

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL ADJOURN REGULAR MEETING
OF JANUARY 25, 2022

MEETING JOINTLY AND REGULARLY WITH THE EL MONTE HOUSING AUTHORITY; EL MONTE PUBLIC FINANCING AUTHORITY; EL MONTE WATER AUTHORITY; EL MONTE PARKING AUTHORITY; SUCCESSOR AGENCY TO THE FORMER EL MONTE COMMUNITY REDEVELOPMENT AGENCY; HOUSING SUCCESSOR AGENCY; AND, FROM TIME TO TIME, SUCH OTHER BODIES OF THE CITY WHOSE MEMBERSHIP IS COMPOSED EXCLUSIVELY OF THE MEMBERSHIP OF THE CITY COUNCIL

1. CALL TO ORDER: **6:01 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

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

3. APPROVAL OF AGENDA:

WITH THE FOLLOWING EDITS/CHANGES TO THE AGENDA:

Item 4.2 has been pulled.

m) Mayor Ancona

s) Dr. Morales

5-0

4. CLOSED SESSION:

The City Council and the various legislative bodies whose membership is composed exclusively of the membership of the City Council will attempt to address and complete all Closed Session business between 6:00 p.m. and 7:00 p.m. If the City Council completes all Closed Session business prior to 7:00 p.m., the City Council will take a short recess and commence all Open Session proceedings promptly at 7:00 p.m. In the event the City Council is unable to address or complete all agendaized Closed Session items by 7:00 p.m., the City Council will hear all such remaining items toward the end of the meeting, immediately following Council Communications. Should any member of the public wish to address the City Council on any *agendaized* Closed Session matter, the City Council shall allow such person to address the City Council on such matter(s) prior to going into Closed Session, provided that all persons wishing to address the Council on an agendaized Closed Session matter shall (i) call-in at the number indicated 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 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 and 4.3. Item 4.2 was pulled.

Mayor Ancona and the City Council recessed into Closed Session at approximately 6:03 p.m. Mayor Ancona and the City Council reconvened from Closed Session at approximately 7:01 p.m.

Assistant City Attorney Richard Padilla reported out of Closed Session with respect to Items 4.1 and 4.3.

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

General update was provided, feedback given by the City Council but no final action taken.

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- 4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – City of El Monte vs. Regency Outdoor Advertising, Inc., et al., LASC Case No. 21PSCV00565.

Item was pulled.

- 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; El Monte Police Mid-Manager’s Association; and All Unrepresented Employees of City Executive Team.

City’s Designated Negotiator: Alma K. Martinez, City Manager and John Nguyen, Human Resources/Risk Management Director.

General update was provided, feedback given by the City Council, but no final action taken.

OPEN SESSION PROCEEDINGS

(Commencing at 7:00 p.m. or as soon thereafter as the City Council reconvene from Closed Session/Short Recess).

5. INVOCATION: City Council. **Mayor Pro Tem Puente.**
6. FLAG SALUTE: City Council. **Mayor Ancona.**
7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS: **None**
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 item of interest to the speaker 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 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 at the number indicated on page 1 of this agenda, above, by or before the General Public Comment portion of the agenda is closed. As indicated, above, the Council shall be under no obligation to entertain comments from caller wishing to address matters covered under this section after the General Public Comment portion of the agenda is closed.

Biden – [INAUDIBLE]

9. CITY TREASURER’S REPORT: **None**

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10. DEMAND RESOLUTION NO. D-657

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 \$8,609,072.81 have been examined by the City Treasurer and that warrant numbers 1103227 through 1103650, and the payroll period December 16, 2021 through December 31, 2021 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

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

11. APPROVAL OF MINUTES: **None**

12. CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine in nature and may be enacted by one motion approving the recommendation listed on the Agenda. One or more items may be removed from the Consent Calendar so that they may be discussed, considered, and voted upon individually by the Council. A matter may be removed from the Consent Calendar and taken up separately by way of a seconded motion of any member of the Council with the approval of a majority of the Council quorum.

