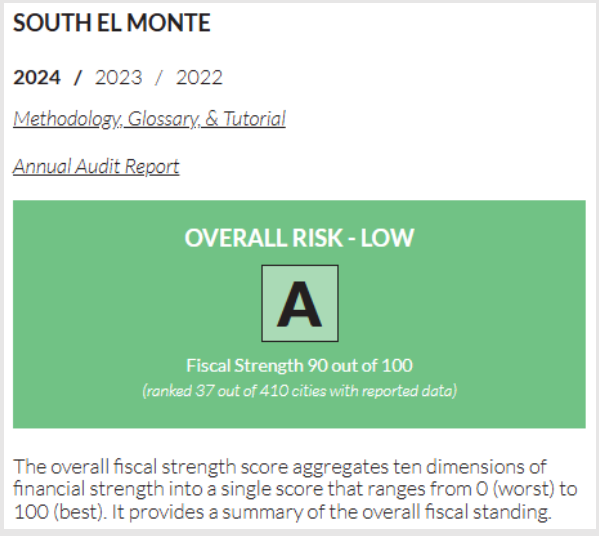
FISCAL YEAR 26-27
BUDGET CALENDAR

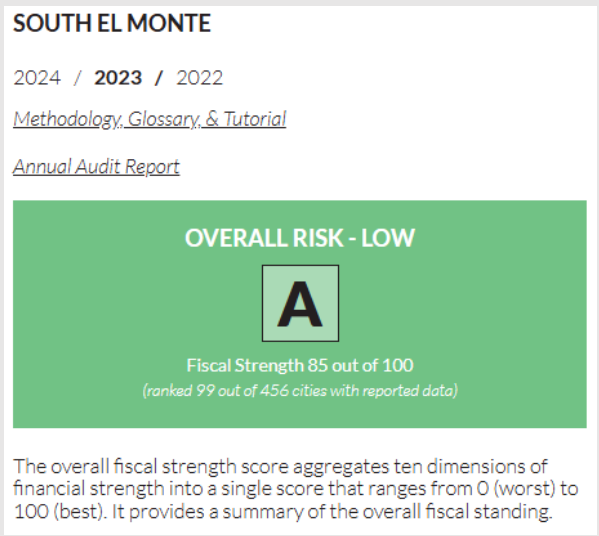
City of South El Monte
Budget Preparation Calendar
FY2026-27

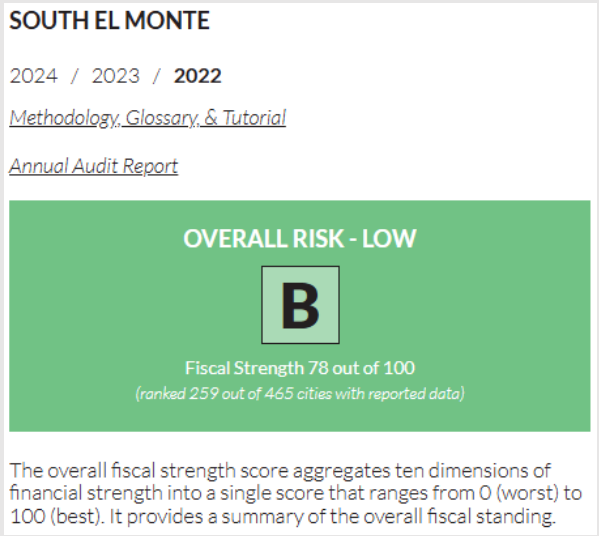
	Start Date	Objective	End Date
Initial Round	Tuesday, January 6, 2026	Finance will distribute year-end forecasts as a reference for all users.	Saturday, January 10, 2026
	Monday, January 12, 2026	Finance will complete updating all budget templates for all funds, departments, and divisions.	Thursday, January 15, 2026
	Monday, January 19, 2026	Each division will fill out their budget templates, including their own year-end forecasts, and next year's budgets	Friday, January 23, 2026
	Monday, January 26, 2026	Finance will review all budgets, consolidate, and present the summary to the City Manager.	Wednesday, January 28, 2026
	Sunday, February 1, 2026	City Manager and Finance Director will meet with each Department Head and budget staff.	Thursday, February 5, 2026
Revised Round	Monday, February 9, 2026	Each divisions will update their budgets based on direction provided by the City Manager	Thursday, February 12, 2026
	Monday, February 16, 2026	Finance will review the updated budgets, consolidate, and present the summary to the City Manager.	Thursday, February 19, 2026
	Monday, February 23, 2026	City Manager and Finance Director will meet with each Department Head and budget staff.	Thursday, February 26, 2026
Proposed Round	Monday, March 2, 2026	Each divisions will update their budgets based on direction provided by the City Manager	Thursday, March 5, 2026
	Monday, March 9, 2026	Finance will draft the Budget Book.	Thursday, March 12, 2026
	Monday, March 16, 2026	Finance will provide the Draft Budget Book to the City Manager for review.	Thursday, March 19, 2026
	Monday, March 23, 2026	Finance will update the Draft Budget Books based on direction from City Manager.	Thursday, March 26, 2026
	Monday, March 30, 2026	Finance will draft the Budget Workshop Presentation for City Council.	Tuesday, May 12, 2026
	Saturday, May 16, 2026	City Manager will review the Budget Workshop Presentation and place it on the City Council meeting agenda.	Tuesday, May 19, 2026
	Saturday, May 23, 2026	City Manager and Finance will host the Budget Workshop for City Council.	Tuesday, June 2, 2026
Final Round	Wednesday, June 3, 2026	Finance will update the Draft Budget Book based on direction from City Council.	Thursday, June 4, 2026
	Monday, June 8, 2026	Finance will prepare a Budget Resolution and make public notice for City Council's budget adoption.	Thursday, June 11, 2026
	Tuesday, June 16, 2026	City Council's budget adoption.	Tuesday, June 16, 2026
	Wednesday, June 17, 2026	Finance will post the adopted budget on the City's website.	Wednesday, June 17, 2026
	Thursday, June 18, 2026	City Clerk will file a copy of the adopted budget with the County.	Thursday, June 18, 2026

STATEWIDE FISCAL HEALTH RANKING

- For Fiscal 2022, the City was ranked 259 out of 456 cities.
- For Fiscal 2023, the City was ranked 99 out of 456 cities.
- For Fiscal 2024, the City was ranked 37 out of 410 cities.
- https://californiapolicycenter.org/fiscal-health-dashboard/

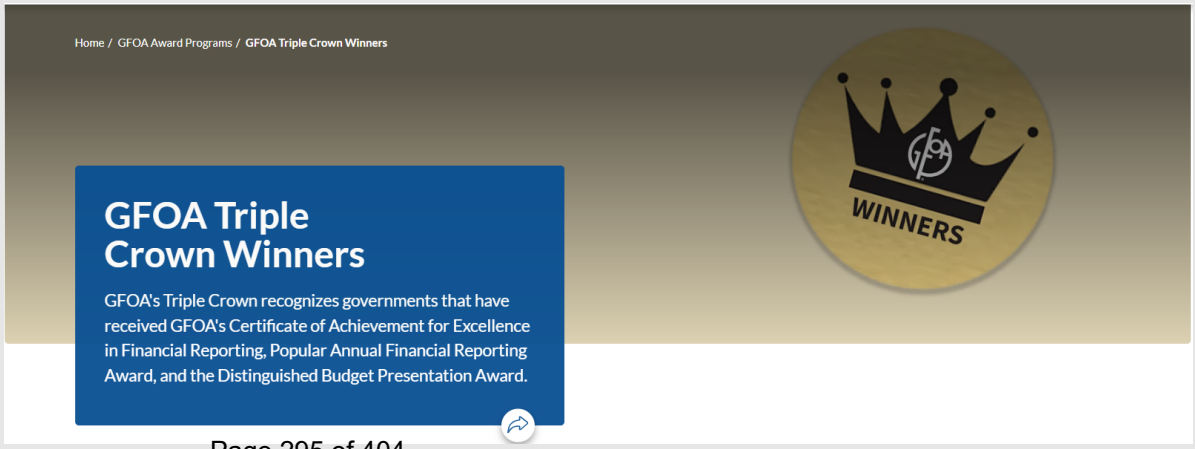






NATIONAL AWARDS

- City received the national GFOA Award for the three fiscal years above (2022, 2023, and 2024).
- For Fiscal 2025, the City submitted both the Annual Comprehensive Financial Report (ACFR) and the Popular Annual Financial Report (PAFR) to GFOA for two separate independent awards.
- For fiscal 2026, the City received its first Distinguished Budget Presentation Award from the GFOA.
- If the City is successful in obtaining all three awards, that is on the ACFR, PAFR, and Budget, the City will be designated as a Triple Crown City by GFOA



Questions

City Council Agenda Report
Agenda Item No. 9.c.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Adrian Garcia, MMC, City Clerk

SUBJECT: APPOINTMENT OF ADVANCEMENT OF WOMEN AND GIRLS COMMISSIONERS

SUMMARY: Appointments to be made to the Advancement of Women and Girls Commission, which is a five-member commission. The current terms expired on January 31, 2026.

RECOMMENDED ACTION: Staff recommends City Council consider appointing five individuals seeking re-appointment/appointment to the Advancement of Women and Girls Commission for a one-year term ending January 31, 2027.

FISCAL/FINANCIAL IMPACT: Commissioners receive a monthly stipend of $100 for each month in which a commissioner attends at least one meeting. Funds have been budgeted.

DISCUSSION: The Advancement of Women and Girls Commission is a five-member commission consisting of five city residents appointed by a majority of the City Council. This appointment is for a one-year term commencing on February 1, 2026, pending clearance of Live Scan background check.

Seven (7) applicants are seeking reappointment/appointment to the Advancement of Women and Girls Commission.

Seeking Reappointment:
- Evelyn Briones
- Sara Gaeta-Anguiano
- Elizabeth Gutierrez

Seeking Appointment:
- Cecilia Rosas-Garcia
- Cindy Flores
- Kimberly Valencia – (Also applied for Community Services, Patriotic and Planning)
- Nydia Romero – (Also applied for Community Services, Patriotic and Planning)

ATTACHMENT(S):

A. Evelyn Briones
B. Sara Gaeta-Anguiano
C. Elizabeth Gutierrez
D. Cecilia Rosas-Garcia
E. Cindy Flores
F. Kimberly Valencia
G. Nydia Romero

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

All-America City

APPLICATION FOR APPOINTMENT TO COMMISSION

The City of South El Monte welcomes your interest to serve on a City Commission. All applicants must be a resident of the City of South El Monte and complete a Live Scan prior to appointment. City of South El Monte employees are **not** eligible to serve as a member on a commission.

