

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL REGULAR MEETING
OF NOVEMBER 7, 2018

MEETING JOINTLY AND REGULARLY WITH THE EL MONTE HOUSING AUTHORITY; EL MONTE PUBLIC FINANCING AUTHORITY; EL MONTE WATER AUTHORITY; EL MONTE PARKING 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: **6:00 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

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

3. APPROVAL OF AGENDA:

WITH THE FOLLOWING EDITS/CHANGES TO THE AGENDA:

Items 4.1 and 4.2 will be continued to a future meeting.

m) Mayor Quintero

s) Mayor Pro Tem Gomez 3-0 (Councilmembers Macias and Martinez absent)

4. CLOSED SESSION (6:00 p.m. – 7:00 p.m.):

The City Council and the various Authority Bodies whose membership is composed exclusively of the membership of the City Council (collectively, the “Council”) will attempt to address and complete all Closed Session business between 6:00 p.m. and 7:00 p.m. If the Council completes all Closed Session business prior to 7:00 p.m., the Council will take a short recess and commence all Open Session proceedings promptly at 7:00 p.m. In the event the City Council is unable to address or complete all agenda items by 7:00 p.m., the Council will hear all such remaining items toward the end of the meeting, immediately following Council Communications. Should any member of the public wish to address the Council on any *agenda* Closed Session matter, the Council shall allow such person to address the Council on such matter prior to going into Closed Session, provided that all persons wishing to address the Council on an agenda Closed Session matter shall fill out a speaker card and be subject to a speaker’s time limit of 3 minutes per speaker and further provided that the Council shall be under no obligation to respond to or deliberate upon any specific questions or comments posed by a speaker or take action on any issue raised by a speaker beyond such action as the City Council may be lawfully authorized to take on an agenda Closed Session matter pursuant to the Brown Act (Govt. Code Section 54950 et seq.).

Mayor Quintero invited members of the public to address the City Council on Closed Session Items 4.3 through 4.4.

Mayor Quintero and the City Council recessed into Closed Session at approximately 6:01 p.m.

Mayor Quintero and the City Council reconvened from Closed Session at approximately 7:00 p.m.

Assistant City Attorney Richard Padilla reported out of Closed Session with respect to Items 4.3 through 4.4.

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- 4.1 Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators.

Property Location:
3448-3454 Tyler Avenue, El Monte CA

Name of Party City is Negotiating with:
Newport Partners, LLC

City's Representatives in Negotiations:
Alex Hamilton, City Manager; Alma K. Martinez, Assistant City Manager; and David F. Gondek, Deputy City Attorney

Under Discussion:
Price and terms of payment for real property.

Item has been continued to a future meeting.

- 4.2 Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators.

Property Location:
APNs 8575-017-904 and 8575-017-905

Name of Party City is Negotiating with:
Nick Saponara and Marie Sullivan

City's Representatives in Negotiations:
Alex Hamilton, City Manager; Alma K. Martinez, Assistant City Manager; and David F. Gondek, Deputy City Attorney

Under Discussion:
Price and terms of payment for real property.

Item has been continued to a future meeting.

- 4.3 Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiators.

Property Location:
Parcel 3 Gateway generally located on the west side of Santa Anita Avenue between Interstate 10 Freeway and Valley Boulevard.

Name of Party City is Negotiating with:
James Acevedo

City's Representatives in Negotiations:
Alex Hamilton, City Manager; Alma K. Martinez, Assistant City Manager; and David F. Gondek, Deputy City Attorney

Under Discussion:
Both price and terms.

General update, no final action

- 4.4 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel to Discuss Matter of Existing Litigation – Workers Compensation Matter Case No. ADJ10253110.

General update, no final action

m) Mayor Quintero

s) Mayor Pro Tem Gomez

3-0 (Councilmembers Macias and Martinez absent)

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OPEN SESSION PROCEEDINGS

(Commencing at 7:00 p.m. or as soon thereafter as the City Council reconvene from Closed Session/Short Recess)

5. INVOCATION: Chaplain Manny Coronilla, Calvary Chapel El Monte. **present**

6. FLAG SALUTE: Ivan Lobo, 6th Grader from Madrid Middle School. Enjoys Football and Basketball. **present**

7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:
 - 7.1 Presentation by the City Council to Ivan Lobo from Madrid Middle School for Leading the Pledge of Allegiance. **present**

8. PUBLIC COMMENT REGARDING NON-AGENDIZED MATTERS:

This time has been set aside for persons in the audience to make comments or inquiries on matters within the general subject matter jurisdiction of the City Council, the Housing Authority, the Financing Authority and/or the Water Authority (collectively, the "Council") that **are not listed on this agenda**. Although no person is required to provide their name and address as a condition to attending a Council meeting, persons who wish to address the Council 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.

