

**CITY OF SOUTH EL MONTE
REGULAR CITY COUNCIL MEETING MINUTES
TUESDAY, JULY 12, 2022 - 6:00 PM**

1. ROLL CALL

Mayor Olmos called the meeting to order at 6:00 PM

PRESENT: Councilmember(s): Angel, Delgado, Retamoza, Mayor Pro Tem Acosta, and Mayor Olmos

STAFF PRESENT: Rene Salas, Interim City Manager; Anthony R. Taylor, City Attorney; Donna G. Schwartz, City Clerk; Colby Cataldi, Community Development Director; William Fox, Interim Finance Director; Jayson Perez, Recreation Coordinator; Code Enforcement/Public Safety Supervisor Joe Martinez, and Paola Lara, Deputy City Clerk.

Zoom was provided for the Public to participate during public comment via teleconference.

2. PLEDGE OF ALLEGIANCE – Mayor Gloria Olmos led the Pledge of Allegiance.

3. INVOCATION – Pastor Patricia Garrett, Faith Dominion Church, offered the Invocation.

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 and Juniors and Seniors Allstars teams for placing 1st in the 2022 District 18 Championships

4.b. Acting Assistant Fire Chief Gerald Gonzales introduced himself to Mayor Olmos., City Council and the residents of South El Monte.

5. APPROVAL OF THE AGENDA AND WAIVER OF FULL READING OF ORDINANCES

City Attorney Anthony R. Taylor requested to add to the Consent Calendar Urgency Item 7.f. - Consideration and Adoption of Resolution No 22-58, Authorizing Designated City Employees to Open, Maintain, Make Transactions, and Close City Accounts in Various Banks and Financial Institutions to Conduct City Business, and announced this item arose after the posting of the agenda.

A motion was made by Councilmember Delgado, seconded Councilmember Angel to approve the agenda as amended, adding Urgency Item 7.f. to the Consent Calendar. Motion carried 5-0, by the following vote:

AYES: Councilmember(s): Angel, Delgado, Retamoza, Mayor Pro Tem Acosta
and Mayor Olmos
NAYS: Councilmember(s): None

6. PUBLIC COMMENT

Mayor Olmos opened public comment.

1. Delilah Galvan, resident, voiced her concern with a Verizon tower on Santa Anita Avenue being down and not having any cellphone service.

There being no further comment, Mayor Olmos closed public comment.

7. CONSENT CALENDAR

A motion was made by Councilmember Delgado, seconded by Mayor Pro Tem Acosta to approve the Consent Calendar. Motion carried 5-0 by the following vote:

AYES: Councilmember(s): Angel, Delgado, Retamoza, Mayor Pro Tem Acosta,
and Mayor Olmos
NAYS: Councilmember(s): None

- 7.a. Approved Minutes for the Special City Council meeting held June 22, 2022, and Regular City Council meeting held June 28, 2022.
- 7.b. Adopted Resolution No. 22-53, approving warrants for the period of June 29, 2022, through July 12, 2022, totaling \$3,077,611.47.
- 7.c. Adopted 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. Adopted Resolution No. 22-56, affirming a vote of no confidence in Los Angeles County District Attorney George Gascon.
- 7.e. Adopted Resolution No. 22-57, approving the employment agreement between the City and Rene Salas for Interim City Manager services.

URGENCY ITEM 7.f. ADDED UNDER APPROVAL OF AGENDA

- 7.f. Adopted Resolution No. 22-58, authorizing designated city employees to open, maintain, make transactions, and close city accounts in various banks and financial institutions to conduct city business.

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

Mayor Olmos announced the item.

Interim City Manager Rene Salas introduced Community Development Director Colby Cataldi who presented the staff report.

A motion was made by Mayor Pro Tem Acosta, seconded by Councilmember Delgado to 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. Motion carried 5-0 by the following vote:

AYES: Councilmember(s): Angel, Delgado, Retamoza, Mayor Pro Tem Acosta,
and Mayor Olmos

NAYS: Councilmember(s): None

10. COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS

Mayor Pro Tem Acosta announced his attendance at the Senior Center's 4th of July Luncheon, City's Annual 4th of July event, and City's Bike Ride.

Councilmember Retamoza announced her attendance at the City's Annual 4th of July event.

Councilmember Delgado announced his attendance at the City's Annual 4th of July event and thanked the school district for allowing the City to host the event at New Temple Park.

Councilmember Angel announced his attendance at the City's Annual 4th of July event.

