

LOCATION:

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

**DATE AND TIME:**

Wednesday,
February 16, 2022
6:00 p.m.

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 February 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 the Public Hearing portion of the agenda; (iii) any item of business appearing under any other portion of the agenda; and/or (iv) a non-agendized matter that is within the subject matter jurisdiction of the City Council. 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; (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 items of agendized and non-agendized 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 members of the public from being heard ^{when} it is their opportunity to speak or which prevents



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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: City Council.

5. FLAG SALUTE: City Council.

6. PUBLIC HEARING:

Members of the public wishing to address the Council on any item of business agendized 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.



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6.1 A Public Hearing Required by Elections Code Section 10010(a) 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. Receive the presentation of staff and the City's demographer regarding the districting process and permissible criteria to be considered to create district boundaries; and
2. Conduct a public hearing to receive public input on the proposition of transitioning to district-based elections and the formation of district boundaries.

Total Cost: N/A

Account No.: N/A

Is the cost of this item budgeted? N/A



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7. ADJOURNMENT:

The next Regular Meeting of the City Council will be held on **Tuesday, March 1, 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: February 15, 2022 at 5:15 p.m.





CITY OF EL MONTE

OFFICE OF THE CITY ATTORNEY
CITY COUNCIL AGENDA REPORT

CITY COUNCIL SPECIAL MEETING OF FEBRUARY 16, 2022

February 15, 2022

The Honorable Mayor and City Council
City of El Monte
11333 Valley Boulevard
El Monte, CA 91731
Dear Mayor and City Council:

A PUBLIC HEARING REQUIRED BY ELECTIONS CODE SECTION 10010 (a) 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

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Receive the presentation of staff and the City's demographer regarding the districting process and permissible criteria to be considered to create district boundaries; and
2. Conduct a public hearing to receive public input on the proposition of transitioning to district-based elections and the formation of district boundaries.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

At its meeting of January 11, 2022, the City Council adopted Resolution No. 10330 declaring its intent to transition from the City's current at-large election system to a district-based election system for the City Council commencing with the General Municipal election in November 2022. A transition to a district-based election system requires conducting at least four (4) public hearings and approving a districts map and ordinance. Two (2) hearings must occur before any district map is drawn. At least two (2) hearings must be held after maps are drawn.

At its Special Meeting of February 16, 2022, the City Council will conduct the first of two (2) public hearings to receive input from El Monte community members on a potential transition to district-based elections and on potential district boundaries. Notice for this initial public hearing was published through the following channels:

- On the City's website and social media accounts;
- In the February 10, 2022 weekly edition of the El Monte Examiner;
- In the February 15, 2022 print edition of the San Gabriel Valley Tribune ("Tribune");
- On the digital Garvey/Durfee digital billboard and the Ross Nissan digital billboard as part of the City's allocation of public service announcement uses (both will run until the date of the public hearing);
- By posting at various City locations, including City Hall, the Aquatic Center, the Senior Center, City parks, and at local library facilities;
- A public hearing announcement on Channel 3; and
- By e-mail distribution to various community officials, stakeholder groups and organizations including the City's various school districts, the City's county and state representatives, and groups like DayOne and ActiveSGV.

The Notice of Public Hearing was translated into English, Spanish, Mandarin Chinese and Vietnamese.

DISCUSSION

City Council members are currently elected at-large. In an at-large election system, every voter in the City votes for each member of the City Council, regardless of where the voter or the candidate resides within the City. Under a district-based election system, the City would be divided into geographic districts. City Council candidates may only run for the seat representing the district in which they reside, and voters may only vote for the candidates from their district.

The City Council must conduct at least four (4) public hearings (two (2) hearings before any maps are drawn, and at least two (2) hearings after maps are drawn) to take public input on whether to transition to district elections, and if so, which districts map should be selected.

The first step is to hold two (2) public hearings to invite general public input regarding the possible transition to district-based elections and the formation and configuration of districts. The first such hearing will be February 16, 2022 with a second recommended for March 1, 2022, subject to City Council direction. Following the first two (2) public hearings, the City Council must hold at least two (2) additional public hearings on proposed maps prepared by the City's demographer firm who will, among other things, rely on input and information provided by the public. The maps must be publicly available for at least seven (7) days before the public hearing, and if a change is made to the map after the public hearing, the revised map must be available for at least seven (7) days before the districts are adopted by ordinance. The City may also conduct such additional outreach events as may be desirable and is currently studying additional outreach options like townhall events and meetings with community groups and other stakeholder organizations.

The purpose of the first two (2) (pre-map) public hearings is to inform the public about the districting process and to hear from the community on what factors should be taken into consideration while creating district boundaries. The public is requested to provide input regarding communities of interest and other local factors that should be considered while drafting district maps. A community of interest is a neighborhood or group that would benefit from being in the same district because of shared interests, views, or characteristics. Possible community features include, but are not limited to:

- A. School attendance areas;
- B. Natural dividing lines such as major roads, hills or highways;
- C. Areas around parks and other neighborhood landmarks;
- D. Common issues, neighborhood activities, or legislative/election concerns; and
- E. Shared demographic characteristics, such as:
 1. Similar levels of income, education or linguistic isolation;
 2. Languages spoken at home; and,
 3. Single-family and multi-family housing unit areas.

In creating the district boundaries, the City must ensure compliance with the following state and federally-mandated criteria:

Federal Laws

1. Each council district shall contain a nearly equal population as required by law; and
2. Each council district shall be drawn in a manner that complies with the Federal Voting Rights Act. No council district shall be drawn with race as the predominate factor in violation of the principles established by the United States Supreme Court in *Shaw v. Reno*, 509 U.S. 630 (1993) and its progeny.

California Criteria for Cities

1. Geographically contiguous;
2. Undivided neighborhoods and “communities of interest” (socio-economic geographic areas that should be kept together);
3. Easily identifiable boundaries;
4. Compact (do not bypass one group of people to get to a more distant group of people).

Other Traditional Districting Principles:

1. Respect voters’ choices/continuity in office;
2. Future population growth.

Next Steps

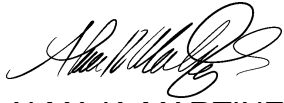
After the first public hearing on February 16, 2022, the City Council will conduct a second public hearing recommended for March 1, 2022, to seek additional public input and provide direction on criteria to be considered for drafting district maps. Following that second public hearing, draft district maps and proposed election sequencing will be posted to the City website and available at City Hall, and those maps (and any possible new or revised maps) will be discussed at subsequent City Council hearings to be conducted in the month of March.

CONCLUSION

It is recommended that City Council:

1. Open the public hearing;
2. Receive the presentation of staff and the demographer;
3. Provide interested members of the public with an opportunity to comment;
4. Pose any closing questions;
5. Close the Public Hearing; and
6. Confirm the date of the next public hearing.

Respectfully submitted,



ALMA K. MARTINEZ
City Manager



RICHARD PADILLA
Assistant City Attorney

DATE: February 16, 2022
PRESENTED TO EL MONTE CITY COUNCIL
<input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/> PULLED <input type="checkbox"/> RECEIVE AND FILE <input type="checkbox"/> CONTINUED
<input type="checkbox"/> REFERRED TO
CHIEF DEPUTY CITY CLERK