



**City Council Meeting Minutes of August 7, 2018**

such action as the City Council may be lawfully authorized to take on an agenda item 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 4.2, 4.3 and 4.5**

**Mayor Quintero and the City Council recessed into Closed Session at approximately 6:03 p.m.**

**Mayor Quintero and the City Council reconvened from Closed Session at approximately 7:00 p.m.**

**Assistant City Attorney David F. Gondek reported out of Closed Session with respect to Items 4.2, 4.3 and 4.5.**

- 4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel to Discuss Matter of Existing Litigation: Javier Martin, et al. vs. City of El Monte, Los Angeles Superior Court Case No. BC682434.

**Continued to a future meeting.**

- 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)(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 a future meeting.**

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

Bargaining Units Subject to Negotiations:

El Monte Police Mid-Managers Association; El Monte Police Officers Association; and Executive Management Team (unrepresented employees).

City's Designated Negotiators:

Alex Hamilton, City Manager; Alma K. Martinez, Assistant 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 Joseph Chen, I-Kaun Tao. **present**
6. FLAG SALUTE: Adriana Avila, 3<sup>rd</sup> Grader from Shirpser Elementary School. Enjoys ar. **absent**
7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:
- 7.1 Presentation by the City Council to Adriana Avila from Shirpser Elementary School for Leading the Pledge of Allegiance. **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

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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 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.

Sofia Sandoval – Good afternoon I want to thanks to everyone. I come here today because our Mayor and our Councilmembers are people elected by us and that you are for the people. I have a problem where I live the raised my rent by \$200 and I can't pay that. That is my request for everyone and I am asking for justice because there are a lot of homeless here and I fell in love with the City and when our Mayor was campaigning for Mayor he said he was going to work for our City because he loved this City. I work but I also need a rent that isn't raised as high. I need some type of control and this is my request for you.

Cosme Jimenez – Good evening, I was watching the special meeting you have here and this item relates to the Vons Warehouse and I did not like that there were three members only because I knew what the outcome was going to be. There could be a reason why Mayor Pro Tem Gomez and Councilmember Macias were not here.

9. CITY TREASURER'S REPORT: **No material submitted.**

10. DEMAND RESOLUTION NO. D-579  
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

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totaling \$9,446,112.10 have been examined by the City Treasurer and that warrant numbers 1075543 through 1075944 and the payroll period June 16, 2018 through July 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 July 3, 2018;

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

Regular Meeting Minutes of July 17, 2018; and

**m) Mayor Quintero**  
**s) Councilmember Martinez**                    **5-0**  
**Special Meeting Minutes of July 19, 2018.**

Special Meeting Minutes of July 19, 2018.

**m) Mayor Quintero**  
**s) Councilmember Martinez**                    **3-0-2 (Mayor Pro Tem Gomez and Councilmember Macias abstained)**

12. CONSENT CALENDAR:

John Q. Lee – Thank you for the opportunity to speak on this item tonight. I want to thank you for the opportunity to sit down with your staff to go over this ordinance and that was direction by the Mayor and the Council. I want to publicly acknowledge all of the staff they were very helpful yesterday and it was a long meeting and I thank you. We went through every recommendation and from the industry perspective we appreciate you sincerely listening to us and it counts for a lot. There are 88 cities in Los Angeles County and I can't say that every city would have done what you've done and that counts for a lot for us when we talk about partnership. We support the Ordinance moving forward and we are going to move forward on our build.

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.

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- 12.1 Consideration and Approval of a Second Reading of an El Monte City Council Ordinance Amending and Updating the City's Wireless Ordinance Set Forth in Amended El Monte Municipal Code Chapter 17.82 and New Proposed Chapter 17.83.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. It is recommended that the City Council ratify the proposed Ordinance by second reading by at least three (3) affirmative votes.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Ordinance No. 2930

**m) Mayor Quintero**

**s) Councilmember Martinez 5-0**

- 12.2 Consideration and Approval of Request to Extend the Deadline on the Project Subdivision Improvement Agreement and Project Capital Improvement Plan (CIP) Gap Funding Agreement for the Flair Spectrum Project Between the City of El Monte and the Flair Spectrum LLC.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Extend the deadline an additional six (6) months (to February 15, 2019) for staff to present final drafts of a proposed Project Subdivision Improvement Agreement and a proposed Project CIP Gap Funding Agreement for City Council review.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