Mark which Commission(s) you wish to serve on:

(✓) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

( ) Planning Commission

2025 DEC -4 P 4:18

PERSONAL INFORMATION *Please print:*

Name: Evelyn Briones Address: [redacted]

Years in South El Monte: 29 Home Phone: _____

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: Whittier Union High School District Work Phone: [redacted]

Occupation: Mental Health Social Worker Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

South El Monte Highschool	12
Name/Location	Highest Grade Completed

University, College, Trade School, or Other:

UC Santa Cruz- BA in Pyschology; USC MA in Social Work	
Name/Location	Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Advancement for Women and Girls-South El Monte

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No

Would your personal or business activities conflict with you serving as a commissioner? No If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

As a Licensed Clinical Social Worker, I work closely with women, girls, and families who face complex educational, social, and mental-health challenges. This experience gives me a clear understanding of the barriers they encounter and the supports that make a meaningful difference.

My first term on the Commission was a valuable learning experience that deepened my understanding of the Commission's processes, mission, and community impact. Now that I know how the work operates, I feel even more prepared to contribute thoughtfully and effectively. I bring strong advocacy skills, a commitment to equity, and a collaborative approach, and I am eager to continue supporting initiatives that uplift and advance women and girls in our community.

IMPORTANT

The application process will be used to assist the City Council in their selection of appointments. The City Council is not bound by the submittal of an application to make an appointment.

Proof of residence is required, including a California State Issued Driver's License (or California State Issued Identification Card) and a utility bill.

By signing the application, you understand that this document is a public record subject to disclosure upon request, you acknowledge your understanding and commitment as a commissioner, and if appointed, consent to a Live Scan background check, will undergo required AB 1234 Ethics training, and will file a Form 700 Statement of Economic Interests.

Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applicant: [redacted] **Date:** 12/4/25

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

Office of the City Clerk
1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

2025 DEC 17 P 12:02

APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

(X) Advancement for Women and Girls Commission ( )

Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

( ) Planning Commission

PERSONAL INFORMATION *Please print:*

Name: _Sara Gaeta-Anguiano_____Address: [redacted]

Years in South El Monte: 48 Home Phone: n/a

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: County of Los Angeles Work Phone: _____

Occupation: Manager Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

South El Monte High School — 12
Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

California State University, Long Beach — MPA
Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Planning Commission 2017, 2018

Advancement for Women and Girls Commission 2025

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

Los Angeles County Management Council

Los Angeles County Hispanic Managers Association

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? no

Would your personal or business activities conflict with you serving as a commissioner? no If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

My prior experience as a Planning and Advancement of Women and Girls Commission has prepared me to continue serving as a Commissioner. I understand and follow the rules, processes and responsibilties of the commission. I attend as many community events as I am able to. This year, I served as a volunteer at the city's Easter event. I served food, drinks, and helped with the Easter egg hunt. I attended the walk against Domestic Violence, and participated fully in the preparation for the Women and Girls annual conference. I attended the event as well. I've attended a few City Council meetings to learn more about the opportunities and challenges that our city face. All of these activities have prepared me to continue serving our city.

IMPORTANT

The application process will be used to assist the City Council in their selection of appointments. The City Council is not bound by the submittal of an application to make an appointment.

Proof of residence is required, including a California State Issued Driver's License (or California State Issued Identification Card) and a utility bill.

By signing the application, you understand that this document is a public record subject to disclosure upon request, you acknowledge your understanding and commitment as a commissioner, and if appointed, consent to a Live Scan background check, will undergo required AB 1234 Ethics training, and will file a Form 700 Statement of Economic Interests.

Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applicant [redacted] **Date:** 12/17/2025

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

Office of the City Clerk
1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
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APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

(✓) Advancement for Women and Girls Commission

(✓) Community Services Commission

(✓) Homeless Commission

( ) Patriotic Commission

( ) Planning Commission

2025 DEC -4 P 12:51

PERSONAL INFORMATION *Please print:*

Name: Elizabeth Gutierrez Address: [redacted]

Years in South El Monte: 41 Home Phone: n/a

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: Los Angeles County Dept of Mental Health Work Phone: n/a

Occupation: LCSW Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

South El Monte High School — 12
Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

CSU, Long Beach — Master of Social Work
Name/Location — Major/Degree

Served in the Advancement for Women and Girls Commission from Feb 2025-present

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

National Association of Social Workers Member, PTA at Los Altos Elementary

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? no

Would your personal or business activities conflict with you serving as a commissioner? no If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

See attached

IMPORTANT

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Signature of Applicant: [redacted] **Date:** 12/4/25

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

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Mark which Commission(s) you wish to serve on:

(X) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

( ) Planning Commission

2026 JAN 22 A 9:41

PERSONAL INFORMATION *Please print:*

Name: Cecilia Rosas-Garcia Address: [redacted]

Years in South El Monte: 13 Home Phone: [redacted]

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: _____ Work Phone: _____

Occupation: Student Employer's Address: _____

EDUCATION/TRAINING

High School:

South El Monte High School — 10th

Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

N/A

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

N/A

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

ASB, Girls Soccer, School Choie, Church Choir

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No

Would your personal or business activities conflict with you serving as a commissioner? No If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I have been in a leadership role since 7th grade. I am in my schools ASB Class. I have brought new ideas and have put in the hard work to show it. In my school I try to make the school a better environment for all my classmates to feel like they belong by participating in school events and having spirit. In my schools community I have learned to be a leader and to work others to complete our work for the schoo's students and staff.

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Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applicant: [redacted] **Date:** 1/21/26

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

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Mark which Commission(s) you wish to serve on:

(✓) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

( ) Planning Commission

2026 JAN 22 A 9:41

PERSONAL INFORMATION *Please print:*

Name: Cindy Flores

Address: [redacted]

Years in South El Monte: 7

Home Phone: [redacted]

E-mail Address: [redacted]

Occupation: Student

EDUCATION/TRAINING

High School: South El Monte High School — 10th Grade

Name/Location — HighestGrade Completed

University, College, Trade School, or Other:

Rio Hondo College Dual Enrollment — N/A

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

This will be the first commission I serve on.

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

Associated Student Body, Beyond Borders Initiative, ActiveSEM, Freshmen Mentoring Program, EMUHSD Student Advisory Council

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? **No**

Would your personal or business activities conflict with you serving as a commissioner? **No** If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I am a female student at my high school who is in involved in ASB, ActiveSEM, Freshmen Mentoring Program, Beyond Borders Initiative and our district Student Advisory Council. I was also selected as a nominee to attend the California American Legion Auxiliary Girls' State 2026 Conference. Each of these clubs are engaging in different parts of not only my school community, but our city. ActiveSEM is a partnership with Active SGV (a volunteering program outside of school that helps with community events) and Beyond Borders Initiative is a club that spreads awareness about immigrant families in our community to our school. I have leadership abilites and am not afraid to voice concerns, ideas and opinions to advocate for women in our city. I hold leadership positions on my campus and am a reliable, responsible person who can be counted on when needed. I also volunteered at our South El Monte community Library over the summer.

IMPORTANT

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Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applicant: [redacted] **Date: 01/21/26**

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

Office of the City Clerk
1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

(X) Advancement for Women and Girls Commission

(X) Community Services Commission

( ) Homeless Commission

(X) Patriotic Commission

(X) Planning Commission

2025 DEC -4 P 4:

PERSONAL INFORMATION Please print:

Name: Kimberly Valencia, CHCP Address: [redacted]

Years in South El Monte: 15+ Home Phone: N/A

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: UCLA David Geffen School of Medicine, Center for Continuing Professional Development Work Phone: N/A

Occupation: Continuing Education Manager Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

South El Monte High School — Graduation 2012
Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

University of Utah, 2017
University of Texas, El Paso (In Progess, Fall 2026) — Bachelor of Arts, Communication Studies; Master of Arts, Education
Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

None.

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

UCLA Health Leadership Development Program

Alliance for Continuing Education in the Health Professions (ACEHP)

Certified Healthcare CPD Professional (CHCP)

Global Alliance for Medical Education (GAME) Project Management Institue (PMI)

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No.

Would your personal or business activities conflict with you serving as a commissioner? No. If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I bring close to a decade of experience in continuing medical education (CME), professional development (CPD), and grant management with a strong focus on equity and community wellbeing. In my role as Continuing Education (CE) Manager at UCLA David Geffen School of Medicine (DGSOM) I oversee programs that support high quality healthcare and strengthen the skills of clinicians who serve diverse populations. My previous work with UCLA Integrated Substance Abuse Programs (ISAP) deepened my understanding of behavioral health needs and the connection between housing, stability, and long term wellness.

I also serve as a mentor for professionals in the CPD and CME field and I hold a professional certificate in Project Management from Cal State LA. These experiences have strengthened my abilities in organization, planning, and partnership building. In addition, I previously served as Vice President of the El Monte/South El Monte (EMSEM) Jets Football and Cheer organization. This role provided hands on experience within our community and nonprofit operations which I believe would be an asset to any commission.

I have a deep love for South El Monte and a strong commitment to its future. My goal is to build meaningful relationships between the city and the community and to foster collaboration with institutions such as UCLA. I am dedicated to serving in a way that reflects care, integrity, and long term vision.

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Signature of Applicant: [redacted] Date: 12/4/2025

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Mark which Commission(s) you wish to serve on:

- (X) Advancement for Women and Girls Commission
- (X) Community Services Commission
- (X) Homeless Commission
- (X) Patriotic Commission
- (X) Planning Commission

2025 NOV 25 P 2:

PERSONAL INFORMATION *Please print:*

Name: Nydia Romero Address: [redacted]

Years in South El Monte: 30 Home Phone [redacted]

E-mail Address: [redacted] Phone: [redacted]

Employer: Singreen Systems, Inc Work Phone: [redacted]

Occupation: SR PAdmin Employer's Address [redacted]

EDUCATION/TRAINING

High School:

SEMHS — 12th

Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Patriotic Commission

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

PTO President VCSD. SEMHS PTSA, SEMHS Elec Chair, VCSD Parent Advisory Committee chair.

