

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL REGULAR MEETING
OF JANUARY 24, 2023

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: **6:01 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

Jessica Ancona, Mayor/Chair – **present**
Martin Herrera, Mayor Pro Tem/Authority Member – **present**
Marisol Cortez, Councilmember/Authority Member – **present**
Victoria Martinez Muela, Councilmember/Authority Member – **present**
Alma D. Puente, Councilmember/Authority Member – **absent**
Richard Rojo, Councilmember/Authority Member – **present**
Julia Ruedas, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

m) Mayor Pro Tem Herrera

s) Councilmember Rojo

6-0 (Councilmember Puente absent)

4. CLOSED SESSION:

The City Council and the various legislative bodies whose membership is composed exclusively of the membership of the City Council will attempt to address and complete all Closed Session business between 6:00 p.m. and 7:00 p.m. If the City Council completes all Closed Session business prior to 7:00 p.m., the City 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 agendized Closed Session items by 7:00 p.m., the City 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 City Council on any *agendized* Closed Session matter, the City Council shall allow such person to address the City Council on such matter(s) prior to going into Closed Session, provided that all persons wishing to address the Council on an agendized Closed Session matter shall (i) call-in or submit a speaker card in the manner prescribed on page 1 of this agenda, above, prior to the City Council going into closed session; and (ii) be subject to a single speaker time allotment of three (3) continuous minutes total per speaker to address the City Council on any or all closed session items of business.

Mayor Ancona invited members of the public to address the City Council on Closed Session Item 4.1 through Item 4.4.

Ed Rardin – Spoke about the sacrifices and the request being made by El Monte SEIU Members.

Ruth – Spoke about the exposure and close contact that the Dispatchers went through during COVID.

Robert Humble – Spoke about the exposure and the different things that the Public Works Utilities staff had to go through during COVID.

SEIU Rep – Spoke about the history when COVID began.

Wyatt Reneer – In support of Chief Jake Fisher's Needs Assessment Report, Item 12.27.

Mayor Ancona and the City Council recessed into Closed Session at approximately 6:19 p.m.

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Councilmember Puente joined the City Council in Closed Session at approximately 6:24 p.m.

At approximately 7:04 p.m. the Mayor announced that the City Council would reconvene from Closed Session about 20 minutes.

Mayor Ancona and the City Council reconvened from Closed Session at approximately 7:34 p.m.

Assistant City Attorney Richard Padilla reported out of Closed Session with respect to Item 4.1 through 4.4.

- 4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – Jovanna Silva vs. City of El Monte et al., USDC Case No. 2:21-CV-00197-MCS-PD.

Updates provided, feedback given by the City Council but no final action taken.

- 4.2 Closed Session Pursuant to Government Code Section 54956.9subparts (a), (c) and (d)(1) – Conference with Legal Counsel regarding Existing Litigation – Crown Estate Holding, LLC, Bankruptcy Case No. 2:23-bk-10058-BB.

Updates provided, feedback given by the City Council but no final action taken.

- 4.3 Closed Session Pursuant to Government Code Section 54956.9subparts (a), (c) and (d)(1) – Conference with Legal Counsel regarding Existing Litigation – City of El Monte v. Crown Estate Holding, LLC, L.A. Superior Court Case No. 21STCV26110.

Updates provided, feedback given by the City Council but no final action taken.

- 4.4 Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiators.

Bargaining Units Subject to Negotiations: El Monte General Unit (SEIU Local 721); El Monte General Mid-Management Unit (SEIU Local 721); El Monte Police Officers Association; El Monte Police Mid-Manager’s Association; and All Unrepresented Employees of City Executive Team.

City’s Designated Negotiator: Alma Martinez, City Manager and Rigoberto Gutierrez, Acting Human Resources/Risk Management Director.

Updates provided, feedback given by the City Council but no final action taken.