Except as otherwise provided under the Brown Act (Gov. Code Section 54950 et seq.), the Council may not deliberate or take action upon any matter not listed on this posted agenda but may order that any such matter be placed on the agenda for a subsequent meeting. The Council may also direct staff to investigate certain matters for consideration at a future meeting.

All comments or queries presented by a speaker shall be addressed to the Council as a body and not to any specific member thereof. No questions shall be posed to any member of the Council except through the presiding official of the meeting, the Mayor and/or Chair. Members of the Council 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 Council may not engage in any sort of prolonged discussion or deliberation with any speaker or group of speakers on matters that are not listed on this agenda.

Enforcement of Decorum: The Chief of Police, or such member, or members of the Police Department as the Chief of Police may designate, shall serve as the Sergeant-at-Arms of any Council 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 City policies and the action(s) or proposed action(s) of the Council 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 the City's policy 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.

Charles Hoffman – I am here to inform you that on Sunday, November 18th from 1:00 pm to 3:00 the El Monte Historical Society will be having its Tea at the El Monte Museum. The Women's Club will be hosting the event all welcome to attend you do not need to be a member.

Concepcion Guardado – I am so happy to be here with you right now. I am very worried one of the things that I love in the United States is when I see everything in a good condition and innovated invest more money in the infrastructure especially on the roads

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and in the schools of El Monte. I am fond of the El Monte Rosemead School because I know how much work the school has done to improve our education. I have a list of problems I have. Please Mayor I ask for your protection for me and my children. Zamora Park has become dangerous gangs have spread to our community. I have been living for 16 years in the same place next to the park. On one occasion a lady asked me for help because a gang member with a dog took a girl into the men's restroom and there were more men outside. I questioned him and since then I have been intimidated by these gang members. On October 30th at around 2:00 pm the gang member's girlfriend tried running my daughter and I over with her car. I have been followed and my kids have been followed by these individuals. I have made many calls and reports for years. I tried to speak or schedule an appointment with the Chief of Police but no results at all and the park is not safe at all. I have had problems with my neighbors were I live next to the park. People come and go at dangerous speeds they do not care if they hit a person. I have made various reports and there has been no solution.

Gabriel Ramirez – First and foremost I want to give a shout out to our newly elected State Senator Susan Rubio. I know that the elections are over but I know that the final count won't be until the end of the month. So I want to speak I know that at the last City Council meeting in regards to this. I was submitting my public comment card right before the meeting started and I know Mayor that you forgot to close the public hearing and I remember when I spoke to the City Attorney you forgot to close the public hearing and your forgot to also call myself and the other commentator for the comments and as you know and I will read the First Amendment. It is the not the first time you do this you have done it before.

Mike Gomez – First of all I want to congratulate you Mayor on your election being elected for the 5th time as Mayor of our wonderful City of El Monte. I also want to congratulate all of the members of Team El Monte who got elected as well. They got elected last night and do deserve a round of applause. The other thing just very quickly Mayor and City Councilmembers, I am hopeful that in future elections that our elections can be a little more gentile if you want to call it that. I know that there are a lot of signs that we put out that all of a sudden disappeared the night before the election, a couple of nights before we would replace them and they would disappear. I don't know who is doing that but it should not be happening in our City people should be respectful of other people's property. The other thing very quickly, I think that a lot of people who are registered to vote received this piece of mail that had five ex-chief police of El Monte and they were encouraging people to vote for a specific candidate and quite honestly I found it very offensive because it was like we were being tried to be pressured to vote for a particular candidate and I don't think that it is right to have past City employees in this case ex-police chiefs trying to get us to vote for a specific candidate.

9. CITY TREASURER'S REPORT:

10. DEMAND RESOLUTION NO. D-585

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID.

THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES RESOLVE AS FOLLOWS: SECTION 1. That the attached list of claims, demands, and payroll totaling \$6,453,739.14 have been examined by the City Treasurer and that warrant numbers 1077760 through 1078130 and the payroll period September 16, 2018 through October 15, 2018 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

m) Mayor Quintero

s) Mayor Pro Tem Gomez 3-0 (Councilmembers Macias and Martinez absent)

11. APPROVAL OF MINUTES: **No material submitted.**

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12. CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine in nature and may be enacted by one motion approving the recommendation listed on the Agenda. One or more items may be removed from the Consent Calendar so that they may be discussed, considered and voted upon individually by the Council. A matter may be removed from the Consent Calendar and taken up separately by way of a seconded motion of any member of the Council with the approval of a majority of the Council quorum.

- 12.1 Approval of Professional Services Contract Extension for Dan Briney, CPA Not-to-Exceed \$80,000 to Continue Providing Accounting and Financial Services to the Finance Department and Successor Agency to the Former Redevelopment Agency and Department of Finance Through June 30, 2019.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the attached extension instrument and authorize the City Manager to execute the same on behalf of the City to extend an existing contract for Dan Briney to continue to provide accounting and financial services for the City of El Monte Finance Department and Successor Agency to the Former Redevelopment Agency and Department of Finance through June 30, 2019.

Total Cost: \$80,000 Account No: 100-31-311-6115
Is the cost of this item budgeted? Yes

m) Mayor Quintero

s) Mayor Pro Tem Gomez 3-0 (Councilmembers Macias and Martinez absent)

- 12.2 Approval of Request to Purchase of Fifty (50) Motorola Mobile Radios and Fifteen (15) Motorola Portable Radios.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the purchase of fifty (50) Motorola APX 6500 mobile radios and fifteen (15) Motorola APX 6000 portable radios to include radio programming and installation in an amount not-to-exceed \$300,000 from Asset Forfeiture Account No. 259-71-711-6266;
2. Consider and approve Motorola Solutions as the sole source provider; and
3. Consider and approve dB Electronics for the programming and professional installation services of radios, as the lowest bid in accordance with the City's Purchasing Policy.

Total Cost: \$300,000 Account No: 259-71-711-6266
Is the cost of this item budgeted? N/A

m) Mayor Quintero

s) Mayor Pro Tem Gomez 3-0 (Councilmembers Macias and Martinez absent)

- 12.3 Approval of Request to Purchase of Three (3) Vehicles for Law Enforcement Use.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the appropriation of Asset Forfeiture funds to purchase three (3) vehicles for law enforcement use in an amount not-to-exceed \$66,000;
2. Consider and approve the purchase of these vehicles from any of the four (4) El Monte area car dealerships; and

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3. Consider and approve the disposition of the three (3) Police Department vehicles.

Total Cost: \$66,000

Account No: 259-71-711-8133

Is the cost of this item budgeted? N/A

m) Mayor Quintero

s) Mayor Pro Tem Gomez 3-0 (Councilmembers Macias and Martinez absent)

- 12.4 Approval of a Second Amendment to Professional Services Agreement with CASC Engineering and Consulting to Administer NPDES MS4 Program through March 2019 and Authorize the City Manager to Execute the Agreement.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a second amendment to the Professional Services Agreement with CASC Engineering and Consulting to extend the contract for four months; and
2. Consider and authorize the City Manager to execute the second amendment with CASC Engineering and Consulting to administer the mandated NPDES MS4 program through March 2019.

Total Cost: \$49,969

Account No: 283-67-677-6115

Is the cost of this item budgeted? Yes

m) Mayor Quintero

s) Mayor Pro Tem Gomez 3-0 (Councilmembers Macias and Martinez absent)

- 12.5 Approval of Request to Purchase One (1) S650 T4 Bobcat Skid-Steer Loader.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the purchase of one (1) S650 T4 Bobcat Skid-Steer Loader from Bobcat of Los Angeles, Inc. for an amount of \$58,000.

