

City Council Meeting Minutes of February 5, 2019

- 4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel to Discuss Matter of Existing Litigation – Nakada & Associates, Inc. et al. vs. City of El Monte, USDC Case No. 5:16-CV-01467-GW-SP.

General update, no final action

- 4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation: Eric A. Walterscheid vs. City of El Monte, Los Angeles Superior Court, Case No. BC495445.

General update, no final action

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel to Discuss Matter of Existing Litigation – City of Temple City, et al. vs. GSC Holding Group, LLC, et al. LASC Case No. 19STCP00254.

General update, no final action

m) Mayor Quintero

s) Councilmember Morales

5-0

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 George Ussery, Evangelical Methodist Church.
Councilmember Martinez Muela
6. FLAG SALUTE: Ashley Castorena, 10th Grader from Arroyo High School. Enjoys Cheerleading. **Present**
7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:
- 7.1 Presentation by the City Council to Ashley Castorena from Arroyo High School for Leading the Pledge of Allegiance. **Present**

8. PUBLIC COMMENT REGARDING NON-AGENDIZED MATTERS:

This time has been set aside for persons in the audience to make comments or inquiries on matters within the general subject matter jurisdiction of the City Council, the Housing Authority, the Financing Authority and/or the Water Authority (collectively, the “Council”) that **are not listed on this agenda**. Although no person is required to provide their name and address as a condition to attending a Council meeting, persons who wish to address the Council are asked to state their name and address. Each speaker will be limited to three (3) continuous minutes. Speakers may not lend any portion of their speaking time to other persons or borrow additional time from other persons.

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.

All comments or queries presented by a speaker shall be addressed to the Council as a body and not to any specific member thereof. No questions shall be posed to any member of the Council except through the presiding official of the meeting, the Mayor and/or Chair. Members of the Council are under no obligation to respond to questions posed by speakers but may provide brief clarifying responses to any comment made or

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questions posed. The 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.

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 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 attending 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.

Steven Trumble – I am here today primarily to just announce our Friends of the Library book sale dedicated to teachers which is coming up this Friday and Saturday from 9:00 am to 5:00 pm and it is used books anywhere from preschool to grade eight or so. We get a lot of donations of very lightly used children's books and they are very popular every book costs a quarter.

9. CITY TREASURER'S REPORT: **No material submitted.**

10. DEMAND RESOLUTION NO. D-591
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, demands, and payroll totaling \$5,442,110.06 have been examined by the City Treasurer and that warrant numbers 1079901 through 1080062 and the payroll period January 1, 2019 through January 15, 2019 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

m) Mayor Quintero
s) Mayor Pro Tem Velasco **5-0**

11. APPROVAL OF MINUTES:
Special City Council Meeting of December 17, 2018; and

m) Mayor Quintero
s) Mayor Pro Tem Velasco **5-0**

Regular City Council Meeting of December 18, 2018.

m) Mayor Quintero
s) Mayor Pro Tem Velasco **5-0**

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

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motion of any member of the Council with the approval of a majority of the Council quorum.

- 12.1 Approval of a Resolution of the City Council of the City of El Monte, California Appointing a New Delegate to the Governing Board of the Independent Cities and Risk Management Authority ("ICRMA") and Reaffirming the Current Appointees Serving as the Primary Alternate and the Substitute Alternate.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the attached Resolution appointing Mayor Pro Tem Jerry Velasco as the City's Delegate representative to the Independent Cities Risk Management Authority and reaffirming the appointment of Human Resources/Risk Management Director Angela McCray as the City's Primary Alternate and Human Resources/Risk Management Manager John Nguyen as the City's substitute alternate.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 9943

m) Mayor Quintero
s) Councilmember Martinez Muela **5-0**

- 12.2 Approval of a Resolution Designating Thursday, March 14, 2019 as the 2019 Commemoration of Arbor Day in the City of El Monte.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt a Resolution approving the commemoration of Arbor Day.

Total Cost: \$10,000

Account No: 100-67-626-6266

Is the cost of this item budgeted? Yes

Resolution No. 9944

m) Mayor Quintero
s) Councilmember Martinez Muela **5-0**

- 12.3 Approval of a Contract Service Agreement with Parkwood Landscape Maintenance for Center Median Maintenance.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Contract Services Agreement with Parkwood Landscape Maintenance for center median maintenance; and
2. Authorize the City Manager or his designee to execute a Contract Service Agreement with Parkwood Landscape Maintenance.

