

APPROVAL OF MINUTES  
EL MONTE CITY COUNCIL REGULAR MEETING  
OF MAY 18, 2021

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: **6:00 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

Jessica Ancona, Mayor/Chair – **present**  
Victoria Martinez Muela, Mayor Pro Tem/Authority Member – **present**  
Martin R. Herrera, Councilmember/Authority Member – **present**  
Dr. Maria Morales, Councilmember/Authority Member – **present**  
Alma D. Puente, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

**m) Mayor Pro Tem Martinez Muela**  
**s) Mayor Ancona** **5-0**  
**Amend the Ethics Ad Hoc to include**  
**language to Resolution for Item 12.2**

4. CLOSED SESSION:

The City Council and the various Authority Bodies whose membership is composed exclusively of the membership of the City Council (collectively, the “Council”) will attempt to address and complete all Closed Session business between 6:00 p.m. and 7:00 p.m. If the Council completes all Closed Session business prior to 7:00 p.m., the 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 agenda items by 7:00 p.m., the 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 Council on any *agenda* Closed Session matter, the Council shall allow such person to address the Council on such matter prior to going into Closed Session, provided that all persons wishing to address the Council on an agenda Closed Session matter shall fill out a speaker card and be subject to a speaker’s time limit of 3 minutes per speaker and further provided that the Council shall be under no obligation to respond to or deliberate upon any specific questions or comments posed by a speaker or take action on any issue raised by a speaker beyond such action as the City Council may be lawfully authorized to take on an agenda Closed Session matter pursuant to the Brown Act (Govt. Code Section 54950 et seq.).

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**Mayor Ancona invited members of the public to address the City Council on Closed Session Items 4.1 through 4.5.**

Andre Quintero – I want to speak on Item 4.1. There was a recent article that came out in the San Gabriel Valley Tribune that discussed litigation that I was involved with this particular issue. The FEAH lawsuit under Item 4.1 is the only lawsuit alleging some kind of corruption that took place. They created a Facebook page, website, emails and sent text messages out to residents. They are also the only ones that are asking for or claiming for an independent investigation. The irony here is that the alleged corruption that they are making is based on a statement that I made. The person I had in mind when I made the statement was not in the decision making process so I had nothing to do with the issuance of the licenses at all. I don't think you need an investigation and I will tell you why because we have a check and balance system it is really simple. You have a legislative body that takes an action a City Council, you have the administration that implements and executes the law as it is and then you have an independent judiciary that reviews it. It is a simple checks and balances process and they are going through that process. I remember when I met with Tony Fong and [inaudible] before the litigation was filed they asked me to kind of intervene and look into it and I let them know the appropriate way to do this is through the courts and that's what I did and that's what they've done. So I would suggest that you continue to go down the course that you're going down, you've got outstanding legal counsel that is reviewing everything and in fact through the judicial process it is determined that the City must issue another license or something along those lines there is a rule of law to allow for that. So I just wanted to let you all know that. By the way, I noticed there is a figure going around in the community about \$2.0 million dollars in litigation there is an indemnity that licensees are required to indemnify the City for all this litigation that is taking place so there will and should not be a net cost to the general fund of the City. That's it. Best wishes to you on another successful Council meeting.

**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 8:10 p.m.**

**Mayor Ancona and the City Council recessed into Closed Session at approximately 9:29 p.m. Mayor Ancona and the City Council reconvened from Closed Session at approximately 11:36 p.m.**

**City Attorney Rick Olivarez reported out of Closed Session with respect to Items 4.1 through 4.5.**

4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: FEAH, LLC v. City of El Monte, LASC Case No. 20STCP03720.

**The City Council received a briefing from the City Attorney's Office, direction was given but no final action was taken.**

4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(2) and (e)(1) – Significant Exposure of Litigation: One (1) Potential Case.

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**The City Council received a briefing from the City Attorney's Office, direction was given but no final action was taken.**

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation Regarding the following related matter: Gateway Four, LP; Gateway Two, LP; Gateway Five, LLC, US Bankruptcy Court Central District, Lead Case No. 1:20-bk-11581-MB.

**The City Council received a briefing from the City Attorney's Office, direction was given but no final action was taken.**

- 4.4 Closed Session Pursuant to Government Code Section 54957 – Continuation of Discussion Relating to Annual/Routine Performance Evaluation per Section 8 of City Manager Employment Contract.