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. **Chaplain Esrom Lempao, Non-Denominational.**

- 6. FLAG SALUTE: City Council. **Mayor Ancona.**

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7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS: **None**

8. GENERAL PUBLIC COMMENT:

This time has been set aside for members of the public to directly address the City Council on agendized items of business (other than those agendized as public hearing or closed session items) or on any other matter of interest to the speaker/caller that is within the subject matter jurisdiction of the City Council, the Housing Authority, the Financing Authority and/or the Water Authority (collectively, the "Council"). Each speaker/caller will be limited to a single allotment of three (3) continuous minutes total to address the Council on any or all matters covered by this section. As explained more specifically under the Public Hearing portion of this agenda, members of the public wishing to offer comment on items of business agendized under the Public Hearing portion of the agenda shall have a separate allotment of three (3) continuous minutes per speaker per public hearing item. 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. Persons wishing to address the Council on matters covered under General Public Comment shall call in or submit a speaker card in the manner prescribed on page 1 of this agenda, above, by or before the General Public Comment portion of the agenda is closed. The City Council shall be under no obligation to entertain comments from speakers/callers who submit cards or call in to speak on matters covered by the section after the General Public Comment portion of the agenda is closed.

Paul Arellano – Spoke on Item 14.9, asked the City Council to hold on the vote for this item.

Denise Villalobos – Asked to withhold the support of the Resolution under Item 14.9

Julio Ramirez – Spoke about a member of the City Council.

Dr. Refugio Gonzalez – Against Item 14.9.

Janet Kershaw – Asked the City Council to withhold its support of Resolution under Item 14.9.

Florencio Briones – Asked the City Council to withhold its support of Resolution under Item 14.9.

Ricardo Padilla – Congratulated the newly elected officials. In support of the Resolution under Item 14.9.

David Siegrist – In support of the Resolution under Item 14.9.

Stephen Trumble – Provided information regarding upcoming events at the library.

Cosme Jimenez – Spoke about the school board new members and new board members. Spoke about donations made to Councilmembers. Spoke about contractors in the City.

Mary Ann Powers – Spoke about the street vendors and the issues arising because of this.

Gabriel Ramirez – Congratulated newly elected officials. Spoke about the shooting that took place in Monterey Park.

9. CITY TREASURER'S REPORT: **None**

10. DEMAND RESOLUTION NO. D-679

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.

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THE CITY COUNCIL OF THE CITY OF EL MONTE, CALIFORNIA, DOES RESOLVE AS FOLLOWS: SECTION 1. That the attached list of claims and demands totaling \$6,180,772.64 have been examined by the City Treasurer and that warrant numbers 1111230 through 1111630, and the payroll ending December 31, 2022, inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

m) Councilmember Puente
s) Councilmember Ruedas **7-0**

11. APPROVAL OF MINUTES: **None**

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 Waiver of Full Reading of Ordinance(s).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approval to waive full reading (except title) of all ordinances appearing on the City Council agenda as authorized under Government Code Section 36934, unless otherwise directed by the City Council.

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

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera **7-0**

12.2 Receive and File the City Clerk's Quarterly Listing of Contracts Filed in the City Clerk's Office Between October 1, 2022 and December 31, 2022.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the report.

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

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera **7-0**

12.3 Approval of a 30-Day Resolution Regarding the Conduct of Teleconferenced Meetings of the City Council and Other City Bodies Under the Modified Rules Set Forth Under Government Code Section 54953(E) and Other Applicable Provisions of AB361.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider possible adoption of a Resolution authorizing City legislative bodies to hold remote teleconference meetings subject to modified Brown Act requirements during a declared state of emergency in accordance with Assembly Bill 361 for a limited period of 30 days.

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

Resolution No. 10417

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

12.4 Approval of Recognized Obligation Payment Schedule 23-24, Successor Agency Administrative Budget for Fiscal Year 2023-2024, and Accompanying Resolution.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council and the City Council as Successor Agency:

1. Approve the Recognized Obligation Payment Schedule 23-24 and Administrative Budget for the July 1, 2023 through June 30, 2024 period.

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

Resolution No. SA-90

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

12.5 Approval of Parkview Elementary School Request for Street Closures and Processing of a Special Event Permit for the 47th Annual Americanism Parade.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and adopt a Resolution approving the request by Parkview Elementary School for assistance from the City to coordinate street closures and to process a Special Event Permit for the purpose of conducting the Annual Americanism Parade on Wednesday, February 22, 2023; and
2. Waive all fees associated with this event.