Total Cost: \$35,000

Account No: 100-67-688-6111

Is the cost of this item budgeted? Yes

m) Mayor Quintero
s) Councilmember Martinez Muela **5-0**

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- 12.4 Approval of a Purchase Order with Ivy-It Sustainable Products for the Purchase of Synthetic Ivy Graffiti Deterrent on An As-Needed Basis.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a purchase order with Ivy-It Sustainable Products for the purchase of synthetic ivy graffiti deterrent on an as needed basis for an amount not to exceed \$50,000.

Total Cost: \$50,000

Account No: 100-67-672-6215

Is the cost of this item budgeted? No

m) Councilmember Ancona

m) Councilmember Martinez Muela To table the motion **2-3 (Mayor Quintero, Mayor Pro Tem Velasco and Councilmember Morales No)**

m) Mayor Quintero

s) Mayor Pro Tem Velasco Approve Item 12.4

3-2 (Councilmembers Ancona and Councilmember Martinez Muela)

- 12.5 Approval of an Indemnity and Joint Defense Agreement Between the City of El Monte, GSC Holding Group, LLC, and Oaks by the Lake, LLC with Regard to Los Angeles Superior Court Case No. 19STCP00254.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive presentation from staff; and
2. Approve, by motion, the proposed Indemnity and Joint Defense Agreement between the City of El Monte, GSC Holding Group, LLC, and Oaks by the Lake, LLC.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Mayor Quintero

s) Councilmember Martinez Muela **5-0**

13. PUBLIC HEARINGS:

- 13.1 A Public Hearing to Consider and Approve the Adoption of a Resolution Approving and Accepting the Initial Study/Mitigated Negative Declaration for the Ramona Boulevard and Valley Boulevard Intersection Improvement Project, CIP No. 805.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open and continue the public hearing.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Mayor Quintero

s) Mayor Pro Tem Velasco Open the P.H.
5-0

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Public Hearing Continued to February 19, 2019

Grace Chan – I represent my family as the owners of the commercial property located at the northeast corner of Ramona Boulevard and Valley Boulevard. This is the only parcel that the City is going to acquire for this project. For a number of years the City has intended to purchase our property but in an effort to leverage us on price the City has delayed and made low ball offers. The City has made it difficult for us to lease out the property. We have an appraisal prepared by a well- respected appraiser. We shared the \$1.9M appraisal report with your staff more than a year ago. The City has provided us with two appraisals the first is significantly lower than ours and the second is even lower than the first. The appraisals do not represent a fair market value of our property.

- 13.2 A Public Hearing to Consider and Approve a Resolution of the City Council of the City of El Monte, California Ordering the Public Alley Vacation of a Portion of the East-West Public Alley Located South of Ramona Boulevard Connecting Tyler Avenue and California Avenue for the Development of a 51-Unit Affordable Housing Project at 3436 & 3454 Tyler Avenue and 11016 Ramona Boulevard, Making Requisite Findings in Accordance with Streets and Highways Code Section 8300 et seq., and Directing the Recordation of Notice of Alley Vacation.

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;
7. Approve the proposed Resolution ordering the public alley vacation of a portion of the east-west public alley located south of Ramona Boulevard connecting Tyler Avenue and California Avenue, El Monte, making requisite in accordance with Streets and Highways Code Section 8300 et seq., and directing the recordation of notice of such alley vacation.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 9945

m) Mayor Quintero
s) Councilmember Martinez Muela
Open the P.H.
5-0

m) Mayor Quintero
s) Councilmember Martinez Muela
Close P.H.
5-0

m) Mayor Quintero
s) Mayor Pro Tem Velasco
Resolution No. 9945
5-0

- 13.3 A Public Hearing to Consider and Approve a Resolution of the City of El Monte, California Authorizing the Expenditure of Quimby In Lieu Fees for the Improvement and Rehabilitation of Public Park Facilities at Fletcher Park Pursuant to Government Code Section 66477(A)(3)(B).

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;

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6. Close the public hearing;
7. Approve the proposed Resolution by no less than three (3) votes to authorize the expenditure of Quimby In Lieu Fees in an amount not to exceed \$159,500 for improvement and rehabilitation of public park facilities at Fletcher Park.

Total Cost: \$159,500 Account No: 282-52-521-8601
(Quimby Funds)
Is the cost of this item budgeted? No

Resolution No. 9946

m) Mayor Quintero
s) Mayor Pro Tem Velasco
Open the P.H.
5-0

m) Mayor Quintero
s) Councilmember Morales
Close P.H.
5-0

m) Mayor Quintero
s) Councilmember Ancona
Resolution No. 9946
5-0

Francisco Briones – I wanted to thank the Council for considering this item tonight if approved I will be one of many that will enjoy this park and I am happy to see that the Council is bringing these amenities to the community I think it is long overdue.

