

City Council Special Meeting Minutes of June 5, 2020

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.

In addition to written comments submitted prior to the start of the City Council meeting, when each of the items of business below is introduced, members of the public will have five (5) minutes from the time the Mayor introduces the item to submit written comments via e-mail. The City Council will be under no obligation to consider comments submitted after this 5 minute window period. Comment should be e-mailed to cityclerk@elmonteca.gov.

7. CONSENT CALENDAR:

7.1 Consideration and Approval of a Resolution of the City Council of the City of El Monte, California Declaring a Local Emergency due to Civil Unrest in the City and the Region due to the Death of George Floyd.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt the attached Resolution declaring a local emergency due to civil unrest in the City and the region due to the death of George Floyd.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10137

Jonathan Montalvo – I do not support any resolution that would empower any city official to enforce a curfew on their citizens, especially one that is being called for in the name of civil unrest related to the murder of George Floyd. I participated in the protest in front of the El Monte City Hall on June 1, 2020 and it was nothing but peaceful. There were no incidents while I was there, which was the entirety of the demonstration. I can acknowledge that we

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have seen some looting and vandalism across the country, but we have not seen that in our city and I would imagine you wouldn't. We are a tight-knit community that respects the hard work and determination of a small business here. To call for a proposal that would empower a director of emergency services to silence peaceful demonstration with some authoritarian policy is a clear violation of our first amendment rights. In light of our city's non-violent demonstrations, how can any of our officials justify any proposal that would seek to cut off our voices with arbitrary restraints? How is that kind of censorship and interference of expression beneficial to us citizens and helpful to civil discourse?

Andrew Yip – Why is the City of El Monte looking into declaring a state of emergency and giving a wide range of powers to the City Manager? Are curfews going to be declared? If El Monte is looking into declaring curfews, is the City concerned that they will be sued like the City of Los Angeles and the County of Los Angeles by the ACLU and other groups? The ACLU claims in the lawsuit filed in federal court in Los Angeles that the curfews are a violation of the First Amendment because they suppress all political protest in the evening hours and restricting movement outside of working hours is a violation of the Constitution's protection of freedom of movement. They stopped issuing curfews the next day. The pandemic is still ongoing and now you find an extreme threat? Covid-19 killed how many El Monte residents? How many residents are infected right now? There have been over 2,000 deaths and 45,000 infections in Los Angeles County and you want powers to call a curfew now because you only found an extreme threat NOW? El Monte had one protest this past week. Did violence take place at this protest that warrants a curfew? If not, why is El Monte going out of its way to give such wide ranging powers to the manager?

Diane Valdez – I work and spend my tax dollars in the City of El Monte. Regarding Item #7.1, can you state why we need a City-specific local emergency declaration when LA County has already declared one? Additionally, why is there a consideration of a city curfew, when the City and County of Los Angeles did not implement them yesterday evening? Last night, the American Civil Liberties Union and Black Lives Matter-L.A. filed a lawsuit claiming the curfew orders violate the constitutional protections of free speech and freedom of movement, as well as journalists' ability to report on the protests (source: LAist). “ACLU claims in the lawsuit filed in federal court in Los Angeles that the curfews are a violation of the First Amendment because they suppress all political protest in the evening hours and restricting movement outside of working hours is a violation of the Constitution's protection of freedom of movement.” (source: NBC). I don't believe we need a city-wide curfew to maintain peace in our community. The City needs to protect the lives of peaceful protestors supporting Black Lives Matter, many of whom are young people graduating from our local High Schools who do respect the local businesses in our City. The City needs to protect our highest-need residents, many of whom are essential workers struggling to make ends meet.

Amy Wong – I am a resident of El Monte. Thank you for holding this special meeting today, the birthday of Breonna Taylor, who would have turned 27 if she weren't killed by police. In addition to George Floyd and many Black men, Sandra Bland, Korryn Gaines, Atatiana Jefferson, Shantel Davis, Pamela Turner, and many other Black women's lives have been unjustly lost to police, and should never be forgotten in this country. Regarding Item #7.1, can you clarify why we need a City-specific local emergency declaration when LA County has already declared one? Additionally, why is there consideration of a City curfew, when the City and County of Los Angeles did not implement them yesterday evening? Last night, the American Civil Liberties Union and Black Lives Matter-L.A. filed a lawsuit claiming the curfew orders violate the constitutional protections of free speech and freedom of

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Item was tabled.

