

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL REGULAR MEETING
OF JULY 18, 2023

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: **6:06 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

Jessica Ancona, Mayor/Chair – **present**
Martin Herrera, Mayor Pro Tem/Authority Member – **absent**
Marisol Cortez, Councilmember/Authority Member – **present**
Victoria Martinez Muela, Councilmember/Authority Member – **present**
Alma D. Puente, Councilmember/Authority Member – **present**
Richard Rojo, Councilmember/Authority Member – **present**
Dr. Julia Ruedas, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

**m) Councilmember Puente
s) Mayor Ancona**

6-0 (Mayor Pro Tem Herrera absent)

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 Item 4.3.

Mayor Ancona and the City Council recessed into Closed Session at approximately 6:06 p.m. Mayor Pro Tem Herrera joined the City Council in Closed Session at approximately 6:08 p.m. Mayor Ancona and the City Council reconvened from Closed Session at approximately 7:16 p.m.

Assistant City Attorney Lloyd Pilchen reported out of Closed Session with respect to Items 4.1 through 4.3.

4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(2) – Conference with Legal Counsel – Existing Litigation – Doris Boettcher vs. City of El Monte, LACSC Case No. 22STCV-21391.

No final reportable 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, Nicholas Stratis v. City of El Monte, Case Nos. ADJ11672380; ADJ11672381; ADJ11672382; ADJ11672383.

No final reportable action taken.

- 4.3 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; and El Monte Police Mid-Manager’s Association.

City’s Designated Negotiator: Alma Martinez, City Manager and Rigoberto Gutierrez, Human Resources/Risk Management Director.

No final reportable 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:Chaplain. **Chaplain George Ussery, Evangelical Methodist Church.**
- 6. FLAG SALUTE: Emiliano Plascencia, 5th Grade Student from Cherry Lee Elementary School. **Present**
- 7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:
 - 7.1 Presentation by the City Council to Emiliano Plascencia from Cherry Lee Elementary School for Leading the Pledge of Allegiance. **Present**
- 8. GENERAL PUBLIC COMMENT:

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

Eduardo Salazar – Spoke about the incident that happened at his property on September 17, 2022.

Kenneth MacKenzie – Spoke about the incident that happened at his property on September 17, 2022.

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Edward Saucedo – Spoke about the issue regarding the homeless on the riverbed. Also spoke about the homeless initiative by Senator Rubio.

Sally Aguirre – Invited everyone to her 35th anniversary for her business Sally Shoes. The anniversary celebration will be taking place on July 30th.

Cathi Eredia – Here to speak about the 39 Condo Units that will be built on Valley and Meeker in particular the parking issue.

Mario Barragan - Spoke about Item 16.1. Gave a history regarding the Project Labor Agreement and the relationship that they have had with the City of El Monte.

Tony Garcia – Here to speak on behalf of the small businesses in the City. Thanked the Mayor and the City Council for all of their support. Requested that the City Council approve the Food Truck Moratorium.

9. CITY TREASURER'S REPORT: **None**

10. DEMAND RESOLUTION NO. D-690

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 \$8,499,780.30 have been examined by the City Treasurer and that warrant numbers 1114899 through 1115423, and the payroll ending June 15, 2023, inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

m) Councilmember Puente
s) Councilmember Rojo **7-0**

11. APPROVAL OF MINUTES: Regular Meeting Minutes of June 12, 2023.

m) Dr. Ruedas
s) Councilmember Puente **7-0**

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) Mayor Pro Tem Herrera **7-0**

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- 12.2 Second Reading Approval of an Ordinance of the City of El Monte Approving a Development Agreement Between the City of El Monte and Bulletin Displays, LLC, to Construct a Digital Billboard at 9660 Flair Drive in Area No. 1 of the City's Freeway Overlay Zone.

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 four (4) votes.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Ordinance No. 3026

m) Mayor Ancona

s) Dr. Ruedas

7-0

- 12.3 Approval of a Third Amendment to the Professional Services Agreement with Ramona Property Managers, Inc. to Provide On-Call Property Management Services for the M Motel Homekey Program Site.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Third Amendment to the Professional Services Agreement with Ramona Property Managers, Inc. to extend the Agreement term through December 31, 2023 and increase the Agreement amount from \$85,300 by an additional \$59,750 for a total not-to-exceed amount of \$145,050 to provide on-call property management services for the M Motel Homekey Program Site; and
2. Authorize the City Manager, or her designee, to make all conforming modifications and edits and execute all implementing documents.

