

Gloria Olmos, Mayor
Richard Angel, Mayor Pro Tem
Manuel Acosta, Councilmember
Hector Delgado, Councilmember
Gracie Retamoza, Councilmember



Rachel Barbosa, City Manager
Donna G. Schwartz, City Clerk
Anthony R. Taylor, City Attorney

CITY OF SOUTH EL MONTE

REGULAR MEETING OF THE SOUTH EL MONTE CITY COUNCIL

AGENDA

December 14, 2021, 6:00 PM
1415 Santa Anita Avenue, South El Monte, CA 91733

*****SPECIAL NOTICE REGARDING COVID-19*****

On September 16, 2021, Governor Newsom signed AB 361, which modified the Brown Act to allow for teleconferencing participation at local legislative body public meetings during a proclaimed state of emergency. Pursuant to Government Code Section 54953(e) as amended by AB 361, City Council is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically available to all members of the public seeking to observe and to address the local legislative body. Public participation will be allowed via the information below.

PUBLIC COMMENT

To participate during public comment via teleconference, see below:

Link: <https://us02web.zoom.us/j/86581711880>

Meeting ID: 865 8171 1880

Or Call In: 1 669 900 6833, when prompted, enter 86581711880#

For both open and closed session each speaker will be limited to five minutes. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another. This is the only opportunity for public input except for scheduled public hearing items. 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.

LIVE STREAMING OF MEETINGS

The City of South El Monte live streams the City Council Meetings over the Internet at <https://www.cityofsouthelmonte.org/129/City-Council-Agendas-Minutes> after the meetings, recordings are immediately posted. **NOTE:** Your attendance at this public meeting may result in the streaming and recording of your image and/or voice.

AMERICANS WITH DISABILITIES ACT

Members of the public wishing to submit a general comment or a comment on an agenda item, can email dschwartz@soelmonte.org or call (626) 579-6540 ext. 3280 to leave a voicemail message. All comments received an hour before the scheduled meeting will be read during public comment and made part of the record.

GENERAL COMMENT

Members of the public wishing to submit a general comment or a comment on an agenda item, can email dschwartz@soelmonte.org or call (626) 579-6540 ext. 3280 to leave a voicemail message. All comments received an hour before the scheduled meeting will be read during public comment and made part of the record.

MEETINGS

The [City Council](#) holds regular meetings on the second and fourth Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 Santa Anita Avenue, South El Monte, California. Special and Adjourned Regular meetings start time are to be determined.

POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES

Regular meeting agendas will be posted at least 72 hours before the meeting (GC 54954(a)(1)).

Agenda and Cancellation Notices can be viewed online and are also posted at the following three (3) locations: City Hall located at 1415 Santa Anita Avenue, Senior Center located at 1556 Central Avenue and the Community Center located at 1530 Central Avenue, South El Monte, California.

VIEWING OF AGENDA PACKETS

Full agenda packet can be viewed either at www.cityofsouthelmonte.org/129/City-Council-Agendas-Minutes or in the City Clerk's Office during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

ISSUES RELATED TO AGENDA

For issues related to the agenda, including a disability-related accommodation necessary to participate in this meeting, please contact:

Donna G. Schwartz, CMC, City Clerk
Ph (626) 579-6540 ext. 3280
Cell (626) 274-4842

Paola Lara, Deputy City Clerk
Ph (626) 579-6540 ext. 3220
Cell (626) 374-1998

AGENDA BEGINS ON THE FOLLOWING PAGE

1. ROLL CALL

Councilmembers: Acosta, Delgado, Retamoza, Mayor Pro Tem Angel and Mayor Olmos

2. PLEDGE OF ALLEGIANCE

Councilmember Manuel Acosta

3. INVOCATION

Laura Lozano, Permit Technician, City of South El Monte

4. PRESENTATIONS

4.a. Sheriff's Department Report for the Months of October and November

4.b. Code Enforcement and Public Safety Department Report for the Months of October and November

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 may speak up to five minutes. Unless a majority of the Council objects, the Mayor may provide speakers more or less time to speak. With respect to non-public hearing items, speakers shall provide their comments at this time. During public hearing, speakers are encouraged to speak at the time the public hearing item is presented. Any documents for review should be presented to the City Clerk for distribution.

