

**CITY OF SOUTH EL MONTE
REGULAR CITY COUNCIL MEETING MINUTES
JANUARY 28, 2020 6:00 P.M.
COUNCIL CHAMBERS
1415 N. SANTA ANITA AVENUE
SOUTH EL MONTE, CA 91733**

1. ROLL CALL

Mayor Olmos called the meeting to order at 6:37 p.m.

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

ABSENT: Councilmember: Delgado.

Also present: (City Attorney) Anthony R. Taylor, (City Manager) Rachel Barbosa, (City Clerk) Rose Juarez, (Public Works Director) Rene Salas, (Deputy City Clerk) Paola Lara, and (Recreation Supervisor) Ariana Yanez.

2. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Retamoza led the Pledge of Allegiance.

3. INVOCATION

City Employee Laura Lozano, On Eagles Wings Christian Family Church, offered the Invocation.

4. PRESENTATIONS

a. FOURTH QUARTER EMPLOYEE RECOGNITION (#SEMSTARS AWARDS)

The Mayor and City Council presented a plaque to Laura Lozano in recognition of her excellent customer service during the fourth quarter of 2019.

b. CERTIFICATES OF RECOGNITION TO THE 2019 HOLIDAY DECORATION CONTEST WINNERS

The Mayor and City Council presented plaques to the Alvarez Family for Best Use of Lights and the Lopez Family for Best Overall.

The Castillo Family, Most Animated, and the Lopez Family, Most Holiday Spirit, were not present to receive their plaques.

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

Mayor Olmos announced an item would be walked on to the agenda for discussion after Item 12.b., there were no objections.

A motion was made by Angel, seconded by Acosta and carried (4 - 0, Delgado "absent") to approve the agenda as amended, add a walk on item for discussion after Item 12.b., and waive full reading of ordinances.

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

NAYS: None.

ABSENT: Councilmember: Delgado.

6. **PUBLIC COMMENT**

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

7. **CONSENT CALENDAR**

a. **MINUTES**

Staff seeks City Council approval of the Minutes of the Adjourned Regular meeting of December 3, 2019, and Adjourned Regular and Regular meetings of January 14, 2020.

b. **WARRANTS**

Authorizing payment of City expenditures for the period of January 15, 2020 through January 28, 2020 totaling \$1,039,333.10.

c. **CITY MANAGER'S WEEKLY INFORMATIONAL ITEMS**

Report on staff activities beginning the week of January 6, 2020 and ending the week of January 16, 2020.

d. **FACILITY RESERVATION FEE WAIVER REQUESTED BY SOUTH EL MONTE SENIOR COED SOFTBALL TEAM FOR THE USE OF NEW TEMPLE PARK FIELD #1**

The South El Monte Senior Coed Softball Team is requesting a fee waiver for the use of New Temple Park Field #1 for softball practices every Monday from 9:00 a.m. to 11:00 a.m. beginning March 2, 2020 to September 29, 2020.

e. **FACILITY RESERVATION FEE WAIVER REQUESTED BY EPIPHANY SCHOOL FOR THE USE OF THE COMMUNITY CENTER GYMNASIUM**

Epiphany School is requesting a fee waiver for the use of the Community Center Gymnasium to host basketball practices on Mondays from 1:15 p.m. to 2:15 p.m. and Wednesdays from 3:15 p.m. to 4:15 p.m. beginning January 29, 2020 to March 11, 2020.

f. **ADOPT RESOLUTION 20-06, ACCEPTING STATE GENERAL FUND ALLOCATIONS FOR VARIOUS CITY PARK AND CIVIC CENTER IMPROVEMENTS**

The City presented the project list to the Valle Lindo School Board at a Joint Meeting with City Council on December 18th. The School Board

revised and prioritized the list of projects for New Temple Park, Shively Park, Mary Van Dyke Park, and the Civic Center as shown in Attachment B.

A motion was made by Angel, seconded by Acosta and carried (4 - 0, Delgado "absent") to approve the Consent Calendar.

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

NAYS: None.

ABSENT: Councilmember: Delgado.

8. **PUBLIC HEARINGS**

- a. **SECOND READING AND ADOPTION OF ORDINANCE NO. 1241, AMENDING THE SOUTH EL MONTE MUNICIPAL CODE BY MODIFYING TITLE 15 THEREOF ADOPTING BY REFERENCE THE 2020 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), WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS THERETO**

The City Attorney presented the staff report and read the title of the ordinance.