8. PUBLIC HEARINGS:

- 8.1 A Public Hearing to Consider and Approve by 4/5 Vote Uncodified Urgency Ordinance of the City Council of the City of El Monte, California Affirming Effective as of June 1, 2020, the Application of the Eviction Moratorium of the County of Los Angeles to the City of El Monte Relating to the Non-Payment of Rent Due to Covid-19 Pandemic and its Related Effects.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the public hearing;
2. Receive a brief overview from staff and pose questions;
3. Receive public comment;
4. Close the public comment portion of the public hearing;
5. Pose closing questions to staff;
6. Deliberate and then close the public hearing; and
7. Approve the Urgency Ordinance by 4/5 vote of the City Council.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Ordinance No. 2979

m) Mayor Quintero

s) Mayor Pro Tem Morales

5-0

Open P.H.

No Rent El Monte – We are No Rent El Monte, a group that was formed on May 11th of this year to seek greater rent action for El Monte residents during the COVID-19 pandemic. We are submitting this comment to urge you to adopt the Los Angeles County evictions moratorium in El Monte. Although this alone will not meet our demands, nor those of the hundreds of Monteros who joined us, we see this as a step forward in a positive direction. It is our unequivocal belief, however, that this is not enough. We need you to be bold, council members. Respond to this unprecedented moment in all of our lives with unprecedented resolve. Include undocumented residents, 25% of this city's population, in your rent action. Eliminate the "amount-due" stipulation -- some Monteros will not be able to pay 3 months of

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overdo rent and will face homelessness as a result. We find it insulting, council members, that you write of an "obligation" to pay rent, when elected officials across our country did not meet their obligation in helping the people of this country financially. Let's work together -- please. Hundreds of Monteros signed the letter we sent to you on May 24th. And yet, you have not responded to us. We hope to hear back soon: no.rent.elmonte@gmail.com

Stacy Jo – I am the Government Affairs Coordinator for the Apartment Association of Greater Los Angeles. On June 2nd, the City Council tabled an item regarding an ordinance that would subject the City of El Monte under L.A. County's eviction moratorium. Tomorrow, June 5, 2020, the City Council will once again discuss this matter. My supervisor, Danielle Leidner-Peretz at danielle@aaqla.org, submitted two letters regarding this matter when it was first introduced at the May 19th meeting and subsequently at the June 2nd meeting. The first letter was submitted on May 18, 2020, and the second letter was submitted on May 29, 2020. Would it be possible to include these letters as part of public comment or re-circulate to the councilmembers for their consideration of agenda item 8.1 for tomorrow's meeting? I look forward to your response.

Amy Wong – I am in support of the City following the County's Eviction Moratorium. However, can the City help implement additional policies to ensure housing for all in El Monte? For example, the cancellation of rent. Many of our residents are rent-burdened, unemployed, undocumented, struggling with the COVID-19 pandemic, forced to choose between food or rent. The case and death counts continue rising every day, with 650 cases and 25 deaths in El Monte as of today (source: [LACDPH](#)). 12-month repayment of accumulated rent is helpful but not enough.

m) Mayor Quintero
s) Mayor Pro Tem Morales 5-0
Close P.H.

m) Mayor Quintero
s) Mayor Pro Tem Morales 5-0
Ordinance No. 2979

9. ADJOURNMENT: **Adjourn in Memory of Mr. Florencio Corona**

Without objection the Mayor adjourned the meeting at 2:38 pm.

The next Regular Meeting of the City Council will be held on **June 16, 2020** 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.

To the extent that public meetings and any other authorized gatherings of the City are conducted at a physical location within the City, such meetings and gatherings shall be

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accessible to persons with disabilities, provided that reasonable requests for accommodation are made by contacting the City Clerk at least forty-eight (48) hours prior to the time of the meeting. With respect to meetings conducted telephonically or through other electronic means during the State, County and local emergency conditions brought on by the novel coronavirus (COVID-19), reasonable requests for accommodation may be made by calling the office of the City Clerk at least twenty-four hours prior to the meeting, if possible. The City Clerk may be contacted at (626) 580-2016. The City will use its best efforts to provide reasonable accommodation given the timing, circumstances and economic feasibility of the request, particularly in light of the current emergency conditions. 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:

Andre Quintero, Mayor
City of El Monte