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.

7.a. CONSIDERATION AND APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES FOR NOVEMBER 9, 2021

Staff is requesting approval of Minutes for the November 9, 2021 Regular City Council Meeting.

RECOMMENDED ACTION: Staff recommends City Council approve the Minutes of the Regular City Council Meeting for November 9, 2021.

CONSENT CALENDAR (CONTINUED)

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-75, APPROVING WARRANTS FOR THE PERIOD OF NOVEMBER 10, 2021 THROUGH DECEMBER 14, 2021

Authorizing payment of City expenditures for the period of November 10, 2021 through December 14, 2021 totaling \$2,043,317.88

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-75, authorizing payment of City expenditures.

7.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-76, APPROVING PROJECT ACCEPTANCE AND NOTICE OF COMPLETION FOR THE RUSH STREET AND PECK ROAD TRAFFIC SIGNAL AND LIGHTING PROJECT

The Rush Street and Peck Road Traffic Signal and Lighting Project, funded by Highway Safety Improvements Program (HSIP) was completed in compliance with the plans and specifications by Calpromax Engineering, Inc. The project scope included the installation of traffic signals and lighting (new poles, foundations, controllers, conduit), median island construction, traffic striping, concrete curb and gutter, sidewalk and curb ramps at the intersection of Rush Street and Peck Road. The final cost for the construction work completed by Calpromax Engineering, Inc. is \$659,085.73.

RECOMMENDED ACTION: Staff recommends City Council:

1. Adopt Resolution No. 21-76, accepting the improvements for the Rush Street and Peck Road Traffic Signal and Lighting Project;
2. Authorize City Clerk to send the Notice of Completion for recordation to the Los Angeles County Recorder's Office; and
3. Release retention accordingly.

7.d. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-77, APPROVING AMENDMENT NO.1 TO AGREEMENT WITH JOHN L. HUNTER AND ASSOCIATES, INC. (JLHA) FOR ENVIRONMENTAL SERVICES

On January 12, 2021 City Council awarded a Professional Services Agreement to JLHA for environmental services and the management of the MS4 NPDES permit. The City has a separate agreement with JLHA to provide services for oversight of the Commercial and Industrial Waste Inspections, Used Oil Recycling, and the Beverage Container Recycling grant programs, which is set to expire on December 31, 2021. In order to maintain continuity of the services and simplify administration, staff recommends that all services be incorporated into the environmental services agreement.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-77, approving Amendment No. 1 to the agreement with JLHA for environmental services to include all said services referenced above.

CONSENT CALENDAR (CONTINUED)

7.e. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-78, PROCLAIMING A LOCAL EMERGENCY PERSISTS AND AUTHORIZING THE USE OF REMOTE TELECONFERENCE MEETING PROCEDURES BY THE CITY'S LEGISLATIVE BODIES AS AUTHORIZED BY GOVERNMENT CODE SECTION 54953(E) ET SEQ. FOR THE PERIOD OF DECEMBER 14, 2021 THROUGH JANUARY 12, 2022

On September 16, 2021, Governor Newsom signed AB 361 into law. AB 361 was made effective October 1, 2021. Pursuant to AB 361, staff recommends consideration of Resolution No. 21-78, proclaiming a local emergency persists and authorizing the use of remote meeting procedures by the City's legislative bodies, which can include meetings held via a virtual platform (e.g Zoom), for the period of December 14, 2021 through January 12, 2022.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-78, proclaiming a local emergency persists and authorizing the use of alternative meeting procedures by the City's legislative bodies, such as utilizing a virtual platform (e.g. Zoom) for the period of December 14, 2021 through January 12, 2022.