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

A motion was made by Angel, seconded by Acosta and carried (4 - 0, Delgado "absent") to adopt Ordinance No. 1241.

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

NAYS: None.

ABSENT: Councilmember: Delgado.

9. **GENERAL BUSINESS**

- a. **DISCUSSION REGARDING THE SELECTION OF THE 2020 SUMMER CONCERT SERIES BANDS**

The Recreation Supervisor presented the staff report.

The City Council selected Pulp Vixen and The Reel Band for the 4th of July Celebration with Dreaming of You-Selena Tribute as the alternate.

The City Council selected Dreaming of You-Selena Tribute and Shades of LA for the Summer Concert Series with Susie Hanson as the alternate.

- b. **APPOINTMENT OF PLANNING COMMISSIONERS**

A motion was made by Angel, seconded by Acosta and carried (4 - 0, Delgado "absent") to reappoint Leonel A. Barrera, Jr., Rudy Bojorquez, Jeff M. Ortiz, and Larry Rodriguez for a one year term commencing January 29, 2020 and ending January 31, 2021.

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

NAYS: None.

ABSENT: Councilmember: Delgado.

A motion was made by Olmos, seconded by Angel and carried (4 - 0, Delgado "absent") to appoint Ruby Rose Yopez for a one year term commencing January 29, 2020 and ending January 31, 2021.

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

NAYS: None.

ABSENT: Councilmember: Delgado.

c. **APPOINTMENT OF COMMUNITY SERVICES COMMISSIONERS**

A motion was made by Angel, seconded by Acosta and carried (4 - 0, Delgado "absent") to reappoint Josephine Blanco and Joshua Ortega for a one year term commencing January 29, 2020 and ending January 31, 2021.

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

NAYS: None.

ABSENT: Councilmember: Delgado.

A motion was made by Acosta, seconded by Retamoza and carried (4 - 0, Delgado "absent") to appoint Ingrid Aguilar, Yobana Raygoza Covarrubias, Gerardo Diaz, Heliodoro Duarte, and Cesiah Romo for a one year term commencing January 29, 2020 and ending January 31, 2021.

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

NAYS: None.

ABSENT: Councilmember: Delgado.

d. **APPOINTMENT OF PATRIOTIC COMMISSIONER**

A motion was made by Angel, seconded by Retamoza and carried (4 - 0, Delgado "absent") to reappoint David Del Rio, Yolanda Del Rio, Blanca M. Figueroa, Naomi Lopez, and Rudy Lopez for a one year term commencing January 29, 2020 and ending January 31, 2021.

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

NAYS: None.

ABSENT: Councilmember: Delgado.

e. **UPDATE ON 60% DESIGN FOR MERCED AVENUE GREENWAY PROJECT**

The Director of Public Works announced that Jason Casanova from Watershed Health and Aaron Yonker from Tetra Tech would assist with the PowerPoint presentation on the Merced Avenue Greenway Update entitled A Multi-Benefit Green Infrastructure Project.

Mr. Casanova provided an overview on the projects: History, Benefits to the Community, Funding, Community Engagement, Industrial Corridor, Residential Corridor, Existing Conditions, Technical Assistance, Design Current Status, and Community Design Selections Option B and Options A & C.

Mr. Yonker presented an overview on the rendition of the street that included the

proposed planter areas, bioretention areas, high infiltration media biofiltration areas, permeable pavers, infiltration chambers, concrete walkway/cycle track, direction of stormwater runoff and below grade stormwater flow, and various aspects of the street design and layout.

The Public Works Director presented an overview of the budget & funding resources for the south residential and north industrial corridors and provided the timeline and next steps as follows: February 2020 finalize 60% design (south end) and target other grant resources for construction; April 2020 finalize 100% design (south end) and submit Measure W applications; June 2020 close out Coastal Conservancy Design contract and finalize 60% design (north end) contingent upon funding/grant award; October 2020 finalize 100% design (north end) contingent upon funding/grant award; and early 2021 begin construction design, contingent upon funding/grant award.

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

Councilmember Acosta provided a report on his attendance at the Wilkerson School Census Parent meeting and Supervisor Solis' Chinese New Year event.

Mayor Pro Tem Retamaoza provided a report on her attendance at the League of California Cities Public Safety conference.

Councilmember Angel provided a report on his attendance the Wilkerson School Census Parent meeting and Congresswoman Linda Sanchez's Roundtable.