**The City Council received a report from the City Attorney's Office and they conducted a performance evaluation of the City Manager this item will be brought back on the next regular agenda.**

- 4.5 Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator – Represented Employees:

Bargaining Units Subject to Negotiations: El Monte General Unit (SEIU Local 721); El Monte Police Mid-Managers Association; El Monte Police Officers Association; and El Monte General Mid-Management Unit (SEIU Local 721).

City's Designated Negotiator: Adrianna Guzman, Designated Labor Negotiator in consultation with John Nguyen, Human Resources/Risk Management Director; and Alma K. Martinez, City Manager.

**The City Council received a briefing from outside legal counsel Adrianna Guzman, direction was given but no final action was 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 George Ussery, Evangelical Methodist. **Absent Mayor Ancona.**

6. FLAG SALUTE: Chief of Police, David Reynoso. **Present**

7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS: **No material.**

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### **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 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.

Eva Stoltz – I have been a long time resident of El Monte. Since I was here last a lot of changes have taken place. I had heart valve replacement surgery, six months later I had successful colon cancer surgery and the only change I see in El Monte are more tacos stands and more food stands. They are going to be fighting for corners pretty soon. I don't see any decent restaurants, markets or stores coming to El Monte. I am talking about businesses like Chiles, Panera, Applebees, Stater Brothers. Why is it that these businesses don't want to come to El Monte? Can anyone on the Council answer that? Everyone is selling El Monte short. We have the people who will patronize these places they are going to other cities to do it. I believe if El Monte would back and financially support one of these businesses the people would be there. It is fine and dandy to

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support places for the homeless and to help vendors but who is looking out for the majority of us, no one. We have to get out of the poor me mentality here in El Monte. There are more people like me than there are those that need low income housing or homeless shelters. Do something for our City I see more buildings going up where are all these people going to shop? Surely not in El Monte. They will be in Arcadia, Monrovia and Rosemead shopping even South El Monte is getting a Habit. What did El Monte get another taco stand? So thank you for listening to me and sorry you didn't have a choice about listening to me but this is how I feel.

Julio Ramirez – I just want to bring it up about the audit the State audit we should go for it. I can figure it out that it can be five a vote of five. About the cannabis I hate to say it, it came out in the paper I have been following it. City of Baldwin Park they busted a City Council member buried the money bribery. [inaudible] it was free money I think I wish I could've had a shovel and go dig it up because it was getting [inaudible] Mr. Ricardo Pacheco. I got in touch with City people that were looking for this City and let me tell you I went to those meetings and it hurted me that we came out in the paper if you are not guilty bring in the FBI bring anybody you want. And another one at the last meeting I noticed that certain Councilmembers get to pick their offices I don't know how it works but the old regime was that they picked their offices look into that. I don't want to come out with names or nothing I am just bringing it up to your attention because they have their meetings that they are not supposed to have they use City Hall for their meetings I don't want to bring it up but just pay attention to the three. I hope you work all together that the votes be even not 3-2 always look out for if you can vote all together for anything that you want. None of this I am on this team I am on that team vote from the bottom of your heart.

Cosme Jimenez – I just want to make a comment the previous speaker was speaking about newspaper the newspaper is right here. Marijuana cheating alleged in El Monte. Also there is nothing new to me I already knew two years ago you play with fire you will get burn but the ex-Mayor I guess he was too busy making plans with them he didn't pay attention to anyone. Now he is crying and playing innocent which is fine he has all the right to do so. "Mainly to support officials who favor cannabis Quintero, Councilman Jerry Velasco and also Councilwoman Alma Puente and two political action committees supporting them received \$107,000 in contributions." Also it comes back to Alma Puente because she received a lot of money from Andre Quintero for Mayor she received \$17,500 loan I hope it is paid and I don't know how the deal was worked. Team El Monte gave her \$22,792 she has a total of \$40,000 from Team El Monte and Andre Quintero. I am trying to make a team to work for the people and I guess you still have the team working for their own benefit Team El Monte which should not be here anymore because it is more and more mixed with the marijuana ring and I hope you ladies that want to create a team for the people not a team for the ex-person or the ex-king or whatever should supposed to set up a new team to get the City moving. This City is really suffering nothing moves like it is supposed to. I am not saying I should say nothing new for me the proper way to complain to other cities Arcadia, Baldwin Park, Temple City you name it you can tell right away you don't have to ask just by looking at it you can see a difference. When you receive this kind of money it is pretty hard to say no I don't care how you do it to the person who gave you money. Also they claim to be from Team El Monte right here propaganda news all the names and pictures are here I guess they believe it. It is a coalition of educators and community leaders. They don't say leaders for what community for what. I am still waiting I told the Mayor 15 years ago the ex-Mayor I mean what do you do tell me coalition of professionals coalition of this for what nobody knows except for the power for one person that is all they do.