**m) Mayor Quintero**

**s) Councilmember Velasco 5-0**

- 12.3 Consideration and Approval of an Agreement with the Los Angeles County Food Services Unit for Meals for those in Custody in the El Monte Police Department Jail.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Consider and approve the Los Angeles County Sheriff's Department Food Services Unit as the sole source vendor to supply food and drinks for those in custody in an amount not-to-exceed \$21,000 per year; and
2. Consider and approve the attached Food Services Agreement between the County of Los Angeles and the City of El Monte for a term of five (5) years; and
3. Consider and authorize the City Manager to execute the Agreement on behalf of the City of El Monte.

Total Cost: \$21,000

Account No: 100-71-711-6267

Is the cost of this item budgeted? Yes

**m) Mayor Quintero**

**s) Councilmember Velasco**

**5-0**

- 12.4 Consideration and Approval of an Agreement Between the City of El Monte and Vital Medical Services, LLC for Inmate Medical Services.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Consider and approve the attached Agreement between the City of El Monte and Vital Medical Services for a three-month trial term; with an option for up to two (2), one-year extensions to provide mandated medical services for those in custody in the El Monte Police Department jail; and
2. Authorize the City Manager to execute an agreement between the City of El Monte and Vital Medical Services, LLC in an amount not-to-exceed \$16,000 for the three-month trial term.

Total Cost: \$16,000

Account No: 100-71-711-6267

Is the cost of this item budgeted? No

**m) Mayor Quintero**

**s) Councilmember Velasco**

**5-0**

- 12.5 Consideration and Approval of Amendment to the Professional Services Agreement with Infrastructure Engineers to Finalize the Construction Management and Inspection Services Provided for the Completed 2016-2017 Pavement Resurfacing Program (CIP 004).

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Consider and approve to amend the Professional Services Agreement (PSA) with Infrastructure Engineers for a fee increase of \$23,251, for providing additional Construction Management and Inspection Services for FY 2016-

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2017 Pavement Resurfacing Program CIP No. 004 as presented in Attachment 1; and

2. Authorize the City Manager to execute an amendment to the agreement with Infrastructure Engineer for an additional \$23,251.

Total Cost: \$23,251

Account No: 100-67-004-8401

Is the cost of this item budgeted? Yes

**m) Mayor Quintero**

**s) Councilmember Velasco 5-0**

12.6 Consideration and Approval of an Amendment to the Barr Engineering Contract.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve an amendment to the Barr Engineering contract to increase the original sum of \$75,000 by \$22,459 to a new contract sum of \$97,459; and
2. Consider and approve a one (1) year Contract Services Agreement extension with Barr Engineering to provide Citywide HVAC maintenance and repair services on an as needed basis for an amount of \$75,000.

Total Cost: \$22,459

Account No: 100-67-673-6111

Is the cost of this item budgeted? Yes

**m) Mayor Quintero**

**s) Councilmember Velasco 5-0**

12.7 Consideration and Approval of an Amendment to the Superior Pavement Markings Contract.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve an amendment to the Superior Pavement Markings contract in fiscal year 2017-2018 to increase the original sum of \$45,000 by \$57,250 to a new contract sum of \$102,250; and
2. Consider and approve an amendment to the Superior Pavement Markings contract in fiscal year 2018-2019 to increase the original sum of \$45,000 by \$30,000 to a new contract sum of \$75,000.

Total Cost: \$87,250

Account No: 100-67-682-6111

Is the cost of this item budgeted? Yes

**m) Mayor Quintero**

**s) Councilmember Velasco 5-0**

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- 12.8 Consideration and Approval of Request to Publish the Notice Inviting Bids for the Repair of the Downtown Parking Lot – CIP No. 818.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the publication of the Notice Inviting Bids for the repair of the Downtown Parking Lot (CIP No. 818).