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? no

Would your personal or business activities conflict with you serving as a commissioner? no If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I am an avid and passionate person about Community service. It is my goal and mission in life to leave the world a better place, even if my part is "small". I have been a parent volunteer for 21 years, from Options to Headstart to middle school and now the high school. It has been my distinct honor and privilege to serve on SEM Patriotic Committe. I hope to continue on in any capacity the city deems. Thank you for reading! Respectfully, Nydia

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Signature of Applic [redacted] **Date:** 11/14/25

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City Council Agenda Report
Agenda Item No. 9.d.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Adrian Garcia, MMC, City Clerk

SUBJECT: APPOINTMENT OF COMMUNITY SERVICES COMMISSIONERS

SUMMARY: Appointments to be made to the Community Services Commission, which is a seven-member commission. The current terms expired on January 31, 2026.

RECOMMENDED ACTION: Staff recommends City Council consider appointing seven individuals seeking reappointment/appointment to the Community Services Commission for a one-year term ending January 31, 2027.

FISCAL/FINANCIAL IMPACT: Commissioners receive a monthly stipend of $100 for each month in which a commissioner attends at least one meeting. Funds have been budgeted.

DISCUSSION: The Community Services Commission acts in an advisory capacity to the City Council on all matters pertaining to the City's parks and recreation services, senior programs, and special events. This appointment is for a one-year term commencing on February 1, 2026, pending clearance of Live Scan background check.

Eight (8) applicants are seeking reappointment/appointment to the Community Services Commission.

Seeking Reappointment:
- Robert V. Becerra
- Gerardo Diaz
- George Anguiano
- Hortencia Vasquez

Seeking Appointment:
- Ivania Reyes
- Eric Velazquez
- Kimberly Valencia – (Also applied for Advancement for Women and Girls, Patriotic, and Planning)
- Nydia Romero – (Also applied for Advancement for Women and Girls, Patriotic and Planning)

ATTACHMENT(S):

A. Robert V. Becerra
B. Gerardo Diaz
C. George Anguiano
D. Hortencia Vasquez
E. Ivania Reyes
F. Eric Velazquez
G. Kimberly Valencia
H. Nydia Romero

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

(X) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

(x) Planning Commission

2025 NOV 25 P 2:4

PERSONAL INFORMATION *Please print:*

Name: Robert V. Becerra Address: [redacted]

Years in South El Monte: 15 Home Phone: [redacted]

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: El Monte Union High School Work Phone: [redacted]

Occupation: Campus Supervisor II Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

El Monte High School — 12
Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

Rio Hondo Police Academy — POST Certificate
Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Chair Community Services Commission

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

ELMONTEANS 3 term President 5 years Friendly Cities Kiwanis 5 years

Youth Basball Coach 4 years

10 years Member of Southern California Attractioon Security Association

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No

Would your personal or business activities conflict with you serving as a commissioner? No If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

Currently serving as Chair Community Services Commission. I have over 30 years experience in enforcing laws and municipal codes. I bring positivite experience and a creative approach, I bring drive and passion to sever our community, build postive relationships.

IMPORTANT

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Signature of Applicant: [redacted] **Date:** 11/25/25

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CITY OF SOUTH EL MONTE

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All-America City

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2015 DEC -2 P 2:45

Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

(✓) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

( ) Planning Commission

PERSONAL INFORMATION *Please print:*

Name: GERARDO DIAZ Address: [redacted]

Years in South El Monte: _____ Home Phone: _____

E-mail Address: [redacted] ell Phone [redacted]

Employer: _____ Work Phone: _____

Occupation: _____ Employer's Address: _____

EDUCATION/TRAINING

High School:

Mtn View High School 12

Name/Location Highest Grade Completed

University, College, Trade School, or Other:

_____

Name/Location Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

_____

_____

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

_____

_____

_____

_____

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? _____

Would your personal or business activities conflict with you serving as a commissioner? _____ If yes, please explain:

_____

_____

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

_____

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_____

IMPORTANT

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Signature of Applicant: [redacted] **Date:** 12-2-2025

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

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CITY OF SOUTH EL MONTE

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

(X) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

( ) Planning Commission

2025 DEC 18 P 5:

PERSONAL INFORMATION *Please print:*

Name: GEORGE ANGUIANO Address: [redacted]

Years in South El Monte: 27 Home Phone: _____

E-mail Address: [redacted] ell Phone: [redacted]

Employer: ~~Los~~ LOS ANGELES SUPERIOR COURT Work Phone: [redacted]

Occupation: CSA III Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

SOUTH EL MONTE HIGH SCHOOL, SO. EL MONTE — 12

Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

PASADENA CITY COLLEGE — PARALEGAL CERT.

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

COMMUNITY SERVICES COMMISSON 2019 AND 2025

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

JETS, AYSO, LITTLE LEAGUE COACH

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? NO

Would your personal or business activities conflict with you serving as a commissioner? NO If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I HAVE LIVED IN SO. ELMONTE FOR MORE THAN 20 YEARS NOW. DURING THAT TIME I'VE COACHED FOR MANY ORGANIZATIONS WITH IN THE CITY. I WAS ALSO A MEMBER OF THE PTO FOR THE EPIPHANY CATHOLIC SCHOOL AND SERVED AS A COMMUNITY COMISSONER IN 2019 AND 2025.

IMPORTANT

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Signature of Applicant [redacted] **Date:** 12-18-25

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CITY OF SOUTH EL MONTE

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APPLICATION FOR APPOINTMENT TO COMMISSION

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RECEIVED
2025 DEC 18 P 5:16

Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

(X) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

( ) Planning Commission

PERSONAL INFORMATION *Please print:*

Name: HORTENCIA VASQUEZ Address: [redacted]

Years in South El Monte: 17 Home Phone: [redacted]

E-mail Address: [redacted] l Phone: [redacted]

Employer: MUSD Work Phone: _____

Occupation: SPECIAL ED INSTRUCTIONAL AIDE Employer's Address: _____

EDUCATION/TRAINING

High School:

GARFIELD — 11th

Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

LONG BEACH STATE — BACHELOR'S RECREATION Management

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

P COMMUNITY SERVICES COMMISSION

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

CALIFORNIA BASKETBALL OFFICIALS ASS.

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? NO

Would your personal or business activities conflict with you serving as a commissioner? NO If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I HAVE 23 YEARS WORKING EXPERIENCE WITH PARKS and RECREATION WORKING WITH LOW INCOME FAMILIES & YOUTH AT RISK, SERVING THE COMMUNITY. I HAVE PREVIOUSLY SERVED ON THE COMMUNITY SERVICES COMMISSION. ATTENDING MANY EVENTS AND GIVING IMPUT ON PROGRAMS AND SERVICES OF SOUTH EL MONTE. I ALSO HAVE A DEGREE IN RECREATION MANAGENT IN WHICH HAS PREPARED ME FOR THIS POSITION.

IMPORTANT

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Signature of Applicant: [redacted] **Date:** 12/18/25

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

(X) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

( ) Planning Commission

2023 DEC -4 P 4:51

PERSONAL INFORMATION *Please print:*

Name: Ivania Reyes Address: [redacted]

Years in South El Monte: 9 years Home Phone: _____

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: Second Chances Law Group Work Phone: _____

Occupation: Office Manager Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

Sacred Heart of Jesus / Los Angeles — 12th grade- High School Diploma

Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

Uniiversity of La Verne — Criminal Justice and Ciminalogy Bachelor of Science

Name/Location — Major/Degree

Uniiversity of La Verne College of Law and Public Service — Public Administration- Masters (Pending)
Juris Doctor- (Pending)

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

NA

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

I am a student at a University of La Verne College of Law and Public Service

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No

Would your personal or business activities conflict with you serving as a commissioner? Sometimes If yes, please explain:

The position I am applying for meets on Tuesdays, which is a day I do not have school.

I am currently in Law School, but I do not have school on Tuesday evenings.

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I am actively pursuing a Master's Degree in Public Administration because I am passionate about making a meaningful impact in my community. I aspire to serve others and contribute to societal improvement. The position I am applying for will not only deepen my understanding of the community's needs but also empower me to play a role in fostering positive change and building a brighter future for all and getting the experince I need.

IMPORTANT

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Signature of Applicant: _____ **Date:** 12/4/2025

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(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

APPLICATION FOR APPOINTMENT TO COMMISSION

The City of South El Monte welcomes your interest to serve on a City Commission. All applicants must be a resident of the City of South El Monte and complete a Live Scan prior to appointment. City of South El Monte employees are **not** eligible to serve as a member on a commission.

Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

(X) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

( ) Planning Commission

2026 JAN 12 P 5:21

PERSONAL INFORMATION *Please print:*

Name: ERIC VELAZQUEZ Address: [redacted]

Years in South El Monte: 35 Home Phone: _____

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: EMANATE HEALTH Work Phone: [redacted]

Occupation: PATIENT LIAISON Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

BISHOP AMAT, LA PUENTE — 12
Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

CAL POLY POMONA, POMONA — BS
Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

NONE

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

NONE

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? NO

Would your personal or business activities conflict with you serving as a commissioner? NO If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

As a resident of South El Monte for over 30 years I have made many relationships with fellow residents and representatives of city. I love living in the city and want to see it continue in its prosperous path. Being involved with the city and the commissions would provide me the opportunity to share ideas the residents have.

IMPORTANT

The application process will be used to assist the City Council in their selection of appointments. The City Council is not bound by the submittal of an application to make an appointment.

Proof of residence is required, including a California State Issued Driver's License (or California State Issued Identification Card) and a utility bill.

By signing the application, you understand that this document is a public record subject to disclosure upon request, you acknowledge your understanding and commitment as a commissioner, and if appointed, consent to a Live Scan background check, will undergo required AB 1234 Ethics training, and will file a Form 700 Statement of Economic Interests.

Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applicant: [redacted] **Date:** 01/06/2026

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

Office of the City Clerk
1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

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APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

(X) Advancement for Women and Girls Commission

(X) Community Services Commission

( ) Homeless Commission

(X) Patriotic Commission

(X) Planning Commission

2025 DEC -4 P 4:

PERSONAL INFORMATION Please print:

Name: Kimberly Valencia, CHCP Address: [redacted]

Years in South El Monte: 15+ Home Phone: N/A

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: UCLA David Geffen School of Medicine, Center for Continuing Professional Development Work Phone: N/A

Occupation: Continuing Education Manager Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

South El Monte High School — Graduation 2012

Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

University of Utah, 2017 — Bachelor of Arts, Communication Studies

University of Texas, El Paso (In Progess, Fall 2026) — Master of Arts, Education

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

None.

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

UCLA Health Leadership Development Program

Alliance for Continuing Education in the Health Professions (ACEHP)

Certified Healthcare CPD Professional (CHCP)

Global Alliance for Medical Education (GAME) Project Management Institue (PMI)

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No.

Would your personal or business activities conflict with you serving as a commissioner? No. If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I bring close to a decade of experience in continuing medical education (CME), professional development (CPD), and grant management with a strong focus on equity and community wellbeing. In my role as Continuing Education (CE) Manager at UCLA David Geffen School of Medicine (DGSOM) I oversee programs that support high quality healthcare and strengthen the skills of clinicians who serve diverse populations. My previous work with UCLA Integrated Substance Abuse Programs (ISAP) deepened my understanding of behavioral health needs and the connection between housing, stability, and long term wellness.

I also serve as a mentor for professionals in the CPD and CME field and I hold a professional certificate in Project Management from Cal State LA. These experiences have strengthened my abilities in organization, planning, and partnership building. In addition, I previously served as Vice President of the El Monte/South El Monte (EMSEM) Jets Football and Cheer organization. This role provided hands on experience within our community and nonprofit operations which I believe would be an asset to any commission.

I have a deep love for South El Monte and a strong commitment to its future. My goal is to build meaningful relationships between the city and the community and to foster collaboration with institutions such as UCLA. I am dedicated to serving in a way that reflects care, integrity, and long term vision.

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Signature of Applicant: [redacted] Date: 12/4/2025

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Mark which Commission(s) you wish to serve on:

- (X) Advancement for Women and Girls Commission
- (X) Community Services Commission
- (X) Homeless Commission
- (X) Patriotic Commission
- (X) Planning Commission

2025 NOV 25 P 2:

PERSONAL INFORMATION *Please print:*

Name: Nydia Romero Address: [redacted]

Years in South El Monte: 30 Home Phone [redacted]

E-mail Address: [redacted] hone:

Employer: Singreen Systems, Inc Work Phone: [redacted]

Occupation: SR PAdmin Employer's Addres [redacted]

EDUCATION/TRAINING

High School:

SEMHS — 12th

Name/Location Highest Grade Completed

University, College, Trade School, or Other:

Name/Location Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Patriotic Commission

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

PTO President VCSD. SEMHS PTSA, SEMHS Elec Chair, VCSD Parent Advisory Committee chair.

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? no

Would your personal or business activities conflict with you serving as a commissioner? no If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I am an avid and passionate person about Community service. It is my goal and mission in life to leave the world a better place, even if my part is "small". I have been a parent volunteer for 21 years, from Options to Headstart to middle school and now the high school. It has been my distinct honor and privilege to serve on SEM Patriotic Committe. I hope to continue on in any capacity the city deems. Thank you for reading! Respectfully, Nydia

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Signature of Applic [redacted] **Date:** 11/14/25

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South El Monte, CA 91733
(626) 579-6540

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City Council Agenda Report
Agenda Item No. 9.e.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Adrian Garcia, MMC, City Clerk

SUBJECT: APPOINTMENT OF PATRIOTIC COMMISSIONERS

SUMMARY: Appointments to be made to the Patriotic Commission, which is a five-member commission. The current terms expired on January 31, 2026.

RECOMMENDED ACTION: Staff recommends City Council consider appointing five individuals seeking re-appointment/appointment to the Patriotic Commission for a one-year term ending January 31, 2027.

FISCAL/FINANCIAL IMPACT: Commissioners receive a monthly stipend of $100 for each month in which a commissioner attends at least one meeting. Funds have been budgeted.

DISCUSSION: The Patriotic Commission is a five-member commission consisting of five city residents appointed by a majority of the City Council. This appointment is for a one-year term commencing on February 1, 2026, pending clearance of Live Scan background check.

The Patriotic Commission acts in an advisory capacity to the City Council in all matters pertaining to patriotism and the civic recognition of both active and veteran military personnel.

Seven (7) applicants are seeking reappointment/appointment to the Patriotic Commission.

Seeking Reappointment:
- Blanca M. Figueroa
- Naomi Lopez
- Victor Montiel
- Nydia Romero
- Abraham Flores Rojo

Seeking Appointment:

- Deann Pinuelas
- Kimberly Valencia – (Also applied for Advancement for Women and Girls, Community Services and Planning)

ATTACHMENT(S):

A. Blanca Figueroa
B. Naomi Lopez
C. Victor Montiel
D. Nydia Romero
E. Abraham Flores
F. Deann Pinuelas
G. Kimberly Valencia

CITY OF SOUTH EL MONTE

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(626) 579-6540

APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

(X) Patriotic Commission

( ) Planning Commission

2025 NOV 20 P 5:24

PERSONAL INFORMATION *Please print:*

Name: Blanca M. Figueroa Address: [redacted]

Years in South El Monte: 65 Home Phone: _____

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: Retired Work Phone: _____

Occupation: _____ Employer's Address: _____

EDUCATION/TRAINING

High School:

El Monte High School, Mt View High School
Name/Location Highest Grade Completed

University, College, Trade School, or Other:

Rio Hondo College, USC College Whittier College BA
Name/Location Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Community Service, Beautification Committee and Patriotic Commission (current)

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

3L Club Bingo South El Monte

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No

Would your personal or business activities conflict with you serving as a commissioner? No If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I've been a Patriotic Commissioner for A total of years. I have helped impliment the veteran banners, the Eagle Veteran memorial wall and monument, the Veterans parking at Sr. Center, Community Center and City Hall. the veteran's patriotic lapel pin, the Veteran / Soldier bumper stickers are what I've also done. I started celebrating Veterans Day, Memorial Day and Sept. 11th when I was in office at SEMas the mayor, they were not celebrating then, I appreciate, respect and care for our Veterans & Soldiers who have sacrified it all.

IMPORTANT

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Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applicant: [redacted] **ate:** Nov. 20, 25

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

Office of the City Clerk
1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

(X) Patriotic Commission

( ) Planning Commission

2025 DEC -4 A 11: 32

PERSONAL INFORMATION *Please print:*

Name: Naomi Lopez Address: [redacted]

Years in South El Monte: 45 Home Phone: [redacted]

E-mail Address [redacted] Cell Phone: [redacted]

Employer: — Work Phone: —

Occupation: Retired Employer's Address: —

EDUCATION/TRAINING

High School:

Garfield High — 12th
Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

Rio Hondo — Bilingual Ed. Early Childhood Ed.
Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Patriotic Commission.

Previously Instructional Aide in Special Education for 27 years.

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

Active member of the So. El Monte Senior center since 2003. Member of the 3 L Club / also secretary. Member in charge of Adult Art Group.

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No

Would your personal or business activities conflict with you serving as a commissioner? No If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I have resided in So El Monte since 1965 and have been actively involved in church and community activities. I have served as a Patriotic Commissioner for the past six years. I am physically able and eager to continue serving with ideas and activities which concern the vetrans of this community.

Thank you for considering me for this commission

Yvonne Lopez

IMPORTANT

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Signature of Applicant: [redacted] **Date:** 12/4/2025

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

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CITY OF SOUTH EL MONTE

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All-America City

2025 DEC -3 A 10:38

APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission you wish to serve on:

(X) Patriotic

( ) Planning

( ) Community Services: ( ) Representing Senior Member At Least 60 years of age

( ) Representing Youth Member Between 16 and 21 years of age

PERSONAL INFORMATION *Please print:*

Name: VICTOR MONTIEL Address: [redacted]

Years in South El Monte: 30 YEARS Home Phone: _____

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: SAN GABRIEL VALLEY Work Phone: _____

Occupation: SUPERINTENDENT Employers Address: [redacted]

EDUCATION/TRAINING

Grammar School

POTRERO — 8

Name/Location — Highest Grade Completed

High School

EL MONTE HIGH SCHOOL — 12

Name/Location — Highest Grade Completed

University, College, Trade School, or Other

CITRUS COLLEGE

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

2025 PATRIOTIC COMMISSION

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

BELONG TO WOUNDED HEROES OF AMERICA VETERAN ORGANIZATION. SIGNED UP WITH AMERICAN LEGION.

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that our City will be hosting? NO

Would your personal or business activities conflict with you serving as a commissioner? NO If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

MY WORK HAS CONSISTENTLY EMPHASIZED CLEAR EMPATHETIC COMMUNICATION WITH CUSTOMERS. I UNDERSTAND THE IMPORTANCE OF MAINTAINING PUBLIC CONFIDENCE THROUGH TRANSPARENCY AND ACCOUNTABILITY. MY CHARACTER IS DEFINED BY TRANSPARENCY, EMPATHY, AND A COLLABORATED SPIRIT. I AM SOLUTIONS ORIENTED AND DEDICATED TO EXECUTING ORGANIZATIONAL STANDARDS, QUALITIES THAT ALIGN WITH THE VALUES OF SERVICE AND INTEGRITY CENTRAL TO THE COMMISSION'S MISSION.

IMPORTANT

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Signature of Applicant: [redacted] **Date** 12/2/2025

Return completed application to:

Office of the City Clerk
1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540 Ext. 3280

If appointed, Human Resources will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
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Mark which Commission(s) you wish to serve on:

- (X) Advancement for Women and Girls Commission
- (X) Community Services Commission
- (X) Homeless Commission
- (X) Patriotic Commission
- (X) Planning Commission

2025 NOV 25 P 2:

PERSONAL INFORMATION *Please print:*

Name: Nydia Romero Address: [redacted]

Years in South El Monte: 30 Home Phone [redacted]

E-mail Address: [redacted] hone:

Employer: Singreen Systems, Inc Work Phone: [redacted]

Occupation: SR PAdmin Employer's Addres [redacted]

EDUCATION/TRAINING

High School:

SEMHS — 12th

Name/Location Highest Grade Completed

University, College, Trade School, or Other:

Name/Location Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Patriotic Commission

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

PTO President VCSD. SEMHS PTSA, SEMHS Elec Chair, VCSD Parent Advisory Committee chair.