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Mary Ann Powers – I had no intention of saying anything until it got to be 8 o'clock and then I thought I remember back in the good old days while most of you were still in high school that we would come to these Council meetings and they would have a closed session but when it was time to start the meeting the closed session stopped they started the meeting on time and then after they got through the entire agenda they would go back into closed session and finish up. You owe to the citizens of this City and the last time we were here I heard somebody say but people need to get home on time. Well if you want people to get home on time get your butts out here at 7 o'clock because then you might make it through the agenda and we can get home on time. If you care about the citizens you will not keep them waiting for an hour when they take their time to come here and it would be really cool if you would sit there and listen to what the citizens have to say instead of playing with your computers and texting back and forth with somebody getting I am sure how to vote of what to say about what.

9. CITY TREASURER'S REPORT:

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

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

10. DEMAND RESOLUTION NO. D-642

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 \$2,739,927.04 have been examined by the City Treasurer and that warrant numbers 1098063 through 1098447 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

**m) Dr. Morales**

**s) Councilmember Puente 5-0**

11. APPROVAL OF MINUTES: **Regular Meeting Minutes of May 4, 2021.**

**m) Mayor Ancona**

**s) Councilmember Puente 5-0**

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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) Mayor Ancona**  
**s) Dr. Morales** **5-0**

12.2 Approval of a Resolution Confirming and Ratifying the Creation of the Fiscal Ad Hoc Advisory Committee, the Development Ad Hoc Advisory Committee, the Parks and Recreation Ad Hoc Advisory Committee, and the Ethics Task Force and Related Committee Appointments.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the attached Resolution confirming and ratifying the creation of the Fiscal Ad Hoc Advisory Committee, the Development Ad Hoc Advisory Committee, the Parks and Recreation Ad Hoc Advisory Committee, and the Ethics Task Force and related committee appointments.

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

Resolution No. 10270

**m) Councilmember Herrera**  
**s) Dr. Morales** **5-0**

**The motion would be to approve the Resolution subject to those modifications which will be made tonight and presented to the City Clerk so that the final document reflects those changes.**

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- 12.3 Second Reading Approval of an Ordinance Approving General Plan Amendment No. 03-19 to Change the General Plan Land Use Designation of Four Properties From Industrial Business Park and Medium Density Residential to High Density Residential and Approving Zone Change No. 01-19 to Rezone Four Properties from M-2 and R-3 to R-4. The Subject Property is a 5.24 Acre Property Located at 11312 Orchard Street, and 3630, 3640, and 3700 Cypress Avenue, Identified as APNS 8568-026-053, -035, -034, and -002, El Monte, California.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Ratify the proposed Ordinance by second reading by no less than three (3) votes.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Ordinance No. 3001

**m) Mayor Ancona**

**s) Dr. Morales**

**5-0**

- 12.4 Approval of Request to Advertise and Publish the Notice Inviting Bids (NIB) for the Renovation of the M Motel Homekey Program Site.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the advertisement and publication of the Notice Inviting Bids (NIB) for the renovation of the M Motel Homekey Program Site.

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**

13. PUBLIC HEARINGS: **No material submitted.**

14. REGULAR AGENDA:

- 14.1 Consideration and Approval an Amendment to Existing Contract with EVOQUA Water Technologies, LLC to Continue to Provide the City of El Monte with Granular Activated Carbon for Production Well 2A, Well 12 and the El Monte Operable Unit Treatment Plant.