Mayor Olmos provided a report on her attendance at the Wilkerson School Census Parent meeting, Supervisor Solis' Chinese New Year event, SB15 Legislative meeting, Congresswoman Linda Sanchez's Roundtable, Senator Susan Rubio's Roundtable, and SEAACA meeting.

11. **CORRESPONDENCE** None.

12. **COUNCILMEMBERS' AGENDA**

a. **COUNCILMEMBER MANUEL ACOSTA**

1. **Status Request on the April 9, 2019 Agenda Item Exploring the Feasibility of Imposing a Warehouse Space Tax**

Councilmember Acosta stated based on the amount of warehouse space in the City, the feasibility of imposing a warehouse space tax should be considered as a way to bring in revenue to fund City services.

The City Attorney stated a specialized consultant would need to be hired to conduct an analysis, study, structure the tax, and determine adverse impacts, and suggested if the City Council would like to move forward on exploring the tax, that staff be directed to bring back proposals and the City Council at a future meeting can decide whether to move forward with the consultant.

The City Manager stated the City of Ontario has a higher business license cost for warehouses and suggested looking at the City's fee schedule and assessing cost recovery to include the wear and tear of the street and impact

of public safety resources utilized in areas for which the City is not recovering any of the costs.

The City Attorney stated increasing the fee schedule for business licenses or other fees would require a consultant to conduct an analysis that shows a proportionality under Proposition 218 and a study needs to be done first so the City Council can make an informed decision.

2. **Resolution on New City Financial Policies**

Councilmember Acosta stated the City's practice of allowing a Councilmember to take an advance in pay is not appropriate and the City accruing penalties because the check is deposited in advance of the issuance date must be addressed and the City Manager must take control of the City's finances.

Councilmember Angel stated he concurs with Councilmember Acosta's comments and that City policies should be followed.

b. **MAYOR GLORIA OLMOS**

1. **Discussion on Safety Measures Regarding Solicitors**

Mayor Olmos stated solicitors continue to attempt to deceive residents by saying the collection of signatures are to fix schools, speed bumps, traffic lights, and property taxes, when they are really attempting to put cannabis dispensaries, cultivation, and testing labs in the City on the ballot.

Mayor Olmos stated she is advising residents to know what they are signing, requesting that the solicitors to be truthful when obtaining signatures, and suggested that residents spread the word about what is happening in the City.

2. **Exploring the Feasibility of Imposing a Foreign Tax for Land Purchase in South El Monte**

Mayor Olmos spoke of imposing a foreign buyers tax for land purchases, such as Vancouver's 15% tax, as an option for the City to generate tax revenue to better serve the residents and benefit employees, and that she will seek help from Senator Rubio.

WALK ON ITEM

3. **Naming New Temple Park Field After Joe Morales**

Mayor Olmos spoke of Joe Morales' 51 years of participation in the community as a Board Member and President of Little League, suggested naming one of the fields at New Temple Park after Mr. Morales, and indicated the City would need to meet with the Valle Lindo School District to discuss the naming of the field and holding a ceremony in his honor.

Councilmember Angel suggested that the senior field be named after Mr. Morales.

There were no objections to name the New Temple Park senior field after former Little League President and Board Member Joe Morales and to set up a meeting with the Valle Lindo School Board to discuss the naming of the field and holding of a ceremony.

13. **CLOSED SESSION**

a. **PUBLIC EMPLOYEE APPOINTMENT - GOVERNMENT CODE SECTION 54957**

Title: Assistant City Manager

b. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**

Discussion of potential for initiation of litigation pursuant to Government Code Section 54956.9(d)(4) - 6 potential cases.

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

The City Council recessed to closed session at 8:34 p.m. and reconvened to open session at 9:56 p.m.

The City Attorney announced the City Council discussed Items 13.a. and 13.b and no reportable action was taken.

14. **RECESS COUNCIL MEETING**

The meeting was recessed at 9:56 p.m. and reconvened at 9:59 p.m.

15. **ADJOURNMENT**

There being no further business coming before this body, Mayor Olmos adjourned the meeting at 9:59 p.m. to February 11, 2020, 5:30 p.m.

In memory of former Little League President and Board Member Joe Morales, South El Monte Resident Rafaela "Rita" Garza Reta, and former Planning Commissioner Marty Martinez.



Rose Juarez, City Clerk



Gloria Olmos, Mayor