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? no

Would your personal or business activities conflict with you serving as a commissioner? no If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I am an avid and passionate person about Community service. It is my goal and mission in life to leave the world a better place, even if my part is "small". I have been a parent volunteer for 21 years, from Options to Headstart to middle school and now the high school. It has been my distinct honor and privilege to serve on SEM Patriotic Committe. I hope to continue on in any capacity the city deems. Thank you for reading! Respectfully, Nydia

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Signature of Applic [redacted] **Date:** 11/14/25

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

(X) Patriotic Commission

( ) Planning Commission

2025 DEC -3 P 4:29

PERSONAL INFORMATION *Please print:*

Name: Abraham Flores Address: [redacted]

Years in South El Monte: 37 Home Phone: [redacted]

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: Alliance Industrial Refrigeration Work Phone: [redacted]

Occupation: Industrial Servie Tech. Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

South El Monte — 12

Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

University of Southern California — Teaching/masters

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Patriotic commission 2025

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

Refrigeration Engineers Technicians Association
Masons of California

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? NO

Would your personal or business activities conflict with you serving as a commissioner? No. If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I have a personal commitment to uplift my community. I am outgoing with a pleasant personality and a willingness to serve and support. I have a masters degree in Teaching and though I am not a teacher I like to interact with people an learn from them and in this case I want to learn how we can improve our community in order to teach the youth and community.

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Signature of Applicant: [redacted] **Date:** 12/3/25

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APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

(✓) Patriotic Commission

( ) Planning Commission

2025 DEC -4 P 2:10

PERSONAL INFORMATION *Please print:*

Name: DeAnn Pinuelas Address: [redacted]

Years in South El Monte: 50 years Home Phone: [redacted]

E-mail Address: [redacted] Cell Phone: _____

Employer: Retired Work Phone: —

Occupation: Retired Employer's Address: —

EDUCATION/TRAINING

High School:

El Monte High, El Monte 12th grade

Name/Location Highest Grade Completed

University, College, Trade School, or Other:

_____

Name/Location Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

none

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

South El Monte community outreach with Charley Corhn (Turkey Basket)
(neighbors in need, feeding the homeless)
(women fellowship, Hem of His garment)
(Harvester festival)

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? no

Would your personal or business activities conflict with you serving as a commissioner? no If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

el have respect and admiration for our veterans. I believe we should support and be there for them always in whatever they may need. they have sacrifice so much for our nation and our freedom. My two cousins Gilbert & Jack have served in the United States Army during Vietnam war, and My second cousin Maverick is currently serving in the Marines, we are very proud of them. I would appreciate being on the Patriotic Commission to help the Veterans, attend memorial & veterans Day and other events that are so important we must never forget them.

IMPORTANT

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Proof of residence is required, including a California State Issued Driver's License (or California State Issued Identification Card) and a utility bill.

By signing the application, you understand that this document is a public record subject to disclosure upon request, you acknowledge your understanding and commitment as a commissioner, and if appointed, consent to a Live Scan background check, will undergo required AB 1234 Ethics training, and will file a Form 700 Statement of Economic Interests.

Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applicant: [redacted] **Date:** 12/3/2025

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

Office of the City Clerk
1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

(X) Advancement for Women and Girls Commission

(X) Community Services Commission

( ) Homeless Commission

(X) Patriotic Commission

(X) Planning Commission

2025 DEC -4 P 4:

PERSONAL INFORMATION Please print:

Name: Kimberly Valencia, CHCP Address: [redacted]

Years in South El Monte: 15+ Home Phone: N/A

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: UCLA David Geffen School of Medicine, Center for Continuing Professional Development Work Phone: N/A

Occupation: Continuing Education Manager Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

South El Monte High School — Graduation 2012
Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

University of Utah, 2017 — Bachelor of Arts, Communication Studies
University of Texas, El Paso (In Progess, Fall 2026) — Master of Arts, Education
Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

None.

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

UCLA Health Leadership Development Program

Alliance for Continuing Education in the Health Professions (ACEHP)

Certified Healthcare CPD Professional (CHCP)

Global Alliance for Medical Education (GAME) Project Management Institue (PMI)

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No.

Would your personal or business activities conflict with you serving as a commissioner? No. If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I bring close to a decade of experience in continuing medical education (CME), professional development (CPD), and grant management with a strong focus on equity and community wellbeing. In my role as Continuing Education (CE) Manager at UCLA David Geffen School of Medicine (DGSOM) I oversee programs that support high quality healthcare and strengthen the skills of clinicians who serve diverse populations. My previous work with UCLA Integrated Substance Abuse Programs (ISAP) deepened my understanding of behavioral health needs and the connection between housing, stability, and long term wellness.

I also serve as a mentor for professionals in the CPD and CME field and I hold a professional certificate in Project Management from Cal State LA. These experiences have strengthened my abilities in organization, planning, and partnership building. In addition, I previously served as Vice President of the El Monte/South El Monte (EMSEM) Jets Football and Cheer organization. This role provided hands on experience within our community and nonprofit operations which I believe would be an asset to any commission.

I have a deep love for South El Monte and a strong commitment to its future. My goal is to build meaningful relationships between the city and the community and to foster collaboration with institutions such as UCLA. I am dedicated to serving in a way that reflects care, integrity, and long term vision.

IMPORTANT

The application process will be used to assist the City Council in their selection of appointments. The City Council is not bound by the submittal of an application to make an appointment.

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Signature of Applicant: [redacted] Date: 12/4/2025

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

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1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

City Council Agenda Report
Agenda Item No. 9.f.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Adrian Garcia, MMC, City Clerk

SUBJECT: APPOINTMENT OF PLANNING COMMISSIONERS

SUMMARY: Appointments to be made to the Planning Commission, which is a five-member commission. The current terms expired on January 31, 2026.

RECOMMENDED ACTION: Staff recommends City Council consider appointing five individuals seeking reappointment/appointment to the Planning Commission for a one-year term ending January 31, 2027.

FISCAL/FINANCIAL IMPACT: Commissioners receive a monthly stipend of $150 for each month in which a commissioner attends at least one meeting. Funds have been budgeted.

DISCUSSION: The Planning Commission is a five-member commission consisting of five city residents appointed by a majority of the City Council. This appointment is for a one-year term commencing on February 1, 2026, pending clearance of Live Scan background check.

The Planning Commission acts in an advisory capacity to the City Council on all matters pertaining to community development, to be approved by the City Council.

Seven (7) applicants are seeking reappointment/appointment to the Planning Commission.

Seeking Reappointment:
- Leonel A. Barrera, Jr
- Jeff Ortiz
- Gracie Retamoza
- Jacqueline Rubio
- Kenneth Tang

Seeking Appointment:

- Kimberly Valencia – (Also applied for Advancement for Women and Girls, Community Services, and Patriotic)
- Nydia Romero – (Also applied for Advancement for Women and Girls, Community Services, and Patriotic)

ATTACHMENT(S):

A. Leonel Barera
B. Jeff Ortiz
C. Gracie Retamoza
D. Jaqueline Rubio
E. Kenneth Tang
F. Kimberly Valencia
G. Nydia Romero

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

(✓) Planning Commission

2025 DEC -2 P 4:5

PERSONAL INFORMATION *Please print:*

Name: Leonel A. Barrera, JR Address: [redacted]

Years in South El Monte: _____ Home Phone: [redacted]

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: SGV Water Company Work Phone: [redacted]

Occupation: Director of Customer Service Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

Mountain View High — 12

Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

Citrus College

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Planning Commission
Community Service

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

SGWUA
San Gabriel Valley Water Association
EMI

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? NO

Would your personal or business activities conflict with you serving as a commissioner? NO If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

December 2, 2025

Office of the City Clerk
Honorable Mayor
Honorable Council members
City of South El Monte

Subject: Planning Commission 2026

I am very interested in serving as a Planning Commissioner in 2026. Over the past few years, I have gained valuable knowledge and experience, and I am eager to continue learning and contributing to our city. I am committed to working diligently and prioritizing the best interests of our community, addressing both residential and commercial needs. There is still much work ahead of us, and I appreciate your consideration.



Leonel A. Barrera, Jr (Leo)

IMPORTANT

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By signing the application, you understand that this document is a public record subject to disclosure upon request, you acknowledge your understanding and commitment as a commissioner, and if appointed, consent to a Live Scan background check, will undergo required AB 1234 Ethics training, and will file a Form 700 Statement of Economic Interests.

Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applicant: _____ **Date:** 12-2-25

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

Office of the City Clerk
1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

2025 DEC -2 A 10:08

APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission you wish to serve on:

( ) Advancement for Women and Girls:
- ( ) Representing Senior Member at Least 55 years of age
- ( ) Representing Youth Member between 16-17 years of age

( ) Community Services:
- ( ) Representing Senior Member at Least 60 years of age
- ( ) Representing Youth Member between 16-21 years of age

( ) Patriotic (X) Planning

PERSONAL INFORMATION *Please print:*

Name: Jeff Ortiz Address: [redacted]

Years in South El Monte: 41 Home Phone: [redacted]

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: IAPMO Work Phone: [redacted]

Occupation: Magazine Editor / Marketing Manager Employer's Address: 4755 E. Philadelphia Street, Ontario, CA 91761

EDUCATION/TRAINING

High School:

Bishop Amat Memorial High School, La Puente, CA — 12
Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

Rio Hondo Community College, Whittier, CA — Fine Arts / Not Completed
Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

South El Monte Planning Commission - Currently Serving since 2020

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

Employment: I've worked with The IAPMO Group for 24 years. Our organization has been protecting the health and safety of people worldwide since 1926. The IAPMO Group develops building codes and standards and also tests and certifies building products.