7.f. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-79, APPROVING PROJECT ACCEPTANCE AND NOTICE OF COMPLETION FOR THE 2020 RESIDENTIAL STREET REHABILITATION PROJECT (CDBG)

The 2020 Residential Street Rehabilitation Project (CDBG) was completed in compliance with the plans and specifications by Onyx Paving Company, Inc. The project scope included removal and replacement of asphalt concrete, asphalt cold-mill and overlay, slurry seal improvements, and striping at various residential streets citywide; asphalt replacement and restriping at the Shively Park basketball court and City Hall parking lot, and related improvements. The final cost for the construction work completed by Onyx Paving Company, Inc. is \$706,010.03.

RECOMMENDED ACTION: Staff recommends City Council:

1. Adopt Resolution No. 21-79, accepting the improvements for the 2020 Residential Street Rehabilitation Project (CDBG) Project;
2. Authorize City Clerk to send the Notice of Completion for recordation to the Los Angeles County Recorder's Office;
3. Release retention accordingly; and
4. Approve \$81,493 of American Rescue Plan Act (ARPA) funds to pay for improvements at City Hall, which include parking lot resurfacing and installation of an ADA curb ramp; and to reduce the appropriated amount of SB-1 funds on this project to \$318,507 (from \$400,000) to ensure the total approved project budget of \$776,710 remains unchanged and in compliance with all funding sources.

CONSENT CALENDAR (CONTINUED)

7.g. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-80, APPROVING AMENDMENT NO. 1 EXTENDING THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF SOUTH EL MONTE AND THE RIO HONDO COMMUNITY COLLEGE DISTRICT

On December 11, 2018, the City Council approved a Memorandum of Understanding between the City (the “City”) and Rio Hondo Community College District (the “College”) for a term of 3 years to provide fee-free high quality instructional programs at the South El Monte Senior Center and Community Center. Amendment No.1 will extend the fee-free non-credit courses for City residents for three additional years until June 30, 2024.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-80, approving Amendment No. 1 extending the current agreement with Rio Hondo College Community College District and authorizing City Manager, or her designee, to execute the agreement.

7.h. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-81, APPROVING AMENDED AND RESTATED AGREEMENT WITH HUNTINGTON CULINARY FOR SENIOR NUTRITION SERVICES

On September 28, 2021, the City Council approved the solicitation of written proposals from the Los Angeles County Community and Senior Services Area Agency on Aging Senior Nutrition Programs Approved Caterers List. Three proposals were received and evaluated by staff using the criteria listed on the Request for Proposals.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-81, approving the Amended and Restated Agreement with Huntington Culinary for Senior Nutrition Services, and authorizing the City Manager to negotiate and execute agreement.

8. PUBLIC HEARINGS

8.a. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-82, TO ESTABLISH BASIC RULES APPLICABLE TO ALL SB-9 PROJECTS

With the adoption of SB-9, cities are required to comply with new laws dealing with small lot subdivisions beginning January 1, 2022. This resolution will set some local regulations to provide the City and developers with guidance for the new legislation.

RECOMMENDED ACTION: Staff recommends City Council :

1. Take public testimony; and
2. Adopt Resolution No. 21-82, establishing basic rules for SB-9 projects.

9. GENERAL BUSINESS

9.a. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-83, ADOPTING THE 2021 HAZARD MITIGATION PLAN

The Disaster Mitigation Act of 2000 requires communities to develop, implement, and update hazard mitigation plans recognizing potential natural hazards and to identify and consider mitigation measures to reduce the risks associated with those hazards. The plan is a tool to aid in facility and infrastructure planning and improvements and is a requirement to qualify for federal hazard mitigation grants, which is required to be updated every five years.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-83, approving the 2021 Hazard Mitigation Plan, and authorize staff to submit the resolution of approval to FEMA for issuance of a Final Letter of Approval. Upon receipt, the Final Letter of Approval will be included in the Final Plan.

9.b. on next page.

GENERAL BUSINESS (CONTINUED)

9.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 21-84, APPROVING AND AUTHORIZING THE CITY'S PARTICIPATION IN THE NATIONAL OPIOID SETTLEMENT

Various states, counties, and cities have been in litigation with the McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation. (collectively, the "Distributors") and Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc. (collectively, the "Manufacturer") (for purposes of this report, the Distributors and Manufacturer are collectively referred to as the "Settling Defendants"). The litigation concerns the distribution and manufacture of opioids that have contributed to the opioid addiction epidemic in the United States. Two tentative settlements have been reached with the Distributors and Manufacturer, respectively ("National Opioids Settlements").

