

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

June 14, 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 Richard Angel

3. INVOCATION

Laura Lozano, Permit Technician, City of South El Monte

4. PRESENTATIONS

4.a. Certificates of Recognition, Presented to the South El Monte High School 2022 Valedictorians and Salutatorian

4.b. Proclamation Proclaiming the Month of June as LGBTQ Pride 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. CONSIDERATION AND APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES FOR MAY 24, 2022

Staff is requesting approval of Minutes for the May 24, 2022 Regular City Council Meeting.

RECOMMENDED ACTION: Staff recommends City Council approve the Minutes of the Regular City Council Meeting of May 24, 2022.

CONSENT CALENDAR (CONTINUED)

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-38, APPROVING WARRANTS FOR THE PERIOD OF MAY 25, 2022 THROUGH JUNE 14, 2022

Authorizing payment of City expenditures for the period of May 25, 2022 through June 14, 2022 totaling \$1,475,634.42

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-38, authorizing payment of City expenditures.

7.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-39, 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 JUNE 14, 2022 THROUGH JULY 13, 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. 22-39, 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 June 14, 2022 through July 13, 2022.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-39, 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 June 14, 2022 through July 13, 2022.

7.d. and 7.e. next page.

CONSENT CALENDAR (CONTINUED)

7.d. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22- 40, APPROVING LIST OF STREET REHABILITATION PROJECTS FOR FISCAL YEAR (FY) 2022-2023 UNDER THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017 (SENATE BILL 1 BEALL AND FRAZIER)

On April 28, 2017, the Governor signed Senate Bill (SB) 1 (Beall and Frazier, Chapter 5, Statute 2017), which is known as the Road Repair and Accountability Act of 2017, to address basic road maintenance, rehabilitation and critical safety needs on both the state highway and local streets and road system. Beginning November 1, 2017, the State Controller will deposit various portions of this new funding into the newly created Road Maintenance and Rehabilitation Account (RMRA). A percentage of this new RMRA funding will be apportioned by formula to eligible cities and counties pursuant to Streets and Highways Code (SHC) Section 2032(h) for basic road maintenance, rehabilitation, and critical safety projects on the local streets and road systems. In order to be eligible for this funding, cities are required to adopt a resolution to list proposed projects every fiscal year.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22- 40, approving the list of street rehabilitation projects for FY 2022-2023 under the Road Repair and Accountability Act of 2017 (SB1 Beall and Frazier).

7.e. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-41, APPROVING AMENDMENT NO. 10 TO AGREEMENT SUBAWARD NUMBER ENP202110 WITH THE COUNTY OF LOS ANGELES FOR THE ELDERLY NUTRITION PROGRAM (ENP) SERVICES

On June 22, 2021, a one-year agreement between the County of Los Angeles through its Department of Workforce Development, Aging and Community Services (the “County”) and the City of South El Monte (the “City”) was entered into to assist with the funding for the City’s Elderly Nutrition Program Services (the “Agreement”). The agreement will expire on June 30, 2022. This Amendment will extend the term of the Agreement through June 30, 2023 to provide baseline funding for the Elderly Nutrition Programs during Fiscal Year (FY) 2022-2023. Staff is requesting for City Council to authorize the City Manager to approve Amendment No. 10 to the Agreement with the County to continue providing nutrition services for seniors.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-41, approving Amendment No. 10 to extend existing agreement Subaward Number ENP202110 with the County of Los Angeles and authorizing the City Manager, or designee, to execute agreement.

8. PUBLIC HEARINGS - None

9. GENERAL BUSINESS

9.a. CONSIDERATION OF RESOLUTION NO. 22-42, APPROVING AN AGREEMENT BETWEEN THE CITY OF SOUTH EL MONTE AND HARRY WONG FOR A TERM OF ONE YEAR TO OPERATE A CERTIFIED FARMERS MARKET (CFM) IN THE CITY

The City of South El Monte recognizes the importance of having a vibrant farmers market that is a positive reflection of the South El Monte community. The City desires to hire Harry Wong as a “Consultant” to operate a Certified Farmers Market (CFM) in the City of South El Monte every Thursday from 9:00 am to 2:00 pm for the duration of one year with the option to extend the term for two additional one-year terms.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-42, authorizing the City Manager to finalize and execute an agreement with Harry Wong to operate a Certified Farmers Market in front of the Community Center.

