

APPROVAL OF MINUTES  
EL MONTE CITY COUNCIL REGULAR MEETING  
OF MAY 17, 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: **6:04 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 – **absent**  
Victoria Martinez Muela, Councilmember/Authority Member – **present**  
Dr. Maria Morales, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

**m) Mayor Ancona**  
**s) Dr. Morales**

**4-0 (Councilmember Herrera 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 4.7**

**Mayor Ancona and the City Council recessed into Closed Session at approximately 6:04p.m. Councilmember Herrera joined the City Council in Closed Session at approximately 6:10 p.m. Mayor Ancona and the City Council reconvened from Closed Session at approximately 7:07 p.m.**

**Assistant City Attorney Lloyd Pilchen reported out of Closed Session with respect to Items 4.1 through 4.7.**

4.1 Closed Session Pursuant to Government Code Section 54956.9(a) and (d)(4) – Conference with Legal Counsel – Anticipated Litigation – Two (2) Matters.

**No final reportable action taken.**

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- 4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Existing Litigation – City of El Monte vs. NJ Investment, LLC, Wei Sun et al., LASC Case No. 21PSCV00474.

**The City Council approved a settlement in the amount of \$45,000 with the defendant landlord NJ Investment.**

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – COEM v. Qiuxia Zhao, LASC Case No 20PSCV00800.

**No final reportable action taken.**

- 4.4 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Existing Litigation – City of El Monte vs. Regency Outdoor Advertising, Inc., et al., LASC Case No. 21PSCV00565.

**No final reportable action taken.**

- 4.5 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Existing Litigation – Montes vs. City of El Monte, et al., USDC Case No.: 2:20-cv-468 MCS – RAO; United States Court of Appeals, Ninth Circuit, Case No. 21 55876.

**No final reportable action taken.**

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

**No final reportable action taken.**

- 4.7 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.

**No final reportable 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 Manny Coronilla, Calvary Chapel**

6. FLAG SALUTE: **Mayor Ancona**

7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:

- 7.1 Presentation by the City Council Proclaiming the Month of May 2022 as American Asian and Pacific Islander Heritage Month. **Present**

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- 7.2 Presentation of Awards to Members of the El Monte Police Officers Association (POA).  
**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 that are 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.

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

10. DEMAND RESOLUTION NO. D-665

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 \$3,559,849.27 have been examined by the City Treasurer and that warrant numbers 1105631 through 1106077, and the payroll period April 1, 2022 through April 15, 2022 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

**m) Mayor Ancona**  
**s) Mayor Pro Tem Puente**

**5-0**

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:

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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) Mayor Pro Tem**

**5-0**

- 12.2 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 requests to serve/sell Wine and "Spirits" Liquor at the Grace T. Black Auditorium.

<u>Private User</u>	<u>Event</u>	<u>Date</u>
Candace Fonseca (Grace T. Black Auditorium)	Sweet Sixteen (Attendance 100)	Saturday, July 30, 2022 7:00 p.m. – 12:00 a.m.
Carlos Cruz Angeles (Grace T. Black Auditorium)	Birthday Party (Attendance 90)	Saturday, August 27, 2022 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) Mayor Ancona**

**s) Mayor Pro Tem**

**5-0**

- 12.3 Approval of a Professional Services Agreement with Rincon Consultants, Inc., for the Preparation of a Mitigated Negative Declaration or Supplemental Environmental Impact Report in the Amount Not-to-Exceed \$121,130 for the Proposed Project at Property Identified as: APN Nos. 8575-017-909, 8575-021-936, 8575-021-934, 8575-021-932, 8575-022-922, 8575-022-925, 8575-019-907, 8575-019-913, 8575-019-908, 8575-019-912, 8575-019-911, 8575-019-910 AND 8575-019-914 (ALSO KNOWN AS AREA Y).

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Approve the proposed Professional Services Agreement with Rincon Consultants, Inc. for the preparation of a Mitigated Negative Declaration or Supplemental Environmental Impact Report for a not-to-exceed amount of \$121,130; and
2. Authorize the City Manager to execute a Professional Services Agreement with Rincon Consultants, Inc.

Total Cost: \$121,130

Account No: 100-2280

Is the cost of this item budgeted? Yes

500-59-021-8221

**m) Mayor Ancona**

**s) Mayor Pro Tem**

**5-0**

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- 12.4 Approval of a First Amendment to the Contract Services Agreement with Pomona Valley Plumbing Heating & Air Conditioning to Provide Plumbing 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 First Amendment to the Contract Services Agreement with Pomona Valley Plumbing Heating & Air Conditioning to increase the contract amount from \$30,000 by an additional \$35,000 for a total not-to-exceed amount of \$65,000 to provide onsite plumbing services for the El Monte Homekey Program; and
2. Authorize the City Manager, or her designee, to execute the First Amendment.

Total Cost: \$65,000

Account No: PLHA

Is the cost of this item budgeted? Yes

**m) Mayor Ancona**

**s) Mayor Pro Tem**

**5-0**

- 12.5 Approval of Request to Purchase Range Ammunition from Dooley Enterprises in an Amount Not-to-Exceed \$35,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the purchase of range ammunition from Dooley Enterprises in an amount not-to-exceed \$35,000.

