

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL REGULAR MEETING
OF MARCH 1, 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: **6:02 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 – **present**
Victoria Martinez Muela, Councilmember/Authority Member – **present**
Dr. Maria Morales, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

WITH THE FOLLOWING EDITS/CHANGES TO THE AGENDA:

Items 4.3 and 14.4 have been pulled.

m) Mayor Ancona

s) Dr. Morales

5-0

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 agendaized 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 *agendaized* 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 agendaized 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 4.4.

Mayor Ancona and the City Council recessed into Closed Session at approximately 6:07 p.m. Mayor Ancona and the City Council reconvened from Closed Session at approximately 7:07 p.m.

Assistant City Attorney Richard Padilla reported out of Closed Session with respect to Items 4.1 through 4.4.

4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – Workers Compensation Case Nos. ADJ12202533 and ADJ12202531.

Presentations provided by legal Counsel, City Manager and HR, direction given by the City Council, but no final action taken.

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- 4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – Silva vs. City of El Monte et al., USDC Case No. 2:21-CV-00197-MCS-PD.

Presentations provided by legal Counsel, City Manager and HR, direction given by the City Council, but no final action taken.

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Anticipated Litigation – One (1) Matter.

Item was pulled.

- 4.4 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.

Presentations provided by legal Counsel, City Manager and HR, direction given by the City Council, but no final 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:City Council. **Chaplain Manny Coronilla, Calvary Chapel of El Monte.**

6. FLAG SALUTE: City Council. **Mayor Ancona**

7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:

7.1 Presentation by the City Council Proclaiming the Month of March 2022 as Women’s History Month.

7.2 Presentation by the City Council Proclaiming the Month of March 2022 as American Red Cross Month.

8. GENERAL PUBLIC COMMENT:

This time has been set aside for members of the public to directly address the City Council on agendized items of business (other than those agendized as 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 agendized 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

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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.

Abner Perez – Spoke about the status of the dispensary cannabis businesses.

Mike Greenspan – Spoke about union election in Alabama.

Armando Herman – Spoke about violation warning for rights under the color of law.

Sujeiry Guzman – Spoke about number of small groups attacking City Councilmembers and in most ways causing false accusations.

Jerry Velasco – Spoke about mosquito issues that the Mosquito Abatement has been dealing with for many years. Spoke about work being done by Dr. Morales.

Alexis Proctor – Spoke about issue with the San Gabriel Valley Water Company including reconnection fees.

Cosme Jimenez – Spoke about the need of an apology from Councilmember Dr. Morales. Spoke about public records request responses received in regards to Promise Foundation.

Gabriel Ramirez – Spoke about previous elected officials and certain activists who were silenced in the past. Spoke about text messages sent from Dr. Morales to Mr. Jimenez.

Andrew on behalf of Mr. Mike Su – Owner of real estate property in El Monte. Spoke about Dr. Morale’s work in and for the community.

Irma Zamorano – Spoke about Dr. Morales and City Attorney. Spoke about former elected officials.

Written Comments:

Evangelica Child – Provided an update on the alcohol prevention efforts to reduce underage drinking in the City.

9. CITY TREASURER’S REPORT:

9.1 Transmittal of the Treasurer’s Cash and Investment Report for the Quarter Ended December 31, 2021.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

- 1. Receive and file the Treasurer’s Cash and Investment Report for the quarter ended December 31, 2021.

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

Receive and File the Report

10. DEMAND RESOLUTION NO. D-660

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 \$3,227,141.24 have been examined by the City Treasurer and that warrant numbers 1104143 through 1104268, and the payroll period January 16, 2022 through January 31, 2022 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

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

5-0

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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:

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) Councilmember Herrera
s) Mayor Pro Tem Puente **5-0**

12.2 Approval of Recommendation to Accept the El Monte Bike Boulevard Bicycle and Pavement Rehabilitation Improvement Project, CIP No. 031 as Complete and Authorize Staff to File the Notice of Completion with the Los Angeles County Recorder's Office.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and accept the El Monte Bike Boulevard Bicycle and Pavement Rehabilitation Improvement Project, CIP No. 031 as completed and authorize staff to file the Notice of Completion with the Los Angeles County Recorder's Office; and
2. Authorize staff to release the retention 35 days after acceptance by the City Council.

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

m) Councilmember Herrera
s) Mayor Pro Tem Puente **5-0**

12.3 Approval of an Increase to the Purchase Order with Zumar by \$20,000 for a New Purchase Order Total of \$55,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve an increase to the Purchase Order with Zumar by \$20,000 for a new not-to-exceed amount of \$55,000.