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No

Would your personal or business activities conflict with you serving as a commissioner? No If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I am currently serving on the Planning Commission and have respectfully served for almost 6 years. I've been fair and unbias, always putting the community first while still being fair to the businesses and/or developers. I previously served seven years on my Home Owners Association, with five of those seven as President. The HOA was located in Menifee, CA and we managed close to 200 homes. (2006-2013) I served on a Neighborhood Community Action Group in the Canyon Crest area of Riverside, CA for six years, with five of the six served as Chairman. We worked with the City of Riverside (City Council / Planning Commission) and with the businesses neighboring our communty to evaluate any impacts towards the local residents. (1998-2004) Employment: I've worked for The IAPMO Group for over 20 years. Our organization protects people world wide through the development and enforcement of safe and efficient building product codes and standards, and the proper installation and testing of certified products, systems, and materials.

IMPORTANT

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Signature of Applicant: [redacted] **Date:** 12-01-25

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial or subsequent revocation of commission.

Return completed application to:

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1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

If appointed, Human Resources will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

(X) Planning Commission

2025 DEC -1 P 4:09

PERSONAL INFORMATION *Please print:*

Name: GENIE RETAMOZA Address: [redacted] 91733

Years in South El Monte: 50 YRS Home Phone: [redacted]

E-mail Address: [redacted] ell Phone: [redacted]

Employer: CITRUS COLLEGE Work Phone: [redacted]

Occupation: COUNSELOR Employer's Address: _____

EDUCATION/TRAINING

High School:

MOUNTAIN VIEW HIGH SCHOOL — 12th grade
Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

CAL STATE FULLERTON, BACHELOR'S / UNIVERSITY OF LA VERNE MASTER'S, PPS CREDENTIAL
Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

WOMAN'S COMMISSION, COMMUNITY SERVICE COMMISSION
PLANNING COMMISSION

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

ASCA (AMERICAN SCHOOL COUNSELOR ASSOCIATION)
AACC (AMERICAN ASSOCIATION OF COMMUNITY COLLEGES
NACAC (NATIONAL ASSOCIATION FOR COLLEGE ADMISSION COUNSELING)
ERA EL MONTE & SOUTH EL MONTE EMERGENCY RESOURCES ASSOCIATIONS

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? NO

Would your personal or business activities conflict with you serving as a commissioner? NO If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

AS A PREVIOUS COUNCIL, I BELIEVE MY BACKGROUND MAKES ME A STRONG ASSET AS A COMMISSIONER. I PREVIOUSLY SERVED AS A COUNCILMEMBER, BEFORE I GAINED EXPERIENCE IN POLICY DEVELOPMENT, COMMUNITY ENGAGEMENT, AND COLLABORATIVE DECISION-MAKING. I CURRENTLY SERVE ON THE PLANNING COMMISSION, WHICH HAS STRENGTHENED MY UNDERSTANDING OF LAND USE, DEVELOPMENT REVIEW, THOUGHTFUL LONG-TERM PLANNING. TOGETHER, THESE ROLES HAVE GIVEN ME A SOLID FOUNDATION IN PUBLIC SERVICE,

IMPORTANT

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Signature of Applicant: [redacted] **Date:** 01 DEC 2025

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

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1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

(X) Planning Commission

2025 DEC -2 P 3:47

PERSONAL INFORMATION *Please print:*

Name: Jacqueline J Rubio Address: [redacted]

Years in South El Monte: 52 Home Phone: [redacted]

E-mail Address: [redacted] Cell Phone:

Employer: Tag That Work Phone:

Occupation: CEO Employer's Address:

EDUCATION/TRAINING

High School:

Mountain View HS — 12th

Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

Rio Hondo College — AA/child develop.

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

_____

_____

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

_____

_____

_____

_____

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? _____

Would your personal or business activities conflict with you serving as a commissioner? _____ If yes, please explain:

_____

_____

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

_____

_____

_____

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_____

IMPORTANT

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Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applicant: [redacted] **Date:** 12/1/25

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

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CITY OF SOUTH EL MONTE

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Mark which Commission(s) you wish to serve on:

( ) Advancement for Women and Girls Commission

( ) Community Services Commission

( ) Homeless Commission

( ) Patriotic Commission

(X) Planning Commission

2025 DEC -4 P 12:25

PERSONAL INFORMATION *Please print:*

Name: Kenneth Tang Address: [redacted]

Years in South El Monte: 8 Home Phone: _____

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: City of Los Angeles Work Phone: _____

Occupation: Civil Engineer Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

Woodrow Wilson High School / Long Beach — 12th
Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

University of California, Irvine — Civil Engineering / Bachelor of Science
Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Planning Commission

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

The Asian American Architects and Engineers Association

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No

Would your personal or business activities conflict with you serving as a commissioner? No If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I bring more than a decade of experience in urban planning, civil engineering, project delivery, and public-sector program management. I currently oversee major citywide infrastructure initiatives for Los Angeles, including long range planning permitting, CEQA compliance, community engagement and coordination with multiple government agencies.

As a resident, I care deeply about how planning, zoning, and development decisions shape long term community wellbeing. I would bring a balanced, practical, and community-oriented perspective to the Planning Commission, with a focus on thoughtful growth, public safety, and improving quality of life.

IMPORTANT

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Signature of Applicant: [redacted] **Date:** 12/4/25

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

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1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
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APPLICATION FOR APPOINTMENT TO COMMISSION

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Mark which Commission(s) you wish to serve on:

(X) Advancement for Women and Girls Commission

(X) Community Services Commission

( ) Homeless Commission

(X) Patriotic Commission

(X) Planning Commission

2025 DEC -4 P 4:

PERSONAL INFORMATION Please print:

Name: Kimberly Valencia, CHCP Address: [redacted]

Years in South El Monte: 15+ Home Phone: N/A

E-mail Address: [redacted] Cell Phone: [redacted]

Employer: UCLA David Geffen School of Medicine, Center for Continuing Professional Development Work Phone: N/A

Occupation: Continuing Education Manager Employer's Address: [redacted]

EDUCATION/TRAINING

High School:

South El Monte High School	Graduation 2012
Name/Location	Highest Grade Completed

University, College, Trade School, or Other:

University of Utah, 2017 University of Texas, El Paso (In Progess, Fall 2026)	Bachelor of Arts, Communication Studies Master of Arts, Education
Name/Location	Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

None.

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

UCLA Health Leadership Development Program

Alliance for Continuing Education in the Health Professions (ACEHP)

Certified Healthcare CPD Professional (CHCP)

Global Alliance for Medical Education (GAME) Project Management Institue (PMI)

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? No.

Would your personal or business activities conflict with you serving as a commissioner? No. If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I bring close to a decade of experience in continuing medical education (CME), professional development (CPD), and grant management with a strong focus on equity and community wellbeing. In my role as Continuing Education (CE) Manager at UCLA David Geffen School of Medicine (DGSOM) I oversee programs that support high quality healthcare and strengthen the skills of clinicians who serve diverse populations. My previous work with UCLA Integrated Substance Abuse Programs (ISAP) deepened my understanding of behavioral health needs and the connection between housing, stability, and long term wellness.

I also serve as a mentor for professionals in the CPD and CME field and I hold a professional certificate in Project Management from Cal State LA. These experiences have strengthened my abilities in organization, planning, and partnership building. In addition, I previously served as Vice President of the El Monte/South El Monte (EMSEM) Jets Football and Cheer organization. This role provided hands on experience within our community and nonprofit operations which I believe would be an asset to any commission.

I have a deep love for South El Monte and a strong commitment to its future. My goal is to build meaningful relationships between the city and the community and to foster collaboration with institutions such as UCLA. I am dedicated to serving in a way that reflects care, integrity, and long term vision.

IMPORTANT

The application process will be used to assist the City Council in their selection of appointments. The City Council is not bound by the submittal of an application to make an appointment.

Proof of residence is required, including a California State Issued Driver's License (or California State Issued Identification Card) and a utility bill.

By signing the application, you understand that this document is a public record subject to disclosure upon request, you acknowledge your understanding and commitment as a commissioner, and if appointed, consent to a Live Scan background check, will undergo required AB 1234 Ethics training, and will file a Form 700 Statement of Economic Interests.

Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applicant: [redacted] Date: 12/4/2025

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

Office of the City Clerk
1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

CITY OF SOUTH EL MONTE

1415 SANTA ANITA AVENUE
SOUTH EL MONTE, CALIFORNIA 91733
(626) 579-6540

APPLICATION FOR APPOINTMENT TO COMMISSION

The City of South El Monte welcomes your interest to serve on a City Commission. All applicants must be a resident of the City of South El Monte and complete a Live Scan prior to appointment. City of South El Monte employees are **not** eligible to serve as a member on a commission.

Mark which Commission(s) you wish to serve on:

- (X) Advancement for Women and Girls Commission
- (X) Community Services Commission
- (X) Homeless Commission
- (X) Patriotic Commission
- (X) Planning Commission

2025 NOV 25 P 2:

PERSONAL INFORMATION *Please print:*

Name: Nydia Romero Address: [redacted]

Years in South El Monte: 30 Home Phone [redacted]

E-mail Address: [redacted] Phone: [redacted]

Employer: Singreen Systems, Inc Work Phone: [redacted]

Occupation: SR PAdmin Employer's Address [redacted]

EDUCATION/TRAINING

High School:

SEMHS — 12th

Name/Location — Highest Grade Completed

University, College, Trade School, or Other:

Name/Location — Major/Degree

LIST CURRENT AND PREVIOUS CITY COMMISSIONS YOU HAVE SERVED ON

Patriotic Commission

PROFESSIONAL, BUSINESS ASSOCIATIONS, CLUBS, GROUPS YOU BELONG TO

PTO President VCSD. SEMHS PTSA, SEMHS Elec Chair, VCSD Parent Advisory Committee chair.

Would you have any difficulty in attending the necessary night meetings? As well as any difficulty attending any city functions that the City will be hosting? no

Would your personal or business activities conflict with you serving as a commissioner? no If yes, please explain:

Explain in your own words the qualifications or experience you possess that would be an asset as a commissioner:

I am an avid and passionate person about Community service. It is my goal and mission in life to leave the world a better place, even if my part is "small". I have been a parent volunteer for 21 years, from Options to Headstart to middle school and now the high school. It has been my distinct honor and privilege to serve on SEM Patriotic Committe. I hope to continue on in any capacity the city deems. Thank you for reading! Respectfully, Nydia

IMPORTANT

The application process will be used to assist the City Council in their selection of appointments. The City Council is not bound by the submittal of an application to make an appointment.