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

Resolution No. 10418

m) Mayor Ancona
s) Councilmember Martinez Muela 7-0

12.6 Approval of Request to Serve/Sell Wine and "Spirits" Liquor at the Grace T. Black Auditorium.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council consider and approve the request to serve/sell Wine and "Spirits" Liquor at the Grace T. Black Auditorium.

<u>Private Use</u>	<u>Event</u>	<u>Date</u>
Nancy J. Marquez (Grace T. Black Auditorium)	18 th Birthday Celebration (Attendance 150)	Saturday, March 25, 2023 6:00 p.m. – 12:00 a.m.

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

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

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- 12.7 Approval of the establishment of a Transportation Services Program for Eligible El Monte Senior Citizens and Approval of recommendation to Release of a Request for Qualifications to Select a Transportation Services Company to Provide Transportation Services to Eligible El Monte Senior Citizens.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the El Monte Senior Citizens Transportation Services Program;
2. Approve the release of a Request for Qualifications to select a company to provide transportation services to eligible El Monte Senior Citizens; and
3. Authorize the City Manager or her designee, to execute all documents related to El Monte Senior Citizens Transportation Services Program.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Councilmember Martinez Muela
s) Mayor Ancona 7-0
Table Item to review grant funding

- 12.8 Approval of a Second Amendment to the Professional Services Agreement with Nova Electric Extending the Contract Term Date to December 31, 2023 for Electrical Maintenance and Repair Services for the Homekey Program Sites.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Second Amendment to the Professional Services Agreement with NOVA Electric extending the contract term date to December 31, 2023 for electrical maintenance and repair services for the Homekey Program sites; and
2. Authorize the City Manager, or her designee, to make all conforming modifications and edits and execute all implementing documents.

Total Cost: N/A

Account No: N/A

(Time Extension Only)

Is the cost of this item budgeted? N/A

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

- 12.9 Approval of a Second Amendment to the Professional Services Agreement with Ramona Property Managers, Inc. to Provide On-Call Property Management Services for the M Motel Homekey Program Site.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Second Amendment to the Professional Services Agreement with Ramona Property Managers, Inc. to extend the contract term through June 30, 2023 and increase the contract amount from \$60,300 by an additional \$25,000 for a total not-to-exceed amount of \$85,300 to provide on-call property management services for the M Motel Homekey Program Site; and
2. Authorize the City Manager, or her designee, to make all conforming modifications and edits and execute all implementing documents.

Total Cost: \$25,000

Account No: 242-65-047-6111

Is the cost of this item budgeted? Yes

Homekey ARPA

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

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12.10 Approval of a Second Amendment to the Operation and Supportive Services Agreement with Union Station Homeless Services Extending the Contract Term to December 31, 2023 to Provide Operation and Supportive Services for the El Monte Homekey Program Sites.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Second Amendment to the Operation and Supportive Services Agreement with Union Station Homeless Services extending the contract term date to December 31, 2023 to provide operation and supportive services for the El Monte Homekey Program sites; and
2. Authorize the City Manager, or her designee, to make all conforming modifications and edits and execute all implementing documents.

Total Cost: N/A Account No: N/A
(Time Extension Only)
Is the cost of this item budgeted? N/A

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

12.11 Approval of a Second Amendment to the Professional Services Agreement With Onyx Architects Extending the Contract Term Date to December 31, 2023 for Professional Design Services for the Budget Inn Homekey Program Site.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Second Amendment to the Professional Services Agreement with Onyx Architects extending the contract term date to December 31, 2023 for professional design services for the Budget Inn Homekey Program site; and
2. Authorize the City Manager, or her designee, to make all conforming modifications and edits and execute all implementing documents.

Total Cost: N/A Account No: N/A
(Time Extension Only)
Is the cost of this item budgeted? N/A

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

12.12 Approval of an Amendment to Retainer with Danning Gill, Israel & Krasnoff, LLP for Bankruptcy Legal Services Relating to Illegal Cannabis Operations.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the First Amendment (Attachment 1) with Danning, Gill, Israel & Krasnoff, LLP, to represent the City of El Monte in a new bankruptcy matter involving property where illegal cannabis activities have occurred.
2. Authorize the City Manager to make nonmaterial changes in consultation with the City Attorney's Office and execute all implementing documents.

