

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL REGULAR MEETING
OF APRIL 19, 2022

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: **6:02 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

Jessica Ancona, Mayor/Chair - **present**
Alma D. Puente, Mayor Pro Tem/Authority Member - **present**
Martin R. Herrera, Councilmember/Authority Member - **present**
Victoria Martinez Muela, Councilmember/Authority Member - **absent**
Dr. Maria Morales, Councilmember/Authority Member - **present**

3. APPROVAL OF AGENDA:

m) Mayor Ancona
s) Mayor Pro Tem Puente **4-0 (Councilmember Martinez Muela 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 Items 4.1 through 4.8.

Councilmember Martinez Muela joined the City Council at 6:03 p.m.

Armando Herman – Spoke about Closed Session Items.

Mayor Ancona and the City Council recessed into Closed Session at approximately 6:06 p.m. Mayor Ancona and the City Council reconvened from Closed Session at approximately 7:25 p.m.

Assistant City Attorney Richard Padilla reported out of Closed Session with respect to Items 4.1 through 4.5.

4.1 Closed Session Pursuant to Government Code Section 54956.9(a), 54956.9(c), and 54956.9(d)(1) – Conference with Legal Counsel – Pending Litigation – Nibble This, LLC vs. City of El Monte, LASC Case No., 20STCP04044.

Updates were provided by special legal counsel and general counsel, direction was given as to each of these items by the City Council, but no final action taken

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- 4.2 Closed Session Pursuant to Government Code Section 54956.9 Subparts (a), (d)(2) and (e)(1). – Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Potential Case.

Updates were provided by special legal counsel and general counsel, direction was given as to each of these items by the City Council, but no final action taken

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation – One (1) Matter.

Updates were provided by special legal counsel and general counsel, direction was given as to each of these items by the City Council, but no final action taken

- 4.4 Closed Session Pursuant to Government Code Section 54957 – Annual/Routine Performance Evaluation of City Manager Per Section 8 of City Manager Employment Contract.

Updates were provided by special legal counsel and general counsel, direction was given as to each of these items by the City Council, but no final action taken

- 4.5 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 K. Martinez, City Manager and John Nguyen, Human Resources/Risk Management Director.

Updates were provided by special legal counsel and general counsel, direction was given as to each of these items 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: City Council. **Joseph Chen, I-Kuan Tao**

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

7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:

- 7.1 Presentation by the City Council Proclaiming the Month of April 2022 as National Autism Awareness Month.

- 7.2 Presentation by the City Council Proclaiming the Month of April 2022 as Sexual Assault Awareness Month and April 27, 2022 as “Denim Day” in the City of El Monte.

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7.3 Presentation by the City Council Proclaiming the Week of April 17 Through April 23, 2022 as California Mosquito Awareness Week. **Present**

7.4 Presentation to Jazz Hands for Autism. **Present**

8. GENERAL PUBLIC COMMENT:

This time has been set aside for members of the public to directly address the City Council on agenda items of business (other than those agenda items 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 agenda items 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.

Catherine Eredia: Spoke about volunteer month specifically two nonprofit organizations: meals on wheels and The El Monte Historical Museum.

Armando Herman: Spoke about Item Nos. 12.1, 12.2, 12.5, and 12.10.

Break at 7:43 p.m.
Return at 7:46 p.m.

Mike Greenspan: Spoke about unions.

Mary Ann Powers: Spoke about the divisions in the map approved for the district-based election.

Julio Ramirez: Spoke about Item No. 14.4. and voiced his concerns regarding the street sweeper. He voiced his opinion regarding the map approved for the district-based election and his concern for the need of a new Chief of Police.

Cosme Jimenez: Spoke regarding the map approved for the district-based election. Voiced his concern for an Assistant City Manager and Chief of Police.

Written Comment

Sandi Park-Witt : Concerns regarding the Brookside Mobile Home Park rent increase.

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

10. DEMAND RESOLUTION NO. D-663

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 and demands totaling \$4,895,323.35 have been examined by the City Treasurer and that warrant numbers 1104970 through

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1105395, and the payroll period March 16, 2022 through March 31, 2022 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

m) Mayor Pro Tem Puente
s) Mayor Ancona **4-0 (Councilmember Martinez Muela absent)**

11. APPROVAL OF MINUTES: Regular Meeting Minutes of March 15, 2022; and Special Meeting Minutes of March 15, 2022.

m) Mayor Pro Tem Puente
s) Dr. Morales **4-0 (Councilmember Martinez Muela absent)**

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) Mayor Ancona
s) Dr. Morales **5-0**

- 12.2 Receive and File the City Clerk’s Quarterly Listing of Contracts Filed in the City Clerk’s Office Between January 1, 2022 and March 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) Mayor Ancona
s) Dr. Morales **5-0**

- 12.3 Approval of Request to Serve/Sell Wine and “Spirits” Liquor at the Lambert Park 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 Lambert Park Auditorium.