Total Cost: \$59,750

Account No: 242-65-047-6111

Is the cost of this item budgeted? Yes

Homekey ARPA

m) Mayor Ancona

s) Mayor Pro Tem Herrera

7-0

- 12.4 Approval of a Third Amendment to the Professional Services Agreement with Terra Realty Advisors, Inc. Extending the Contract Term to December 31, 2024 for Planning Consultant Services for the City of El Monte's Freeway Billboard Overlay Zone.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Third Amendment to the Professional Services Agreement with Terra Realty Advisors, Inc. extending the Agreement term to December 31, 2024 for planning consultant services for the City of El Monte's Freeway Billboard Overlay Zone; and
2. Authorize the City Manager to execute the Third Amendment to the Professional Services Agreement with Terra Realty Advisors, Inc.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Councilmember Martinez Muela

s) Councilmember Rojo

7-0

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- 12.5 Approval of the 2023 Amendment (Side Letter Agreement) to the Infrastructure Installation and Remediation Agreement Between the City of El Monte and GW4 LLC Regarding Gateway Parcel 4.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the 2023 Amendment to the Infrastructure Installation and Remediation Agreement between the City of El Monte and GW4 LLC regarding Gateway Parcel 4; and
2. Authorize the City Manager to make nonmaterial changes in consultation with the City Attorney's Office and execute all implementing documents.

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

m) Mayor Ancona
s) Mayor Pro Tem Herrera **7-0**

- 12.6 Adoption of a Resolution Approving the City's Investment Policy and Debt Management Policy for Fiscal Year 2023-2024.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt a Resolution to approve the City's Investment Policy and Debt Management Policy for FY 2023-2024

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

Resolution No. 10465

m) Mayor Ancona
s) Mayor Pro Tem Herrera **7-0**

- 12.7 Approval of the Procurement Card Policy and Procedures.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the Procurement Policy and Procedures; and
2. Authorize the Finance Director to immediately implement and administer said policy.

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

m) Mayor Ancona
s) Councilmember Puente **7-0**
Table the item to next meeting

- 12.8 Adoption of a Resolution to Approve Final Tract Map No. 83667 for the 39-Condominium Unit Multi-Family Residential Development Subdivision at Three-Stories in Height at 11330-11356 Valley Boulevard and 11229 ½ Oak Street.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Consider and adopt a Resolution authorizing the recordation of Final Tract Map 83667 for the 39-condominium unit multi-family residential development subdivision at three-stories in height at 11330-11356 Valley Boulevard and 11229 ½ Oak Street.

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

Resolution No. 10466

m) Mayor Ancona
s) Mayor Pro Tem Herrera **7-0**

- 12.9 Adoption of a Resolution to Approve Final Tract Map No. 83615 for the 52- Condominium Unit Multi-Family Residential Development Subdivision at Three Stories in Height at 12247 Elliott Avenue.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and adopt a Resolution authorizing the recordation of Final Tract Map 83615 for the 52-condominium unit multi-family residential development subdivision at three-stories in height at 12247 Elliott Avenue.

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

Resolution No. 10467

m) Mayor Ancona
s) Mayor Pro Tem Herrera **7-0**

- 12.10 Adoption of a Resolution Accepting the Terms and Conditions of a Grant Agreement with the Department of California Highway Patrol to Participate in the Cannabis Tax Fund Grant Program.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and adopt a Resolution accepting the terms and conditions of a grant agreement with the Department of California Highway Patrol to participate in the Cannabis Tax Fund Grant Program; and
2. Authorize the Chief of Police to execute a grant agreement with the Department of California Highway Patrol, and all amendments thereof.