Total Cost: \$50,000 Account No: 100-41-413-6125
Is the cost of this item budgeted? Yes Legal Services

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

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- 12.13 Approval of an Amendment to a Professional Services Agreement with Enso Law LLP for Civil Litigation Against Illegal Cannabis Activities.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve Amendment No. 1 with Enso Law LLP, formerly known as DR Welch Attorneys at Law, to represent the City of El Monte in civil litigation against illegal cannabis activities to clarify that amounts the City receives as the prevailing party are not capped to \$200,000 and are instead drawn as a contingency fee from the awarded sum in litigation;
2. Authorize the City Manager to make all conforming modifications and edits and execute all implementing documents.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Item was discussed to be pulled during Closed Session.

- 12.14 Approval and Acceptance of the Ramona Boulevard Median Landscape Improvement Project – CIP No. 857 Phase 2 as Complete and File the Notice of Completion with the Los Angeles County Recorder’s Office.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Accept the Ramona Boulevard Median Landscape Improvement Project – CIP No. 857 Phase 2 as completed; and
2. File the Notice of Completion with the Los Angeles County Recorder’s Office.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Councilmember Ruedas

s) Mayor Pro Tem Herrera

7-0

- 12.15 Approval and Acceptance of the Sidewalk & Curb Ramp Reconstruction Project (Phase 1), CIP No. 052 as Complete and File the Notice of Completion with the Los Angeles County Recorder’s Office.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and accept the Sidewalk & Curb Ramp Reconstruction Project, CIP No. 052 as completed and authorize staff to file the Notice of Completion with the Los Angeles County Recorder’s Office; and
2. Authorize staff to release the retention 35 days after acceptance by the City Council.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Councilmember Ruedas

s) Mayor Pro Tem Herrera

7-0

- 12.16 Approval and Acceptance of the El Monte Regional Bicycle Commuter Access Improvement Project, CIP No. 016 as Complete and Authorize Staff to File the Notice of Completion with the Los Angeles County Recorder’s Office.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Consider and accept the El Monte Regional Bicycle Commuter Access Improvement Project, CIP No. 016 as completed and authorize staff to file the Notice of Completion with the Los Angeles County Recorder's Office; and
2. Authorize staff to release the retention 35 days after acceptance by the City Council.

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

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

- 12.17 Approval and Acceptance of the Trolley Station Pavement Replacement Project as Complete and File the Notice of Completion with the Los Angeles County Recorder's Office.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:
It is recommended that the City Council:

1. Accept the Trolley Station Pavement Replacement Project as completed; and
2. File the Notice of Completion (NOC) with the Los Angeles County Recorder's office.

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

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

- 12.18 Approval of recommendation amend the Purchase Agreement with American Water Works, Inc. for the Purchase of a New Pressure Washer by Increasing the Original Sum of \$20,000 to a New Purchase Agreement Sum of \$42,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:
It is recommended that the City Council:

1. Consider and approve an increase to the purchase agreement with American Water Works, Inc. for the purchase of a new pressure washer increasing the original sum of \$22,000 to a new purchase agreement sum of \$42,000.
2. Authorize the City Manager and City staff in consultation with the City Attorney to execute such instruments as may be necessary or desirable to effectuate the amendment and authorize the City Manager to execute the same.

Total Cost: \$22,000 Account No: 100-67-672-8131
Is the cost of this item budgeted? Yes General Fund

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

- 12.19 Approval of recommendation to Install a New 7.5-Ton York HVAC Unit With UVC Light at City Hall East for an Amount of \$28,255.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:
It is recommended that the City Council:

1. Consider and approve the installation of a new 7.5-ton York HVAC unit with UVC light at City Hall East for an amount of \$28,255.