12.1 Waiver of Full Reading of Ordinance(s).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approval to waive full reading (except title) of all ordinances appearing on the City Council agenda as authorized under Government Code Section 36934, unless otherwise directed by the City Council.

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

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

12.2 Receive and File the City Clerk's Quarterly Listing of Contracts Filed in the City Clerk's Office Between October 1, 2021 and December 31, 2021.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the report.

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**

12.3 Approval of Request to Serve/Sell Wine and "Spirits" Liquor at the Grace T. Black Auditorium.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council consider and approve the request to serve/sell Wine and "Spirits" Liquor at the Grace T. Black Auditorium.

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<u>Organization</u>	<u>Event</u>	<u>Date</u>
Felipe Perez (Grace T. Black Auditorium)	Birthday Party (Attendance 200)	Saturday, February 12, 2022 5:30 p.m. – 10:30 p.m.

Total Cost: N/A
Is the cost of this item budgeted? N/A

Account No.: N/A

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

13. PUBLIC HEARINGS:

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 at the number indicated 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 who call in after the public comment portion of the public hearing matter they wish to speak on has been closed. Each speaker will be allotted three (3) continuous minutes per Public Hearing item.

- 13.1 A Public Hearing to Consider and Approve a Resolution Approving Substantial Amendment #1 to the City of El Monte Fiscal Year 2021-2022 Annual Action Plan in Accordance with the U.S. Department of Housing and Urban Development (HUD) Regulations.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the public hearing and continue to the meeting of February 1, 2022.

Total Cost: N/A
Is the cost of this item budgeted? N/A

Account No: N/A

m) Mayor Ancona
s) Dr. Morales **5-0**
Open and Continue PH

14. REGULAR AGENDA:

- 14.1 Consideration and Approval of an Amendment to the DNA Overhead Doors & Dock Equipment Contract to Increase the Original Sum of \$50,000 to a New Contract Sum of \$78,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve an amendment to the DNA Overhead Doors & Dock Equipment Contract to increase the original sum of \$50,000 to a new contract amount of \$78,000.

Total Cost: \$28,000
Is the cost of this item budgeted? Yes

Account No: 100-67-626-6111
General Fund

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

- 14.2 Consideration and Approval of a Contract Services Agreement with RS Construction & Development, Inc. to Remodel the Zamora Park Art House Building for an Amount Not-to-Exceed \$178,800.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Consider and approve a Contract Service Agreement with RS Construction & Development, Inc. to remodel the Zamora Park Art House building for a not-to-exceed amount of \$178,800; and
2. Authorize the City Manager, or her designee, to execute a Contract Services Agreement with RS Construction & Development, Inc.

Total Cost: \$178,800

Account No: 242-67-XXX-8116

Is the cost of this item budgeted? Yes

ARPA Fund

m) Dr. Morales

s) Councilmember Herrera

5-0

- 14.3 Receive and File the Annual Comprehensive Financial Report (ACFR) of the City of El Monte for the Year Ended June 30, 2021.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the Annual Comprehensive Financial Report (ACFR) of the City of El Monte for the year ended June 30, 2021.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Councilmember Herrera

s) Dr Morales

5-0

Break at 8:42 p.m.

Return at 8:50 p.m.

- 14.4 Consideration and Approval of an Agreement for Professional Consulting Services with National Demographics Corporation in Connection with the City of El Monte's Effort to Transition to By-District Elections and Related Budgetary Authorizations in Connection with the Same.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Authorize the execution of a professional services agreement with National Demographics Corporation to provide professional consulting services for the City's proposed districting effort for a contract sum capped at \$70,000 plus a contingency budget of 10% of the contract in the event the City finds it prudent to avail itself of certain optional services and supplemental outreach services. (Agreement shall be in the substantive form attached to this staff report subject to such edits to general provisions as may be deemed reasonable or necessary by the City Attorney).