Total Cost: \$20,000 Account No.: 600-67-696-6311 - \$10,000
Water Fund
650-67-693-6220 - \$10,000
Sewer Fund
Is the cost of this item budgeted? Yes

m) Councilmember Herrera
s) Mayor Pro Tem Puente **5-0**

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- 12.4 Approval of a 30-Day Resolution Regarding the Conduct of Teleconference Meetings of the City Council and Other City Bodies Under the Modified Rules Set Forth Under Government Code Section 54953(E) and Other Applicable Provisions AB 361.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider possible adoption of a Resolution authorizing City legislative bodies to hold remote teleconference meetings subject to modified Brown Act requirements during a declared state of emergency in accordance with Assembly Bill 361 for a limited period of 30 days.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10342

m) Councilmember Herrera

s) Mayor Pro Tem Puente

5-0

13. PUBLIC HEARINGS:

Members of the public wishing to address the Council on any item of business agenda under this Public Hearing portion of the agenda are asked to call in or submit a speaker card in the manner prescribed on page 1 of this agenda, above, by or before the time at which the City Council closes the public comment portion of each public hearing matter listed under this section. The City Council shall be under no obligation to entertain comments from speakers/callers who submit cards or call in after the public comment portion of the public hearing matter they wish to speak on has been closed. Each speaker will be allotted three (3) continuous minutes per Public Hearing item.

- 13.1 A Second Public Hearing Required by Elections Code Section 10010(a)(1) to Receive Public Input and Comment on a Proposal to Change the Manner in Which City Council Members are Elected from At-Large Elections to District-Based Elections.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the Public Hearing;
2. Receive follow-up presentation from City staff on the transition process;
3. Receive comment from interested members of the public;
4. Pose closing questions;
5. Provide direction to demographer and staff regarding the preferred number of districts for purposes of developing draft maps; and
6. Close the Public Hearing.

Total Cost: N/A

Account No.: N/A

Is the cost of this item budgeted? N/A

m) Mayor Ancona

s) Councilmember Martinez Muela

Open P.H.

Mike Greenspan – Spoke about hybrid council districting. City should go to six council districts or four districts and two seats at large.

Armando Herman – Spoke about problem with the geographic math, the conflict of interest for Downey, dense population of Asian Americans living in the south and equal access for everyone in the community.

Gabriel Ramirez – Spoke about the demographic and what is missing is the percentage of education. Spoke about the process being rushed, who is behind this, and what is their interest. Need more transparency.

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Cosme Jimenez – Spoke about City of Whittier, community meetings, how many questions can be asked.

Alexis Proctor – Confused about the previous comments. Spoke about the map being incorrect in regards to the horse community on the north side of town. There is a second horse property down south.

**Break at 9:01 p.m.
Return at 9:12 p.m.**

**m) Mayor Ancona
s) Councilmember Martinez Muela
Four Districts + Mayor** **2-3 (Mayor Pro Tem Puente, Councilmembers
Herrera and Dr. Morales No)**

Secondary Motion

**m) Councilmember Herrera
s) Mayor Pro Tem Puente
Six Districts + Mayor** **3-2 (Mayor Ancona and Councilmember Martinez
Muela No)**

**m) Mayor Ancona
s) Councilmember Martinez Muela
Close P.H.** **5-0**

**At 9:40 p.m.
m) Councilmember Martinez Muela
s) Mayor Ancona
Extend to 10:30 pm and revisit
at 10:30 pm.** **5-0**

14. REGULAR AGENDA:

14.1 Consideration and Approval of the Purchase of Five (5) New Vehicles for the Police Department.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the appropriation of Unclaimed Money, General Funds, Asset Forfeiture funding to purchase five (5) new vehicles for patrol use in an amount not-to-exceed \$350,000;
2. Consider and approve the purchase of the vehicles from one (1) of the three (3) contacted dealerships; and
3. Consider and approve the disposition of the five (5) Police Department vehicles.

Total Cost: \$350,000

Account No.: 100-71-711-8132
General Fund
259-71-712-8132
Asset Forfeiture
100-71-4733

Is the cost of this item budgeted? No

Unclaimed Money Fund

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

14.2 Consideration and Approval of a Professional Services Agreement for Raftelis to Provide Technical and Preparation Services for the Sewer Rate Study for a Not-to-Exceed Amount of \$100,068.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement for Raftelis to provide technical and preparation services for the Sewer Rate Study for an

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Agreement amount of \$90,971 plus a ten percent (10%) contingency amount of \$9,097 for a total not-to-exceed amount of \$100,068; and

2. Authorize the City Manager, or her designee, to execute the Agreement with Raftelis.

Total Cost: \$100,068

Account No: 650-67-693-6111

Is the cost of this item budgeted? Yes

Sewer Fund

Item was not considered.

- 14.3 Consideration and Approval of a Contract Services Agreement with Southland Transit, Inc., to Operate the City's Monday-Sunday Fixed-Route Transit and Dial-A-Ride Paratransit Programs for Five (5) Years.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Contract Services Agreement with Southland Transit, Inc., to operate the City's Monday-Sunday Fixed-Route Transit and Dial-A-Ride Paratransit Programs for five (5) years at an average annual cost of \$2,238,915 minus farebox; and
2. Authorize the City Manager to execute the Contract Services Agreement with Southland Transit, Inc., with terms and services from July 1, 2022 through June 30, 2027.