Total Cost: \$58,000

Account No: 100-67-681-8131

Is the cost of this item budgeted? Yes - \$50,000; No - \$8,000

m) Mayor Quintero

s) Mayor Pro Tem Gomez 3-0 (Councilmembers Macias and Martinez absent)

13. PUBLIC HEARINGS:

- 13.1 A Public Hearing to Consider and Approve for First Reading an Ordinance of the El Monte City Council Amending Sections 1.18.060 Through 1.18.090 of Chapter 1.18 (Administrative Citations) of Title I (General Provisions and Section 15.34.054 through 15.34.060 of Chapter 15.34 (Fire Code) of Title XV (Building and Construction) of the El Monte Municipal Code Regarding Procedures for the Challenging of Administrative Citations.

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;

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6. Close the public hearing; and
7. Approve the first reading of an El Monte City Council Ordinance (Attachment 1 – Ordinance) amending and updating the City’s Administrative citation procedures set forth in Chapter 1.18 and Chapter 15.34 of the El Monte Municipal Code.

Total Cost: N/A Account No: N/A
Is the cost of this item budgeted? N/A

Ordinance No. 2938

m) Mayor Quintero	m) Mayor Quintero	m) Mayor Quintero
s) Councilmember Velasco	s) Councilmember Velasco	s) Mayor Pro Tem Gomez
Open the P.H.	Close P.H.	Ordinance No. 2938
3-0	3-0	3-0
(Councilmembers Macias and Martinez absent)		

14. REGULAR AGENDA:

- 14.1 Consideration and Approval of a Resolution Accepting the Irrevocable Offer of Dedication of a Segment of Parcel 8569-013-019 for Public Right-of-Way on Santa Anita Avenue and McGirk Avenue and the Recordation of the Irrevocable Offer of Dedication, Grant Deed and Agreement through the Los Angeles County Recorder’s Office.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve to adopt a resolution accepting the Irrevocable Offer of Dedication of a segment of parcel 8569-013-019;
2. Consider and approve to authorize the City Manager to execute the Irrevocable Offer of Dedication, Grant Deed and Agreement and all related documents for the public right-of-way on Santa Anita Avenue and McGirk Avenue; and
3. Consider and approve the recordation of the Irrevocable Offer of Dedication, Grant Deed and Agreement through the Los Angeles County Recorder’s Office.

Total Cost: N/A Account No: N/A
Is the cost of this item budgeted? N/A

Resolution No. 9918

m) Mayor Quintero	
s) Mayor Pro Tem Gomez	3-0 (Councilmembers Macias and Martinez absent)

- 14.2 Consideration and Approval of Professional Services Agreement with Southstar Engineering & Consulting, Inc. to Provide On-Going Traffic Engineering Support Services for a Not-to-Exceed Amount of \$23,840

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve to authorize the City Manager to amend the contract with Southstar Engineering & Consulting, Inc. for a not-to-exceed cost of \$23,840; and
2. Approve a budget amendment in the amount of \$23,840.

Total Cost: \$23,840 Account No: 100-67-677-6111
Is the cost of this item budgeted? No

m) Mayor Quintero	
s) Mayor Pro Tem Gomez	3-0 (Councilmembers Macias and Martinez absent)

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15. CITY ATTORNEY'S AGENDA: **No material submitted.**

16. CITY MANAGER'S AGENDA: **No material submitted.**

17. WRITTEN COMMUNICATIONS: **No material submitted**

18. COUNCIL COMMUNICATIONS:

18A. Mayor Quintero

We are going to get a chance at a subsequent meeting a little more about our colleagues and by then more results will be finalized so I am going to save my comments for then. But in the meantime I wish you all a good weekend and make sure that if you get a chance to come by it is not every City that has a Veteran's day recognition and I think it is a special tradition in our City, so if you get a chance to come by and pay your respects and your appreciation for the men and women who put their lives on the line for our Country please attend.

18B. Mayor Pro Tem Gomez

I want to remind everyone that this Sunday we will be celebrating Veteran's Day at Arceo Park at 9:00 am you are going to have food and refreshments please attend. Please take a little while bring your family and friends as we pay tribute to so many men and women and their families that have sacrificed so much for us.

18C. Councilwoman Macias

18D. Councilwoman Martinez

18D.1 Discussion Regarding Christmas Tree Lighting/Holiday House.

18E. Councilman Velasco

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19. ADJOURNMENT: **Adjourned in Memory of Mrs. Patricia Wallach, Former Mayor and Councilwoman.**

With no objection Mayor Quintero adjourned the City Council meeting at 7:20 pm.

The next Regular Meeting of the City Council will be held on **November 20, 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