<u>Private User</u>	<u>Event</u>	<u>Date</u>
Roxsana Gonzalez	First Communion	Saturday, May 14, 2022

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(Lambert Park Auditorium) (Attendance 140) 3:30 p.m. – 11:00 p.m.

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

m) Mayor Ancona
s) Dr. Morales **5-0**

12.4 Approval of a Resolution Designating the Week of May 15–21, 2022 as the 2022 Commemoration of Public Works Week in the City of El Monte.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt a Resolution approving the commemoration Public Works Week.

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

Resolution No. 10352

m) Mayor Ancona
s) Dr. Morales **5-0**

12.5 Approval of Recommendation to Accept the Cedar Lower Azusa Road Zone 2 Project, CIP 029 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 Cedar Lower Azusa Road Zone 2 Project, CIP No. 029 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) Mayor Ancona
s) Dr. Morales **5-0**

12.6 Approval of Recommendation to Accept the 1.0 MG Tank Rehabilitation Project 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:

1. Consider and accept the 1.0 MG Tank Rehabilitation 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) Mayor Ancona
s) Dr. Morales **5-0**

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- 12.7 Approval of Recommendation to Accept the Gibson Mariposa Skate Park Project, CIP 825, Phase 1, 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 Gibson Mariposa Skate Park Project, CIP No. 825 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) Mayor Ancona
s) Dr. Morales **5-0**

- 12.8 Approval of Recommendation to Advertise and Publish the Notice Inviting Bids for Capital Improvement Project (CIP) No. 841 for the Gateway Parcel 3 (Pioneer Park) Remediation Project.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the advertisement and publication of the Notice Inviting Bids for Capital Improvement (CIP) No. 841 for the Gateway Parcel 3 (Pioneer Park) Remediation Project.

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

m) Mayor Ancona
s) Dr. Morales **5-0**

- 12.9 Approval Recommendation to Award of a Construction Contract to AC Pros, Inc. for the HVAC System for the Homekey Program Budget Inn Site.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the award of a Construction Contract to AC Pros, Inc. in the amount of \$46,470 for the HVAC System for the Homekey Program Budget Inn Site; and
2. Authorize the City Manager, or her designee, to execute the Construction Contract and approve change orders that may be necessary during construction to cover any unforeseen conditions in an amount not-to-exceed 15% of the Construction Contract.

Total Cost: \$53,441 Account No: ESG-CV
Is the cost of this item budgeted? Yes

m) Councilmember Herrera
s) Dr. Morales **3-2 (Mayor Ancona and Councilmember Martinez Muela No)**

- 12.10 Approval of Recommendation to Award of a Construction Contract to Integrated Demolition and Remediation, Inc. for the Mold Remediation at the Homekey Program M Motel Site.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Approve the award of a Construction Contract to Integrated Demolition and Remediation, Inc. in the amount of \$39,200 for the Mold Remediation at the Homekey Program M Motel Site; and
2. Authorize the City Manager, or her designee, to execute the Construction Contract and approve change orders that may be necessary during construction to cover any unforeseen conditions in an amount not-to-exceed 15% of the Construction Contract.

Total Cost: \$45,080 Account No: ARPA
Is the cost of this item budgeted? Yes

m) Councilmember Herrera
s) Mayor Pro Tem Puente 5-0

13. PUBLIC HEARINGS:

[NO PUBLIC HEARINGS SCHEDULED FOR MEETING OF APRIL 19, 2022]

14. REGULAR AGENDA:

- 14.1 Consideration and Adoption of a Resolution Approving the Annual General Plan Housing Progress Report for the Year 2021 and Direct Staff to Transmit the Report to the State Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt a Resolution Approving the 2021 Annual General Plan Housing Element Report and direct staff to forward such report to the Governor's Office of Planning and Research and the State Office of Housing and Community Development.

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

Resolution No. 10353

m) Dr. Morales
s) Mayor Pro Tem Puente 5-0

- 14.2 Receive, Consider and File a Presentation Regarding the Tax Increment Financing (TIF) District Feasibility Study Funded by Metro.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive, consider, and file the presentation regarding the Tax Increment Financing District Feasibility Study findings; and
2. Provide comments and input of the presentation to staff.