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

Resolution No. 10468

m) Mayor Ancona
s) Mayor Pro Tem Herrera **7-0**

13. PUBLIC HEARINGS:

- 13.1 A Public Hearing to Consider and Adopt a Resolution Levying the Fiscal Year 2023-2024 Citywide Sewer Assessment Upon Each Real Property Parcel Connected to the City's Sewer and Directing that the Same be Added to the Los Angeles County Auditor-Controller's Office Fiscal Year 2023-2024 Property Tax Roll.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Open the public hearing;
2. Receive brief presentation of City staff and pose questions to City staff;
3. Receive public comment, if any;
4. Close the public hearing; and
5. Approve the attached Resolution approving Fiscal Year 2023-2024 levy for the City's Sewer Service Charge and direct that the same be submitted to the Los Angeles County Auditor-Controller for placement on the Fiscal Year 2023-2024 property tax roll.

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

Resolution No. 10469

**Break at 8:17 p.m.
Return at 8:25 p.m.**

**m) Mayor Ancona
s) Mayor Pro Tem Herrera 7-0
Open P.H.**

**m) Mayor Ancona
s) Councilmember Martinez Muela 7-0
Close P.H.**

**m) Councilmember Rojo
s) Dr. Ruedas 7-0
Resolution No. 10469**

13.2 A Public Hearing to Consider and Approve a Resolution Authorizing Placement of Certain Waste Disposal Delinquency Service Charges Owed to Valley Vista Services Pursuant to Its Solid Waste Franchise with the City of El Monte on the 2023-2024 Los Angeles County Auditor-Controller's Office Annual Tax Roll.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the public hearing;
2. Receive brief presentation from City staff and pose questions to City staff;
3. Receive public comment, if any;
4. Close the public hearing; and
5. Approve the attached Resolution placing certain delinquent trash fee sums owed to Valley Vista Services and directing staff to submit to the Los Angeles County Auditor-Controller for Placement on the Fiscal Year 2023-2024 property tax roll.

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

Resolution No. 10470

**m) Mayor Ancona
s) Councilmember Martinez Muela 7-0
Open P.H.**

**m) Mayor Ancona
s) Councilmember Martinez Muela 7-0
Close P.H.**

**m) Councilmember Rojo
s) Councilmember Puente 7-0
Resolution No. 10470**

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- 13.3 A Public Hearing to Consider and Approve a Resolution of the City Council of the City of El Monte, California Approving the Amount of the Special Tax Rate to be Levied Upon Real Property Parcels Within the Mountain View Community Facilities District No. 2013-1 (Public Services) for the 2023-2024 Fiscal Year, which Shall be Added to the Los Angeles County Auditor-Controller's Office Annual Tax Roll in Accordance with El Monte City Council Resolution of Formation No. 9390 and Ordinance No. 2819.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the public hearing;
2. Receive brief presentation from City staff and pose questions to City staff;
3. Receive public comment, if any;
4. Close the public hearing; and
5. Approve the attached Resolution approving the amount of the special tax rate to be levied upon real property parcels within the Mountain View Community Facilities District No. 2013-1 (Public Services) and direct City staff to submit charges to the Los Angeles County Auditor-Controller's Office for placement on the annual property tax roll.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10471

m) Mayor Ancona
s) Councilmember Martinez Muela **7-0**
Open P.H.

m) Mayor Ancona
s) Councilmember Martinez Muela **7-0**
Close P.H.

m) Dr. Ruedas
s) Councilmember Martinez Muela
Resolution No. 10471

- 13.4 A Public Hearing to Consider and Approve an Urgency Ordinance Enacting an Interim 60-Day Moratorium on the Establishment of New Food Truck Licenses and the Expansion of Existing Food Truck Routes (Mobile Vendor Cooking, Non-Cooking, and Ice Cream) Within the City.

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. Close the public hearing; and
7. Adopt, by no less than five (5) affirmative votes, the proposed Urgency Ordinance.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Urgency Ordinance No. 3027

m) Mayor Ancona
s) Councilmember Martinez Muela **7-0**
Open P.H.