Total Cost: \$11,194,574

Account No: 202-67-575-6111 - \$8,595,407

(minus farebox)

202-67-574-6111 - \$2,599,167

Is the cost of this item budgeted? Yes

Prop A Fund

m) Mayor Ancona

s) Mayor Pro Tem Puente

5-0

- 14.4 Consideration, Receipt and File of a Presentation Regarding the Tax Increment Financing District Feasibility Study Funded by Metro.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider, receive, and file the presentation regarding the Tax Increment Financing District Feasibility Study findings; and
2. Provide comments and input of the presentation to staff.

Total Cost: \$132,000

Account No: 299-61-019

Is the cost of this item budgeted? Yes

100-61-019

Item has been pulled.

- 14.5 Consider and Adopt Mid-Year Budget Adjustments for the General Fund and Other Funds for Fiscal Year 2021-22.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and adopt a Resolution amending the City of El Monte's Operating and Capital Budget for Fiscal Year 2021-22 by increasing appropriations in the General Fund by \$4.8 million; and Special Revenue Funds by \$15.9 million.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10343

m) Mayor Ancona

s) Dr. Morales

4-1 (Councilmember Martinez Muela No)

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At 10:30 p.m.

m) Mayor Pro Tem Puente

s) Dr. Morales

5-0

Consider Items 14.5, 14.3 and 14.6

- 14.6 Consideration and Approval of a Resolution Updating the Citywide Classification and Compensation Plan and Repealing and Replacing Resolution No. 10326.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the attached Resolution establishing an updated Citywide Classification and Compensation Plan, effective March 1, 2022 (except where otherwise indicated).

Total Cost: \$46,400

Account No: Various

Is the cost of this item budgeted? No

Resolution No. 10344

m) Mayor Ancona

s) Mayor Pro Tem Puente

4-1 (Councilmember Martinez Muela No)

15. CITY ATTORNEY'S AGENDA:

- 15.1 Presentation Regarding Supplemental Measures and Strategies for the Restriction of Cannabis Business Activities in the City.

Item was not considered.

16. CITY MANAGER'S AGENDA:

- 16.1 Provide Follow-Up Information on the 2021-2029 General Plan Housing Element Regarding Policies and Objectives on Workforce Housing and Local Hire.

Item was not considered.

17. DISCUSSION ITEMS

- 17.1 Update, Discussion and Direction Regarding Development of City Council Meeting Procedures, Including Potential Approval of Draft Resolution.

Item was not considered.

18. WRITTEN COMMUNICATIONS: **None**

19. COUNCIL COMMUNICATIONS/REPORTS:

19A. Mayor Ancona

19A.1 Update on Council Chambers Audio System.

19A.2 Update on Chamber of Commerce Contract.

19B. Mayor Pro Tem Puente

19B.1 Update Regarding Street Vendors Enforcement Efforts.

19B.2 Update Regarding Food Fest.

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- 19C. Councilman Herrera
 - 19C.1 Update from Public Works on the Status of Street Light Conditions on Garvey Boulevard and Santa Anita Avenue and City Limits.

- 19D. Councilwoman Martinez Muela
 - 19D.1 Discussion and Action on Smoke Free Outdoor Ordinance, Discussed March 2021.

 - 19D.2 Discussion and Action Regarding Directing City Management to Hire an Assistant City Manager, Public Information Officer and Establish a Purchasing Department, Discussed April 2021.

 - 19D.3 Discussion and Action Regarding Citywide Employee Survey of Workplace Satisfaction and Recommendations, Discussed February 2021.

 - 19D.4 Update on Federal and State Funding for Project Homekey.

 - 19D.5 Update on Funding for All Park Renovations.

 - 19D.6 Discussion and More Evidence in Support of a Resolution of the City Council Calling for a State Audit for High-Risk Local Governments.

- 19E. Councilwoman Dr. Morales
 - 19E.1 Discussion on Community Based Policing and Crime Statistics/Updates.

 - 19E.2 Discussion Regarding the Creation of a Diversity, Equity, and Inclusion (DEI) Program Coordinator, a New Position to Support the City's Diversity, Equity, and Inclusion Initiatives.

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20. **ADJOURNMENT: Adjourn in Memory of Mr. Robert A. Lawe, Long Time Resident of El Monte, Former Planning Commissioner and Former Teacher; and Adjourn in Memory of Ms. Diluvina “Della” Dominguez, Cherished mother, Nana, sister, aunt and friend, and Longtime El Monte resident, choosing El Monte to raise her family.**

**m) Mayor Ancona
s) Councilmember Martinez Muela
Adjourn at 11:03 p.m.**

The next Regular Meeting of the City Council will be held on **March 15, 2022** 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.

Catherine A. Eredia, City Clerk
City of El Monte

APPROVED:

Jessica Ancona, Mayor
City of El Monte