

**CITY OF SOUTH EL MONTE
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, September 14, 2021 - 6:00 PM**

1. ROLL CALL

Mayor Olmos called the meeting to order at 6:00 PM

PRESENT: Councilmember(s): Acosta, Delgado, Retamoza, Mayor Pro Tem Angel, and Mayor Olmos

STAFF PRESENT: Rachel Barbosa, City Manager; Anthony R. Taylor, City Attorney; Rene Salas, Deputy City Manager; Colby Cataldi, Community Development Director; William Fox, Interim Finance Director; Donna G. Schwartz, City Clerk; Paola Lara, Deputy City Clerk; Ian McAleese, Assistant Planner, and Robert Molina, Recreational Leader.

Pursuant to Government Code Section 54953, Subdivision (B) and Governor Newsom's Executive Order N-25-20, dated March 12, 2020, and Executive Order N-29-20, dated March 17, 2020. Zoom webinar was provided for the Public.

2. PLEDGE OF ALLEGIANCE - Councilmember Manuel Acosta led the Pledge of Allegiance.

3. INVOCATION - Pastor Benjamin Garrett, Faith Dominion Church, offered the Invocation.

4. PRESENTATIONS

4.a. City Council received a PowerPoint presentation from Ruby Rose Yopez, Planning Commissioner, on Green Apple Day of Service on October 9, 2021 and Green Apple Week at Valle Lindo School District on October 4 - October 8, 2021.

4.b. Elizabeth Dickson, Dudek, presented a PowerPoint on the South El Monte Housing Element.

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

Councilmember Delgado requested Item 9.d. be heard before public comment.

A motion was made by Councilmember Delgado, seconded by Mayor Pro Tem Angel to move Item 9.d. before public comment and approve the agenda as amended. Motion carried 5-0, by the following vote:

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

NAYS: Councilmember(s): None

ITEM 9.d. REQUESTED BY COUNCILMEMBER DELGADO TO BE HEARD AT THIS TIME

9.d. CONSIDERATION OF ENTERING INTO A CONTRACTUAL AGREEMENT WITH EL MONTE UNION HIGH SCHOOL DISTRICT (EMUHSD) TO PROVIDE A SCHOOL RESOURCE OFFICER FOR SOUTH EL MONTE HIGH SCHOOL

William Fox, Interim Finance Director, presented the staff report.

Edward Zuniga, Superintendent; Alejandro Leon, Director of Pupil Services; and Larry Cecil, Assistant Superintendent for Educational Services, El Monte Union High School District, presented a PowerPoint presentation on the School Resource Officer Program, including survey results, prioritized services for the school community, and the school district's goals for the School Resource Officer Program 2021-2022, and requested the City Council consider working with the School District to reinstate the School Resource Officer Program at South El Monte High School.

Councilmember Delgado stated for the record that he is an employee of the El Monte Union High School District.

City Council discussed at length the school resource officer program, why the agreement between the City and the School District was not renewed, and points that need to be addressed with the Sheriff's department in regards to the program.

Mayor Olmos recommended the City, School District, and Sheriff's department have a meeting to discuss possible options, requirements, and funding for the School Resource officer program.

A motion was made by Mayor Olmos, seconded by Mayor Pro Tem Angel to table this item to a future meeting. Motion carried 5-0, by the following vote:

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

NAYS: Councilmember(s): None

6. PUBLIC COMMENT

Mayor Olmos opened public comment.

1. Larry Rodriguez, South El Monte Resident, thanked City Council for their support of the Valle Lindo School District and thanked Code Enforcement for the safety they provide to the children.

Mayor Olmos closed public comment.

7. CONSENT CALENDAR

A motion was made by Mayor Pro Tem Angel, seconded by Councilmember Delgado to approve the Consent Calendar. Motion carried 5-0, by the following vote:

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

NAYS: Councilmember(s): None

- 7.a. Approved Minutes with requested amendment for the Regular City Council Meeting held July 27, 2021
- 7.b. Adopted Resolution No. 21-49, approving warrants for the period of July 28, 2021, through September 14, 2021
- 7.c. Adopted Resolution No. 21-50, approving Amendment No. 6 to the County of Los Angeles Community and Services Agreement for the Elderly Nutrition Program services for fiscal year 2021-2022
- 7.d. Approved the 2021 "Christmas Wish Toy Giveaway" event donation letter, authorization to include the City Councilmembers' signatures, and the distribution of letters to the South El Monte business community
- 7.e. Adopted Resolution No. 21-51, amending Resolution No. 20-118, authorizing application for CalHome program home rehabilitation funds, execution of related documents and city receipt of funds
- 7.f. Adopted Resolution No. 21-55, awarding Energy Efficiency-light Emitting Diode (led) Fixture Replacement Rate agreement to Southern California Edison Company (SCE)

8. PUBLIC HEARINGS

- 8.a. **CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-52, APPROVING AN APPLICATION FOR CONDITIONAL USE PERMIT (CUP NO. 21-07) ALLOWING FOR A TYPE 47 LICENSE FOR ON-SALE OF BEER, WINE, AND DISTILLED SPIRITS IN CONJUNCTION WITH A BONA FIDE EATING ESTABLISHMENT AND OPERATING KARAOKE AT 1725 DURFEE AVENUE AND OPERATING AS KRUDOS**

Community Development Director Colby Cataldi announced Mayor Pro Tem Angel and Councilmember Acosta requested to bring this item for City Council review and introduced Assistant Planner Ian McAleese who presented the staff report.