14. REGULAR AGENDA:

- 14.1 Consideration and Approval of a Resolution of the City Council of the City of El Monte Granting Approval of a Subdivision Improvement Agreement with Flair Spectrum, LLC to Provide for the Subdivider’s Design, Construction, and Installation of Various Public Infrastructure Improvements Associated with a Subdivision and Mixed-Use Development Project Located at 9400 Flair Drive, El Monte, in Accordance with Ordinance No. 2849 and City Council Resolution No. 9550.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive presentation from staff; and
2. Approve, approve, by motion, the Subdivision Improvement Agreement by way of the proposed Resolution by no less than three (3) affirmative votes.

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

Resolution No. 9947

m) Mayor Quintero
s) Mayor Pro Tem Velasco **5-0**

- 14.2 Consideration and Approval of a Resolution Making Findings in Support of the Application of Newport Partners, LLC and Its Affiliates for the California Department of Housing and Community Development’s Affordable Housing and Sustainable Communities Notice of Funding Availability 2017-18 (Round 4) Regarding its Proposed Development of a 51-unit Affordable Rental Housing Project at 3456 and 3454 Tyler Avenue and 11016 Ramona Boulevard and Associated Sustainable Transportation Infrastructure Improvements.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive presentation from staff; and

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2. Consider and approve the proposed Resolution by no less than three (3) affirmative votes.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 9948

m) Mayor Quintero

s) Mayor Pro Tem Velasco

5-0

- 14.3 Consideration and Approval for a Professional Design Services Agreement with Psomas for the Design of Water Main Replacement at Laurelhurst Bodger, Granada, Gate, Lexington, Washington, Nevada, Tyler, Shasta, and Emery (CIP 014).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement with PSOMAS for a not-to-exceed amount of \$402,215 for the Planning and Design of the Water Main Replacement in Laurelhurst Bodger, Granada, Gage, Lexington, Washington, Nevada, Tyler, Shasta, and Emery, CIP 014; and
2. Authorize the City Manager to execute the Professional Services Agreement (Attachment 1).
3. Authorize an increase in appropriation in the amount of \$114,315 for a total of \$402,215 in the Water Fund for the FY 2018/19 Capital Budget to account number 600-06-014-8651 (Water Main Replacement & Construction) CIP-014; and
4. Authorize the use of Bond Proceeds from the El Monte Water Authority Revenue Bonds Series 2018A for this budget amendment.

Total Cost: \$402,215

Account No: 600-06-014-8651

Is the cost of this item budgeted? Yes - \$287,900; No - \$114,315

m) Mayor Quintero

s) Mayor Pro Tem Velasco

5-0

15. CITY ATTORNEY'S AGENDA: **No Material Submitted.**

16. CITY MANAGER'S AGENDA:

- 16.1 Receive and File the Presentation on the Los Angeles County Metropolitan Transportation Authority's El Monte Transit Station Joint Development Request for Proposal.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file a presentation by Metro regarding joint development request for proposals; and
2. Approve comment letter from the City of El Monte to Metro.

Mayor Quintero – Has Caltrans moved at all in terms of trying to I don't know you know feed some of that control to Metro?

Mayor Quintero – So you mention RFP is it really more like an RFQ, you are looking for mostly qualifications? Is it a capital capacity? Is it a development experience?

Councilmember Morales – If I can add another question to that, so based on the vision and the design that you will be considering and the synergy that you are looking with

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respect to the other development that is already in that particular area within that I think it would be a very good idea to ask them with respect to coverage of the bus repair area in the back I think that synergy and blending is going to be very important for us given that there is already something else in that particular area already being designed and already being executed. So I think for me just in terms of the synergy that just triggered a very deep thought so that there is a seamless connection so that it looks for the most part together as if it was done in unison.

Councilmember Martinez Muela – I just want to thank you for coming out. This landscape what we are looking at is truly transformative for the City of El Monte and its potential is beyond measure so having a partner in Metro who understands the importance of TOD it is where we are at today and it is where the future is going and I look forward to really having some innovative ideas coming through that space and again make it a destination. We want people to come to El Monte live, work, play come to El Monte and enjoy everything it has to offer so I hope you go with that mindset that you are not only representing Metro but in this space you are representing El Monte and we will do our best to support you with that for the next generations to come. This space is very important to us.

Mayor Pro Tem Velasco – Regarding the space we are talking about it is prime property because maybe two years ago there were some customers that mentioned that there was no place to eat. We mentioned it to Metro and people have been asking about that. Hopefully your real estate company will definitely take it.

Councilmember Morales – Is there any current consideration in screening the repair area off the freeway so that it is not so visible so that it looks like a finished product in terms of what is back there and since we are talking about the retail space at the bottom was there a consideration in the past is there a consideration now what would be status of screening off that repair area so that it isn't so visible.