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

**m) Mayor Quintero**

**s) Councilmember Velasco 5-0**

- 12.9 Consideration and Approval of Request to Authorize the City Manager to Make all Conforming Edits, Finalize, and Execute in Final Form the Civic Center Facility Relocation Planning and Design Study Agreement By and Between the City of El Monte and Grapevine Advisors, LLC.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Authorize the City Manager to execute the Civic Facility Relocation Planning and Design Study Agreement by and between the City and Grapevine Advisors, LLC.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

**m) Mayor Quintero**

**s) Councilmember Velasco 5-0**

- 12.10 Consideration and Approval of a Second Reading of an El Monte City Council Ordinance Repealing and Rescinding Ordinance No. 2866 and All Related Land Use Entitlements for the Property Located at 4000 Arden Drive, El Monte, California Pursuant to the Los Angeles Superior Court's Granting of a Petition of Writ of Mandate in Case No. BS 158641

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council ratify the proposed Ordinance by second reading by at least three (3) affirmative votes.

Ordinance No. 2931

**m) Mayor Quintero**

**s) Councilmember Velasco 5-0**

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13. PUBLIC HEARINGS:

- 13.1 Public Hearing to Consider and Approve Tentative Tract Map No. 80283 and Conditional Use Permit Nos. 05-18 and 06-18 for a Five (5) Unit Planned Residential Development (PRD) on Property Located at 11830-11842 Lambert Avenue, Zoned R-1B (One Family Dwelling).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the public hearing;
2. Receive presentation from staff;
3. Pose questions to staff;
4. Allow members of the public to offer comment;
5. Pose follow up questions to staff;
6. Conduct additional deliberation, if needed;
7. Close the public hearing; and
8. Adopt a Resolution adopting a Categorical Exemption (Article 19, Class 32 – In-fill Development Project) finding and approving Tentative Tract Map No. 80283 and Conditional Use Permit Nos. 05-18 and 06-18 for a proposed five (5) unit Planned Residential Development (PRD) on property located at 11830-11842 Lambert Avenue, subject to the recommended Conditions of Approval.

Resolution No. 9895

**m) Mayor Quintero**

**s) Councilmember Martinez**

**Gomez**

**Open the P.H.**

**5-0**

**m) Mayor Quintero**

**s) Mayor Pro Tem Gomez**

**Close P.H.**

**5-0**

**m) Mayor Quintero**

**s) Mayor Pro Tem**

**Resolution No. 9895**

**5-0**

- 13.2 Public Hearing to Consider and Approve of a Resolution Ordering the Public Street Vacation of a Portion of Rumford Avenue, El Monte, Making Requisite Findings in Accordance with Streets and Highways Code Section 8300 et seq., and Directing the Recordation of Notice of Such Street Vacation.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the public hearing;
2. Receive presentation from staff;
3. Pose questions to staff;
4. Allow members of the public to offer comment;
5. Pose follow up questions to staff;
6. Conduct additional deliberation, if needed;
7. Close the public hearing; and

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8. Approve the proposed Resolution (Attachment 1) ordering the public street vacation of a portion of Rumford Avenue, El Monte, making requisite in accordance with Streets and Highways Code Section 8300 et seq., and directing the recordation of notice of such street vacation.

Resolution No. 9896

<b>m) Mayor Quintero</b>	<b>m) Mayor Quintero</b>	<b>m) Mayor Quintero</b>
<b>s) Councilmember Martinez</b>	<b>s) Mayor Pro Tem Gomez</b>	<b>s) Councilmember</b>
<b>Velasco</b>		
<b>Open the P.H.</b>	<b>Close P.H.</b>	<b>Resolution No. 9896</b>
<b>5-0</b>	<b>5-0</b>	<b>5-0</b>

**Subject to the concurrent recordation of Parcel Map No. 82071.**

14. **REGULAR AGENDA:**

- 14.1 Consideration and Approval of a Resolution to Amend a Use Covenant Between the City of El Monte and Santa Fe Trail Holdings, LLC to Revise Permitted Uses and Implement Property Maintenance Requirements for the Santa Fe Trail Plaza Shopping Center.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Approve a Resolution to amend a use covenant between the City of El Monte and Santa Fe Trail Holdings, LLC to revise permitted uses and implemented property maintenance requirements for the Santa Fe Trail Plaza Shopping Center.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 9897

