

Gloria Olmos, Mayor
Manuel Acosta, Mayor Pro Tem
Richard Angel, 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

April 12, 2022, 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>

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/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

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 ext. 3280 or ext. 3220 at least 72 hours prior to the meeting.

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

2. PLEDGE OF ALLEGIANCE

Councilmember Hector Delgado

3. INVOCATION

Pastor David Torres, Calvary Assembly of God Church

4. PRESENTATIONS

4.a. Proclamation Presented to Andy Kopito, President, Autism Society of Los Angeles, Proclaiming the Month of April as Autism Acceptance Month

4.b. Proclamation Presented to Nancy Jolley, OneLegacy Ambassador, Proclaiming the Month of April as Donate Life Month

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.

7.a. – 7.e. next page.

CONSENT CALENDAR (CONTINUED)

7.a. CONSIDERATION AND APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES FOR MARCH 22, 2022

Staff is requesting approval of Minutes for the March 22, 2022 Regular City Council Meeting.

RECOMMENDED ACTION: Staff recommends City Council approve the Minutes of the Regular City Council Meeting of March 22, 2022.

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-22, APPROVING WARRANTS FOR THE PERIOD OF MARCH 23, 2022, THROUGH APRIL 12, 2022

Authorizing payment of City expenditures for the period of March 23, 2022, through April 12, 2022, totaling \$988,027.67

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-22, authorizing payment of City expenditures.

7.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-23, 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 APRIL 12 THROUGH MAY 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. 22-23 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 April 12, 2022 through May 12, 2022.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-23, 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 April 12, 2022 through May 12, 2022.

7.d. CITY OF SOUTH EL MONTE HOUSING ELEMENT ANNUAL PROGRESS REPORT

As required by State law, staff is submitting the City of South El Monte Housing Element Progress Report to the California Department of Housing and Community Development and the Governor's Office of Planning and Research to ensure compliance with Government Code Section 65400(a).

RECOMMENDED ACTION: Staff recommends City Council receive and file the City of South El Monte Housing Element Annual Progress Report.

CONSENT CALENDAR (CONTINUED)

7.e. **CONSIDERATION AND APPROVAL OF CLASSIFICATION AND COMPENSATION STUDY SURVEY CITIES**

Staff will move forward with the survey cities chosen as comparators for the classification and compensation study. The City established specific parameters to identify those cities that best provide a standard point of reference against which the City of South El Monte may be compared. There were twelve cities that were identified and will be used for this study.

RECOMMENDED ACTION: Staff recommends City Council receive and file the agencies considered as survey cities for the classification and compensation study.

8. **PUBLIC HEARINGS**

8.a. **CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-24, ADOPTING A MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING AND REPORTING PROGRAM, AND GENERAL PLAN AMENDMENT, RESOLUTION 22-25, ADOPTING A SPECIFIC PLAN, AND FIRST READING OF ORDINANCE NO. 1258 FOR A PROPOSED ZONE CHANGE**

KB Home, ("Applicant") is proposing the development of 207 residential homes (169 single family and 38 multi-family units) totaling 408,104 square feet, along with a recreation area that includes a pool. The units will be three stories and have a maximum building height of 35 feet 8 inches for the multi-family townhomes, with 3-story single family unit heights ranging from 32 feet 8 inches to 34 feet 7 inches ("Proposed Project" or "Project"). The Proposed Project will include the sale of 186 market rate and 21 moderate income dwelling units.

RECOMMENDED ACTION: Staff recommends City Council:

1. Conduct a public hearing;
2. Take public testimony;
3. Adopt Resolution No. 22-24, adopting a Mitigated Negative Declaration, Mitigation Monitoring and Reporting Program, and General Plan Amendment;
4. Adopt Resolution No. 22-25 adopting a Specific Plan;
5. Waive first reading and introduce Ordinance No. 1258, amending the zoning designation for properties located at 2540 Rosemead Boulevard (APN 8102-037-020), 2559 and 2603 Chico Avenue (APNs 8102-037-017 and 8102-037-024, respectively), and APN 8102-037-022; and
6. Set said ordinance for adoption at the next regular city council meeting.

PUBLIC HEARINGS (CONTINUED)

8.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-26, APPROVING AN APPLICATION FOR CONDITIONAL USE PERMIT (CUP NO. 21-11) ALLOWING FOR A TYPE 47 LICENSE FOR ON-SALE OF BEER, WINE, AND DISTILLED SPIRITS IN CONJUNCTION WITH A BONA FIDE EATING ESTABLISHMENT IN A RESTAURANT EXPANSION AND OPERATING LIVE ENTERTAINMENT AT 2327 ROSEMEAD BOULEVARD AND OPERATING AS MARISCOS SAN ISIDRO

The applicant, Eduardo Guzman ("Applicant"), is applying to expand an existing restaurant (2,638 sq. ft), upgrade Type 41 on-sale beer and wine license to a Type 47 on-sale general alcohol use, and to allow for live entertainment ("Project") at 2327 Rosemead Boulevard, South El Monte, California 91733 ("Property"). The Property consists of one parcel having an area of approximately 30,615 square feet (0.7 acres) and three other existing buildings consisting of a non-conforming house, a commercial unit, and a muffler shop. On April 15, 1993, the Planning Commission approved a Conditional Use Permit to allow for a Type 41 on-sale beer and wine license in conjunction with a restaurant. The restaurant under current ownership has been operating at this location since 1998, with the original 784 square feet building constructed in 1938, and then expanded to the current size of 2,638 sq. ft.