16.2 Community & Economic Development Fee Amendment.

m) Mayor Quintero
s) Mayor Pro Tem Velasco **5-0**
Receive and File

16.3 Fire Department Update.

17. WRITTEN COMMUNICATIONS: **No material submitted.**

18. COUNCIL COMMUNICATIONS:

18A. Mayor Quintero

18A.1 Discussion of Nomination (1) For Appointment to the Planning Commission.

m) Mayor Quintero
s) Councilmember Ancona **5-0**
Robert Estrada Cruz

18B. Mayor Pro Tem Velasco

I would just like to see if my Colleagues would support to do the Cinco de Mayo. Last year we did this event and it was very successful basically it was sponsored we get the sponsors individuals who come in and they put it together it is a celebration a very successful event. We had Rosenda Bernal and fifteen other groups that performed. This year we were thinking of bringing Beatriz Adriana or Kate Del Castillo and the team of the soap opera Beltran. Also, basically it is something that we can sponsor very easily so I would like to propose that we do this event which falls on Sunday Cinco de Mayo or the 4th of May depending on

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whether the date is available. Our first choice is Cinco de Mayo or second choice is the 4th of May.

Councilmember Martinez Muela – Mayor Pro Tem I know that we had a conversation at the Special training and I was hoping that we might just be able to wrap around an idea on all events at that upcoming Special Meeting. Know that there was a planning consideration and we had talked about that so I want to make sure that we get a full understanding of all of our events and we can plan out from here to the end of the year or even the next year but if we can schedule that meeting as soon as possible to wrap up that conversation I think it would be very important. My only consideration is that when we do events on the weekends the amount of overtime that we incur I don't want to put a kybosh on anything Mayor Pro Tem we have done a lot of great things together you and I especially as event chairs but I am really hesitant right now.

18C. Councilwoman Ancona

Just excited to see this INSPIRE event coming around again. My daughter had the opportunity to attend in the past. I have had students from my Muscatel Middle School attend in the past it is always great day for girls to meet other girls come out of their shells and learn to be leaders. So I am happy to see that the City of El Monte continues to do this and seeing this done for our young men as well it is a great opportunity to see role models in different capacities whether it be women. We have always had a great lineup of women professionals come and share about their careers and now our boys will get to see the same of what their future could look like and what careers are out there for them. I am also excited about Fletcher Fetch Park I do have two fur babies that would love to make their way over there so I can't wait for that to open up and along those lines I too am excited to see the Park Master Plan and looking forward to serving on the Parks & Rec Ad Hoc which our first meeting is tomorrow so looking forward to that. Happy Lunar New Year to everyone and Happy Valentine's Day.

18D. Councilwoman Martinez Muela

Colleagues and City Happy Valentine's Day next week. I hope you are filling your life with love and the love of your City we love you. Happy Valentine's Day.

18D.1 Discussion of Co-Sponsorship with the City of South El Monte for the National Day of Prayer Scheduled for May 2, 2019.

In recognizing some of the conversation about our budget deficit we realized that there are some events that the City of El Monte does and the City of South El Monte does so maybe it is an important time to look at some of these events and see what we can do to co-sponsor these events to share costs which basically will help us to minimize costs. We are calling on the same audience for so many of these so I was wondering Council if you would be willing to do a co-sponsorship with the City of South El Monte for a National Day of Prayer scheduled for May 2, 2019.

18D.2 Discussion Regarding Upcoming Events: INSPIRE – A Young Men's Leadership Day and INSPIRE – a Young Women's Leadership Day.

I am sending down some fliers to invite you to INSPIRE – A Young Men and Young Women's Leadership Days. I wanted to share a little bit about this with the community because it is our second time doing it for our young men and it is in our seventh year of doing it for our young women. INSPIRE – A Young Men and Young Women's Leadership Day is not meant to have a conversation about career and college it's really more about personal development and leadership. In partnership with the schools in our area, the school districts in our area, the City has been putting this on at minimal cost to the City we've gotten our sponsorships we are engaging our kids at the schools and it is meant for high school students I am really excited. Council I wanted to thank you for your continued support of growing leaders within our community.

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18E. Councilwoman Morales

I just want to say thank you to staff for helping us put together that package and getting our parks squared away I think it is very important for our community to have that in. As Councilwoman Martinez Muela mentioned it we in El Monte are desperate for green space and we deserve to have that thank you.

19. ADJOURNMENT:

With no objection Mayor Quintero adjourned the City Council meeting at 8:46 p.m.

The next Adjourned Regular Meeting of the City Council will be held on **February 19, 2019** 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:

Andre Quintero, Mayor
City of El Monte