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2. Two (2) members to the “Enterprise Fund Committee”

\_\_\_\_\_  
\_\_\_\_\_

3. One (1) member to the Measure EM Committee  
\_\_\_\_\_ ; and

4. Three (3) members to the Arts in Public Places Committee

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Cosme Jimenez – I am currently the Chair of the EM Committee used to be called GG Committee but the ex-Mayor changed the name without consulting anybody he changed it by himself we really need to update and make changes right now because the committees are totally being ignored with the exception of the Planning Commission. We need to recover the time lost. We made recommendation to the Council before they didn't count so as a chairperson for the last couple of years we only have four meetings because he didn't want to listen I know let's face it. The committees I guess to his system the way they were working no committees counted for him so right now we don't have time to wait and see this and that you already wasted ten years to get the committees. You have to have the friendly sister city committee/commission that was the nicest committee/commission in town we used to go to Mexico they used to come here this and that friendly with the Zamora Michoacán they would come we would go raised money here but what he did right away he became the Mayor a couple of days later he removed the commission he removed everything. Right now we don't have time to play around to get the top person to get their background we don't have time because you let it go for too long the commissions and committees. You need them no group or organization of every company cannot survive without advisors ideas unless you are the king or a supreme authority in town you don't need me or committee or commissions you don't need ideas because you know it all that is what we have in this town. It is time that I would recommend you forget about the past and cooperate and work as a team five members like I have been saying and go from there and recover everything. This lady can help us out because we finally we can make a recommendation to the Council and you will read it and count and make the committees count because we were not counted before. I didn't even bother to type a letter before they used to tell me you are the chairperson we can recommend this to the Council and I would say for what they are going to ignore it. So I recommend to move on and continue.

**Table Item.**

15. CITY ATTORNEY'S AGENDA: **No material submitted.**

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16. CITY MANAGER'S AGENDA:
  - 16.1 COVID-19 Update.
  
17. WRITTEN COMMUNICATIONS: No material submitted.
  
18. COUNCIL COMMUNICATIONS/REPORTS:
  - 18A. Mayor Ancona
    - 18A.1 Discussion Regarding Energy Efficiency Projects.
  
    - 18A.2 Discussion on Virtual Job Fair.
  
    - 18A.3 Update on Arts in Public Places.
  
    - 18A.4 Filling Vacancies on Commissions and Committees.
  
    - 18A.5 Request for Reports from Measure EM Committee.
  
    - 18A.6 Update on Flavored Tobacco.
  
    - 18A.7 Request for Presentation on End of the Year Citywide Project Updates.
  
  - 18B. Mayor Pro Tem Martinez Muela
    - 18B.1 Discussion and Action Regarding a Resolution of the City Council Calling for a State Audit for High Risk Local Governments.
  
    - 18B.2 Discussion on Whistleblower Policy.
  
    - 18B.3 Discussion and Action Regarding El Monte Policy on Smoke Free Outdoor Areas.
  
    - 18B.4 Discussion and Action Regarding Citywide Employee Survey of Workplace Satisfaction and Recommendations.

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- 18B.5 Discussion and Action Regarding Budget Approval Process and Adopting a City Mandated Deadline.
  
- 18B.6 Discussion and Action on Reinstating the Neighborhood Services Program.
  
- 18C. Councilman Herrera
  - 18C.1 Discussion and Direction to Create a Space for a Community Culture Art Center.
  
- 18D. Councilwoman Dr. Morales
  - 18D.1 Update Regarding the Park Master Plan, Maclaren Park and Lambert Park-Phase 1.
  
  - 18D.2 Cost of State Audit.
  
  - 18D.3 Discussion Regarding Campaign Finance Reform.
  
  - 18D.4 Discussion Regarding District Elections.
  
  - 18D.5 Discussion Regarding Updating the General Plan.
  
  - 18D.6 Discussion Regarding the Development of a Climate Action Plan.
  
  - 18D.7 Discussion and Action Regarding Universal Basic Income.
  
  - 18D.8 Discussion and Direction on Starting a Pilot Program to Have an Unarmed Team of Social Workers and Mental Health Professionals Respond to Non-Violent Police Calls for Service Involving our Homeless Community.
  
- 18E. Councilwoman Puente
  - 18E.1 Discussion Regarding Transitional Module Housing.
  
  - 18E.2 Information Regarding Upcoming DACA Clinic Put on by the Immigration Resource Center.

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19. ADJOURNMENT: **Without objection the meeting was adjourned at 11:38 p.m.**

The next Regular Meeting of the City Council will be held on **June 1, 2021** 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