

Gloria Olmos, Mayor/Chair
Manuel Acosta, Mayor Pro Tem/
Vice Chair
Richard Angel, Councilmember/
Boardmember
Hector Delgado, Councilmember/
Boardmember
Gracie Retamoza, Councilmember/
Boardmember



Rachel Barbosa, City
Manager/Executive Director
Donna G. Schwartz, City
Clerk/Secretary
Anthony R. Taylor, City
Attorney/General Counsel

CITY OF SOUTH EL MONTE

REGULAR MEETING OF THE SOUTH EL MONTE CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE SOUTH EL MONTE IMPROVEMENT DISTRICT

AGENDA

April 26, 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

Mayor Gloria Olmos

3. INVOCATION

Pastor David Torres, Calvary Assembly of God Church

4. PRESENTATIONS

4.a. Proclamation Proclaiming May 1-7, 2022, as Municipal Clerks Week

4.b. Fiscal Year 2021-22 Third Quarter Budget Update

4.c. Sheriff's Department Report for the Month of March

4.d. Code Enforcement and Public Safety Department Report for the Month of March

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 FOR APRIL 12, 2022

Staff is requesting approval of Minutes for the April 12, 2022 Regular City Council Meeting.

RECOMMENDED ACTION: Staff recommends City Council approve the Minutes of the Regular City Council Meeting of April 12, 2022.

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-28, APPROVING WARRANTS FOR THE PERIOD OF APRIL 13, 2022, THROUGH APRIL 26, 2022

Authorizing payment of City expenditures for the period of April 13, 2022 through April 26, 2022 totaling \$472,118.96

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-28, authorizing payment of City expenditures.

7.c. ADOPTION OF ORDINANCE NO. 1258, AMENDING ZONING DESIGNATION FOR PROPERTIES LOCATED AT 2540 ROSEMEAD BOULEVARD, 2559 AND 2603 CHICO AVENUE FROM COMMERCIAL-MANUFACTURING TO MULTI-FAMILY RESIDENTIAL

At a regular City Council meeting on Tuesday, April 12, 2022, City Council waived first reading and introduced 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, to change the existing zoning designation from commercial-manufacturing to multi-family residential.

RECOMMENDED ACTION: Staff recommends City Council waive second reading and adopt Ordinance No. 1258.

7.d. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-29, APPROVING AMENDMENT NO. 9 TO AGREEMENT SUBAWARD NUMBER ENP202110 WITH THE COUNTY OF LOS ANGELES FOR THE ELDERLY NUTRITION PROGRAM SERVICES

This Amendment will increase the allocated baseline funding from \$349,033 to \$384,033, resulting in an increase of \$35,000 for Fiscal Year (FY) 2021-22 only. The \$35,000 will be allocated through supplemental California Department of Aging ("CDA") American Rescue Plan ("ARP") funding and a transfer of baseline funding from Older Americans Act (OAA) Title III C2 to Title III C-1.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-29, approving Amendment No. 9 and authorizing the City Manager, or her designee, to execute the same.

CONSENT CALENDAR (CONTINUED)

7.e. **CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-30, APPROVING SECOND AMENDMENT TO CITY MANAGER'S CONTRACT**

The City Council has conducted a performance evaluation of the City Manager, Rachel Barbosa. Based on the evaluation, the Council has approved a 3% increase to her salary.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-30, approving Second Amendment to City Manager's contract to implement the 3% increase effective March 22, 2022.

8. **PUBLIC HEARINGS - None**

9. **GENERAL BUSINESS**

9.a. **APPOINTMENT OF COMMUNITY SERVICES COMMISSIONER**

Due to a resignation on March 31, 2022, staff is seeking City Council direction on the appointment of one resident to fill a vacancy to serve on the Community Services Commission.

RECOMMENDED ACTION: Staff recommends City Council consider appointing one individual from amongst the three applicants seeking appointment to the Community Services Commission for an unexpired term commencing April 26, 2022 and ending December 31, 2022.

9.b. **CONSIDERATION FOR AUTHORIZATION TO SEEK REQUEST FOR PROPOSALS (RFP) FOR PLANNING & ENGINEERING SERVICES FOR THE PREPARATION OF A LOCAL ROADWAY SAFETY PLAN (LRSP)**

Staff seeks City Council approval to issue RFP for Planning & Engineering Services for the Preparation of a LRSP.

RECOMMENDED ACTION: Staff recommends City Council approve an RFP for Planning & Engineering Services for the Preparation of a LRSP and authorize staff to solicit proposals.

9.c. next page.

GENERAL BUSINESS (CONTINUED)

9.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-31, APPROVING A PRIVATE PLACEMENT LEASE FINANCING TO PAY OFF THE CALIFORNIA PUBLIC EMPLOYEES RETIREMENT SYSTEM UNFUNDED PENSION OBLIGATION

The City has approximately \$9.6 million unfunded pension liability with CalPERS. This obligation came 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. 22-31, 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 - None

11.a. LETTER FROM CHRISTOPHER HEALY, TEACHER WITH SOUTH EL MONTE HIGH SCHOOL, REQUESTING A FACILITY RESERVATION FEE WAIVER FOR USE OF THE SOUTH EL MONTE SENIOR CENTER DINING ROOM

Christopher Healy, Teacher with South El Monte High School is requesting a reservation fee waiver for use of the South El Monte Senior Center Dining Room to host their final reading of the musical called "¡Pasaje!" on Saturday, May 7, 2022.

RECOMMENDED ACTION: Staff recommends City Council discuss and consider the facility reservation fee waiver requested by Christopher Healy, Teacher with South El Monte High School in the amount of \$1,632.46.

12. COUNCILMEMBERS' AGENDA - None

13. CLOSED SESSION

13.a. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(4) – [One case]

14. RECESS COUNCIL MEETING

15. ANNOUNCEMENT BY THE CITY CLERK (PRIOR TO CONVENING THE SUCCESSOR AGENCY MEETING)

Pursuant to Government Code Section 54952.3, Board Members do not receive any compensation or stipend for attending the Successor Agency meeting.

SUCCESSOR AGENCY MEETING

16. CALL TO ORDER AND ROLL CALL

Board Members: Angel, Delgado, Retamoza, Vice Chair Acosta, and Chair Olmos

17. APPROVAL OF AGENDA

This is the time for the Board to remove any items from the consent calendar for individual consideration, table, continue, add items, or to make a motion to rearrange the order of this agenda.

18. PUBLIC COMMENTS

Speakers may provide public comments on any matter within the subject matter jurisdiction of the Board, including items on the agenda. Each speaker will be limited to five minutes. Unless a majority of the Board objects, the Chair may provide speakers more or less time to speak. All comments or queries shall be addressed to the Board 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 Board 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.

19. CONSENT CALENDAR

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19.a. CONSIDERATION AND APPROVAL OF THE SUCCESSOR AGENCY MEETING MINUTES FOR MARCH 22, 2022

Staff is requesting approval of the Minutes of the March 22, 2022, Successor Agency Meeting.

RECOMMENDED ACTION: Staff recommends the Board approve the Successor Agency Meeting Minutes of March 22, 2022.

- 20. EXECUTIVE DIRECTOR'S AGENDA - None**
- 21. ADJOURNMENT OF SUCCESSOR AGENCY MEETING**
- 22. RECONVENE AND ADJOURN COUNCIL MEETING**

Tuesday, May 10, 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 21st day of April 2022.



City Clerk, CMC