

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL REGULAR MEETING
OF MAY 3, 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: **6:02 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

Jessica Ancona, Mayor/Chair – **present via zoom**
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:

m) Mayor Ancona
s) Dr. Morales **5-0**
Item 4.2 tabled to the next City Council meeting

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 agendized 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 *agendized* 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 agendized 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 4.6 with the exception of 4.2.

Armando Herman – Spoke about Closed Session Items.

Mayor Ancona and the City Council recessed into Closed Session at approximately 6:08 p.m. Mayor Ancona and the City Council reconvened from Closed Session at approximately 7:11 p.m.

Assistant City Attorney Lloyd Pilchen reported out of Closed Session with respect to Items 4.1 through 4.6.

4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Existing Litigation – Torrance v. Southern California Edison Co., Los Angeles Superior Court Case No. 19STCV10249.

The City Council heard report by legal counsel and staff, but no final action taken

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- 4.2 Closed Session Pursuant to Government Code Section 54956.9(a) and (d)(4) – Conference with Legal Counsel – Anticipated Litigation – Two (2) Matters.

Item tabled to next City Council meeting.

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

The City Council heard report by legal counsel and staff, but no final action taken

- 4.4 Closed Session Pursuant to Government Code Section 54956.9(d)(2) – Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Potential Case.

The City Council heard report by legal counsel and staff, but no final action taken

- 4.5 Closed Session Pursuant to Government Code Section 54956.9(d)(2) – Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Potential Case.

The City Council heard report by legal counsel and staff, but no final action taken

- 4.6 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.

The City Council heard report by legal counsel and staff, 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. **George Ussery, Evangelical Methodist**

6. FLAG SALUTE: City Council. **Mayor Ancona**

7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:

- 7.1 Presentation Honoring Recreation Services Manager, Lisa Del Real, for Her Years of Service to the Parks, Recreation and Community Services Department. **Present**

- 7.2 Presentation by the U.S. Environmental Protection Agency (EPA) on the San Gabriel Valley (Area 1) Superfund Site El Monte Operable Unit Site Update. **Present**

8. GENERAL PUBLIC COMMENT:

This time has been set aside for members of the public to directly address the City Council on agendized items of business (other than those agendized as public hearing or closed

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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 agendaized 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.

Armando Herman – Spoke about free speech and rules of decorum.

Richard Thomas – Addressed Item 18D.1 under Councilwoman Martinez Muela's Council Communications. The Enterprise Fund Committee has been proactive on this matter. The Committee will be holding a special meeting on June 25th to address additional signage.

Mike Greenspan – Spoke about the National Day of Prayer and the Day of Prayer.

Stephanie Nava-Angeles – The Water Education for Latino Leaders will be hosting a conference on Friday, June 10th through Saturday, June 11th in Pico Rivera. Water has become one of the top public policy issues in California as we are experiencing one of the worst droughts.

Gabby Caro – Thanked Interim Chief Lowry for all the work he has been doing to keep her area safe. Will continue to push for speed humps on Ranger. Suggested having a STOP Program meeting at Rio Vista Park.

Maggie Moe – Spoke about District Based Elections in Whittier. Spoke about the District Based Elections in El Monte.

Julio Ramirez – Spoke about community meetings. Spoke about the need to have a Chief of Police and an Assistant City Manager.

Julio Carlos Estrada – Thanked the City Council for all of the work they have done. Has some issues for citations that have been issued to him and needs additional time to comply.

Irma Zamorano – Spoke about the District Based Elections. There are many questions that need to be answered.

Cosme Jimenez – Spoke about the District Based Elections. Indicated that the Chief of Police, the Assistant City Manager position, and some of the vacancies on the commissions/committees need to be filled.

Juan from Downey – Spoke about some of the staff members working in the City of El Monte that affect his City and his County.

WRITTEN COMMENTS:

Anne Blakely – As a survivor of a domestic and verbally abusive upbringing. I would like to express how the public comments of Herman and Greenspan trigger some post traumatic feelings as I listen to our City Council meetings. It is very discouraging that the City cannot protect its audience from the offensive language and innuendos of these two "men".

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

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10. DEMAND RESOLUTION NO. D-664

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 \$3,283,671.27 have been examined by the City Treasurer and that warrant numbers 1105396 through 1105630, and the payroll period March 16, 2022 through March 31, 2022 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

m) Mayor Pro Tem Puente
s) Dr. Morales **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 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.

<u>Private User</u>	<u>Event</u>	<u>Date</u>
Veronica Torres (Grace T. Black Auditorium)	Quinceañera (Attendance 150)	Saturday, July 2, 2022 6:00 p.m. – 11:30 p.m.

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**

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- 12.3 Approval of Request to Advertise and Publish the Notice Inviting Bids for the Water Main Replacement Project at the Area South of Bryant Between Peck and Tyler, CIP No 067.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Authorize staff to advertise and publish the Notice of Inviting Bids for the Water Main Replacement Project at the Area South of Bryant Between Peck & Tyler – CIP No. 067.

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

- 12.4 Approval of Request to Advertise and Publish the Notice Inviting Bids for the Gibson Mariposa Storm Drain and Fencing Improvement Project, CIP No. 066.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Authorize staff to advertise and publish the Notice of Inviting Bids for the Gibson Mariposa Storm Drain and Fencing Improvement Project – CIP No. 066.