Mayor Olmos opened the public hearing and called for public comment.

PUBLIC COMMENT

1. Jeff Ortiz, Planning Commissioner, requested that a system be developed for the Planning Commission for the purpose of determining how many alcohol licenses should be approved and spoke in favor of residents having alcohol services in the City.
2. Mike Iniguez, applicant, spoke in support of City Council approving the application for a Type 47 license. Mr. Iniguez stated his business shows responsibility and denying the application could affect his business.

City Council discussed approving the Type 47 license with a modification to restrict the hours hard liquor can be sold due to an elementary school located down the street.

Mr. Iniguez stated he would comply with City Council's request to stop the sales of hard liquor 30 minutes before and 30 minutes after school is out.

City Attorney Anthony Taylor recommended a motion to adopt the resolution with changes to the language to address the hours.

A motion was made by Councilmember Delgado, seconded by Mayor Pro Tem Angel to adopt Resolution No. 21-52, to approve the decision of the Planning Commission approving CUP 21-07 with the modification to stop the sales of hard liquor 30 minutes before and 30 minutes after school is out. Motion carried 5-0, by the following vote:

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

NAYS: Councilmember(s): None

Mayor Olmos recessed the meeting at 7:47 p.m. and reconvened the meeting at 7:54 p.m.

8.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-53, IMPLEMENTING A RESIDENTIAL AND COMMERCIAL WASTE MANAGEMENT SERVICES RATE ADJUSTMENT FOLLOWING NOTICED MAJORITY PROTEST HEARING

City Attorney Anthony Taylor introduced the item and provided an overview of Senate Bill 1383 and Prop 218 and Community Development Director Colby Cataldi presented the staff report and announced there has been two written protests received by the City Clerk.

Mayor Olmos opened the public hearing and called for public comment.

PUBLIC COMMENT

1. Eve Ramos, South El Monte resident, asked for clarification on the yearly rates for this service, whether notice of the public hearing went out in Spanish, SB 1383, and if a bid was conducted for these services.
2. Oscar Maldonado, South El Monte resident, spoke against residents having to pay for trash service and inquired if the funds generated from the recent sales tax measure or local businesses can pay the residential rates.
3. Maria Yanez, South El Monte resident, spoke against residents having to pay for trash service and asked what the City can do to prevent them from having to pay, and spoke of her parents concerns that the elderly and Spanish speaking communities are not being considered or well-informed of the new rates.
4. Jeff Ortiz, South El Monte Resident, spoke of his concern with identity theft due to people going through people's trash bins, suggested Seniors be educated on identity theft and the city offer a document shredding service for residents.
5. Benjamin Chavez, South El Monte resident, spoke against having to pay for trash service since he does not generate a lot of trash and requested assistance for Seniors to pay a lower rate.
6. Miguel Ortega, voiced concern with the trash rate being expensive for the small amount of trash he generates.

Christian Warner, Athens Services, provided information on the new monthly waste recycling rates which will be phased in over a period of three years, provided information on the waste barrels that will be provided to the residents, stated there is a small 35-gallon barrel that can be provided to Seniors for a reduced monthly rate, and confirmed Athens will send out several informational documents in the mail in several languages to the residents.

Mayor Olmos closed public comment.

City Clerk Donna G. Schwartz announced for the record there were a total of six verbal protests made during the public hearing and City Attorney Anthony Taylor confirmed there was not a majority protest.

City Council discussed at length the reason why the new waste rates are being implemented due to new legislation that was passed and City Manager Rachel Barbosa announced the City will launch an educational program in multiple languages to educate residents on the new waste recycling program.

A motion was made by Councilmember Delgado, seconded by Mayor Pro Tem Angel to adopt Resolution No. 21-53 approving the proposed refuse and recycling service rate structure. Motion carried 5-0, by the following vote:

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

NAYS: Councilmember(s): None

9. GENERAL BUSINESS

9.a. CONSIDERATION AND ADOPTION OF RESOLUTION NO. 21-54 TO APPROVE AMENDMENT NO. 6 TO THE AGREEMENT WITH ARAKELIAN ENTERPRISES, INC. DBA ATHENS SERVICES (ATHENS), FOR WASTE/RECYCLING SERVICE ENHANCEMENTS REQUIRED TO COMPLY WITH SENATE BILL 1383 REGULATIONS AND IMPLEMENTATION OF APPROVED MAXIMUM RATE SCHEDULE

City Attorney Anthony Taylor announced for the record that an update to the agreement attached to the staff report was posted today.