Total Cost: \$35,000

Account No: 100-71-711-6211

Is the cost of this item budgeted? Yes

General Fund

**m) Mayor Ancona**

**s) Mayor Pro Tem**

**5-0**

- 12.6 Approval of a City Council Resolution and a Successor Agency Resolution Approving a Termination and Release Agreement to Terminate a Restated Owner Participation Agreement Dated March 1, 2007 with Gunderson Auto Group and GSL Development.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and adopt a Resolution approving the Termination and Release Agreement and authorizing further actions allowing the development and placement of retail food establishments on parcels located at the northeast corner of Santa Anita Avenue and Brockway Street.

It is recommended that the City Council as the Governing Board of the Successor Agency to the Former El Monte Community Redevelopment Agency:

1. Consider and adopt a Resolution approving the Termination and Release Agreement and authorizing further actions allowing the development and placement of retail food establishments on parcels located at the northeast corner of Santa Anita Avenue and Brockway Street.

Total Cost: N/A

Account No.: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10354

Resolution No. SA-85

**m) Councilmember Martinez Muela**

**s) Councilmember Herrera**

**5-0**

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13. PUBLIC HEARINGS:

*[NO PUBLIC HEARINGS SCHEDULED FOR MEETING OF MAY 17, 2022]*

14. REGULAR AGENDA:

14.1 Consideration and Approval for the Strategic Traffic Offender Program (STOP) for Fiscal Year 2022/2023.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the expenditure in an amount not-to-exceed \$150,000 from Asset Forfeiture Account No. 259-71-711-5132 to fund a new community-based Strategic Traffic Offender Program (STOP) (the "Program"), for Fiscal Year 2022/2023.

Total Cost: \$150,000 Account No: 259-71-711-5132  
Is the cost of this item budgeted? No Asset Forfeiture Account

**m) Mayor Ancona**  
**s) Mayor Pro Tem Puente** 5-0

14.2 Consideration and Approval of a Professional Services Agreement with Harris and Associates for the Annual Citywide Sewer Service Charge.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement with Harris and Associates for a not-to-exceed amount of \$123,400 to provide annual Citywide Sewer Service Charge services for three (3) years with the option for two (2) one (1) year extensions; and
2. Authorize the City Manager, or her designee, to execute the Agreement with Harris and Associates.

Total Cost: \$123,400 Account No: 650-67-693-6111  
Is the cost of this item budgeted? Yes Sewer Fund

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

14.3 Consideration and Approval of a Professional Services Agreement with HR Green for Construction Management and Inspection Services for the Garvey Avenue Grade Separation Drainage Improvement, CIP No. 884 for a Not-to-Exceed Amount of \$816,456.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement for Construction Management and Inspection Services for the Garvey Avenue Grade Separation Drainage Improvement, CIP No. 884 with HR Green for a not-to-exceed amount of \$816,456 which includes an Agreement amount of \$742,233 plus a ten percent (10%) contingency of \$74,223; and
2. Authorize the City Manager, or her designee, to execute the Professional Services Agreement with HR Green.

Total Cost: \$816,456 Account No: 278-67-884-8221 - \$221,338  
Storm Drain Impact Fees Fund  
283-67-884-8221 - \$395,118

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Storm Drain Fund  
299-67-884-8221 - \$200,000  
Mis. Grant Fund (EPA)

Is the cost of this item budgeted? Yes

**m) Councilmember Martinez Muela**  
**s) Councilmember Herrera** **5-0**

14.4 Consideration and Approval of Request to Purchase Two (2) Replacement Pumps for Garvey Underpass with Multi-W Systems, Inc. for a Not-to-Exceed Amount of \$75,618.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Consider and approve the purchase of two (2) replacement pumps for the Garvey Avenue Underpass with Multi-W Systems, Inc. for a total not-to-exceed amount of \$75,618.

Total Cost: \$75,618 Account No: 650-67-677-8221  
Is the cost of this item budgeted? No Sewer Authority Fund

**m) Councilmember Martinez Muela**  
**s) Councilmember Herrera** **5-0**

14.5 Consideration and Approval of a Purchase Agreement with Corral Construction to Repair Existing Trash Enclosures on Main Street for a Not-to-Exceed Amount of \$62,400.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Consider and approve a Purchase Agreement with Corral Construction to repair the existing trash enclosures on Main Street for a not-to-exceed amount of \$62,400; and
2. Consider and approve the appropriation of \$62,400 into the Building Maintenance Services Account No. 100-67-673-6220.

Total Cost: \$62,400 Account No: ~~100-67-673-6220~~  
**201-67-673-6220**  
Is the cost of this item budgeted? No ~~General Fund~~  
**Parking Business Improvement Fund**

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

14.6 Consideration and Approval of a Resolution of the City Council of the City of El Monte, California, Extending the Life of Certain Temporary Advisory Ad Hoc Committees Subject to any Other Modifications and/or Discontinuing Certain Ad Hoc Committees or Converting them into Standing Committees of the City Council.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Receive brief presentation and overview;
2. Pose questions;
3. Discuss and deliberate regarding whether to extend certain ad hoc committees; discontinue certain committees; convert certain committees into standing committees subject to the Brown Act and/or make such other modifications as the City Council deems necessary or desirable;
4. Move to approve attached Resolution subject to direction/amendments of the City Council.