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

- 12.5 Approval of Recommendation to Increase the Not-to-Exceed Sum of the Purchase Order with Pacific Portable Services for Portable Restrooms and Sinks at the El Monte Main Street Farmer's Market From the Original Sum of \$40,000 to a New Not-to-Exceed Amount of \$64,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve an increase to the Purchase Order with Pacific Portable Services for portable restrooms and sinks at the El Monte Main Street Farmer's Market increasing the original sum of \$40,000 to a new not-to-exceed amount of \$64,000.

Total Cost: \$24,000

Account No: 201-21-242-6338 - \$23,000
Parking Business
Improvement Fund
100-67-673-6338 - \$1,000
General Fund

Is the cost of this item budgeted? Yes

m) Mayor Ancona

s) Dr. Morales

5-0

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- 12.6 Approval of Request to Issue a Request for Proposals (RFP) for Professional Independent Auditing Services for Fiscal Years 2022-2024 with the Option for up to Two (2) Additional Years.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Request for Proposals for Professional Independent Auditing Services for fiscal years 2022-2024 (FY 21-22, FY 22-23, FY 23-24) with the option for up to two additional years (FY 24-25, FY 25-26).
2. Authorize City staff to publish and solicit proposals for the related RFP.

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 PUBLIC HEARINGS SCHEDULED FOR MEETING OF MAY 3, 2022]

14. REGULAR AGENDA:

- 14.1 Consideration and Approval of a Professional Services Agreement with HR Green for Construction Management and Inspection Services for the Garvey Avenue Grade Separation Drainage Improvement, CIP No. 884 for a Not-to-Exceed Amount of \$816,456.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement for Construction Management and Inspection Services for the Garvey Avenue Grade Separation Drainage Improvement, CIP No. 884 with HR Green for a not-to-exceed amount of \$816,456 which includes an Agreement amount of \$742,233 plus a ten percent (10%) contingency of \$74,223; and
2. Authorize the City Manager, or her designee, to execute the Professional Services Agreement with HR Green.

Total Cost: \$816,456 Account No: 278-67-884-8221 - \$221,338
Storm Drain Impact Fees Fund
283-67-884-8221 - \$395,118
Storm Drain Fund
299-67-884-8221 - \$200,000
Misc. Grant Fund (EPA)

Is the cost of this item budgeted? Yes

m) Mayor Ancona
s) Mayor Pro Tem Puente **5-0**
Table Item

- 14.2 Consideration and Approval of an Amendment to the AM&G Electric Contract to Increase the Original Sum of \$29,000 to a New Contract Sum of \$50,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve an amendment to the AM&G Electric Contract to increase the original sum of \$29,000 to a new not-to-exceed Contract amount of \$50,000.

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Total Cost: \$21,000
Is the cost of this item budgeted? Yes

Account No: 100-67-673-6111
General Fund

**m) Mayor Pro Tem Puente
s) Dr. Morales**

5-0

- 14.3 Consideration and Approval of a Second Amendment to a Professional Services Agreement with Terra Realty Advisors Inc. for Planning Consultant Services for the City's Freeway Billboard Overlay Zone to Extend the Contract Date Through June 30, 2023 and Increase the Contract Amount from \$100,000 to \$250,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Second Amendment to a Professional Services Agreement with Terra Realty Advisors Inc. (see Attachment 1) for planning consultant services for the City's Freeway Billboard Overlay Zone to extend the contract date through June 30, 2023 and increase the contract amount from \$100,000 to \$250,000; and
2. Authorize the City Manager to execute an extension to a Professional Services Agreement with Terra Realty Advisors Inc.

Total Cost: \$150,000
Is the cost of this item budgeted? Yes

Account No: 100-61-611-6111
General Fund

**m) Councilmember Martinez Muela
s)
To approve \$50,000**

**m) Mayor Pro Tem Puente
s) Dr. Morales**

**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**

18. COUNCIL COMMUNICATIONS/REPORTS:

18A. Mayor Ancona

18A.1 Discussion and Update on City Surveillance Cameras and Task Force for Regional Auto Theft Prevention Program.

18B. Mayor Pro Tem Puente

18C. Councilman Herrera

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18D. Councilwoman Martinez Muela

Invited the community to the Community National Day of Prayer Breakfast this Thursday at 7:00 a.m.

18D.1 Discussion and Action Regarding Drought Conditions and Water Regulations.

With the City Council's consent would like to request staff to bring back some Stage Four drought conditions and measures and actions that staff will be taking to alert the community.

Mayor Ancona would like to request an update too.

Public Works/Utilities Director provided an update regarding the actions by the Enterprise Fund Committee regarding the drought conditions.

18D.2 Discussion and Action Regarding Creating an El Monte Climate Task Force to Present the Council Recommendations on Creating a More Sustainable Future.

18D.3 Discussion Regarding the Proposed City Calendar of Events.

Bring back to the next City Council meeting.

18D.4 Discussion and Direction Regarding the Future of City Buildings – Goody's.

Community members are interested in regards to this building.

City Manager Alma Martinez provided an update regarding the Goody's site.

18E. Councilwoman Dr. Morales

Community & Economic Development Deputy Director Jason Mikaelian provided an update regarding the climate action plan being folded into the Zoning Update.

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

Dr. Morales requested an update regarding the crime statistics/updates.

Interim Chief Lowry informed the City Council the stats will be provided at the next City Council meeting.

Dr. Morales requested information on the community-based safety partnership for de-escalation training classes that are being brought on board.

Interim Chief Lowry provided update regarding the institution of the Impact Program and the agreement made with the Police Officers Association.

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19. ADJOURNMENT:

At 8:53 pm

m) Mayor Ancona

s) Mayor Pro Tem Puente

5-0

The next Regular Meeting of the City Council will be held on **May 17, 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