Total Cost: \$70,000

Account No: General Fund

Is the cost of this item budgeted? No

m) Dr. Morales

s) Councilmember Puente

**3-2 (Mayor Ancona and Councilmember
Martinez Muela No)**

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

16. CITY MANAGER'S AGENDA: **None**

17. WRITTEN COMMUNICATIONS: **None**

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18. COUNCIL COMMUNICATIONS/REPORTS:

18A. Mayor Ancona

18B. Mayor Pro Tem Puente

18B.1 Discussion Regarding Transitional Module Housing.

Mayor Pro Tem Puente – Asked about status of the discussion regarding transitional module housing.

City Manager – Spoke about an RFP being put together to locate available sites. Will finalize the Homekey Project and will bring this item back to the Council for further discussion and consideration by the City Council.

Mayor Pro Tem Puente – Requested information regarding funding sources for this item.

Mayor Ancona – Asked direction was given to move forward with an RFP or was the request was just for more information like potential sites, how much this will cost, potential funding sources.

City Manager Martinez – Explained that when staff brings the RFP before the City Council it will be to ask the Council for either: direction moving forward with the RFP; also options on best practices different projects.

Mayor Pro Tem Puente– How soon do you think we will be hearing back from staff?

City Manager – First meeting in March. This will be a presentation.

18B.2 Update Regarding Universal Income.

Mayor Pro Tem Puente – How are we doing with Universal Income conversation.

City Manager Martinez – Informed the Council that this will be brought to the next City Council meeting.

18C. Councilman Herrera

Thanked the employees for doing a great job during the holidays, participating in the giveaways to families in need. Also thanked the volunteers too and the Police Department. The officers who worked with him over the holidays they were able to identify some families in the community and I appreciate you in enabling that for me. It was heartwarming to see the connection you guys have with the community.

Recently we were participants at the celebration for the Swat Team it was their 25th anniversary. Asked the City Manager if something could be done in the near future to recognize the 25th anniversary of the Swat Team at a Council meeting.

CM Martinez – We will do a Council recognition, when would you like that?

Mayor Ancona – Expressed her concern since the City is closed to the public. She would like to recognize the Swat Teams 25th anniversary just wants to make sure it is just being equitable to all employees who want to attend the meeting.

Councilmember Herrera – Maybe the 2nd meeting in February.

18D. Councilwoman Martinez Muela

Councilmember Martinez Muela – Asked the CM Martinez if she will be presenting the Guaranteed Income item. She would like to hear on some of the research that was done.

CM Martinez – I am happy to share my research it is mainly based on the Census Data and most needy population.

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Councilmember Martinez Muela had questions regarding Street Vendors populating on Garvey and Peck Road. Informed the Council about conversations she's had with business owners who have stated that these vendors have been leaving trash on their properties including using local businesses trash bins.

Councilmember Herrera – Explained that City staff and the Ad Hoc committee continue to have meetings and they do realize that there are some issues that are ongoing. The City is working with some property management to address some of those situations for the issue as a whole we continue to do enforcement.

Councilmember Martinez Muela – Maybe this is the time to maximize the Go Request app so we can hear from these local businesses to get data regarding some of the issues that we have been having.

18D.1 Discussion on Diversity, Equity and Inclusion Policies Supporting EMPD, Administration and Staff.

Councilmember Martinez Muela – Asked the City Manager what she could share with the Council with regards to diversity, equity and inclusion for our Police Department and employees throughout the organization.

CM Martinez – Informed the Council that she is working on a comprehensive plan to bring to the Council for consideration and review. She is currently working with the City Attorney and HR. Your questions were very specific to specific department, and we want to make sure it is a blanket policy that will benefit all of the employees.

Councilmember Martinez Muela – Expressed that her Council communication incorporates the entirety of the administration where are the HR policies when it comes to diversity, equity, and inclusion when it comes to promotions, with regards to leadership positions and are they reflected of our community.

