

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



Rene Salas, Interim 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

July 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

Mayor Gloria Olmos

3. INVOCATION

Pastor Patricia Garrett, Faith Dominion Church

4. PRESENTATIONS

4.a. Certificates of Recognition Presented to South El Monte Little League Softball Jr. Lil Miss and Minor Allstar Teams for Placing 2nd in the 2022 District 18 Championships

4.b. Welcome and Introduction to Acting Assistant Fire Chief Gerald Gonzales, Los Angeles County Fire Department, Division 9

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 SPECIAL CITY COUNCIL MEETING MINUTES FOR JUNE 22, 2022 AND REGULAR CITY COUNCIL MEETING MINUTES FOR JUNE 28, 2022

Staff is requesting approval of Minutes for the June 22, 2022 Special City Council Meeting and June 28, 2022 Regular City Council Meeting.

RECOMMENDED ACTION: Staff recommends City Council approve the Minutes of the June 22, 2022 Special City Council Meeting and June 28, 2022 Regular City Council Meeting.

7.b. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-53, APPROVING WARRANTS FOR THE PERIOD OF JUNE 29, 2022, THROUGH JULY 12, 2022

Authorizing payment of City expenditures for the period of June 29, 2022 through July 12, 2022 totaling \$3,077,611.47.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-53, authorizing payment of City expenditures.

7.c. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-54, 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 JULY 12, 2022 THROUGH AUGUST 10, 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. 22-54, 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 July 12, 2022 through August 10, 2022.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-54, 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 from July 12, 2022 through August 10, 2022.

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

CONSENT CALENDAR (CONTINUED)

7.d. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-56, AFFIRMING A VOTE OF NO CONFIDENCE IN LOS ANGELES COUNTY DISTRICT ATTORNEY GEORGE GASCON

On June 28, 2022, City Council considered issuing a vote of no confidence in Los Angeles County District Attorney George Gascon. The City Council approved a vote of no confidence 5-0; however, the item was under Councilmember agenda items and therefore, no resolution was included. Before City Council now is a resolution for consideration and possible action.

RECOMMENDED ACTION: Adopt Resolution No. 22-56, affirming a vote of no confidence in Los Angeles County District Attorney George Gascon.

7.e. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-57, APPROVING INTERIM CITY MANAGER EMPLOYMENT AGREEMENT BETWEEN THE CITY AND RENE SALAS

Adoption of Resolution No. 22-57 would approve the employment agreement between the City and Rene Salas for Interim City Manager services.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-57, approving the employment agreement between the City and Rene Salas for Interim City Manager services.

8. PUBLIC HEARINGS - None

9. GENERAL BUSINESS

9.a. CONSIDERATION AND APPROVAL OF RESOLUTION NO. 22-55, ORDERING A REPORT AND CALLING A HEARING FOR THE LEVY AND COLLECTION OF THE SEWER SERVICE FEE FOR FISCAL YEAR 2022-23

City Council adopted Ordinance No. 1141 in 2010 establishing an annual Sewer Service Fee ("Fee") to ensure that necessary funding is accumulated and available to address the City's sanitary sewer system for replacements, upgrades, and major repairs. This is beneficial given that the City's General Fund does not have the capacity for such major capital requirements. Each year, the City Council must hold a public hearing to levy the Fee for the upcoming fiscal year on parcels within the City.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 22-55, ordering a Written Report and ratifying City staff's submission of a publication calling a public hearing on July 26, 2022 for the levy and collection of the Sewer Service Fee for fiscal year 2022-23.

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. DESIGNATION OF VOTING DELEGATE AND ALTERNATES, LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE & EXPO, SEPTEMBER 7-9, 2022, LONG BEACH, CALIFORNIA

The League of California Cities 2022 Annual Conference & Expo is scheduled for September 7-9, 2022, in Long Beach, California. In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate and up to two alternates.

RECOMMENDED ACTION: Staff recommends City Council appoint a Delegate and up to two Alternates to allow the City the right to cast one vote on matters pertaining to League policy.

11.b. LETTER FROM SOUTH EL MONTE AMERICAN YOUTH SOCCER ORGANIZATION (AYSO) REQUESTING A FACILITY FEE WAIVER, FIELD LIGHT FEE WAIVER, AND DAMAGE DEPOSIT WAIVER FOR THE USE OF DEAN L. SHIVELY PARK FIELD

The South El Monte American Youth Soccer Organization (AYSO) is requesting three waivers totaling \$63,110. These include waivers of reservation fees of \$52,800, field light fees of \$9,810, and a damage deposit of \$500 for the use of Dean L. Shively Park to host their 2022/2023 soccer season's games and practices. The waiver of the reservation fees of \$52,800 is in compliance with the Facility Reservation Regulations and Fee Schedule. The requested waiving of the "non-waived" field lighting fees of \$9,810 and \$500 "non-waived" damage deposit are noncompliant with the Facility Reservation Regulations and Fee Schedule and have a financial impact on the City, if granted.

RECOMMENDED ACTION: Staff recommends City Council discuss and consider the facility reservation fee waiver requested by AYSO in the amount of \$52,800, as it is in compliance with the Facility Reservation Regulations and Fee Schedule. The "non-waived" lighting fee request of \$9,810 and the "non-waived" damage deposit of \$500 are not recommended for approval. These two requests are not in compliance with the Reservation Regulations and Fee Schedule and have an unplanned financial impact on the City.

11.c. next page.

CORRESPONDENCE (CONTINUED)

11.c. LETTER FROM EL MONTE/SOUTH EL MONTE CHAMBER OF COMMERCE REQUESTING A FEE WAIVER FOR THE USE OF THE SOUTH EL MONTE COMMUNITY CENTER

The El Monte / South El Monte Chamber of Commerce (Chamber) is requesting a fee waiver for the use of the South El Monte Community Center Amphitheater on Monday, July 25, 2022 from 10:00 a.m. to 3:00 p.m. to host a legislative luncheon featuring Senator Susan Rubio addressing the topic, "Retaining Business in California."

RECOMMENDED ACTION: Staff recommends City Council discuss and consider the facility reservation fee waiver requested by the Chamber in the amount of \$250.00 and the "non-waived" fees including staff time, cleaning fee, and damage deposit in the total amount of \$960.00.

12. COUNCILMEMBERS' AGENDA

12.a. Councilmember Manuel Acosta

1. Illegal Cannabis Fines - Increase the Fine for Illegal Cannabis Businesses Operating in the City of South El Monte to \$500,000. Responsible Parties include; Operator, Property Management, and Property Owner.

13. CLOSED SESSION

13.a. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

City Negotiator: Interim 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) - (One case)

14. ADJOURNMENT

Tuesday, July 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 July 2022.



City Clerk, CMC