Total Cost: \$28,255 Account No: 242-67-475-8116
Is the cost of this item budgeted? Yes ARPA Fund

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

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- 12.20 Approval of Staff Recommendation to Reject all Bids Received on December 15, 2022 for the Gibson Mariposa Storm Drain and Fencing Improvement Project, CIP 066; and Authorize Staff to Re-Advertise and Publish the Notice of Inviting Bids.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve to reject all bids received on December 15, 2022 for the Gibson Mariposa Storm Drain and Fencing Improvement Project, CIP 066; and
2. Authorize staff to re-advertise and publish the Notice of Inviting Bids.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Councilmember Ruedas

s) Mayor Pro Tem Herrera

7-0

- 12.21 Approval of recommendation to Purchase Two (2) CTS LC5 Launching Cups, Twenty-Five (25) CTS GS Gas Munitions (Tear Gas), and Thirty (30) CTS 12 Gauge Launching Cartridges for the Police Department SWAT Team.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve to purchase two (2) CTS LC5 launching cups, twenty-five (25) CTS CS gas munitions (tear gas) and thirty (30) CTS 12 gauge launching cartridges for use by the Special Weapons and Tactics (SWAT) Team in tactical operations using Asset Forfeiture funds from Account No. 259-71-711-6218 for an amount not-to-exceed \$2,600.00;
2. Consider and approve the purchase of the launching cups, CS gas munitions, and launching cartridges from the selected sole source dealer, identified as LC Action Police Supply; and
3. Consider and approve the presentation of this purchase and identification of the funding source before the local governing body (Honorable Mayor and City Council) as following the guidelines set forth in State of California Assembly Bill 481 pertaining to the acquisition or intended use of military type equipment.

Total Cost: \$2,600

Account No: 259-71-711-6218

Is the cost of this item budgeted? N/A

Asset Forfeiture Fund

m) Councilmember Ruedas

s) Mayor Pro Tem Herrera

7-0

- 12.22 Approval of recommendation to Purchase of Forty-Five (45) Cannisters of CS and OC Chemical Agent Munitions (Tear Gas) for the Police Department SWAT Team.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve to purchase forty-five (45) cannisters of CS and OC chemical agent munitions (tear gas) for use by the Special Weapons and Tactics SWAT Team in tactical operations using Asset Forfeiture funds from Account No. 259-71-711-6211 in an amount not-to-exceed \$2,300;
2. Consider and approve the purchase of the chemical agent munitions from the selected dealer, identified as Aardvark Tactical; and
3. Consider and approve the presentation of this purchase and identification of the funding source before the local governing body (Honorable Mayor and City Council) as following the guidelines set forth in the State of California Assembly Bill 481 pertaining to the acquisition or intended use of military type equipment.

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Total Cost: \$2,300 Account No: 259-71-711-6111
Is the cost of this item budgeted? N/A Asset Forfeiture

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

12.23 Approval of a Professional Services Agreement for Crime Analysis Services for the Police Department.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement with Cynthia Haebe for Crime Analysis and Information Systems Automation Services in an amount not-to-exceed \$45,000 using Asset Forfeiture funds; and
2. Authorize the City Manager, or her designee, to execute the Agreement between Cynthia Haebe and the City of El Monte.

Total Cost: \$45,000 Account No: 259-71-711-6111
Is the cost of this item budgeted? N/A Asset Forfeiture

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

12.24 Approval of recommendation to authorize the use Asset Forfeiture Funds for the Purchase of Twenty-Four (24) Handheld Ballistic Shields for the Police Department.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve to use Asset Forfeiture funds in an amount not-to-exceed \$59,600 from Account No. 259-71-711-6248 to purchase twenty-four (24) ballistic shields for members of the Police Department during patrol, investigations, and Special Weapons and Tactics (SWAT) operations; and
2. Consider and approve the purchase of the ballistic shields from the selected sole source dealer, identified as the Armor Research Company (formerly known as Boydd Products).

Total Cost: \$59,600 Account No: 259-71-711-6248
Is the cost of this item budgeted? N/A Asset Forfeiture

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

12.25 Approval of recommendation to Utilize Asset Forfeiture Funding to Send Members of the El Monte Police Department to the 2023 "State" and "National" Law Enforcement Memorial Services.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and authorize the use of Asset Forfeiture funding in an amount not-to-exceed \$88,500 to sponsor the attendance of Department personnel at the 2023 "National" and "State" Police Officer Enshrinement Memorial Services scheduled between May 7, 2023 and May 17, 2023.

