

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL REGULAR MEETING
OF MARCH 5, 2019

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: **6:03 pm**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

Andre Quintero, Mayor/Chair – **present**
Jerry Velasco, Mayor Pro Tem/Authority Member – **present**
Jessica Ancona, Councilmember/Authority Member – **present**
Victoria Martinez Muela, Councilmember/Authority Member – **present**
Maria Morales, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

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

4. CLOSED SESSION (6:00 p.m. – 7:00 p.m.):

The City Council and the various Authority Bodies whose membership is composed exclusively of the membership of the City Council (collectively, the “Council”) will attempt to address and complete all Closed Session business between 6:00 p.m. and 7:00 p.m. If the Council completes all Closed Session business prior to 7:00 p.m., the 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 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 Council on any *agendized* Closed Session matter, the Council shall allow such person to address the Council on such matter prior to going into Closed Session, provided that all persons wishing to address the Council on an agendized Closed Session matter shall fill out a speaker card and be subject to a speaker’s time limit of 3 minutes per speaker and further provided that the 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 Closed Session matter pursuant to the Brown Act (Govt. Code Section 54950 et seq.).

Mayor Quintero invited members of the public to address the City Council on Closed Session Items 4.1 through 4.4.

Mayor Quintero and the City Council recessed into Closed Session at approximately 6:04 p.m.

Mayor Quintero and the City Council reconvened from Closed Session at approximately 7:09 p.m.

Assistant City Attorney Richard Padilla reported out of Closed Session with respect to Items 4.1 through 4.4.

4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(4) – Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Matter.

General update, no final action

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- 4.2 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

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Matter: El Rovia vs. City of El Monte, Los Angeles Superior Court Case No. BS172209.

Agreed to allow the City Attorney to associate with Demetriou, Del Guercio Law Firm for purposes of defending the initiated appeal in the subject litigation.

- 4.4 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

m) Mayor Quintero

s) Mayor Pro Tem Velasco

5-0

OPEN SESSION PROCEEDINGS

(Commencing at 6:00 p.m. or as soon thereafter as the City Council reconvene from Closed Session/Short Recess)

- 5. INVOCATION: Chaplain Daisy Swan, Calvary Assembly of God Church. **Present**
- 6. FLAG SALUTE: Angelique Vasquez, 5th Grader from Cherrylee School. Enjoys Cheerleading. **Present**
- 7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:
 - 7.1 Presentation by the City Council to Angelique Vasquez from Cherrylee 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

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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 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.

Cheryl Gilera – Manger for El Monte Library. I just wanted to share with everyone about the different programs that we are offering this month and for the next couple of months. We actually have series of programs that we are offering to older adults. On Friday, March 8th we are having Protecting Yourself Against Financial Fraud Workshop that may be of interest to members of the community. Also every month we are offering games and conversation in the afternoon for older adults that will be Fridays, March 22nd, April 26th, and May 24th from 1:30 pm to 3:30 pm. Also for children we've got Let's Make Books that will take place on Saturday, May 23rd from 2:00 pm to 3:30 pm and it is for children who are interested in making books.

Kimberly Saavath – I used to be an employee here but I am South El Monte now. I wanted to know what the Council thought about me running a Farmer's Market for our City.

Cosme Jimenez – Marijuana is on the Consent Calendar being that it is so critical it shouldn't be on the Consent Calendar. New Councilmembers congratulations to those coming on Board. Mayor I would like to see more participation from the Councilmembers. Listen to the people you have to listen you got elected to listen to the people and you are not listening to them and their concerns.

Edward Barrera – As part of the celebration for Women's History Month Senator Susan Rubio and Assemblywoman Blanca Rubio have sponsored a one day seminar for young women from the ages of 14 to 18 on Saturday March 23rd and the topics to be discussed will be: Financial Literacy; Etiquette; Healthy Relationships and Social Media. It is free to any young woman who wishes to come but you do have to RSVP.

Ken Meng – I want to say I love people. It is not easy when we meet together when we get together because there is something behind. Our family goes to church every Sunday I am honored to introduce my family here because I love them and I know all my family loves the society and the community we are willing to serve the community. We know love is the most important in our life that is why we come here because we know what is good and what is bad.

David Lim – A couple of weeks ago I spoke to Mr. Jerry about a zoning problem because my neighborhood's zoning changed from R-2 to R-3. The City Council failed to report to the County, State and Federal so actually I don't even know if the changing of the zoning is correct. The zoning changed to R-3 zone but when I bought the property it was R-2 zone. The County tells me that it is one zone and the City tells me that it is another zone. Who is responsible for informing the County of the zoning change?

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9. CITY TREASURER'S REPORT:

9.1 Transmittal of the Treasurer's Investment Report for the Quarter Ended December 31, 2018.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the Treasurer's Investment Report for the Quarter Ended December 31, 2018.