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

Resolution No. 10355

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

- 14.7 Consideration and Approval of Recommended Amendment (Amendment #1) to the American Recovery Plan Act (ARPA) Budget.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Consider and adopt of an amendment (Amendment #1) to the American Rescue Plan Act (ARPA) fund budget; and
2. Direct staff to submit the amended budget spending plan and quarterly report to the United States Department of the Treasury on or before the next reporting deadline (July 30, 2022).

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

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

- 14.8 General Fund Fiscal Year 2022-2023 Operating Budget Presentation and Request for City Council Consideration, Discussion and Direction Regarding the Final Adoption of the Same at a Subsequent Meeting of the City Council.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Consider, discuss, and provide direction to staff regarding the General Fund Fiscal Year Budget to be adopted at a subsequent City Council meeting.

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**  
**Item was continued to a future meeting**

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

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

17. WRITTEN COMMUNICATIONS: **None**



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18. COUNCIL COMMUNICATIONS/REPORTS:

18A. Mayor Ancona

18A.1 Discussion and Update on Taskforce for Regional Auto-Theft Prevention.

**Recently had the opportunity to go on a ride along with the TRAP Team and it was very enlightening. There are different agencies that are included in the TRAP Team. Learned about the technology that is used. There are eight cameras in the City that were installed that read license plates it appears that it would be helpful if they were placed in the major corridors entering and exiting the City.**

**I wanted to have a conversation and maybe have our Interim Chief provide more information and feedback how these cameras can be moved if it wise to invest more.**

**Interim Chief Lowry provided information regarding the placement of the cameras. Will provide additional information to the City Council with regards to investing in more of these cameras.**

18B. Mayor Pro Tem Puente

18C. Councilman Herrera

18D. Councilwoman Martinez Muela

**Would like to see the digital reader at the front of City Hall up and running.**

18D.1 Discussion and Action Regarding Drought Conditions and Water Regulations.

**Curious as to staff's recommendation on how they are planning on affecting El Monte and its residents. Curious as to when staff will provide information to the City Council with regards to the plans on this.**

**Public Works/Utilities Director Salvador Mendez provided informed the City Council that a letter is being put together for the residents and will be mailing also the water conservation level.**

18D.2 Discussion and Action Regarding Creating an El Monte Climate Task Force to Present the Council Recommendations on Creating a More Sustainable Future.

**Would like to start with Council's approval a conversation on a Climate Task Force that will meet on an ad hoc basis and how the Council can start providing mediation. Would like to serve on the task force.**

**Mayor Ancona would like to serve on the task force as well.**

**Councilmember Herrera not opposed to the task force but would like to have additional information relating to the task force and would like for this to come back to the City Council to the next meeting.**

**Councilmember Martinez Muela requested to be placed on the next agenda.**

**Dr. Morales needed clarification in regard to the RFP now that a task force may be formed.**

18D.3 Discussion Regarding the Proposed City Calendar of Events.

**Will save for the budget workshop.**

18D.4 Discussion and Direction Regarding the Future of City Buildings – Goody's.

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**Will save for the budget workshop.**

18D.5 Update on Smoke Free Ordinance.

**When will the City Council hear from staff regarding and finally be able to present it to the community and finally vote on it.**

**City Manager Alma Martinez indicated that this will be brought before the City Council in June.**

18E. Councilwoman Dr. Morales

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

**Dr. Morales provided information regarding an incident that occurred on Main Street.**

**Interim Chief Lowry provided background regarding the incident on Main Street. He also provided an update on the statistics.**

**Dr. Morales requested information on the community-based safety partnership for de-escalation.**

**Interim Chief Lowry provided update regarding the first class and next steps for the de-escalation classes.**

18E.2 Discussion and Action Regarding a Resolution Committing to a Safe and Equitable Access to Reproductive Rights.

**Requested support from colleagues for a Resolution in support of equitable access to reproductive rights and bring it back to the City Council.**

18E.3 Discussion Regarding Downtown Main Street Revitalization and Art in Public Places Project.

**Do believe that Main Street does have a need for street revitalization and do need to have a conversation for beautifying that space.**

**Mayor inquired on the Art in Public Places membership.**

**Dr. Morales inquired on the policy in place for placing art in this area.**

**Community and Economic Development Director Betty Donovanik provided information relating to the process for placing art in the Downtown area.**

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19. ADJOURNMENT: **Adjourn in memory of Mike Bore**

**At 10:43 pm**

**m) Mayor Ancona**

**s) Dr. Morales**

**5-0**

The next Regular Meeting of the City Council will be held on **June 7, 2022** at 6:00 p.m. This Agenda will be posted on the City's website, [www.ci.el-monte.ca.us](http://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.

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Catherine A. Eredia, City Clerk  
City of El Monte

APPROVED:

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Jessica Ancona, Mayor  
City of El Monte