In order to proceed, a "critical mass" of participation by States, cities and counties must be achieved. This critical mass is determined by the Settling Defendants in their sole discretion. The first step is to achieve a critical mass of States. The second step is to achieve a critical mass of cities and counties. If a critical mass is not achieved, then the National Opioids Settlements do not proceed and the litigation continues. At this stage, a critical mass of States has already occurred.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-84, which authorizes and approves as follows:

1. Approve Settlement Participation Form for City's participation in the National Opioid Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation;
2. Approve Settlement Participation Form for City's participation in the National Opioid Settlement with Johnson & Johnson, Janssen Pharmaceuticals, Inc., Ortho-McNeil-Janssen Pharmaceuticals, Inc., and Janssen Pharmaceutica, Inc.;
3. Approve California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds - Distributor Settlement;
4. Approve California State-Subdivision Agreement Regarding Distribution and Use of Settlement Funds - Janssen Settlement;
5. Authorize City Manager to execute documents identified in Recommendation Nos. 1 through 4; and
6. Authorize City Manager to carry out all necessary acts such that the City can participate in the National Opioid Settlements, including, but not limited to, the transmittal of the executed documents in Recommendation Nos. 1 through 4.

10. COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS

AB 1234 requires councilmembers briefly report, orally or in writing, on meetings attended at City expense (i.e. League of California Cities Conferences, ICSC conferences, etc.) at City Council meetings following the meeting.

11. CORRESPONDENCE

11.a. LETTER FROM THE SOUTH EL MONTE/ EL MONTE JETS ORGANIZATION (JETS) REQUESTING EVENT FEE WAIVER RESULTING IN REIMBURSEMENT OF RESERVATION FEES

The Jets held their end-of-season banquet on Sunday, December 12, 2021, from 11:00 a.m. to 5:00 p.m. at the Community Center and are requesting a post-event fee waiver that will result in a reimbursement for the associated reservation fees.

RECOMMENDED ACTION: City Council to discuss and consider approving the fee waiver request made by the Jets organization that will result in a reimbursement amount of \$480.00.

11.b. LETTER FROM BREWERS BASEBALL ORGANIZATION (BREWERS) REQUESTING FEE WAIVER RESULTING IN REIMBURSEMENT OF RESERVATION FEES

The Brewers held their Toys for Tots Baseball Tournament on Saturday, December 4, 2021 and Sunday, December 5, 2021 from 7:00 a.m. to 10:00 p.m. at Dean L. Shively and New Temple Park and are requesting a fee waiver that will result in the reimbursement for the associated park reservation fees.

RECOMMENDED ACTION: City Council to discuss and consider the fee waiver request made by the Brewers resulting in a reimbursement amount of \$495.00.

11.c. LETTER FROM EPIPHANY CATHOLIC CHURCH FOR RELATED CITY COSTS AND TEMPORARY USE PERMIT (TUP) FEE WAIVER FOR THE ANNUAL PILGRIMAGE WALK OF OUR LADY OF GUADALUPE

Epiphany Catholic Church is hosting their annual pilgrimage walk for the "Our Lady of Guadalupe" processions beginning December 1 through December 11, 2021. The walk will start on or around 5:00pm from various locations in the City and terminate at the site of Epiphany Church. Epiphany Church is requesting a post-event fee waiver for a temporary use permit and City staff time for public safety support services resulting in a reimbursement of fees.

RECOMMENDED ACTION: City Council to discuss and consider approving the fee waiver request made by Epiphany Catholic Church resulting in a reimbursement amount of \$2,516.

12. COUNCILMEMBERS' AGENDA

12.a. MAYOR GLORIA OLMOS

1. Announcement of Vacancies on the City Commissions.

13. CLOSED SESSION - None

14. ADJOURNMENT

Tuesday, January 11, 2022 at 6:00 p.m.

I Donna G. Schwartz, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours at the following locations: City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 10th day of December 2021.



City Clerk, CMC