

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL SPECIAL MEETING
OF JULY 19, 2018

MEETING JOINTLY AND REGULARLY WITH THE EL MONTE HOUSING AUTHORITY; EL MONTE PUBLIC FINANCING AUTHORITY; EL MONTE PARKING AUTHORITY; EL MONTE WATER AUTHORITY; SUCCESSOR AGENCY TO THE FORMER EL MONTE COMMUNITY REDEVELOPMENT AGENCY; HOUSING SUCCESSOR AGENCY; AND, FROM TIME TO TIME, SUCH OTHER BODIES OF THE CITY WHOSE MEMBERSHIP IS COMPOSED EXCLUSIVELY OF THE MEMBERSHIP OF THE CITY COUNCIL

1. CALL TO ORDER OF SPECIAL MEETING: **6:00 pm adjourned to 7:00 pm due to lack of quorum. Meeting started at 7:04 pm.**

2. ROLL CALL FOR CITY COUNCIL:

Andre Quintero, Mayor/Chair – **present**
Juventino “J” Gomez, Mayor Pro Tem/Authority Member – **absent**
Norma Macias, Councilmember/Authority Member – **absent**
Victoria Martinez, Councilmember/Authority Member – **present**
Jerry Velasco, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

m) Mayor Quintero

s) Councilmember Martinez

3-0 (Mayor Pro Tem Gomez and Councilmember Macias absent)

4. INVOCATION: **Mayor Quintero**

5. FLAG SALUTE: **Mayor Quiintero**

6. SPECIAL MEETING PUBLIC COMMENT REGARDING AGENDIZED MATTERS ONLY:
None

As provided under **Government Code Section 54954.3**, this time has been set aside for persons in the audience to provide comment or make inquiries on matters appearing on this **Special Meeting agenda only**. Although no person is required to provide their name and address as a condition to attending a meeting, persons who wish to address the body are asked to state their name and address. Each speaker will be limited to three (3) continuous minutes. Speakers may not lend any portion of their speaking time to other persons or borrow additional time from other persons. All comments or queries presented by a speaker shall be addressed to the body as a whole and not to any specific member thereof. No questions shall be posed to any member of the body except through the presiding official of the meeting, members of the body are under no obligation to respond to questions posed by speakers but may provide brief clarifying responses to any comment made or questions posed. The body may not engage in any

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sort of prolonged discussion or deliberation with any speaker or group of speakers on matters that are not listed on this Special Meeting agenda.

Enforcement of Decorum: The Chief of Police of the City of El Monte, or such member, or members of the Police Department as the Chief of Police may designate, shall serve as the Sergeant-at-Arms of the meeting. The Sergeant-at-Arms shall carry out all orders and instructions given by the presiding official for the purpose of maintaining order and decorum at the meeting. While members of the public are free to level criticism of policies and the action(s) or proposed action(s) of the body or its members, members of the public may not engage in behavior that is disruptive to the orderly conduct of the proceedings, including, but not limited to, conduct that prevents other members of the public from being heard when it is their opportunity to speak or which prevents members of the audience from hearing or seeing the proceedings. Members of the public may not threaten any person with physical harm or act in a manner that may reasonably be interpreted as an imminent threat of physical harm. All persons attending the meeting must adhere to policies barring harassment based upon a person's race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, gender, sexual orientation or age.

7. PUBLIC HEARINGS:

7.1 Public Hearing to Consider: (1) a Resolution Affirming the Planning Commission's Decision Set Forth in Planning Commission Resolution No. 3508 to Approve Conditional Use Permit No. 03-18, Design Review No. 01-18 and Modification No. 02-18; (2) the Introduction and First Reading of an Uncodified Ordinance Approving Development Agreement No. 01-18 with GLC El Monte, LLC; and (3) a Resolution Approving an Addendum to the 2011 El Monte General Plan And Zoning Code Update Environmental Impact Report as the Environmental Documentation for Such Project and Readopting Related Environmental Impact Report Findings of Fact and a Statement of Overriding Considerations in Support of the Addendum for the Construction of Two Industrial Buildings at 10150 Lower Azusa Road.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the public hearing;
2. Receive presentation from staff;
3. Pose questions to staff;
4. Allow members of the public to offer comment;
5. Pose follow up questions to staff;
6. Conduct additional deliberation, if needed;
7. Close the public hearing; and
8. Approve the proposed Resolution affirming the Planning Commission's approval of Conditional Use Permit No. 03-18; Design Review No. 01-18; and Modification No. 02-18 (Attachment 1);
9. Approve first reading of an uncodified Ordinance approving Development Agreement No. 01-18 (Attachment 2); and

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10. Approve the proposed Resolution approving the Addendum for the 2011 El Monte General Plan and Zoning Code Update Environmental Impact Report (EIR) and readopting related EIR Findings of Fact and a Statement of Overriding Considerations in Support of the Addendum (Attachment 3).