Total Cost: \$88,500 Account No: 259-71-711-6254
Is the cost of this item budgeted? N/A Asset Forfeiture

m) Councilmember Ruedas
s) Mayor Pro Tem Herrera 7-0

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- 12.26 Approval of recommendation to implement an Employee Recruitment Bonus Incentive Program.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the implementation of a "Police Officer Signing Bonus Incentive Program" to assist with the recruitment of vacant Police Officer positions within the El Monte Police Department.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Councilmember Martinez Muela

s) Councilmember Puente

7-0

~~**With the following edits: (1) lower the referral amount to \$2,500; and (2) make available to all employees.**~~

With the following edits:

1. **Referral Incentive Approved in the amount of \$5,000**
 - a. **First payment at initial hire: \$2,500; and**
 - b. **Second payment at the one (1) year anniversary of hire: \$2,500**
2. **Make available to all employees.**

- 12.27 Consideration and Approval to Receive a Presentation and Provide Comments and Input of the El Monte Police Department's Needs Assessment.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the 2023 El Monte Police Department Needs Assessment Report as a presentation; and
2. Provide comments and input on the presentation to determine the next steps in terms of recommendations for implementation.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Receive and file.

13. PUBLIC HEARINGS:

- 13.1 A Public Hearing to Consider and Approve an Urgency Ordinance of the City Council of the City of El Monte Amending Chapters 15.01 through 15.05 and 15.38 of the El Monte Municipal Code to Adopt the 2023 Los Angeles County Title 26, 27, 28, 29, 30, 31 and 33 Amendments to the 2022 Edition of the California Building Codes, Including the Building, Electrical, Plumbing, Mechanical, Residential, Green Building Standards, and Existing Building Codes.

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 comments;
5. Pose follow-up questions to staff;
6. Close the public hearing; and
7. Approve the Urgency Ordinance, by no less than six-sevenths (6/7) vote.

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

Urgency Ordinance No. 3019

m) Mayor Ancona
s) Councilmember Martinez Muela 7-0
Open P.H.

Cosme Jimenez – Had a question regarding the minimum rating amps required at the main panelboard.

m) Councilmember Martinez Muela
s) Councilmember Ruedas 7-0
Close P.H.

m) Mayor Pro Tem Herrera
s) Councilmember Martinez Muela 7-0
Approve Urgency Ordinance No. 3019

Break at 9:15 p.m.
Return at 9:24 p.m.

14. REGULAR AGENDA:

- 14.1 Consideration and Approval of a Third Amendment to the Professional Services Agreement with S&L Security, Inc. to Provide Continued Onsite Security Services for the El Monte Homekey Program Sites.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Third Amendment to the Professional Services Agreement with S&L Security, Inc. to extend the contract term through December 31, 2023; and increase the contract amount from \$636,784 by an additional \$307,708 for a total not-to-exceed amount of \$944,492 to provide continued onsite security services for the El Monte Homekey Program sites; and
2. Authorize the City Manager, or her designee, to make all conforming modifications and edits and execute all implementing documents.

Total Cost: \$307,708 Account No: 253-64-623-6111
ESG-CV
242-65-045-6111
Is the cost of this item budgeted? Yes ARPA

m) Councilmember Puente
s) Councilmember Ruedas 7-0

at 9:43 p.m.
m) Mayor Ancona
s) Councilmember Martinez Muela 7-0
Extend the meeting
Past 10:00 p.m.

- 14.2 Consideration and Approval of a Resolution Updating the Citywide Classification and Compensation Plan and Repealing and Replacing Resolution No. 10389.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Consider and approve the attached Resolution updating the Citywide Classification and Compensation Plan, effective January 1, 2023.