9.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-43, CALLING FOR THE NOVEMBER 8, 2022, GENERAL MUNICIPAL ELECTION; RESOLUTION NO. 22-44, REQUESTING THE BOARD OF SUPERVISORS (BOS) OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE (AND SERVICE) A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 8, 2022, WITH THE STATEWIDE GENERAL ELECTION; AND RESOLUTION NO. 22-45, SETTING REGULATIONS FOR CANDIDATE STATEMENTS

City of South El Monte’s General Municipal Election will be held Tuesday, November 8, 2022. Pursuant to State law, the City Council must officially “call” for the November 8, 2022, General Municipal Election; request the BOS of the County of Los Angeles to Consolidate (and service) a General Municipal Election to be held Tuesday, November 8, 2022, with the Statewide General Election; and approve regulations for Candidate Statements.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-43, Calling Election, Resolution No. 22-44, Consolidating (and service) Election, and Resolution No. 22-45, Setting Regulations for Candidate Statements.

9.c. – 9.d. next page.

GENERAL BUSINESS (CONTINUED)

9.c. CONSIDERATION AND APPROVAL OF 2022 FOURTH OF JULY FIREWORKS STAND PERMITS

Pursuant to Section 8.08.050 of the South El Monte Municipal Code, the City Council has the authority to grant up to eight fireworks stand permits per year to qualified organizations. Pursuant to 8.08.040, the City Administrator is required to investigate and report to the Council recommending for or against issuance of the requested permits.

RECOMMENDED ACTION: Staff recommends City Council approve the permits to allow for six firework stands and for which applications have been received in conjunction with the Fourth of July, 2022. The Planning Division has reviewed the applications and found that they are in compliance with Chapter 8.08 of the South El Monte Municipal Code.

9.d. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-46, APPROVING AN AGREEMENT WITH PUBLIC AGENCY RETIREMENT SERVICES (PARS) ESTABLISHING A SECTION 115 TRUST TO ADDRESS THE UNFUNDED OTHER POST EMPLOYMENT BENEFIT (OPEB) LIABILITY

At the May 24, 2022 City Council Meeting a presentation was made by the City's Financial Advisors, Kosmont Transaction Services, analyzing the various entities that offer Section 115 Trusts to government agencies to manage their OPEB liabilities. The presentation examined rates of return on investments, transaction fees, and investment options. Direction was provided by City Council to establish a Section 115 Trust with PARS. The purpose of this presentation is to implement the Section 115 Trust agreement as directed.

RECOMMENDED ACTION: Staff recommends City Council Adopt Resolution 22-46, authorizing the City to establish a tax-exempt trust administered by Public Agency Retirement Services (PARS) with U.S. Bank as trustee, and its sub-adviser HighMark Capital Management, Inc., to provide investment management services for the OPEB trust and authorize City Manager or designee as the City's Plan Administrator to execute the PARS legal and administrative documents and to take required actions to implement the Section 115 Trust agreement.

9.e. next page.

GENERAL BUSINESS (CONTINUED)

9.e. **APPOINTMENT OF COUNCILMEMBERS TO ATTEND THE NATIONAL ASSOCIATION OF LATINO ELECTED OFFICIALS (NALEO) 39TH ANNUAL CONFERENCE, JUNE 23-25, 2022, CHICAGO, IL**

NALEO is a national non-profit organization that strengthens American democracy by promoting the full participation of Latinos in civic engagement. Attendance to conferences offered by organizations such as NALEO is fundamentally important to the advancement and education of local elected officials.

RECOMMENDED ACTION: Staff recommends City Council appoint a Councilmember or Councilmembers to attend the NALEO 39th Annual Conference, June 23-25, 2022 in Chicago, IL.

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**

12. **COUNCILMEMBERS' AGENDA - None**

13. **CLOSED SESSION**

13.a. **CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Government Code Section 54957.6

City Negotiator: City Manager

Employee Organizations: South El Monte Employees Association and the South El Monte Executive Management Team Association

13.b. **CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION**

Pursuant to Government Code Section 54956.9(d)(2) and (e)(1) – [Two Cases]

14. **ADJOURNMENT**

Tuesday, June 28, 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 9th day of June 2022.



City Clerk, CMC