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m) Mayor Ancona
s) Councilmember Rojo
Close P.H.

m) Mayor Ancona
s) Dr. Ruedas **70**
Urgency Ordinance No. 3027

14. REGULAR AGENDA:

14.1 Consideration and Approval of Recommendation to Authorize the Appropriation Funding from the California Natural Resources Agency Prop 64 Youth Community Access Grant Program Funding for the Jr. Recreation Leader Volunteer Program Teen Nature and Cultural Adventures for the Contract Year 2023-2024 in the Amount of \$44,991.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Authorize the City of El Monte Parks, Recreation and Community Services Department to accept funding from the California Natural Resources Agency Prop 64 Youth Community Access Grant Program funding for the Jr. Recreation Leader Volunteer Program Teen Nature and Cultural Adventures for the contract year 2023-2024 in the amount of \$44,991;
2. Authorize the City Manager to designate the Assistant City Manager/Director of Parks, Recreation and Community Services to sign all necessary documents to execute Grant documentation; and
3. Authorize the appropriation in the amount of \$44,991 for the Jr. Recreation Leader Volunteer Program Teen Nature and Cultural Adventures for the contract year 2023-2024; and the use of Grant funds for reimbursement for this budget appropriation.

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

m) Mayor Pro Tem Herrera
s) Councilmember Puente **7-0**

14.2 Consideration and Adoption of a Resolution for the Annual Setting of Property Tax Rate to Satisfy Obligations of City's Voter Authorized Indebtedness for Fiscal Year 2023-2024.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the attached Resolution fixing the rates of taxes and levying taxes for voter authorized indebtedness of the City for Fiscal Year 2023-2024.

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

Resolution No. 10472

m) Mayor Ancona
s) Mayor Pro Tem Herrera **7-0**

14.3 Consideration and Adoption of a Resolution Approving the Gann Appropriation Limit for Fiscal Year 2023-2024.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Resolution to set the City's expenditure limit for FY 2023-2024 at \$174,197,710.

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

Resolution No. 10473

m) Councilmember Puente
s) Councilmember Rojo 7-0

- 14.4 Consideration and Adoption of a Resolution Approving the Successor Agency Administrative and Recognized Obligations Budgets for Fiscal Year 2023-2024.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council and the Governing Board of the Successor Agency to the Former El Monte Community Redevelopment Agency:

1. Approve by Resolution the Administrative and Recognized Obligations Budgets for the Successor Agency for Fiscal Year 2023-2024.

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

Resolution No. SA-91

m) Councilmember Puente
s) Dr. Ruedas 7-0

- 14.5 Consideration and Approval of Recommendation to Purchase Two (2) 2023 Toyota Tacoma Trucks for a Not-to-Exceed Amount of \$100,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the purchase of two (2) 2023 Toyota Tacoma trucks for a not-to-exceed amount of \$100,000.

Total Cost: \$100,000 Account No: 650-67-693-6415 - \$50,000
Sewer
600-67-696-6415 - \$50,000
Is the cost of this item budgeted? No Water

m) Councilmember Martinez Muela
s) Councilmember Rojo 7-0

- 14.6 Consideration and Approval of a Professional Services Agreement with Weck Laboratories, Inc. for Sampling Requirements of Water System Per State and Federal Regulations for the Fiscal Year 2023-2024 for a Not-to-Exceed Amount of \$112,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement with Weck Laboratories, Inc. for sampling requirements of the water system per State and Federal regulations for Fiscal Year 2023-2024 for a not-to-exceed amount of \$112,000.

Total Cost: \$112,000 Account No: 600-67-696-6161 - \$50,000
Is the cost of this item budgeted? Yes 600-67-679-6161 - \$62,000

m) Councilmember Puente
s) Mayor Pro Tem Herrera 7-0

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- 14.7 Consideration and Approval of a Professional Services Agreement with Ikreat to Provide Administrative Support and Senior Project Management for the Utility Department for the First Half of Fiscal Year 2023-2024 for \$54,600; Authorize the City Manager, or Her Designee, to Extend the Agreement Until June 30, 2023 for a Total Not-to-Exceed Amount of \$109,200 for the Fiscal Year.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:
It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement with ikreat to provide administrative support and senior project management for the Utility Department for Fiscal Year 2023-2024 for six-month term for \$54,600; and
2. Authorize the City Manager, or her designee to extend the Agreement until June 30, 2024 for a total not-to-exceed amount of \$109,200.

