

LOCATION:

El Monte City Hall – East
City Council Chambers
11333 Valley Boulevard
El Monte, CA 91731



DATE AND TIME:

Tuesday,
November 15, 2022
6:00 p.m.

CONCURRENT SPECIAL MEETING AGENDA OF THE CITY COUNCIL OF THE CITY OF EL MONTE

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

COUNCILMEMBERS/AUTHORITY MEMBERS:

Jessica Ancona, Mayor

♦ *Alma D. Puente, Mayor Pro Tem* ♦ *Martin R. Herrera, Councilmember*

♦ *Victoria Martinez Muela, Councilmember* ♦ *Dr. Maria Morales, Councilmember*

This meeting shall be conducted in compliance with the procedures set forth under AB361 which allows local legislative bodies to continue conducting virtual meetings under certain emergency circumstances without strictly complying with traditional Brown Act teleconferencing requirements, so long as there is a live comment option for public comments, meetings are paused for any technical difficulties that affect public participation, and each agenda contains information on how to access the meeting as well as how to participate in public comment virtually. The El Monte City Council ("City Council") has availed itself of the procedures of AB361 for this meeting by resolution last approved at its meeting of March 1, 2022.

Members of the public wishing to observe this special meeting may do so in any of the following ways:

- (1) Turn your TV to Channel 3; or
- (2) City's website at <http://www.elmonteca.gov/378/Council-Meeting-Videos>; or
- (3) In person.

This meeting is a Special Meeting within the meaning of Government Code Section 54956 and as such public comment is limited to the item(s) of business appearing on the Special Meeting agenda only.

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Persons wishing to offer public comment for this meeting may do so:

- (1) By directly addressing the City Council in person at the time(s) allotted on the agenda for such comment. Persons wishing to address the City Council in person are asked to fill-out a blue speaker card providing their name and indicating their desire to address the City Council on (i) matters appearing under the Public Hearing portion of the agenda; and/or (ii) any other agendized item of business appearing on the agenda. Speaker cards should be submitted to the City Clerk or the Sergeant at Arms (a uniformed El Monte Police Officer) before the City Council's approval of the agenda, if possible; or
- (2) By calling-in to the conference line at (888) 204-5987; Code 8167975 by or before any of the specific times allotted on the agenda for public comment. At each point of the agenda at which public comment is received, the City Council, through the presiding officer, will ask the City Clerk if there are any members of the public who have called in who wish to address the City Council on a particular matter or grouping of matters. When calling in, members of the public shall inform the attendant which item(s) of business they wish to speak on, and callers will be connected by telephone when the time for commenting on such items is commenced.

As described in greater detail below, members of the public may address the City Council (i) on agendized closed session items of business prior to the City Council going into closed session, if a closed session matter appears on the agenda or is added in compliance with Government Code Section 54954.2(b); (ii) on items of business listed under the heading Public Hearings when the public hearing on the item the speaker/caller wishes to speak on is opened; and (iii) on all other agendized items of business during the portion of the agenda entitled General Public Comment. **The City Council shall be under no obligation to entertain comments from persons who (i) submit a speaker card after the City Council closes the applicable commenting period; or (ii) call-in after the City Council closes the applicable commenting period.** With this in mind, speakers are strongly encouraged to submit cards or call in as early as possible to avoid missing the opportunity to speak. The City 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 agendized matter pursuant to the Brown Act (Govt. Code Section 54950 et seq.) ("Brown Act"). Members of the City Council may provide brief clarifying responses to any comment made or questions posed. Persons who wish to address the City Council are asked to state their name and address for the record. Speakers may not lend any portion of their speaking time to other persons or borrow additional time from other persons. All comments or queries presented by a speaker/caller shall be addressed to the City Council as a body and not to any specific member thereof. No questions shall be posed to any member of the City Council except through the presiding official of the meeting, the Mayor and/or Chair. The City 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, nor may the City Council take action on any non-agendized items of business, except as specifically authorized under the Brown Act.

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



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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 participating in 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.

[Instruction regarding accommodation under the Americans with Disabilities Act can be found on the last page of this Agenda.](#)

1. CALL TO ORDER:

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

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

3. APPROVAL OF AGENDA:

4. INVOCATION: Chaplain.

5. FLAG SALUTE: City Council.

6. PUBLIC COMMENT ON AGENDIZED, NON-PUBLIC HEARING ITEMS ONLY.

This time has been set aside for members of the public to directly address the City Council on agendized items of business only (other than those items agendized as public hearing matters). Each speaker/caller will be limited to a single allotment of three (3) continuous minutes total to address the City Council on those agendized 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. 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.



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7. CLOSED SESSION:

This is the time set aside for interested members of the public to address the City Council on agendaized Closed Session matters. Subject to the commenting procedures described, above, the City Council will allow interested members of the public to address the City Council on agendaized Closed Session matters prior to holding Closed Session. Each speaker will be given a single speaker time allotment of three (3) continuous minutes total to address the Council on any or all closed session items of business. The City Council shall be under no obligation to recognize a speaker who submits a speaker card after the City Council has gone into Closed Session.

7.1 Closed Session Pursuant to Government Code Section 54957.6 – Confer with Labor Negotiator.

**City’s Negotiator:
Alma Martinez, City Manager**

**Unrepresented Employee:
Chief of Police**

7.2 Closed Session Pursuant to Government Code Section 54956.9(a), (d)(2) and (e)(3) – Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Matter.

7.3 Closed Session Pursuant to Government Code Section 54956.9(a), (c) and (d)(1) – Conference with Legal Counsel Regarding Pending Litigation – NeroCanna Corp. vs. City of El Monte, LASC Case No. 20STCP02545.

7.4 Closed Session Pursuant to Government Code Section 54956.9(d)(2) and (e)(3) – Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Matter.

8. CITY REPORT OUT FROM CLOSED SESSION



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9. ADJOURNMENT:

The next Regular Meeting of the City Council will be held on **Tuesday, December 6, 2022** at 6:00 p.m. The agenda for this upcoming Regular Meeting 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.

Posted: November 14, 2022 at 4:40 p.m.

