



**City Council Special Meeting Minutes of May 19, 2020**

to other persons or borrow additional time from other persons. All comments or queries presented by a speaker shall be addressed to the body as a whole and not to any specific member thereof. No questions shall be posed to any member of the body except through the presiding official of the meeting, members of the body 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 body 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 Special Meeting agenda.

*Enforcement of Decorum:* The Chief of Police of the City of El Monte, or such member, or members of the Police Department as the Chief of Police may designate, shall serve as the Sergeant-at-Arms of the 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 policies and the action(s) or proposed action(s) of the body or its members, members of the public may not engage in behavior that is disruptive to the orderly conduct of the proceedings, including, but not limited to, conduct that prevents other members of the public from being heard when it is their opportunity to speak or which prevents members of the audience from hearing or seeing the proceedings.

Members of the public may not threaten any person with physical harm or act in a manner that may reasonably be interpreted as an imminent threat of physical harm. All persons attending the meeting must adhere to policies 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.

7. REGULAR AGENDA:

7.1 Suspension of the Licensing and Sale of Safe and Sane Fireworks for 2020 in Light of Covid-19 Pandemic.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Suspend the licensing and sale of Safe and Sane Fireworks for 2020 in light of Covid-19 Pandemic.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Maggie Luuteyen – My name is Maggie Luutuyen and I'll be having 3 children attending Arroyo this upcoming year, and 2 in band. I'm asking that you please consider issuing the fireworks booth permit as this is the major fundraiser for our band which will help keep our band program running.

Jessica Schoenfeld – As an Arroyo Band Booster for 8 years I know how vital the Firework Booth is to the Band program. By canceling this fundraiser you will cost the band anywhere between \$7400 to \$10000, this is their biggest fundraiser.

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The funds we raise are used to pay for the Fall Field Show. Even if the field show is changed this Fall due to COVID, we still will have to pay for the music. Then the following year we would be able to reuse the music from this year. Please do not cost the kids any further disruption to their educational experience. Have they not paid enough.

Viviana Longoria – I would like to ask that you allow for the permits of safe firework stands in our city. My son, Mateo, is a member of the Arroyo High School marching band and every year my husband and I volunteer for their firework stand. This allows their high school band to raise a majority of their funding without putting a major financial burden on the families. In addition, these funds are also helpful for additional staff needed, purchase equipment, and competition costs. Not allowing the sales will significantly affect not only Arroyo High School's band but, also all of our other City of El Monte high school's bands, community programs, and non- profits organizations. Allowing these organizations to sell fireworks will allow us community members to help raise funds for our community programs and to celebrate our country's freedom safely at home. I ask that you please allow and permit the sales of fireworks.

Jeff Cox – Regarding the issue of approving Firework Permits I would like to urge the Council to conditionally approve the permits and not close off the source of much needed funding for community organizations. Just as the Council has taken steps to try to shore up businesses with grants and residents with financial assistance the sale of fireworks is a financial lifeline for many community groups and should not be cut unless absolutely necessary. I realize the Council is in an awkward position of trying to balance safety with the needs of our community but conditional approval now would be a strong statement from the council in support of the community groups who live by this fundraising. Covid-19 health and social distancing guidance is frequently being updated. Conditional approval of the permits could be given now and would allow for community groups to continue the planning or organizing process while health guidance continues to evolve. A date in mid-June could be set to re-evaluate the permit status. This would allow the council to still fulfill its oversight role while not prematurely removing fundraising opportunities from the many groups that depend on them. I urge you to balance caution with hope and conditionally approve the permits.

Joseph Walsh – I understand that the EL Monte City Council is meeting tonight (Tuesday the 19th) and will be discussing allowing Safe and Sane fireworks in the city this year. As long time EL Monte residents, my wife and I have always enjoyed being able to support our local schools and school clubs by purchasing Safe and Sane fireworks from the TNT and Phantom stands (usually the TNT stand in the 7-11 parking lot on Santa Anita)... we usually have a small family gathering and have our own little fireworks show in our driveway. I understand that this is a new era, with unforeseen complications and social complexities. We are still weathering out the Safer At Home orders, though things are slowly re-opening. My hope is that by July we, as Monteros, will be able to be more social (with appropriate social distancing), and once again sustain the family tradition of fireworks with a small gathering. The ability to legally purchase Safe and Sane fireworks both curtails the desire for illegal fireworks and funds the school groups that have been financially devastated by Covid 19. I am confident that the fireworks stands can easily function with social distancing, if this is still a

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mandate in July. In a normal year my family draws near to July with anticipation, eagerly waiting for the day the fireworks stands open. This year that anticipation is at a fever pitch... we've all been through so much, and the thought of Safe and Sane fireworks again this July gives all Monteros hope for a new era, a rebirth of sorts.