Mayor Olmos announced her attendance at the City's Annual 4th of July event, Juan Castañeda's fundraiser event, Ms. Rozuk's funeral, and thanked Athens Services, Transtech Engineers, Inc., and Lawrence Equipment for their sponsorship with gift donations for the 4th of July raffle.

11. CORRESPONDENCE:

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

A motion was made by Councilmember Angel, seconded by Councilmember Delgado to appoint Mayor Pro Tem Acosta as voting Delegate for the League of California Cities Annual Conference & Expo. Motion carried 5-0 by the following vote:

AYES: Councilmember(s): Angel, Delgado, Retamoza, Mayor Pro Tem Acosta,
and Mayor Olmos

NAYS: Councilmember(s): None

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

Mayor Olmos announced the item.

Interim City Manager Rene Salas introduced Recreation Coordinator Jayson Perez who presented the staff report.

Councilmember Delgado recommended bringing back at a future time the "non-waivable" fees to be amended in the fee waiver policy to provide assistance to non-profit organizations.

Discussion ensued among City Council and Recreation Coordinator Jayson Perez in regard to the "non-waivable" fees. Council concurred to bring the fee waiver policy back for consideration at a later date in order to be fair to the non-profit organization that has already paid the "non-waivable" fee this year.

A motion was made by Councilmember Angel, seconded by Mayor Pro Tem Acosta to approve the facility reservation fee waiver requested by AYSO in the amount of \$52,800 and require payment of the "non-waived" lighting fee of \$9,810 and damage deposit of \$500. Motion carried 5-0 by the following vote:

AYES: Councilmember(s): Angel, Delgado, Retamoza, Mayor Pro Tem Acosta,
and Mayor Olmos

NAYS: Councilmember(s): None

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

Mayor Olmos announced the item.

Recreation Coordinator Jayson Perez presented the staff report.

A motion was made by Mayor Pro Tem Acosta, seconded by Councilmember Angel to approve the facility reservation fee waiver by the Chamber of Commerce

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. Motion carried 5-0 by the following vote:

AYES: Councilmember(s): Angel, Delgado, Retamoza, Mayor Pro Tem Acosta,
and Mayor Olmos

NAYS: Councilmember(s): None

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.

Mayor Pro Tem Acosta noted the current fine for illegal cannabis businesses is \$1,000 but due to the burden of cost to the taxpayer he would like to increase the fee to \$500,000.

City Attorney Anthony R. Taylor advised that the state of California does not allow for a single fine of \$500,000, however, the City can apply a fine of \$1,000 per day to illegal cannabis businesses.

Discussion ensued among City Council, City Attorney Anthony R. Taylor, Community Development Director Colby Cataldi, and Code Enforcement/Public Safety Supervisor Joe Martinez with regard to the City's current practice and possible options for citing illegal cannabis businesses. City Council did not take any action or provide direction to staff.

Mayor Olmos congratulated City of Rosemead's Councilmembers Margaret Clark, Sandra Armenta, and Steven Ly on their re-election at their General Municipal Election held June 7, 2022.

Mayor Olmos reopened public comment, Council concurred.

1. Code Enforcement/Public Safety Supervisor Joe Martinez thanked City Council for listening to the requests of city employees.
2. Executive Assistant Dianna Gomez thanked City Council and Interim City Manager Rene Salas for their leadership.

There being no further comment, Mayor Olmos closed public comment.

13. CLOSED SESSION:

At 7:28 p.m. City Attorney Anthony R. Taylor recessed Council into 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

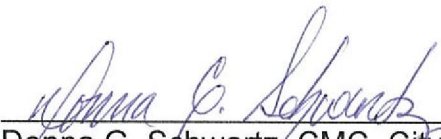
Pursuant to Government Code Section 54956.9(d)(2) and (e)(1) – [Two Cases]

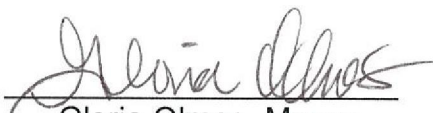
At 9:19 p.m. Mayor Olmos reconvened to open session.

City Attorney Anthony R. Taylor announced City Council discussed items 13.a. and 13.b. No action taken, nothing to report.

14. ADJOURNMENT

There being no further business coming before this body, at 9:19 p.m. Mayor Olmos adjourned the meeting in memory of Esperanza Anguiano, long time South El Monte resident, to a regular meeting on Tuesday, July 26, 2022, at 6:00 p.m.


Donna G. Schwartz, CMC, City Clerk


Gloria Olmos, Mayor