



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

Anthony R. Taylor, City Attorney  
Rachel Barbosa, City Manager  
Donna G. Schwartz, City Clerk

# CALL AND NOTICE OF SPECIAL MEETING

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## CITY OF SOUTH EL MONTE

### CALLED BY MAYOR GLORIA OLMOS

**NOTICE IS HEREBY GIVEN** That a Special Meeting of the City Council of the City of El Monte will be held on Tuesday, December 22, 2020 at 5:00 p.m. at City Hall Council Chambers, 1415 N. Santa Anita, Avenue, South El Monte, CA 91733

## **REVISED AGENDA**

### **\*\*\*SPECIAL NOTICE REGARDING COVID-19\*\*\***

On March 17, 2020, Governor Newsom issued Executive Order N-29-20 in response to the COVID-19 pandemic, which authorizes the City Council to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. All requirements of the Brown Act requiring the physical presence of Council Members, staff, or the public as a condition of participation in or quorum for a public meeting have been waived.

Public participation will be allowed via the information below.

### **TELECONFERENCE**

Members of the public will have access to listen to and participate in the meeting by calling-in at the information below. Teleconference participation shall be available to the public at the following USA Toll-Free number,  
1-888-204-5987, Access Code: 9671457.

### **LIVE TELECAST**

The public may also view a live telecast online at  
[www.cityofsouthelmonte.org/129/City-Council-Agendas-Minutes](http://www.cityofsouthelmonte.org/129/City-Council-Agendas-Minutes)

## **GENERAL COMMENT**

Members of the public wishing to submit a general comment or a comment on an agenda item, can email [dschwartz@soelmonte.org](mailto:dschwartz@soelmonte.org) or call (626) 579-6540 to leave a voicemail message. All comments received an hour before the scheduled meeting will be added to the City Council agenda as part of the public comment.

## **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 N 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 and Adjourned 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](http://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 at (626) 579-6540 ext. 3280 or (626) 274-0412 Cell or Paola Lara, Deputy City Clerk at (626) 579-6540 ext. 3220 or (626) 522-5341 Cell.

**[Agenda Begins on the Following Page]**

1. **ROLL CALL** Councilmembers: Acosta, Angel, Delgado, Retamoza, and Mayor Olmos

2. **APPROVAL OF AGENDA**

By motion of the City Council, this is the time to notify the public of any changes to the agenda, and/or rearrange the order of the agenda.

3. **PUBLIC COMMENTS**

Persons wishing to address the City Council on any item on the agenda are invited to do so at this time. Pursuant to the Brown Act, the City Council cannot discuss or take action on items not on the agenda. Matters brought before the City Council that are not on the agenda may, at the City Council's discretion, be referred to staff or placed on the next agenda.

4. **GENERAL BUSINESS**

4.a. **CONSIDERATION OF RESOLUTION NO. 20-133, AUTHORIZING CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TAX & FEE ADMINISTRATION (CDTFA) FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX (MEASURE ES); CONSIDERATION OF RESOLUTION NO. 20-134 AUTHORIZING THE EXAMINATION OF TRANSACTIONS & USE TAX RECORDS; AND AUTHORIZING THE CITY MANAGER TO EXECUTE & FILE ADDITIONAL AGREEMENTS, LETTERS AND FORMS WITH THE CDTFA AND OTHER APPROPRIATE STATE AGENCIES AS REQUIRED FOR IMPLEMENTATION OF THE LOCAL TRANSACTIONS & USE TAX (MEASURE ES) AND TO TAKE SUCH OTHER ACTIONS NECESSARY TO IMPLEMENT THE LOCAL TRANSACTIONS & USE TAX (MEASURE ES)**

On November 30, 2020, the City of South El Monte received its Official Canvass Certificate and the Official Statement of Votes Cast by precinct for the City of South El Monte General Municipal election consolidated with the General Election held on November 3, 2020. Measure ES passed with a 70.90% electoral vote. These election results were declared by the City Council at its December 8, 2020, meeting.

**RECOMMENDED ACTION: Staff recommends City Council:**

1. **Adopt Resolution No. 20-133, authorizing the City Manager to execute agreements with the California Department of Tax and Fee Administration (CDTFA) for the implementation of a local transaction and use tax (Measure ES);**

2. **Adopt Resolution No. 20-134, authorizing City representatives and sales tax consultant to examine sales, transactions and use tax records pursuant to Revenue and Taxation Code Section 7056; and**
3. **Authorize City Manager to complete, execute, file additional agreements, letters, and forms with the CDTFA and other appropriate state agencies as required for the implementation of the City's local transactions and use tax, and to take such other actions as may be necessary to implement the City's local transactions and use tax.**

**5. CLOSED SESSION**

**5.a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Potential initiation of litigation pursuant to Government Code Section 54956.9(d)(2) - [One case].

**6. ADJOURNMENT**

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 24 hours at City of South El Monte City Hall, Senior Center and Community Center and made available at [www.cityofsouthelmonte.org](http://www.cityofsouthelmonte.org) on this 21<sup>st</sup> day of December 2020.

  
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CMC, City Clerk