Proof of residence is required, including a California State Issued Driver's License (or California State Issued Identification Card) and a utility bill.

By signing the application, you understand that this document is a public record subject to disclosure upon request, you acknowledge your understanding and commitment as a commissioner, and if appointed, consent to a Live Scan background check, will undergo required AB 1234 Ethics training, and will file a Form 700 Statement of Economic Interests.

Appointment by the City of South El Monte is contingent upon the clearance of the Live Scan and sufficient proof of residence. Should that clearance prove to be unsatisfactory, it may affect your eligibility for appointment or cause for immediate dismissal.

Signature of Applic [redacted] **Date:** 11/14/25

I declare under penalty of perjury, under the laws of the State of California, that all statements contained in this application and any accompanying documents is true and correct, with full knowledge that all statements made in this application are subject to investigation and that any false or dishonest answer to any question may be grounds for denial, criminal prosecution, or subsequent revocation of commission.

Return completed application to:

Office of the City Clerk
1415 Santa Anita Avenue
South El Monte, CA 91733
(626) 579-6540

The City Clerk's Office will contact you regarding the Live Scan.

City Council Agenda Report
Agenda Item No. 11.a.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Ariana De La Cruz, Director of Community Services

SUBJECT: LETTER FROM THE VETERANS HUNTERS PROJECT ORGANIZATION REQUESTING A FACILITY FEE WAIVER FOR THE USE OF THE SOUTH EL MONTE SENIOR CENTER TO HOST A MILITARY DEPLOYMENT CEREMONY AND A MONETARY DONATION

SUMMARY: The Veterans Hunters Project organization is requesting a facility fee waiver for the use of the Senior Center Dining Room to host a military deployment ceremony on Saturday, February 7, 2026 from 9:30 a.m. to 12:30 p.m. In addition, the organization is requesting a monetary donation of $300.00 to provide refreshments for the event.

RECOMMENDED ACTION: Staff recommends City Council discuss and consider:

1. The facility fee waiver request submitted by the Veterans Hunters Project organization for the use of the Senior Center Dining Room in the amount of $300.00;
2. The fee waiver request for the non-waived fees associated with the reservation in the amount of $899.00; and
3. A monetary donation of $300.00 to provide refreshments for the event.

FISCAL/FINANCIAL IMPACT: If approved in accordance with the Facility and Reservation Regulations and Fee Schedule, the City will waive the facility rental fee in the amount of $300.00. Should the City approve to waive the non-waived fees including staff time, refundable damage deposits, and facility cleaning fee, the City will waive an addtional $899.00. Please find below a chart detailing the cost associated with the fee waiver request:

Waived Fees

Fee	Rate	Cost
Senior Center Dinning Room	$100.00 per hour x 3 hours	$300.00

Total Waived Fees:	$300.00

Non-Waived Fees

Fee	Rate	Amount
Staff Time	$16.50 x 2 staff x 3 hours	$99.00
Facility Cleaning fee	$300.00 per event	$300.00
Refundable Damage Deposit	$500.00 per event	$500.00
Total Non-Waived Fees:		$899.00

DISCUSSION: The Vet Hunters Project, is a 501(c)(3) nonprofit organization located in the City of South El Monte which provides assistance, counseling, and support to active service members, military groups, and veterans. In partnership with the 155th Combat Support Sustainment Battalion and 693rd Quartermaster Company, which are also based in South El Monte, they wish to host a military deployment ceremony on Saturday, February 7, 2026. This ceremony will honor the soldiers from the Quater Company, United States Army Reserve, and their families as they prepare for their deployment to serve the nation.

ATTACHMENT(S):

A. Vet Hunters Project Letter
B. Reservation Application

Vet Hunters Project
501(c)(3) Nonprofit Organization | EIN: 30-0704930
PO Box 3174
South El Monte, CA 91733

Mr. Joe Leal
Executive Director, Vet Hunters Project
155th CSSB Soldier and Family Readiness Liaison

Date: January 28, 2026

Honorable Mayor and Members of the City Council
City of South El Monte
South El Monte, California

Dear Honorable Mayor and Members of the City Council,

On behalf of the Vet Hunters Project, a 501(c)(3) nonprofit organization, and in support of the 155th Combat Support Sustainment Battalion, I respectfully request the City of South El Monte's support for the use of the South El Monte Senior Center on Saturday, February 7, 2026, to host a military deployment ceremony honoring the Soldiers of the 693rd Quartermaster Company, United States Army Reserve, and their Families.

The Battalion Headquarters for the 693rd Quartermaster Company is located within the City of South El Monte. This ceremony provides an opportunity for the City to stand alongside its local service members and their Families as they prepare to deploy in service to our nation. Attendance is expected to be approximately 150 individuals or fewer.

We respectfully request use of the Senior Center from 9:30 AM to 12:30 PM, and ask the City to consider waiving any fees associated with the facility use in addition to $300.00 towards the deployment refreshments for the Soldiers and Families. The Soldiers of the 693rd Quartermaster Company have answered our nation's call to deploy, and the City's support would help ensure a dignified and memorable send-off that reflects the community's appreciation for their service and the Families who support them.

Thank you for your consideration and for your continued support of our military community.

In Service,

Joe Leal

Joe Leal
Executive Director
Vet Hunters Project

City of South El Monte Recreation Services Department
1530 Central Avenue, South El Monte, CA 91733
Phone: (626) 579-2043
www.ci.south-el-monte.ca.us

APPLICANT INFORMATION	
Name: Joe Leal	Organization/Business: Vet Hunter Project
Address:1200 N. Potrero Ave.	City: South EL Monte Zip Code:91733
Home Phone:	Work Phone:
Cell Phone:	Email:

RECREATION SERVICES *FACILITY* & PARK
RENTAL APPLICATION AND AGREEMENT
APPLICANT MUST BE PRESENT AT ALL TIMES DURING THE EVENT
ALL EVENING PERMITS CONCLUDE AT 12:00 MIDNIGHT

RESERVATION INFORMATION

FACILITY REQUESTED:

1. COMMUNITY CENTER	2. SENIOR CENTER	3. AQUATICS CENTER	4. PARKS
___ Kitchen	_x__ Dining Room	___ Main Pool	Mary Van Dyke
__x_ Gymnasium	___ Arts and Craft Room	___ Wading Pool	___Community Room
___ Amphitheater	___ Game Room I	___ Locker Rooms	___ Gazebo
___ Dance Room	___ Game Room II		Shively and New Temple
___ Parking Lot			_____ Field
			_____ Picnic Area
			_____ Field
			_____ Picnic Area

Date of Event:	_2/7/26_		Day(s):	__Saturday _____	Estimated Attendance:	_150____	
Purpose of Event/Function:	_Boxing Show and Dance _____						
Reservation Time:	9:30 am	to	12:30 pm	Set up Time:	9:30 am	to	10:30 am
Kitchen Hours:		to		Clean up Time:	12:00 pm	to	12:30 pm

Will the event be open to the public?	__no___	
Will there be entertainment?	___x_____	If yes, what type? _____
Will food be served?	___x_____	If yes, name of caterer? _____
Will alcohol be served?	___no_____	
Portable Stage needed?	___no_____	

Applicant shall indemnify, defend, and hold harmless the City of South El Monte, its officers, employees, and agents from any and all losses, costs, expenses, claims, liabilities, actions, or damages, including liability for injuries to any person or persons or damage to property arising at any time during and/or arising out of or in any way connected with Applicant's authorized activities under the terms of this application and/or use or occupancy of the Facility and adjoining property, unless solely caused by the gross negligence or willful misconduct of the City of South El Monte, its officers, employees, or agents. Applicant agrees to abide and enforce the Rules, Regulations and Policies governing the facility set forth by the City of South El Monte. Said organization/business will accept all responsibility for any damage to premises, furniture, equipment or grounds resulting from use of facility.

I am an authorized agent of the organization/business submitting this application. The information provided in this application is true and correct. I have read and understand this application and agree to all of the facility rules, regulations, and conditions of use.

Signature of Applicant: _____ *Date:* _____

---------- **OFFICE USE ONLY** ----------

☐ APPROVED ☐ DENIED Recreation Services Designee _____ Date: _____

City of South El Monte Recreation Services Department

APPLCIANT NAME: Erin Lui Temple City Sheriffs_____ DATE OF USE: Thursday, June 12, 2025_____

FACILITY: South El Monte Senior Center_____

FACILITY FEE WORK SHEET

The following fee schedule applies to general use of the facility. The City of South El Monte, other governmental entities, and South El Monte-recognized Community Service/Non-Profit Organizations may be granted priority use and may be exempt from fees.

****IMPORTANT INFORMATION****
NO CONFETTI OF ANY SORT IS PERMITTED – SET-UP IS ON YOUR OWN
NOTE: FLOORS ARE COVERED WITH CARPET

Gymnasium Fee	$ __100_ x _____3___ Hours	$300.00
Staff Fee	$ ____16.5____ x ___2_____ # staff (s) x _ 3___ Hours	$ 99.00
Kitchen Fee		NA
Clean Up Fee		$ 300.00
Damage Deposit		$ 500.00
Insurance Premium Certificate	Agency has Provided	$ NA
Liquor Premiums		$ NA
Inflatable Bouncer		$ NA
ABC Permit		$ Na
	TOTAL:	$ 1199.00

# of Round Tables: ___0_____
# of Rectangle Tables: _____
# of Chairs _____

Table and Chair Ratio
6 inch Round Table = 8 chairs
6x6 Rectangle Table = 8 chairs

BALANCE DUE DATE: _____

Deposit(s): Date: _____Receipt # _____Payment $ _____Balance $ _____
Deposit(s): Date: _____Receipt # _____Payment $ _____Balance $ _____
Deposit(s): Date: _____Receipt # _____Payment $ _____Balance $ _____
Deposit(s): Date: _____Receipt # _____Payment $ _____Balance $ _____
Deposit(s): Date: _____Receipt # _____Payment $ _____Balance $ _____

Security Deposit Refund:

Invoice #:_____

Full refund: Yes_____ No _____

Account#:_____

Reservation Info:

If No, reason:

_____

_____

Amount refunded: $_____ Warrant Request Made on: _____

CITY BUILDINGS POLICY AND PROCEDURES

City of South El Monte ("City") Facilities may be used for recreation, social, educational, or governmental functions. The City reserves the right to cancel any reservation at a moment's notice if the facility is needed by the City. However, reasonable effort will be made to relocate/reschedule the event. The City reserves the right of full access to all activities at any time during their occurrence to see that all rules, regulations, and City, State, and Federal Laws are not violated.