Total Cost: \$1,369,468

Account No: Various

Is the cost of this item budgeted? Yes

Resolution No. 10419

**m) Mayor Pro Tem Herrera
s) Councilmember Puente**

**5-2 (Mayor Ancona and Councilmember
Martinez Muela No)**

Secondary Motion

m) Councilmember Martinez Muela

s) Mayor Ancona

**Support Human Resources,
Finance, Parks staff increase.**

**No to Assistant to the City Manager
and increase to Executive Assistants.**

**2-5 (Mayor Pro Tem Herrera,
Councilmembers Cortez, Puente,
Rojo and Ruedas No)**

- 14.3 Consideration and Approval of an Agreement for Investigation Services for the Police Department.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the use of funds from Account No. 100-71-711-6125, in an amount not-to-exceed \$100,000 for expenditures related to independent internal affairs investigations and pre-employment background inquiries associated with potential workplace misconduct and police employee recruitment with the law firm JL Group, LLC; and
2. Authorize the City Manager, or her designee, to execute the Agreement between JL Group, LLC, and the City of El Monte.

Total Cost: \$100,000

Account No: 100-71-711-6125

Is the cost of this item budgeted? Yes

**m) Councilmember Puente
s) Mayor Pro Tem Herrera**

7-0

- 14.4 Consideration and Approval of Request to Authorize an Increase in Appropriation in General Fund for the Purchase of Ten New Patrol Vehicles for the Police Department.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the appropriation of General Fund monies to purchase and outfit ten (10) new vehicles for patrol use in an amount not-to-exceed \$900,000; and
2. Consider and approve the purchase of the vehicles from the designated sole source dealership identified as the National Auto Fleet Group – A Division of Chevrolet of Watsonville/Wondries Fleet Group. The vehicles are available under Sourcewell (formerly known as the NJPA master vehicle Contract No. 091521-NAF).

Total Cost: \$900,000

Account No: 100-71-711-8132

Is the cost of this item budgeted? Yes

**m) Councilmember Martinez Muela
s) Mayor Ancona**

7-0

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- 14.5 Consideration and Approval of an Amendment to the Crosstown Electrical & Data, Inc. Contract to Increase the Original Sum of \$80,000 to a New Contract Sum of \$140,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve an amendment to the Crosstown Electrical & Data, Inc. contract to increase the original sum of \$80,000 to a new contract sum of \$140,000.

Total Cost: \$80,000

Account No: 212-67-685-6111

Is the cost of this item budgeted? Yes

Measure R

m) Councilmember Puente

s) Mayor Pro Tem Puente

7-0

- 14.6 Consideration and Approval to Award a Professional Services Agreement to Willdan, Inc. for the Design of the Highway Safety Improvement Program Cycle 10, Traffic Signal and Pedestrian Crossing Improvements CIP 040; CIP 070.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the award of a Professional Services Agreement (“PSA”) for the Civil Design Services of the Peck Road and Santa Anita Traffic Signal Improvements Project, CIP 040, for a not-to-exceed amount of \$327,415, which includes an Agreement amount of \$297,650, plus a ten percent (10%) contingency of \$29,765; and the Garvey Avenue Traffic Signal and Pedestrian Improvements Project, CIP 070, for a not-to-exceed amount of \$234,300 which includes an Agreement amount of \$213,000 plus a ten percent (10%) contingency of \$21,300, to Willdan Engineering; and
2. Authorize the City Manager, or her designee, to execute the Professional Services Agreement.

Total Cost: \$561,715

Account No: 225-67-040-8221 - \$13,815

Measure M

299-67-040-8221 - \$313,000

Grant Fund

225-67-070-8221 - \$20,300

Measure M

299-67-070-8221 - \$214,000

Grant Fund

Is the cost of this item budgeted? Yes

m) Councilmember Puente

s) Councilmember Rojo

7-0

- 14.7 Consideration and Approval of a Contract Services Agreement with Johnson Controls, Inc. for Heating, Ventilation, and Air Conditioning Preventative Maintenance Services for a Term of Three Years for an Amount Not-to-Exceed \$55,000 the First Year, \$56,000 the Second Year, and \$58,000 the Third Year.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Contract Services Agreement with Johnson Controls, Inc. for heating, ventilation, and air conditioning (HVAC) preventative maintenance services for a term of three (3) years for a not-to-exceed amount of \$55,000 the first year, \$56,000 the second year, and \$58,000 the third year; and

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- 2. Authorize the City Manager or her designee to execute a Contract Services Agreement with Johnson Controls, Inc.