Total Cost: \$109,200 Account No: 600-67-695-6111 - \$54,600
Is the cost of this item budgeted? Yes 650-67-693-6111 - \$54,600

**m) Mayor Pro Tem Herrera
s) Councilmember Puente**

**5-1 (Councilmember Martinez
Muela absent)**

- 14.8 Consideration and Approval of a Construction Contract with KASA Construction, Inc. for the Merced Linear Park and Water Line Improvement Project, CIP 003, for a Not-to-Exceed Amount of \$3,269,740 and Amendment No. 2 to the Professional Services Agreement with Alta Planning + Design, Inc. for Construction Support Services.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:
It is recommended that the City Council:

1. Consider and approve a Construction Contract with KASA Construction, Inc. for the Merced Avenue Linear Park and Water Line Improvement Project, CIP 003 for a not-to-exceed amount of \$3,269,740 which includes a Contract amount of \$2,843,252, plus a contingency of \$426,488;
2. Consider and approve Amendment No. 2 to the Professional Services Agreement with Alta Planning + Design, Inc. to increase the Agreement amount of \$370,187 by \$416,077 to provide construction support services for the Merced Avenue Linear Park and Water Line Improvement Project, CIP 003; and
3. Authorize the City Manager, or her designee, to execute the Construction Contract with KASA Construction, Inc., and Amendment No. 2 to PSA with Alta Planning.

Total Cost: \$3,315,630 Account No: \$2,845,895
Clean California Grant
\$469,735
Is the cost of this item budgeted? Yes Water Authority Fund

**m) Councilmember Puente
s) Mayor Ancona**

7-0

- 14.9 Consideration and Approval of a Professional Services Agreement with CWE for the Stormwater Urban Master Plan, CIP No. 080 for a Not-to-Exceed Amount of \$543,721.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:
It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement for the development of the Stormwater Urban Master Plan, CIP No. 080 with CWE for a not-to-exceed amount of \$543,721 which includes an Agreement amount of \$494,291 plus an approximate ten percent (10%) contingency of \$49,430;

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- 2. Authorize the appropriation of Safe Clean Water funds in the amount of \$543,721 for the Stormwater Urban Master Plan, CIP No. 080; and
- 3. Authorize the City Manager, or her designee, to execute the PSA with CWE.

Total Cost: \$543,721

Account No: 283-67-080-6111

Is the cost of this item budgeted? Yes

m) Mayor Pro Tem Herrera
s) Councilmember Rojo

7-0

- 14.10 Consideration and Approval of a Construction Contract with PALP Inc. dba Excel Paving Company for the Zone 3 Street Improvement Project, CIP 053, for a Not-to-Exceed Amount of \$5,661,647.70.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

- 1. Consider and approve a Construction Contract with Palp Inc. dba Excel Paving Company for the Zone 3 Street Improvement Project, CIP 053 for a not-to-exceed amount of \$5,661,647.70, plus a contingency of \$514,695;
- 2. Consider and approve the appropriation from SB1 funds to Project Account Number 223-67-053-8221 in the amount of \$1,000,000;
- 3. Consider and approve the appropriation from Gas Tax funds to Project Account Number 205-67-890-8221 in the amount of \$246,424; and
- 4. Authorize the City Manager, or her designee, to execute the Construction Contract with Palp Inc. dba Excel Paving Company.

Total Cost: \$5,661,647.70

Account No: SB1 Funds - \$1,300,000
Measure M Funds - \$2,380,000
SB1 Funds - \$1,000,000
Gas Tax Fund - \$246,424
Measure M Funds - \$350,000
SB1 Funds - \$385,223.70

Is the cost of this item budgeted? No

m) Mayor Ancona
s) Councilmember Rojo

7-0

- 15. CITY ATTORNEY'S AGENDA: **None**

- 16. CITY MANAGER'S AGENDA:

- 16.1 Discussion and Possible Action to Authorize the City Manager to Negotiate a Renewed Project Labor Agreement with the Building Trades.

Direction was given by the City Council to the City Manager to begin negotiations to renew the Project Labor Agreement with the Building Trades.