Resolution No. 9893
Ordinance No. 2932
Resolution No. 9894

- m) Mayor Quintero**
- s) Councilmember Martinez**
 - Open the P.H.**
 - 3-0**

Joe Blackburn – I think I have been very clear in both petitions that I have circulated and we have over 113 signatures on. I have really serious concerns regarding the pollution and school children. We already fought one disaster and it took nine years of fighting to get Gregg Industries out of here. As I told you on Tuesday the cancer rate was 40% over the CDC national average. I am here to prevent disasters like that and my biggest concern is living in the proximity of the facility and as you see on the letter that I sent you on the back there is a picture of the area. Another factor that is not being considered in any of the planning is that there is a very busy credit union located just east of the facility and there is no mention of that in any of the planning documents. Monitoring, air quality monitoring I left in my seat something that I want to submit to the record of monitoring tools that are available. Electric vehicles they exist I have provided colored pictures of the tractors that are available that cost less than \$300,000 and they can be EOT compatible and there is very significant state incentives for using those vehicles. I do not want to see any diesel vehicles on that site.

Jordan Cisen – Our office represent the appellant Mr. Blackburn. I want to make it clear that the appellant understands the City's concern and desire to see this site come back to best and highest use. Some have characterized our interest as stopping this project and that is not the case our chief issue is that there are serious CEQA issues in this addendum and because of that more mitigation, more meaningful conditions of approval should be included it would be very cost effective very standard and as of right now they are not part of the project approval. There is a brief 5 page document that I am going to walk you through.

Bob Welemin – I don't want to be here tonight because Norm's pulled a fast one and opened tonight. The Planning Commission and this body have the authority to place safety measures. I can't understand why the employee driveways can't be on Shirley Avenue so that all the traffic is not backing up on Lower Azusa. You have the car wash there. There is no real grade issue to placing the driveway on Shirley rather than Lower Azusa. I strongly suggest that. I just ask that this project that you step back and that we get to come back in an informal matter and we can discuss why we have our issues.

Blair – Project Addressed the issues raised by Mr. Jordan Cisen as described in the 5 page document.

Anthony Rusick – CEO of Goodman North America and Deputy CEO of the Goodman Group. Thank you for your consideration tonight and for the staff's hard work over the past eight (8) months it has been a long hard road and so we appreciate the time and effort that everyone has made to bring this project to this point. Goodman Group is a very proud organization and

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particularly of its projects it invests all around the world. We are very proud of the Project we have planned here with the City of El Monte and I can show that it will be well received in the market place and it likely to be 100% leased prior to completion in 2019. That obviously is a standard that we set for ourselves. At Goodman we invest for the long term so we are long term investors so we are not a merchant developer.

Ralph Velador – I think this is a grand opportunity for the City to take a blighted area and to be able to put a 21st century building and really raise and be the corner stone of that area that industrial area and to fix up that street Shirley Street and what it does is that it allows the City to take those funds that they were going use to fix that street up in that local rea and use them somewhere else. I think that the developer and the owner are really going the extra steps to making sure that the City is going to have a landmark development here in the City for years to come. I really think it is going to be a piece of artwork the way they have it put together on the picture up here. The gentleman talked about the traffic this is going to create but a lot of that traffic is going to be from the local residents that are going to have those permanent jobs that are going to be there. I personally would like to see them sit in that traffic for 5 to 10 minutes to get home rather than to sit 50 or an hour to get home from wherever they are driving out of town to get here. What a great opportunity to recycle local tax dollars. They live there, they work here and play here. Let's make the right decision for the community members.

Ernesto Pantoja – I am here on behalf of Sergio Lascon Business Manager Laborers Local 300. As some of you may know LiUNA has had a home in El Monte for over 35 years, Local 300 has a hall not too far from here used to be our environmental local hall we have been in this community for a very long time. Ralph who works for organizing as part of the district council works here. One of the things that caught me that one of the representatives from Goodman said that they want to bring world class clients or tenants to this facility why not bring world class construction workers. I want to talk about what kind of members we have and how these jobs affect them. We believe that there residents of El Monte should be reinvesting their tax dollars and not taking them outside or bringing in an outside contractor that are part of this community. We ask you tonight to please support this project.