Total Cost: \$55,000 Account No: 100-67-673-6111
Is the cost of this item budgeted? Yes General Fund

m) Councilmember Puente
s) Councilmember Rojo 7-0

- 14.8 Consideration and Approval of a Contract Services Agreement with Commercial Roofing Systems, Inc. to Remove and Replace the Entire Existing Zamora Park Art House Roof for a Not-to-Exceed Amount of \$246,539.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

- 1. Consider and approve a Contract Services Agreement with Commercial Roofing Systems, Inc. to remove and replace the entire existing Zamora Park Art House Roof for a not-to-exceed amount of \$246,539; and
- 2. Authorize the City Manager or her designee to execute a Contract Services Agreement with Commercial Roofing Systems, Inc.

Total Cost: \$246,539 Account No: 242-67-481-8116
Is the cost of this item budgeted? Yes ARPA Fund

m) Mayor Ancona
s) Mayor Pro Tem Herrera 7-0

- 14.9 Consideration and Approval of a Resolution Expressing Support for Keeping Pasadena City College's Satellite Campus Located at 4105 N. Rosemead Boulevard, Rosemead, California at its Present Location in the City of Rosemead.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

- 1. Approve the attached Resolution of support.

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

Resolution No. 10420

m) Mayor Ancona
s) Councilmember Ruedas 3-4 (Mayor Pro Tem Herrera, Councilmembers Cortez, Puente and Rojo No)

- 15. CITY ATTORNEY'S AGENDA: **None**

- 16. CITY MANAGER'S AGENDA: **None**

- 17. WRITTEN COMMUNICATIONS: **None**

- 18. COUNCIL COMMUNICATIONS/REPORTS:

- 18A. Mayor Ancona

Thanked the Police Department for their support to the City of Monterey Park with the shooting incident that took place.

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18B. Mayor Pro Tem Herrera

Request that the City Manager and City Attorney bring back the Committee redesign/reorganizations.

18C. Councilwoman Cortez

Request that the City Manager provide an item regarding the bulky item pick-ups in District 6 and the overall crime statistics.

18C.1 Request Status on Bulky Items Pick Up in District 6.

18C.2 Request Status on the Vacant Address, El Monte RV Business.

18C.3 Request Crime Statistics and Overall Update of the City from the Chief of Police.

18D. Councilwoman Martinez Muela

May want to consider addressing the crime statistics on a quarterly basis or monthly basis listed as a bullet point on the agenda.

18D.1 Discussion Regarding a Fair and Equitable Treatment of El Monte Non-Profit Organization.

Requested that Parks and Recreation staff bring back the Policy regarding non-profit organizations.

18D.2 Update Regarding Utility Grants for El Monte Residents and Businesses.

Requested an update regarding opportunities for El Monte residents and businesses.

18D.3 Discussion Regarding Protocol for Cancellation of a Public Meeting.

Asked about the protocol of cancelling a meeting.

18E. Councilwoman Puente

18E.1 Discussion and Direction to Amend Title 17 of the El Monte Municipal Code Allowing Accessory Commercial Units (ACU) as a Permitted Ancillary Use in Residential Zones.

Requested a presentation from staff regarding the feasibility of this item.

Mayor had concerns regarding current problems taking place with current food vendors.

Councilmember Puente clarified that this would allow for persons to obtain licenses from the City and the County and this would be a registered owned business.

18F. Councilman Rojo

18F.1 Discussion Regarding the Equitable Policy of Office Distribution.

Asked to see if there was protocol regarding distribution of offices and renovations.

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18G. Councilwoman Ruedas

Expressed interest in getting an update regarding project Homekey. What particular services have been provided at this facility. Have a presentation from Union Station Homeless Services.

19. ADJOURNMENT:

At 11:49 p.m.

m) Mayor Ancona

s) Councilmember Puente

Adjourn in memory of the victims of the shooting of Monterey Park.

The next Regular Meeting of the City Council will be held on February 7, 2023 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.

Gabriel Ramirez, City Clerk
City of El Monte

APPROVED:

Jessica Ancona, Mayor
City of El Monte