- 17. WRITTEN COMMUNICATIONS: **None**

- 18. COUNCIL COMMUNICATIONS/REPORTS:

- 18A. Mayor Ancona

Mayor Ancona – Received an email from the Los Angeles Human Relations Commission in particular working with the Division L.A. versus Hate. They want to bring forth a mural to the City of El Monte. They are in the process of looking at the murals and selecting a location in the City. They are looking at the Senior Center or the adjacent Community Center. The City Manager has been looped in on the email. They will be speaking to staff regarding this.

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City Manager – Supervisor Solis’s office has approached the City regarding this item. There are potential artists and once the City receives more information it will be shared with the City Council.

Mayor Ancona – Have been in conversation with the Union the represents the nurses Greater El Monte Hospital. Shared concerns that the nurses have and are facing. Provided the nurses a letter of support that the management company that oversees the hospital bargain with the nurses in good faith.

Mayor Pro Tem – Would like information from the Union prior to bringing forth a Resolution in support.

Mayor Ancona – Will request language for a resolution and will ask them to come out.

18B. Mayor Pro Tem Herrera

18C. Councilwoman Cortez

18D. Councilwoman Martinez Muela

18D.1 Discussion Regarding Public Records Request No. 7 Dated January 5, 2023.

Councilmember Martinez Muela – Spoke about the outstanding public records request from January 5, 2023. Requested that the City Attorney explain the reason why the response to this request is late.

Assistant City Attorney Pilchen – Explained that a response was provided regarding the status of the public records request.

18D.2 Discussion Regarding Creating a Policy Requiring Administration to Seek Council Approval Prior to Negotiating the Sale of City Assets.

Councilmember Martinez Muela – Requested that staff bring forth a policy requiring administration to seek City Council approval prior to the negotiation of the sale of City assets.

Mayor Ancona – Also recommended that this item be brought forth.

Mayor Pro Tem Herrera – Indicated that the City Council is the final authority in this.

Councilmember Martinez Muela – Requested that the City Council be the first line of conversation. Then the City Council provide direction to City Management.

Councilmember Puente – Agreed on having this policy be brought forth before the City Council.

Councilmember Martinez Muela – Requested a date to bring forth this item. Staff to bring back in October.

18D.3 Status Report on the Delayed City Audit.

Councilmember Martinez Muela – Requested an update regarding the delayed City Audit.

Finance Director Foltz – Indicated that the Auditors are waiting on information from the City Attorney and the City Council.

Assistant City Attorney Pilchen – The auditors are requesting information that is not available. Additional discussion will be had in closed session.

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Mayor Ancona – Requested that this item be placed in Closed Session at the next meeting.

18E. Councilwoman Puente

18F. Councilman Rojo

18F.1 Update on the NALEO Conference.

Councilmember Rojo – Provided an update on the NALEO Conference. Spoke about attendance at the sessions by City Councilmember.

Mayor Ancona – Also spoke about the attendance at the sessions at the Conference.

Councilmember Cortez - Also spoke about the attendance at the sessions at the Conference.

Councilmember Martinez Muela – Also spoke about the attendance at the sessions at the Conference.

Dr. Ruedas – The City Council should take a step back and think strategically on how the City Council can continue to attend conferences in a more strategic way.

18G. Councilwoman Dr. Ruedas

18G.1 Update Regarding Empty Lots.

Dr. Ruedas – Requested an update regarding the empty lots. The community needs to know what is going on with these empty lots.

City Manager Martinez – Information regarding this item will be on the next newsletter.

18G.2 Discussion Regarding Vacant Business Properties.

18G.3 Discussion Regarding Identifying a Location Where a Monument can be Erected to Honor our Peace Officers who are no Longer with Us.

Dr. Ruedas – Would like to find identify an artist to have a beautiful monument. Would also like to find a location for this.

City Manager Martinez – Informed the City Council that discussion is taking place with the POA regarding the location. Did express that Arts in Public Places funds will be used for this monument.

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19. ADJOURNMENT:

m) Ancona
Adjourn at 9:40 p.m.
In memory of Yesenia Corrales

The next Regular Meeting of the City Council will be held on **August 1, 2023** 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.

Gabriel Ramirez, City Clerk
City of El Monte

APPROVED:

Jessica Ancona, Mayor
City of El Monte