Ken Rausch – Chief Executive Officer of the El Monte/South El Monte Chamber of Commerce. I am here to voice the Chamber's support for the proposed development of the Vons/Safeway distribution center by Goodman. Please consider the following facts resulting from the approval of this project: (1) the City of El Monte will receive between \$535, 000 and \$800,000 dollars of annual tax and fee revenue per year exclusive of tax sales tax; (2) the current assess value is \$96.1M and after construction this property will be valued at more than \$194.4M; (3) a portion of the significant dollars spent to operate these large facilities will be spent in El Monte and will have a multiplier effect throughout the community such as the \$400,000 allocated to Gidley School for its enhancement ; (4) the project is anticipated to create 979 jobs during the two year construction period with an anticipated \$57M in labor income. The success of the project depends on the Developer. Goodman is a public listed global group with \$36.8 Billion in assets worldwide. They have 375 properties under management with a 98% occupancy rate. The City of El Monte could not have a more credible, qualified developer in place to transform this blighted site into a beautiful modern facility. The project is a win win for our City, residents and Goodman. It is because of these facts that we urge the City Council's support for this project.

Charles Hoffman – I find this project very interesting, people are talking about what will be going in there but all these people are dong for now is building two buildings. They are taking a chance that they will get someone in there I am sure they will and they probably already have some ideas. I know they are concerned about what will be used especially with the kids being

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around but when Vons first came in they didn't have the equipment that we have today. Also no one makes mention that there is a railroad crossing there, what do they put up what vehicles they put up and also what was there before Vons a dairy.

**Break at 9:03 pm
Return at 9:13 pm**

**Break at 9:48 pm
Return at 10:03 pm**

**Break at 10:29 pm
Return at 10:33 pm**

**m) Mayor Quintero
s) Councilmember Velasco
Close the P.H.
3-0**

**m) Mayor Quintero
s) Councilmember Martinez
Martinez
Resolution No. 9893
3-0**

**m) Mayor Quintero
s) Councilmember Martinez
Ordinance No. 2932**

**m) Mayor Quintero
s) Councilmember
Resolution No. 9894**

Resolution No. 9893, Ordinance No. 2932, and Resolution No. 9894 are approved with the following changes:

- 1. With regards to Art in Public Places, Condition No. 41 of the Conditions of Approval would be modified to reflect that the Art in Public Places In Lieu Fee would be paid to the City prior to the issuance of the first building permit for the Project; and**
- 2. In the Development Agreement there would be an analogous amendment under Section 7.8; and**
- 3. In Section 18 of the Development Agreement concerning the annual review of the Development Agreement: Sections 18.1, 18.2 and 18.3 would be amended to require that the review not only assess compliance with the Development Agreement but also with conditions relating to the existing development approvals; and**
- 4. In Section 18.2, the last two sentences of Section 18.2 be modified and that a new Section 18.4 that deals with the global 5 year look back and prospective look forward. The last two sentences of Section 18.2 shall read as follows: "Owner shall pay to the City a processing fee for the reimbursement of actual and reasonable costs incurred by the City on each occasion that the owner submits its evidence for periodic review of the Development Agreement the existing development approvals, including any subsequent approvals and the application of Condition No. 7 of Section 3 of the City Council Resolution which will be considered this evening, to each such existing Development Agreement approval and subsequent development approval, including any appropriate technical**

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studies as may then be indicated in the reasonable opinion of the City under Condition No. 7 of Section 3 of the City Council Resolution.”; and

5. The proposed language for new Section 18.4 is that at year five (5) following the approval of the Development Agreement the owner shall pay for comprehensive review of the compliance of the owner with the Development Agreement and the existing development approvals, including an examination of the consistency of the project as it then exists five year from now with the environmental impact assumptions and mitigation measures embraced within the addendum.

m) Mayor Quintero

s) Councilmember Martinez

Second of the motion incorporating all of the changes that the Counsel just stated
3-0

(Mayor Pro Tem Gomez and Councilmember Macias absent)

8. ADJOURNMENT:

With no objection Mayor Quintero adjourned the City Council meeting at 10:43 p.m.

The next Regular Meeting of the City Council will be held on **August 7, 2018** at 6:00 p.m. This Agenda will be posted on the City’s website, www.ci.el-monte.ca.us, and physically posted no less than 72 hours prior to the start of the subject regular meeting. Although it is the City’s practice and desire to electronically post a copy of this Agenda along with supporting material as part of its website posting, the size or formatting of certain supporting materials may render their website posting infeasible. Nevertheless, all supporting materials related to any item on this Agenda, that is made available to the members of the council may be inspected by members of the public at the City Clerk’s Office located at 11333 Valley Boulevard, El Monte, Monday through Thursday, 7:00 am – 5:30 pm. For more information, please call the City Clerk’s Office at 626-580-2016.

All public meetings and events sponsored or conducted by the City of El Monte are held in sites accessible to persons with disabilities. Requests for accommodations may be made by calling the office of the City Clerk at (626) 580-2016 at least three (3) working days prior to the event, if possible. This Agenda and copies of documents distributed at the meeting are available in alternative formats upon request.

Jonathan Hawes, City Clerk
City of El Monte

APPROVED:

Andre Quintero, Mayor
City of El Monte