



Gloria Olmos, Mayor/Chairperson
**Richard Angel, Mayor Pro Tem/
Vice Chairperson**
**Manuel Acosta, Councilmember/
Board Member**
**Hector Delgado, Councilmember/
Board Member**
**Gracie Retamoza, Councilmember/
Board Member**

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

CITY OF SOUTH EL MONTE

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

AGENDA

March 23, 2021, 6:00 PM
City Council Chambers
1415 Santa Anita Avenue
South El Monte, CA 91733

*****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 the Toll-Free number 1-888-204-5987, Access Code: 9671457#. Callers should remain on the line to listen to meeting. If you wish to speak during public comment or on a specific agenda item, please wait for the Mayors instruction to dial 10, and you will be placed in the queue. You will experience a moment of silence until you are asked to announce your name and share your comments. Remain on the line to go back into listen mode.

LIVE TELECAST

The public may also view a live telecast online under "Upcoming Events" at 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 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 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 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 Cell (626) 274-0412 or Robert Molina, Interim Deputy City Clerk at (626) 579-6540 ext. 3220 or Cell (626) 374-1998.

[Agenda Begins on the Following Page]

1. ROLL CALL

Councilmembers: Acosta, Delgado, Retamoza, Mayor Pro Tem Angel, and Mayor Olmos

2. PLEDGE OF ALLEGIANCE - Mayor Pro Tem Richard Angel

3. INVOCATION – Pastor David Torres, Calvary Assembly of God Church, El Monte, California

4. PRESENTATIONS - None

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 that is within the subject matter jurisdiction of the City Council, including items on the agenda. Each speaker may speak for up to five minutes. With respect to non-public hearing agenda items, speakers shall provide their comments at this time. With respect to public hearing agenda items, speakers are encouraged to speak during the public hearing if they want their comments to be included in the record of the public hearing. Unless a majority of the Council objects, the Mayor may provide to speakers more or less time to speak. Any documents for review should be presented to the City Clerk for distribution.

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 ADJOURNED AND REGULAR CITY COUNCIL MEETING MINUTES FOR FEBRUARY 23, 2021

Staff seeks Council approval of the Minutes for the Adjourned and Regular City Council Meeting held Tuesday, February 23, 2021.

RECOMMENDED ACTION: Staff recommends City Council approve the Adjourned and Regular City Council Meeting Minutes of February 23, 2021.

7.b. **CONSIDERATION OF RESOLUTION NO. 21-13, APPROVING WARRANTS FOR THE PERIOD OF FEBRUARY 24, 2021 THROUGH MARCH 09, 2021**

Authorizing payment of City expenditures for the period of February 24, 2021 through March 09, 2021 totaling \$982,292.08

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-13, authorizing payment of City expenditures.

7.c. **CONSIDERATION OF RESOLUTION NO. 21-14, APPROVING WARRANTS FOR THE PERIOD OF MARCH 10, 2021 THROUGH MARCH 23, 2021**

Authorizing payment of City expenditures for the period of March 10, 2021 through March 23, 2021 totaling \$486,822.71.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-14, authorizing payment of City expenditures.

7.d. **CONSIDERATION OF RESOLUTION NO. 20-15, APPROVING AMENDMENT NO. 4 TO THE AGREEMENT WITH THE COUNTY OF LOS ANGELES FOR THE ELDERLY NUTRITION PROGRAM SERVICES**

On July 1, 2020, 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"). This Amendment will increase the allocated baseline funding from \$404,000 to \$469,000 resulting in an increase of \$65,000 for Fiscal Year (FY) 2020-21 only. The \$65,000 will be allocated through supplemental California Department of Aging ("CDA") Coronavirus Aid, Relief, and Economic Security Act ("CARES") funding.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 20-15, approving Amendment No. 4 and authorizing the City Manager, or her designee, to execute the same.