RECOMMENDED ACTION: Staff recommends City Council:

1. Conduct a public hearing;
2. Take public testimony; and
3. Adopt Resolution No. 21-52, approving the decision of the Planning Commission to approve CUP 21-07.

9. GENERAL BUSINESS

9.a. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-27, AWARDING CONSTRUCTION CONTRACT TO GRIGOLLA & SONS CONSTRUCTION CO., INC. FOR THE FERN STREET SIDEWALK INSTALLATION PROJECT

On March 3, 2022, the Engineering Department solicited bids for the Fern Street Sidewalk Installation Project. The work includes construction of concrete sidewalk, driveway approaches, curb ramps and related work on Fern Street between Doreen Avenue and Santa Anita Avenue. The lowest responsive bid was submitted by Grigolla & Sons Construction Co Inc. in the amount of \$67,450.

RECOMMENDED ACTION: Staff recommends City Council:

1. Adopt and approve the plans and specifications for the Fern Street Sidewalk Installation Project;
2. Review the bids and find that Grigolla & Sons Construction Co., Inc. has submitted the lowest responsive bid;
3. Adopt Resolution No. 22-27, awarding the Fern Street Sidewalk Installation Project contract to Grigolla & Sons Construction Co., Inc. in the amount of \$67,450; and
4. Approve a 15% contingency amount of \$10,117.50 for a total project construction budget amount not to exceed \$77,567.50.

9.b. CONSIDERATION FOR AUTHORIZATION TO SEEK REQUEST FOR PROPOSALS (RFP) FOR DESIGN SERVICES FOR TRAFFIC SIGNAL IMPROVEMENTS AT VARIOUS SIGNALIZED INTERSECTIONS

Staff seeks City Council approval to issue Request for Proposals (RFP) for design services for traffic signal improvements at various signalized intersections within the City. The scope of improvements are part of the Highway Safety Improvement Program (HSIP) Cycle 9 project.

RECOMMENDED ACTION: Staff recommends City Council approve an RFP for design services for traffic signal improvements at various signalized intersections (HSIP Cycle 9 project) and authorize staff to solicit proposals.

9.c. – 9.d. next page.

GENERAL BUSINESS (CONTINUED)

9.c. AUTHORIZATION FOR STAFF DEVELOPMENT AND TEAM BUILDING EVENT

At the Direction of City Council, staff is presenting information and budget costs to host a Staff Development and Team Building Event that will be open to all City employees and their immediate family members. The event is scheduled for Saturday, April 30th, from 11am to 3pm at New Temple Park.

RECOMMENDED ACTION: Staff recommends City Council approve a budget adjustment of \$3,905.75 from Fund Balance to add to the Employee Recognition Budget account number 01-100-1050-5940 to fund a Staff Development & Team Building event on Saturday, April 30, 2022.

9.d. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-28, APPROVING A PRIVATE PLACEMENT LEASE FINANCING TO PAY OFF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM UNFUNDED PENSION OBLIGATION AND AUTHORIZING THE EXECUTION AND DELIVERY OF A SITE LEASE AND A LEASE AGREEMENT, AND AUTHORIZING OTHER MATTERS RELATING TO THIS FINANCING TRANSACTION

The City has an approximately \$9.6 million unfunded pension liability with CalPERS. This obligation came about over a period of several years when CalPERS was not able to consistently earn sufficient investment returns on their portfolio of pension fund assets to fully fund the City's pension obligation. In order to address this unfunded pension liability, the City selected Kosmont Transaction Services, through an RFP process, to advise and help secure low interest fixed rate lease financing. The funds raised through this financing, known as Certificates of Participation (COPs), would then be used to pay off the CalPERS unfunded pension liability. This new lease financing will be a 20-year obligation fixed at 3.3%, as compared to the CalPERS unfunded pension debt current rate of 7.0%. By entering into this new lease obligation transaction, the City will save \$3.2 million in cash flow savings over the twenty-year financing period.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-28, approving the terms of a private placement lease financing, approving the form of and authorizing the execution and delivery of a site lease and lease agreement, a trust agreement, and authorizing required actions in connection with the execution and, authorizing other matters relating to the financing.

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 SOUTH EL MONTE HIGH SCHOOL BOYS BASKETBALL TEAM REQUESTING A FACILITY RESERVATION FEE WAIVER FOR USE OF THE SOUTH EL MONTE COMMUNITY CENTER AMPHITHEATER

The South El Monte High School Boys Basketball Team ("SEMHSBBT") is requesting a reservation fee waiver for use of the South El Monte Community Center Amphitheater to host their basketball banquet on Saturday, April 23, 2022.

RECOMMENDED ACTION: Staff recommends City Council discuss and consider the facility reservation fee waiver requested by SEMHSBBT in the amount of \$1,412.46.

12. COUNCILMEMBERS' AGENDA

12.a. Councilmember Hector Delgado

1. City Council Consideration of Signing Support Letter to Continue to Recruit and Retain Deputy Sheriffs in Los Angeles County.

13. CLOSED SESSION

13.a. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION Pursuant to Government Code Section 54956.9(d)(4) – [One case]

13.b. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION Pursuant to Government Code Section 54956.9 – [One case]

Huerta v. City of South El Monte, Workers Compensation Appeals Board
Case No. ADJ9947815

13.c. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to Government Code Section 54957

Title: City Manager

14. ADJOURNMENT

Tuesday, April 26, 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 7th day of April 2022.



City Clerk, CMC