Total Cost: \$132,000 Account No: 299-61-019
Is the cost of this item budgeted? Yes 100-61-019

m) Dr. Morales
s) Mayor Pro Tem Puente 5-0

- 14.3 Consideration and Approval of a First Amendment to the Professional Services Agreement with Terp Consulting to Provide Fire Sprinkler and Fire Alarm System Services for the Homekey Program Budget Inn Site.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

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It is recommended that the City Council:

1. Approve a First Amendment to the Professional Services Agreement with TERP Consulting to increase the Agreement amount from \$11,600 by an additional \$38,750 for a total not-to-exceed amount of \$50,350 to provide fire sprinkler and fire alarm system services for the Homekey Program Budget Inn Site; and
2. Authorize the City Manager, or her designee, to make all conforming modifications and edits, and execute the First Amendment.

Total Cost: \$50,350

Account No: ESG-CV

Is the cost of this item budgeted? Yes

m) Mayor Ancona

s) Dr. Morales

5-0

- 14.4 Consideration and Approval of the Fifth Amendment to the Contract Services Agreement with Nationwide Environmental Services for Street Sweeping Services.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the Fifth Amendment to the Professional Services Agreement with Nationwide Environmental Services for Street Sweeping Services.

Total Cost: \$504,500

Account No: 230-67-683-6111

ACMD Fund

283-67-691-6111

Storm Drain Fund

Is the cost of this item budgeted? Yes

m) Mayor Ancona

s) Mayor Pro Tem Puente

5-0

- 14.5 Consideration and Approval of a Request to Authorize the Purchase of Department Smartphones and Agreement with Network Services for El Monte Police Personnel

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the use of General Funds No. 100-71-711-6411 in an amount not-to-exceed \$78,000 yearly (\$6,500 monthly) for the recurring Agreement by and between AT&T FirstNet and the City of El Monte for Cellular Service using Smartphone devices; and
2. Consider and approve the purchase of 120 smartphone devices and protection cases from Asset Forfeiture Account No. 259-71-711-6411 in an amount not-to-exceed \$5,500; and
3. Authorize the City Manager, or her designee, to execute the Agreement between the AT&T FirstNet Provider and the City of El Monte.

Total Cost: \$83,500

Account No: 100-71-711-6411

General Funds

259-71-711-6411

Asset Forfeiture

Is the cost of this item budgeted? Yes

m) Councilmember Martinez Muela

s) Mayor Ancona

5-0

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

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

17. WRITTEN COMMUNICATIONS: **None**

18. COUNCIL COMMUNICATIONS/REPORTS:

18A. Mayor Ancona

Commended staff on the reopening of the Senior Center.

Participated in a helicopter ride along to see the importance of the City's air bureau. It was important to see how the helicopter program can provide additional eyes and support.

18B. Mayor Pro Tem Puente

18B.1 Discussion and Direction to Staff on the Recommendation for the Best Use of the Trailers that FEMA Donated to the City.

Mayor Pro Tem requested a presentation from the City Manager to see what the City can do with the trailers and how they can be put to good use.

18C. Councilman Herrera

18D. Councilwoman Martinez Muela

Councilwoman Martinez Muela would like to discuss the calendar that was provided to the City Council at the budget workshop.

Would like to find out if the City will be putting together a National Day of Prayer Event.

The Little League needs umpires for Lambert Park.

Congratulated Parks & Recreation staff for the inclusive Eggstravaganza.

18E. Councilwoman Dr. Morales

18E.1 Discussion on Community Based Policing and Crime Statistics/Updates.

Interim Chief Ben Lowry provided an update on the crime statistics/updates for the period of February to March. The Police Department initiated the STOP Program.

Dr. Morales requested for the next meeting an overview of the different districts and where officers are allocated too or are responsible too.

Councilmember Martinez Muela – Wanted to find out if there was specific number or a flyer for this STOP program.

Mayor Ancona – Recommended that officers report to Public Works areas that need to be repainted due to the donuts left by vehicles.

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19. ADJOURNMENT: **Adjourn in memory of Jose (Joe) Becerra**

Meeting adjourned at 9:05 p.m.

The next Regular Meeting of the City Council will be held on **May 3, 2022** 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.

Catherine A. Eredia, City Clerk
City of El Monte

APPROVED:

Jessica Ancona, Mayor
City of El Monte