

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL REGULAR MEETING
OF MARCH 6, 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: **6:04 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 – **present**
Victoria Martinez, Councilmember/Authority Member – **present**
Jerry Velasco, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

WITH THE FOLLOWING EDITS/CHANGES TO THE AGENDA:

Item 4.1 will be continued to the meeting of March 20, 2018

m) Mayor Quintero

s) Councilmember Velasco

5-0

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 agendaized Closed Session 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 *agendaized* 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 agendaized 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 agendaized 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 4.1 and 4.6 as listed on the agenda.

Mayor Quintero and the City Council recessed into Closed Session at approximately 6:05 p.m.

Mayor Quintero and the City Council reconvened from Closed Session at approximately 7:11 p.m.

City Attorney Rick Olivarez reported out of Closed Session with respect to Items 4.1 through 4.6 with the exception of Item 4.1 which has been continued to the meeting of March 20, 2018.

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- 4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel to Discuss Matter of Existing Litigation – Nakada & Associates, Inc., et al. vs. City of El Monte, USDC Case No. 5:16-CV-01467-GW-SP.

Continued to the meeting of March 20, 2018

- 4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(2) and 54956.9(e)(1) – Conference with Legal Counsel to Discuss Facts and Circumstances Unknown to Potential Plaintiffs which May Create Exposure to Liability – One (1) Matter.

General update, no final action

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matters:

El Rovia Mobile Home Park, LLC vs. City of El Monte, Los Angeles Superior Court Case No. KC069501; and

In the Matter of El Rovia Trailer Village, LLC, OAH No. 2017070107; and

El Rovia vs. City of El Monte, Los Angeles Superior Court Case No. BS172209.

General update, no final action

- 4.4 Closed Session Pursuant to Government Code Section 54956.9(d)(2) and 54956.9(e)(1) – Conference with Legal Counsel to Discuss Facts and Circumstances Unknown to Potential Plaintiffs which May Create Exposure to Liability – One Matter.

The City Council directed staff to submit a letter of protest to the California Public Utilities Commission regarding Golden State Water Companies Advise Letter No. 1737-W.

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

Property Location:

Los Angeles County Assessor Parcel Numbers: 8575-01-9906, 8575-01-9905, 8575-01-9901, 8575-01-9902, 8575-01-9903, 8575-01-9904, 8575-01-9909, 8575-01-9900, 8575-01-7905, and 8575-01-7904

Name of Party City is Negotiating with:

Magellan Value Partners (Rick Martinez) and Cesar Chavez Foundation (Alfredo Izmajtovich)

City's Representatives in Negotiations:

Alex Hamilton, City Manager; David F. Gondek, Deputy City Attorney; and Minh Thai, Economic Development Director

Under Discussion:

Both price and terms.

General update, no final action

- 4.6 Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator – All Represented Employees.

Bargaining Units Subject to Negotiations:

El Monte SEIU Local 721; El Monte Police Mid-Managers Association; El Monte Police Officers Association; and El Monte General Mid-Managers Association.

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City's Designated Negotiators:
Alexander Hamilton, City Manager; and Angela McCray, HR/Risk Management Director.

General update, no final action

- m) Mayor Quintero
- s) Councilmember Martinez 5-0

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 Many Coronilla, Calvary Chapel El Monte. **present**

- 6. FLAG SALUTE: Itzamar Antonio, 3rd Grader from Zamora Park. Enjoys reading. **present**

- 7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:
 - 7.1 Presentation by the City Council to Itzamar Antonio from Zamora Park for Leading the Pledge of Allegiance. **present**

 - 7.2 Presentation of National Association of Home Builders (NAHB) Best Military or Veterans Housing Award of 2017 to the El Monte Veterans Village. **present**

 - 7.3 Introduction of the New Finance Director – Bruce Foltz. **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

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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.

Stephen Trumble, Norwood Library – Friends of the Library meeting will take place tomorrow at noon at the Norwood Library. Maker Mobile on Tuesday the 13th they will be demonstrating 3-D printing. Knitting circle continues Monday the 19th at 4:30 pm. On the 24th we are having a children's program One World Rhythm at 3:00 pm everyone is invited. VITA is coming back again.

Eva Marie Trujillo – Here to speak regarding misconduct against my son I have asked you for help. My son was incarcerated for something he didn't do. My rights have been violated.

Cosme Jimenez – I have been reviewing the last Council meetings and some items I do not like.