7.e. CONSIDERATION OF RESOLUTION NO. 21-16, APPROVING A SETTLEMENT AGREEMENT AND GENERAL RELEASE FOR MR. FRANK HUERTA

The City Council has previously considered the proposal of Mr. Huerta and has authorized city staff to move forward with the attached settlement agreement in the amount of \$50,000, subject to federal and state payroll withholdings.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-16, approving a settlement agreement and general release for Mr. Huerta.

7.f. CONSIDERATION OF RESOLUTION NO. 21-19, AUTHORIZING THE CITY MANAGER AND/OR DESIGNEE TO EXECUTE ALL DOCUMENTS AND AGREEMENTS FOR PROJECTS FUNDED THROUGH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) ON BEHALF OF CITY OF SOUTH EL MONTE

The City of South El Monte is eligible to receive Federal and State funding for various transportation projects through the State of California Department of Transportation (Caltrans). In an effort to establish more efficient business processes and ensure timely receipt of funding for grant projects, staff recommends the City Council adopt a resolution designating the City Manager and/or designee as the authorized official to execute all related documents and agreements for projects funded through Caltrans.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-19, authorizing the City Manager and/or designee to sign all documents related to Federal and State funded grants for capital improvement projects on behalf of City of South El Monte.

8. PUBLIC HEARINGS - None

9. GENERAL BUSINESS

9.a. CONSIDERATION OF RESOLUTION NO. 21- 17, APPROVING AN AGREEMENT WITH TYLER TECHNOLOGIES, INC. FOR THE ENTERPRISE RESOURCE PLANNING (ERP) SYSTEM AND AUTHORIZATION FOR CITY MANAGER TO THE EXECUTE AGREEMENT

On October 1, 2018, the City entered into a five-year agreement with Central Square Technology, formerly known as Superior, LLC, to provide the City's financial software applications and cloud services. The agreement runs until September 30, 2023. Central Square Technology has been unable to deliver all the functionality as required under the agreement. The software has not been updated to their latest versions due to programming errors not corrected and has not migrated the City to the cloud. The City was unable to have telework capabilities to allow operations during the Coronavirus pandemic. As a result, the City is not properly equipped to operate in the event of a natural disaster. During the past few years, the City has had deficiencies identified by the external auditors that are, in part, due to software limitations. Research has been done to identify an enterprise resource planning system (ERP System) that will more meet the needs of the City to deal with a potential natural disaster and reporting requirements. The recommended ERP System is offered by Tyler Technologies (Tyler). It is used by multiple local cities and agencies throughout the United States. Tyler was the highest overall ranked software company in a recently completed RFP response done by Sourcewell, a Joint Powers Authority, of which the City is a member. The implementation of the new ERP software is estimated to take 12 months to complete. In the meantime, the City will continue with Central Square Technology and will evaluate whether any potential credit is due resulting from the inability to deliver in accordance with the existing agreement in place. The new ERP System will improve the timeliness and accuracy of reporting and ensure that the City can operate during a natural disaster.

RECOMMENDED ACTION: Adopt Resolution No. 20-17 and Approve the authorization for City Manager to enter into a Service Agreement with Tyler Technologies, Inc., in substantially the same form as submitted.

9.b. UPDATE ON COVID-19 RESPONSE

The City has been working diligently to lower the amount of COVID-19 cases in our community by protecting residents, City employees, the business community and visitors to the City. These efforts include protections in four categories consisting of 1. Adhering to all State and Los Angeles County Health Orders; 2. Creating Safer City facilities; 3. Bringing COVID-19 Resources to the Community including timely updates, rental assistance, COVID testing and COVID vaccines; and, 4. Preparing for the New Normal/Post-Pandemic Community.