City Attorney Olivarez – The City Attorney's Office is currently working with City staff on producing these policies for the City Council to review and vet. There are some legal issues associated with policies like this. Staff wants to make sure that whatever we bring before the City Council doesn't put the City in a bad position from a legal standpoint. Additional time is needed to be able to bring this to the City Council.

Councilmember Martinez – Looks forward to seeing something the first meeting in March. DEI policies are corporatewide, industrywide.

Councilmember Martinez Muela – Would also like to talk about City Sponsored Events 2022, when will that be?

CM Martinez – City staff is going to put together a budget as well as something for Council consideration around the time of midyear budget.

Councilmember Martinez Muela – Just wanted to make sure that this is part of the midyear budget conversation. Thank you to staff for keeping our City moving.

18E. Councilwoman Dr. Morales

Want to highlight to staff that the White House has just recently released a fact sheet for the competitive infrastructure funding opportunities for local governments. Some of their funding sources are going to be available now as the first quarter 2022 including infrastructure and sustainability and equitable grants around transportation so given the fact that we have several projects going on in the City that were not funded in the past perhaps we can use some of those projects identified before and apply for those again.

18E.1 Discussion on Community Based Policing and Crime Statistics/Updates.

Dr. Morales – Wanted to ask Interim Chief Lowry Wanted to ask Interim Chief Lowry in regard to crime statistics and information on local newscast.

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Knows these are different times covid has created challenges that we could of never expected. I know our crime rates were decreasing but I am wondering if you could share some of the crime data that is available to us here in El Monte and kind of get us into what the plan moving forward will be.

Acting Chief Lowry – Provided updates and information to the City Council.

At 9:57 p.m.

Mayor Pro Tem Puente – One of the thoughts that I had as I am thinking of my one-year anniversary here is to ask staff and see if there is support from my colleagues figuring out a way and putting an end cap on this cannabis issue. What have other cities done in order to make sure that our City is no longer open to new litigation in this realm make sure that we are protecting the City.

City Attorney Olivarez – City Attorney’s Office can do a presentation at the next meeting and layout some actions of some of the things that you can do so that the community knows, right now there are six licenses, we can make it clear to the community that you want to cap at that number so we can do a resolution a moratorium. If you give me until the next meeting we can lay out what those options are.

Mayor Pro Tem Puente – That is what I am looking for and I hope there is support from this body of that issue and the openness of what the City Attorney can bring in regard to this.

Mayor Ancona – There is a cap on dispensaries that is a done deal unless it goes back to the voters in regard to all other cannabis operations that is at the will of the Council I am on board with you in bringing something forward to putting a cap.

City Attorney Olivarez – There are other things that can be done to let the community know

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19. ADJOURNMENT:

m) Mayor Ancona

s) Dr. Morales

5-0

At 10:02 p.m. Adjourn the meeting

The next Regular Meeting of the City Council will be held on **February 1, 2022** at 6:00 p.m. This Agenda will be posted on the City's website, www.ci.el-monte.ca.us, and physically posted no less than 72 hours prior to the start of the subject regular meeting. Although it is the City's practice and desire to electronically post a copy of this Agenda along with supporting material as part of its website posting, the size or formatting of certain supporting materials may render their website posting infeasible. Nevertheless, all supporting materials related to any item on this Agenda, that is made available to the members of the council may be inspected by members of the public at the City Clerk's Office located at 11333 Valley Boulevard, El Monte, Monday through Thursday, 7:00 am – 5:30 pm. For more information, please call the City Clerk's Office at 626-580-2016.

All public meetings and events sponsored or conducted by the City of El Monte are held in sites accessible to persons with disabilities. Requests for accommodations may be made by calling the office of the City Clerk at (626) 580-2016 at least three (3) working days prior to the event, if possible. This Agenda and copies of documents distributed at the meeting are available in alternative formats upon request.

Catherine A. Eredia, City Clerk
City of El Monte

APPROVED:

Jessica Ancona, Mayor
City of El Monte