9. CITY TREASURER'S REPORT:

9.1 City Treasurer's Update.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council Receive the City Treasurer's Update: Delinquent Invoice Report; Retiree Benefits and Relations; and Enterprise Fund Reconciliation.

m) Mayor Quintero
s) Councilmember Martinez 5-0

10. DEMAND RESOLUTION NO. D-570
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 \$4,865,356.30 have been audited as required by law and that warrant numbers 1071993 through 1072176, and the payroll period ending February 15, 2018 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

m) Mayor Quintero
s) Councilmember Velasco 5-0

11. APPROVAL OF MINUTES:

Regular Meeting Minutes of February 20, 2018

m) Mayor Quintero
s) Councilmember Velasco 4-0-1 (Councilmember Macias abstained)

Special Meeting Minutes of February 27, 2018

m) Mayor Quintero
s) Councilmember Velasco 4-0-1 (Councilmember Macias abstained)

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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 a Resolution to Participate in Revitalize California Cities.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Resolution agreeing to join Revitalize California Cities.

Resolution No. 9835

m) Mayor Quintero

s) Mayor Pro Tem Gomez

5-0

12.2 Approval of a Resolution of the City Council of the City of El Monte, California Appointing Specific Representatives to the CalTIP Board of Directors.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the attached Resolution appointing specific representatives to the CalTIP Board of Directors.

Resolution No. 9836

m) Mayor Quintero

s) Mayor Pro Tem Gomez

5-0

12.3 Approval of a Resolution of the City Council of the City of El Monte Adopting a Five (5) Year Phase-In Schedule for Rent Increases and Pass-Through Costs for El Rovia Trailer Village Pursuant to Administrative Law Judge Eric Sawyer's Decision in California Office of Administrative Hearing Case No. 2017070107.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt the proposed Resolution by no less than three (3) affirmative votes (see Attachment 1 – Resolution).

Resolution No. 9837

m) Mayor Quintero

s) Mayor Pro Tem Gomez

5-0

13. PUBLIC HEARINGS: **No material submitted**

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14. REGULAR AGENDA:

- 14.1 Consideration and Approval of Request to Authorize Nationwide to Serve as the City's Sole Provider of Deferred Compensation Options and Programs for the City of El Monte.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Authorize City staff to work directly with Nationwide to offer Deferred Compensation 457 options and programs to City of El Monte employees.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Mayor Quintero

s) Mayor Pro Tem Gomez

5-0

- 14.2 Consideration and Approval of Request to Establish an El Monte Police Small Unmanned Aircraft Systems (sUAS) Program.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the establishment of an El Monte Police Small Unmanned Aircraft System (sUAS) Program; and
2. Consider and approve the expenditure of Asset Forfeiture funds in an amount not-to-exceed \$40,000 for the purchase of two (2) Drones and associated equipment and training from ICARUS Aerospace.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Mayor Quintero

s) Councilmember Macias

5-0

- 14.3 Consideration, Approval and Ratification of Action regarding Liquidambar Trees Located in the Parkways on Bonwood Road, Pineville Street and Allgeyer Avenue.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider, approve and ratify action regarding Liquidambar trees located in the parkways on Bonwood Road, Pineville Street and Allgeyer Avenue.

Total Cost: \$105,885

Account No: 100-67-687-6111

Is the cost of this item budgeted? Yes

Mirna Hamamoto – My family and I have lived here for the past 35 years. One of the reasons why we remain in our home is because we have lived in a lovely tree line street. We ask that you please reconsider or postpone the removal of the Liquidambar tree in the front part of our property.

Cosme Jimenez – If you are going to remove the trees let's not do what we did with the trees on Valley Boulevard. We spent over a million dollars to remove the trees in 2012. We put new ones here and there but not one came back to water them. Most of the trees are dead. We need to make sure that the trees get watered if you are going to do it you need to do it right.

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Eva Stoltz – I do not believe that trees are going to be replaced. Over twelve years ago a tree was removed from my property and it hasn't been replaced so far.

m) Mayor Quintero

s) Mayor Pro Tem Gomez 3-2 (Councilmembers Macias and Velasco No)

Allow staff to begin planting trees on those respective streets and to work with the residents to facilitate the removal process.