Raquel Merlo – We are the Church of God of Prophecy, a church that serves the community. With great concern we have received the news of a possible suspension of sale of fireworks due to the Coronavirus. I would like to highlight the following points: 1. the families of El Monte, whatever the situation, will celebrate Independence Day because of how important it means. 2. We offer the community legal and approved products that keep families safe. 3. If we don't offer the state approved legal fireworks, families will have the tendency to buy illegal products, which can led to worse consequences. 4. As a Community Church, the funds raised helps us to offer aid to programs for our youth and children. 5. We are dependent on the money we raise for those few days to carry us out for the rest of the year. 6. We will take all precautions to keep families safe from Coronavirus by submitting to all safety rules. Awaiting a positive response, we wish you many blessings.

Joel Whisler – I have been a music teacher at El Monte High School for 25 years. We have been operating a fireworks stand for the past 7 years. We typically profit around \$7000 in the 4 day sale. Because of the pandemic, our choir had to postpone its trip to perform in Honolulu, Hawaii. We are scheduled to go next spring. We have no other way to make that amount of money to put towards our trip. If we are not allowed to sell fireworks, most likely, we will have to cancel our trip. I'm sure for all the non-profit groups that sell fireworks in El Monte, this is their main, and possibly only source of funds for the coming year. Barring a major downturn in the pandemic, I urge you to keep the fireworks sales. Families can enjoy the safe and sane fireworks and the groups can make the necessary funds to continue to function for the coming year.

Connie Garcia – I am Arroyo High School Band VP. We have been notified that the firework booth might be cancelled. This really concerns me I understand it is due to health concerns. However between now and then, I'm sure we can organize health precautions. Firework booth is Arroyo band biggest fundraiser that is used to keep the instruments, props, uniforms well maintained. When we do the fire work booth, I make sure there are no more than 2 people in the booth. Set the line and add tape on the floor. We can do it it's possible with good social distancing and making sure each booth has a schedule of (2) family members that live in same household to work 4 hour shifts. Please keep us updated our kids program will be on the edge!

Tricia Soto – Good evening Distinguished Council Members, I am here to remind you how we are in true need of our fireworks fundraising event and how it affects our band program here at Arroyo. The fireworks booth doesn't just create sales, it creates and strengthens community support, while also allowing our new families to bond with fellow booster parents. I know in this time of uncertainty, it is the city's goal to keep us all safe and healthy, but cutting this opportunity for not just Arroyo, but others as well in the community to fundraise would hurt us enormously. I myself am in healthcare and I am in the line of fire day in and day

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out. Which is why I understand completely about being safe and wearing proper protective equipment (PPE). I can assure you with the guidance from LA County guidelines and city guidelines for us to follow, we can have a successful season. All these guidelines would be followed as such and with "no cutting corners" that could potentially jeopardize our parents or our valued community. Together we can do this! We just need to be properly guided and made sure we adhere to the guidelines put forth to us. Thank you for your time and consideration.

Steve Bennett – Tonight you are discussing the possible suspension of the sales of Safe and Fireworks by local non-profit groups in the City of El Monte. I would like to share with you what TNT Fireworks has done and is currently doing to meet the requirements of the County of Los Angeles Health Department and any requirements they may have during the time of fireworks sales. As you know, the county extended the "Stay at Home" order last week but also continued to relax restrictions. Currently, curbside sales are allowed and I am not sure if you can cite a more curbside business than Safe and Sane Fireworks sales. The county also recognizes door sales for retail businesses as approved (where a customer is serviced at a door or window). Again, we fit that model extensively as retail customers are not allowed inside the fireworks stands. We have signage and are currently working on training stand operators on how to implement those safety requirements. We are doing our part to ensure that our stand operators, your non-profit organizations, will be following all rules and guidelines in relation to COVID-19 at the time the sales will begin.

**m) Mayor Quintero**

**s) Mayor Pro Tem Morales**

**5-0**

**Table the Item to June 2, 2020 and direct the City Attorney's Office to prepare an Urgency Ordinance to suspend Safe and Sane Fireworks for 2020 only and lastly direct the City Manager to engage in conversations with TNT and other businesses that are proposed to sell on that day and have discussions regarding appropriate regulations and direct the City Manager to come up with a mitigation plan for the non-profit organizations.**

**8. ADJOURNMENT:**

**Without objection the Mayor adjourned the meeting at 8:47 pm.**

The next Regular Meeting of the City Council will be held on **June 2, 2020** 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.

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Catherine A. Eredia, City Clerk  
City of El Monte

APPROVED:

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Andre Quintero, Mayor  
City of El Monte