A motion was made by Mayor Pro Tem Angel, seconded by Councilmember Delgado to adopt Resolution No. 21-54, adopting the "Sixth Amendment to the Amended and Restated Agreement by and Between the City of South El Monte and Arakelian Enterprises, Inc., DBA Athens for the Collection of Solid Waste, Recyclables, Yard Waste and Other Compostables." Motion carried 5-0, by the following vote:

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

NAYS: Councilmember(s): None

9.b. CONSIDERATION AND APPROVAL OF CONVERTING EXISTING TENNIS COURT TO FOUR (4) PICKLEBALL COURTS

City Council discussed the options of converting the current tennis court into four pickleball courts or converting the tennis court into two pickleball courts.

City Manager Rachel Barbosa provided information on the conversion of the tennis court to pickleball courts and Deputy City Manager Rene Salas confirmed Measure A funds would be used for this project and suggested the court be converted to a multipurpose court that can be used for tennis and pickleball.

A motion was made by Councilmember Acosta, seconded by Mayor Pro Tem Angel to bring back a staff report at a future meeting with alternatives for converting the tennis court into a multiuse court for tennis and pickleball. Motion carried 5-0, by the following vote:

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

NAYS: Councilmember(s): None

**9.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-56,
APPROVING SUBMITTAL OF PROPOSITION 68 PROGRAM
APPLICATION FOR PER CAPITA GRANT FUNDS**

A motion was made by Councilmember Delgado, seconded by Mayor Pro Tem Angel to adopt Resolution No. 21- 56, approving submittal of the Per Capita grant application for the Splash Pad project. Motion carried 5-0, by the following vote:

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

NAYS: Councilmember(s): None

10. COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS

Councilmember Acosta announced he attended National Night Out and Movie in the Park, El Monte Unified School District's Electric Buses Launch, Concerts in the Park, and Grandparent's Day Drive-Thru event.

Councilmember Retamoza announced she attended National Night Out and Movie in the Park, Concert in the Park featuring Cold Duck, Coffee with the Captain, and El Monte/South El Monte Chamber of Commerce Business Watch Meeting.

Councilmember Delgado announced he attended Valle Lindo School District Board's event in which Tony Thurmond, State Superintendent of Public Instruction, was present, Foothill Transit's Board Meeting and announced there will be a new bus shelter grant available, and Concert in the Park featuring Cold Duck.

Mayor Pro Tem Angel announced he attended National Night Out and Movie in the Park, Concerts in the Park, Grandparent's Day Drive-Thru event, Coffee with the Captain, El Monte/South El Monte Chamber of Commerce Business Watch Meeting, and Valle Lindo School District Board's event in which Tony Thurmond, State Superintendent of Public Instruction, was present.

Mayor Olmos announced she attended National Night Out and Movie in the Park, Concerts in the Park, Grandparent's Day Drive-Thru event, Coffee with the Captain, El Monte/South El Monte Chamber of Commerce Business Watch

Meeting, and Valle Lindo School District Board's event in which Tony Thurmond, State Superintendent of Public Instruction, was present

11. CORRESPONDENCE - None

12. COUNCILMEMBERS' AGENDA

12.a. MAYOR GLORIA OLMOS

1. Resolution in Support of Online Sales Tax

Item 12.a.1. was discussed after Item 12.b.1.

Mayor Olmos stated the City is losing out on funds from local online sales tax and requested to prepare a letter on behalf of the City Council to the League of California Cities in support of a Resolution for fair and equitable distribution of the Bradley Burns 1% local sales tax from in-state online purchases, based on data where the products are shipped to. City Council concurred.

12.b. COUNCILMEMBER MANUEL ACOSTA

1. Discussion of Expanding the Aquatic Program through October and Restarting in March while Keeping the Senior's Water Aerobics Class Open in the Mornings

Councilmember Acosta stated he has received positive feedback about the Senior's Water Aerobics Class and suggested the program be extended until October and begin again in March.

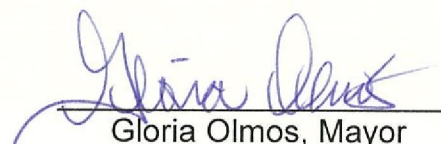
Staff was directed to extend the Senior's Water Aerobics Class to October and open it again in March.

13. CLOSED SESSION - None

14. ADJOURNMENT

There being no further business coming before this body, at 8:17 p.m. Mayor Olmos adjourned the meeting in memory of Uriel Macias, City of Azusa Councilmember and Lieutenant in the United States Navy; David McElwain, LA County Office of Education San Gabriel Valley GAIN Program; Aldo Scmazzon, South El Monte Resident who donated to the City's Memorial Garden; and Greg Klein, South El Monte Resident, to a regular meeting on Tuesday, September 28, 2021 at 6:00 p.m.


Donna G. Schwartz, CMC, City Clerk


Gloria Olmos, Mayor