14.4 Consideration and Approval of an Amendment to the Professional Services Agreement with Project Partners to Continue to Provide Temporary Staffing for the Public Works Engineering Division.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve and amended Professional Services Agreement with Project Partners Inc., to continue to provide temporary staffing for the Public Works Engineering Division for an amount not-to-exceed \$240,915; and
2. Authorize the City Manager to execute the Professional Services Agreement Amendment with Project Partners Inc.

Total Cost: \$240,915 Account No: 100-67-677-6110 (\$200,121)
Is the cost of this item budgeted? No 100-67-677-5111 (\$ 40,794)

m) Mayor Quintero

s) Mayor Pro Tem Gomez 3-2 (Councilmembers Macias and Velasco No)

14.5 Consideration and Adoption of a Proclamation Declaring March 10, 2018, as Art Laboe Day in the City of El Monte.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and adopt a proclamation declaring March 10, 2018, as Art Laboe Day in the City of El Monte.

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

m) Councilmember Velasco

s) Mayor Pro Tem Gomez 5-0

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

16. CITY MANAGER'S AGENDA:

16.1 Discussion Regarding Scheduling of Study Sessions to Develop the Goals and Objectives of the City Council.

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

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18. COUNCIL COMMUNICATIONS:

18A. Mayor Quintero

18A.1 City Sponsorship of Congresswoman Grace Napolitano 32nd District: "Women of the Year 2018 – Unsung Heroines" to be Held Friday, April 20, 2018 at the Grace Black Auditorium.

m) Mayor Quintero
s) Mayor Pro Tem Gomez 4-0 (Councilmember Macias absent)

18B. Mayor Pro Tem Gomez

18B.1 Discussion on Sponsorship for Day of the Prayer Breakfast.

m) Mayor Pro Tem Gomez
s) Councilmember Martinez 4-0 (Councilmember Macias absent)

18C. Councilwoman Macias

18D. Councilwoman Martinez

I was really looking forward to Mr. Velasco's discussion on Landlords responsibilities to their tenants. I found that there are a lot of folks that are taken advantage of I look forward to that discussion next time. We had an incredible Inspire 2018 thank you Council for your support. 150 young women showed up for an incredible conference. El Monte National Little League has their opening day Saturday at Lambert Park at 10:00 am. At 11:00 am we will see you for Art Laboe Day at Valley and Ramona and finally our Parks and Rec made sure that we knew there was a gymnastics recital also at the Lambert Park at noon. It is very important that we get the word out regarding the March 14th Housing workshop.

18E. Councilman Velasco

Chief Reynoso – First ever Public Safety Fair on Saturday March 24th at the Grace T. Black Auditorium from 9:00 am to 11:30 am. There will be numerous vendors present.

Councilmember Martinez – You will be having coffee with a cop events at each of the schools correct.

18E.1 Discussion on Landlords Responsibilities to their Tenants.

A lot of residents have been asking about affordable housing. The School Districts have gotten involved and have been interested in promoting this. The City is having a Renter's Guide Affordable Housing on Wednesday, March 14th from 6:00 pm to 8:00 pm at the Grace T. Black Auditorium. We highly encourage people to attend.

City Manager Alex Hamilton – There is someone present to speak on the resources available through the County. This is really what we hope will be first of many workshops. We will be having some study sessions with you as the City Council on housing.

Economic Development Director Minh Thai – We are doing a series of workshops. We are trying to get our residents prepared to apply for this upcoming development projects. Our goal is to prepare our residents. We have invited our developers to come and be available to answer any questions.

Councilmember Velasco – It was brought to my attention that about 10 years ago some police officers were able to buy a home. I am glad that

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the School Districts have gotten very excited about this. We will be getting their support in promoting this.

Councilmember Martinez – Are there any documents that people who will be attending need to bring?

Economic Development Director Minh Thai – There is no need for anyone to bring any paperwork with them. During this event we will be providing a handout package that will help you prepare for the application process.

Councilmember Velasco – You may want to add an item to discuss housing and the housing crisis but secondarily as all these projects start to come up there is funding towards the arts.

19. ADJOURNMENT: Adjourned in Memory of Mrs. Sharon Crippen-Pennington, Daughter of Mrs. Donna Crippen, El Monte Historical Museum Curator and Sister of Mrs. Sheila Crippen-Thomas, City Council Liaison; and

Adjourned in Memory of Mrs. Adelaine Becerra, former City Commissioner and Mother of Mrs. Esther Becerra.

With no objection Mayor Quintero adjourned the City Council meeting at 9:22 p.m.

The next Regular Meeting of the City Council will be held on **March 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