<b>m) Mayor Quintero</b>	
<b>s) Councilmember Martinez</b>	<b>3-2 (Mayor Pro Tem Gomez and Councilmember Macias No)</b>

- 14.2 Consideration and Approval of Request for Authorization to Create a Pilot Program to Produce Murals for the Downtown Area, other Commercial Districts and/or Parks in the City of El Monte.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

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1. Authorize \$50,000 from the Art in Public Places Fund to implement a pilot program to produce murals for certain properties in the downtown area, major commercial corridors and/or parks in the City of El Monte; and
2. Direct staff to issue a Request for Qualifications (RFQ) to solicit qualified artists to participate in the pilot program for murals.

Total Cost: \$50,000

Account No: 209-61-611-8151

Is the cost of this item budgeted? Yes

**m) Councilmember Martinez**

**s) Councilmember Velasco**

**5-0**

- 14.3 Consideration and Approval of a First Amendment to the Exclusive Negotiating Agreement (ENA) by and Between the City of El Monte and the Cesar Chavez Foundation, Inc. and Magellan Value Partners, LLC for the Development of a Transit-Oriented Community on Properties Owned by the City of El Monte Located in the Vicinity of Center Avenue and Railroad Street.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Approve the First Amendment to the ENA by and between the City of El Monte and the Cesar Chavez Foundation, Inc. and Magellan Value Partners, LLC; and
2. Authorize expenditure not-to-exceed \$30,000 to perform preliminary site development analyses and investigation.

Total Cost: \$30,000

Account No: 100-61-617-6111

Is the cost of this item budgeted? Yes

**m) Mayor Quintero**

**s) Councilmember Martinez**

**5-0**

- 14.4 Consideration and Approval an Administrative Policies and Procedures Manual and Handbook (in Form and Concept), its Respective Table of Content, and Certain Policies to be Incorporated into Said Manual.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Consider and adopt an Administrative Policies and Procedures Manual and Handbook (in form and concept), its respective Table of Contents, and certain policies to be incorporated into said Manual, with additional policies to be presented for approval and incorporation as they become available.



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

18. COUNCIL COMMUNICATIONS:

18A. Mayor Quintero

18B. Mayor Pro Tem Gomez

18C. Councilwoman Macias

18D. Councilwoman Martinez

Ladies and gentlemen if you have children attending El Monte schools we have our 7<sup>th</sup> Annual Back to School Resources Fair happening Saturday, August 18, 2018 in the Downtown Business Area. The line will start early but our doors will open up at 8:00 am. We have 1500 backpacks that we are going to be passing out to the children in our community. The backpacks will be filled thanks to community partners who love this event. We couldn't do it without our community partners and we are so grateful. New this year is that the Professional Institution of Beauty is donating 1500 vouchers for haircuts. We have done 300 normally the day of the event and this year any child who comes will receive voucher for the month of August 18<sup>th</sup> to September 18<sup>th</sup>. The Back to School Resources Fair does not happen on its own we do fundraising events and I would like to invite you to come to Jersey Mikes, Jersey Mikes is going to be donating a percentage of their proceeds from August 16, 17 and 18. One last mention every year we look for a title sponsor to purchase our backpacks and help us out it is a big check and I would like to acknowledge the team from Grapevine Advisors, Mr. James Acevedo who has graciously donated the money to purchase our backpacks this year. Mr. Acevedo we thank you very much on behalf of a grateful community.

It's so hot ladies and gentlemen please take advantage of the cooling stations. Senior Center is open.

18E. Councilman Velasco

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19. ADJOURNMENT:

**With no objection Mayor Quintero adjourned the City Council meeting at 7:51 p.m.**

The next Regular Meeting of the City Council will be held on **August 21, 2018** 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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Jonathan Hawes, City Clerk  
City of El Monte

APPROVED:

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Andre Quintero, Mayor  
City of El Monte