RECOMMENDED ACTION: Receive and File

9.c. CONSIDERATION OF RESOLUTION NO. 21-18, APPROVING A PROJECT DESIGN CONCEPT FOR THE DESIGN AND CONSTRUCTION OF ROADWAY IMPROVEMENTS BETWEEN CITY THE OF SOUTH EL MONTE AND CITY OF INDUSTRY AND LOS ANGELES COUNTY PUBLIC WORKS FOR THE CONSTRUCTION OF CERTAIN STREET IMPROVEMENTS AND APPROVING \$32,050 IN MEASURE M FUNDS FOR THE PROJECT

In March of this year, the Los Angeles County Public Works department contacted the City of South El Monte regarding cost sharing on certain street improvements that are common to South El Monte and City of Industry. The total project cost is estimated at \$4,170,855. South El Monte's share is estimated at \$32,050. The improvements are located on Santa Anita Avenue, and include an area of 8,300 square feet just south of the 60-freeway eastbound onramp.

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. 21-18, approving the Street Rehabilitation Project Design Concept West Puente Valley Temple Avenue Addendum 1 and approving allocation of \$32,050 in Measure M funds for the physical street improvements to Santa Anita Avenue.

9.d. CONSIDERATION FOR AUTHORIZATION TO ADVERTISE NOTICE INVITING BIDS (NIB) FOR THE FY 20-21 PAVEMENT REHABILITATION PROGRAM (CDBG)

Project plans, specifications and estimates (PS&E package) for FY 20-21 Pavement Rehabilitation Program (CDBG) were completed. Staff is requesting authorization to advertise bid package for construction bids.

RECOMMENDED ACTION: Staff recommends City Council authorize advertising the Notice Inviting Bids (NIB) for the FY 20-21 Pavement Rehabilitation Program (CDBG) Project.

10. COMMITTEE REPORTS, INCLUDING AB 1234 REPORTS:

AB 1234 requires that councilmembers must briefly report, orally or in writing, on meetings attended at City expense (for example, Contract City and League of California Cities Conferences, ICSC conferences, etc.) at the City Council meeting following the meeting.

11. CORRESPONDENCE - None

12. COUNCILMEMBERS' AGENDA

12.a. MAYOR PRO TEM RICHARD ANGEL

1. Discussion on Supporting Local South El Monte Businesses - Promote on City Social Platforms, Highlight in City's Newsletter or Advertise in the Local Newspaper.
2. Discussion on policy to purchase supplies/services for the City in South El Monte that do not require Request for Proposal (RFP) from South El Monte Businesses.

12.b. MAYOR GLORIA OLMOS

1. Direct Staff to Look into Utility Users Taxes, Including Electrical, Gas, Water, Cellular and Trash Services.
2. Discussion on City Street Lights - Changes to LED Energy Saving Lights.

13. CLOSED SESSION

13.a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION - GOVERNMENT CODE SECTION 54957

Title: City Manager

13.b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION GOVERNMENT CODE SECTION 54956.9 - [TWO CASES]

Case No. 2:18-cv-04077 Patel v. City of South El Monte
Case No. BC720458 Patel v. City of South El Monte

14. RECESS COUNCIL MEETING

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

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

16. SUCCESSOR AGENCY MEETING - CALL TO ORDER AND ROLL CALL

Board Members: Acosta, Delgado, Retamoza, Vice Chairperson Angel and Chairperson 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

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

19. 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 Board during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar.

19.a. CONSIDERATION AND APPROVAL OF THE REGULAR SUCCESSOR AGENCY MEETING MINUTES - FEBRUARY 23, 2021

Staff seeks Agency Board approval of the Minutes of the February 23, 2021 meeting.

RECOMMENDED ACTION: Staff recommends the Agency Board approve the Regular Successor Agency Meeting Minutes of February 23, 2021. minutes.

19.b. CONSIDERATION OF RESOLUTION NO. SA 21-04, APPROVING WARRANTS FOR THE PERIOD OF FEBRUARY 24, 2021 THROUGH MARCH 23, 2021

Authorizing payment of City expenditures for the period of February 24, 2021 through March 23, 2021 totaling \$2,500.00

RECOMMENDED ACTION: Staff recommends City Council adopt Resolution No. SA 21-04, authorizing payment of City expenditures.

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

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 City of South El Monte City Hall, Senior Center and Community Center and made available at www.cityofsouthelmonte.org on this 18th day of March 2021.



City Clerk, CMC