Facility use does not suggest City endorsement or sponsorship of any event. Applicant's publicity of event shall clearly and accurately identify the name of the sponsoring organization or individual.

If any provision of this agreement is held to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

APPLICATION PROCESS:

1. Applicant must be at least 21 years of age. Proof of residency for City residents is required at time of application.
2. **A facility is not considered rented until (1) applicant delivers to the City the facility Rental Application and Agreement, rental fee, deposit(s), and any other items deemed necessary by the City; and (2) the City's Recreation Department Supervisor or his/her designee in his/her sole discretion, approves such rental in writing.**
3. The approval process takes a maximum of 14 working days. DO NOT advertise your event or print invitations prior to receiving written approval.
4. Reservations will not be accepted more than one year or less than 30 days in advance of date requested.
5. Time requested must include decorating, event and clean-up time.
6. Clean-up, Damage and Security deposits are due at time of application. Full fees must be paid 30 days prior to the event to avoid termination of application. Payments can be made by cash, check, money order, or credit card. Checks must be made payable to the "City of South El Monte".

INSURANCE REQUIREMENTS

Without limiting Applicant's indemnification of the City, and prior to commencement of the facility use, the applicant shall obtain, provide and maintain at its own expense during the term of facility use, a policy of insurance of the type and amount described below and in a form that is satisfactory to the City. If insurance coverage is cancelled or materially changed, the applicant must notify the city immediately.

General liability insurance. Applicant shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than $1,000,000 per occurrence, $2,000,000 general aggregate, for bodily injury, personal injury, and property damage. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted. If alcohol is sold during the permitted activity, coverage must include full liquor liability. **The City of South El Monte, its officers, officials, agents, and employees shall be included as additional insureds on the policy.**

Primary/non-contributing. Coverage provided by the Applicant shall be primary and any insurance or self-insurance procured or maintained by City of South El Monte shall not be required to contribute with it.

Waiver of subrogation. All insurance coverage maintained or procured pursuant to this application shall be endorsed to waive subrogation against the City of South El Monte, its elected or appointed officers, agents, officials, employees and volunteers or shall specifically allow the applicant or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. Applicant hereby waives its own right of recovery against the City of South El Monte.

Requirements not limiting. Requirements of specific coverage features, or limits contained in this section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the Applicant maintains higher limits than the minimums shown above, the City of South El Monte requires and shall be entitled to coverage for the higher limits maintained by the Applicant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City of South El Monte.

Acceptable insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VII (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the City's Risk Manager.

*For organizations/businesses that do not carry general liability insurance, special event liability insurance can be purchased through the City/Alliant Insurance.

APPLICANT RESPONSIBILITIES:

1. Applicant must be present during the entire event.
2. All activities must cease, and the facility completely vacated by 1:00 a.m. Amplified music must be terminated no later than 12:00 a.m. (midnight).
3. The group must appear within 30 minutes of time specified or permit will be cancelled and all fees forfeited.
4. Applicant cannot exceed the number attending on the application.
5. Activities for minors must be supervised by responsible adults on the ration of at least one adult for every 20 minors.
6. Applicant must secure services of at least two private security guards for supervision of teenage (ages 13-20) events. Security services will be added into total fees.
7. Groups using kitchen facilities shall furnish own dishes, silverware, cooking utensils, towels, soap, ice, serving trays, etc.
8. Applicant is responsible for facility clean-up. Facility must be left in a reasonably clean condition (as determined by the City) to receive a full deposit refund.
9. **Applicant must conduct a walkthrough of the facility with staff prior to and at the conclusion of the event to review the condition of the facility. The Facility Condition Report must be signed to receive a deposit refund.**
10. Applicant is responsible for the supervision of small children. They must remain in the reserved area.
11. Applicant shall adhere with all local, state, and federal laws, codes, and regulations related to the use of the Facility, including but not limited to fire codes , assembly occupancy, public health orders, and the Americans with Disabilities Act.
12. Applicant further agrees that it is solely responsible for reviewing and ensuring compliance with all applicable public health orders and/or guidance in effect at the time of the use of the facility.
    Failure to comply with any of the City's policies, procedures, or information published on this application will result in cancellation of renters reservation and lost of damage deposit.

DECORATIONS/SET-UP:

1. Staples, nails or any drilling are prohibited on all surfaces including walls, glass, tables, windows and doors.
2. The use of candles, open flame, smoke, bubble machines or fog machines is strictly prohibited.
3. All decorations must be removed by the applicant at the conclusion of the event.
4. Applicant is responsible for own set-up and tear down. City staff will assist with tear down of City owned tables and chairs only.
5. Hay and confetti of any sort are prohibited.

PROHIBITED:

1. No alcoholic beverages (unless proper permits are obtained) or illegal substances are permitted on City property. Violation will result in the closure of the event and forfeiture of all fees.
2. Use of glass containers is prohibited at all facilities unless otherwise approved by the Recreation Services Supervisor or his/her designee.
3. Smoking is not permitted on City property.
4. No profane language or disorderly or unseemly conduct is permitted in any City facility.

PROHIBITED CONTINUED:

5. No advertisements, circulations or petitions, solicitations, nor entry fees are permitted without written approval from the City.
6. Guests may not take food into the hallways/restrooms or any other areas that are not rented.
7. No storage of private property is permitted on City premises.
8. City Facilities cannot be used for commercial purposes without written approval.
9. Bounce houses and petting zoos are not permitted on City facilities.
10. City equipment shall not be removed from any City facility.
11. No animals are permitted at the facility, with the exception of seeing-eye dogs, service animals, or animals pre-approved for use in special exhibits.
12. Applicant shall not admit a larger number of individuals than can lawfully, safely, and freely move about the facility.
13. Only D/J and small bands are allowed to play in the facility. **Staff will determined appropriate volume levels.**
14. The use of candles, open flame, smoke, bubble machines or fog machines is strictly prohibited.

REFUND OF SECURITY DEPOSIT:

1. Refund of security deposit will take approximately 2-6 weeks after the conclusion of your event, provided the City determines no deductions of the security deposit are necessary.
2. There will be a deduction from your security deposit for the following items: damage to floors, walls, or any other part of the facility, additional cleaning, repair or replacement, deviation from the rental agreement, extra staff time cost, or disturbances requiring law enforcement.
3. If Applicant violates any part of this agreement or reports false information to the City, the City may refuse applicant further use of the facility; and applicant shall forfeit a portion of or all of the rental fees and/or deposit.

CANCELLATION POLICY:

1. Reservations must be cancelled at least five days prior to event in order to receive full deposit refund
2. All other cancellations subject to a $25 administration fee.

3. Failure to comply with the reservation regulations, policies, procedures, or any information listed on the reservation application can result in a cacellation of reservation and loss of Damage Deposit.

CANCELLATION, RULES AND REGULATION POLICY

I, the undersigned applicant, have read, understood, received a copy of, and agree to abide by and enforce the cancellation, rules, regulations, and policies governing this facility as set forth by the City of South El Monte. I understand that by signing this document, I accept all responsibility for any damages to premises, furniture, equipment or grounds resulting from use of the facility. I further agree that any violation of the Facility Rules and Regulations can result in immediate cancellation of the reservation and forfeiture of all fees and deposits.

Applicant's Signature: _____ Date: _____

City Council Agenda Report
Agenda Item No. 11.b.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY: Dianna Gomez, Sr. Executive Assistant to City Council/Community Liaison

SUBJECT: LETTER FROM THE EM/SEM JETS ORGANIZATION REQUESTING A DONATION TO THEIR VOLUNTEERS AND PROGRAM

SUMMARY:

RECOMMENDED ACTION: Discussion and/or action.

FISCAL/FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENT(S):

A. SEM 2025

November, 2025

City of South El Monte Council Members,

As our 2025 football season has come to an end, I would like to kindly request the City of South El Monte's support in contributing to our end-of-season volunteer appreciation effort.

Our goal was to host a more elaborate celebration for both our participants and our volunteers, including a banquet and meaningful gifts. However, with rising costs and limited program funds, we must be mindful of our budget while still acknowledging the incredible commitment of our staff.

Our volunteers dedicate countless hours throughout the season and also cover their own mandatory expenses, such as online certification courses, LiveScan background checks, and CPR classes. Because of this, we hope to provide them with a small token of appreciation—such as lunch or a modest gift—to recognize the time, money, and heart they invest into our program. With over 40 staff members, your contribution would make a significant difference and help reduce the financial strain on our organization.

We sincerely appreciate the City's continued support of our program and our youth. Thank you for taking the time to consider our request, and for always standing behind our community.

Thank you,

Blanca Villa
EM/SEM Jets President
626.297.0036

City Council Agenda Report

Agenda Item No. 12.a.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY:

SUBJECT: **COUNCILMEMBER MANUEL ACOSTA**

1. City Manager's Decision to Remove Public Safety Dept and Replace with Parking Enforcement Dept.
   Discussion/Action: On December 23, 2025, the city manager replaced the Public Safety Dept with a new Parking Enforcement Dept. What tasks and duties that were performed by the Public Safety dept will not be performed by the new Parking Enforcement dept? What are the advantages of removing the Public Safety dept?

SUMMARY:

RECOMMENDED ACTION:

FISCAL/FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENT(S):

None

City Council Agenda Report
Agenda Item No. 12.b.

DATE: February 3, 2026

TO: Honorable Mayor and Members of the City Council

APPROVED BY: Rene Salas, City Manager

SUBMITTED BY:

SUBJECT: **COUNCILMEMBER HECTOR DELGADO**

1. Consideration of a $5,000.00 donation to South El Monte High School's Varsity Football Team in support of their CIF Championship Run. Donation would help cover the cost of rings for student/athletes.

SUMMARY:

RECOMMENDED ACTION:

FISCAL/FINANCIAL IMPACT:

DISCUSSION:

ATTACHMENT(S):

None