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

10. DEMAND RESOLUTION NO. D-593

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 \$2,267,060.56 have been examined by the City Treasurer and that warrant numbers 1080563 through 1080764 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 January 28, 2019

m) Mayor Quintero

s) Councilmember Martinez Muela 5-0

Regular City Council Meeting of February 5, 2019

m) Mayor Quintero

s) Councilmember Ancona 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 motion of any member of the Council with the approval of a majority of the Council quorum.

12.1 Approval for Second Reading of an Uncodified Ordinance Approving: (1) Development Agreement No. 03-18 with El Monte Green Group, LLC for the Commercial Cultivation, Manufacturing, and Distribution of Medicinal Cannabis at 9860, 9866, 9870, and 9874 Gidley Street, El Monte, California; and (2) a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program as the Environmental Documentation for Such Project.

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RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Ratify the proposed Ordinance by second reading by at least three (3) affirmative votes.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Ordinance No. 2943

Diane Cheung – I am so impressed you have an opening prayer talking about God and making good decisions for the City and I am grateful for your good intentions. I know you have good intentions to help your City to be more prosperous. You have to look for righteousness and then your City will be prosperous but if you look for money first your City is going to be poor.

Ken Meng – President of Greater Los Angeles Committee Alliance. We are opposing the projects to plant marijuana in El Monte because these are big projects and it will cause a lot of trouble for the society. We just want for you to listen it is not good.

Sam Meng – The City of El Monte should set an example to the community and their children to not put money on income in front of public safety and health.

Sharon Liao – You pass marijuana projects under nursery license and regulations. Nursery license and regulations are controlled by USDA by Federal Government. But for Federal Government marijuana is still number one drug as heroin. So I question how Federal Government employees can inspect the plan without being against the law. Growing indoor plans require heat and water. As an El Monte resident I saw students transfer to other schools because of power cuts. Please ban the projects you have approved.

Haul Wong – As you know marijuana becomes a controversial issue. You have approved marijuana facilities in El Monte and they are for medical use. The only concern for the City is tax revenue and the only concern for the facility is to make money only. I strongly oppose marijuana for entertainment use.

Zig Jiang – Some people and the applicants argue that it is the stigma and misunderstanding of the medical marijuana opposition of cannabis facilities in our community and it is an Asian culture well that is not true. I know many non-Asian friends who share the same concerns. Most of the signatures on the 4400 Temple City Boulevard Referendum around 400 were from Latino families, Caucasian families and others only about 2,000 were from Asian families. I fully understand that the application is intended for producing medicinal cannabis and not for recreational marijuana but I still am highly concerned for the following concerns: the close proximity to schools and homes, the land where the facilities are being built is contaminated, the huge water and power use. I would also like to share some research facts that show the impact of medical cannabis to the community.

Alan Zhong – You all know what is going on. I strongly oppose these two marijuana facilities and other such projects in the City of El Monte. We the hard working citizens and the taxpayers have every right to decide what is good or bad for our City.

Ron Williams – We are here discussing an issue that should not be discussed. There is no unrenderable safe lever or use of cannabis. I don't want this to be known as a town that is developing a new industry of derogatory influence.

Joe Meng – I think it is disappointing that we are here again talking about the same issue that has come before us over and over again with a community that doesn't support it. I think it is very disappointing that we were able to collect the amount of signatures needed and a lot more for the referendum and I think it is a disgrace for a community to have to request a large amount of money up front in order to start a business.

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Sandra Burdette – I am opposed to this because I think ultimately it can lead to retail dispensaries which I think would be disastrous for the community and I don't even know how it got this far. I represent New Hope Community Church which has been a church in the community for over 50 years and I know everyone at our church is against this.

Chiff Chih – As you know marijuana becomes a controversial issue. You have approved marijuana facilities in El Monte and they are for medical use. The only concern for the City is tax revenue and the only concern for the facility is to make money. I strongly oppose marijuana for entertainment use.

Kewei Zhao – As a citizen of the City of El Monte I urge members to vote at least one or more no's to show your independent decision making.

Mei Tang – I love El Monte, I love Temple City and I love the City where I live here is very peaceful. I oppose this project I do not like marijuana factories set up here.

Shun Lian – I am a resident of El Monte and I am not against medical use but I am against marijuana facilities in resident area. As everyone knows in Southern California we are short of water grow a lot of marijuana and it will need a lot of water and this will cause the residents to have less water. Growing marijuana will also use more power and this will impact the regular electric City use. This will also affect the community safety we need a quiet and peaceful community in El Monte. So we strongly oppose any marijuana facility in El Monte.

Mike Gomez – I want to read a total of 33 States, the District of Columbia, Guam, and Puerto Rico have approved a comprehensive public medical marijuana cannabis program. I am for medical marijuana. The key word here is medical. This is not a dispensary we are not opening any dispensaries.

m) Mayor Quintero

s) Mayor Pro Tem Velasco

4-1 (Councilmember Ancona No)

- 12.2 Approval for Second Reading of an Uncodified Ordinance Approving: (1) Development Agreement No. 04-18 with Green Mountain Alliance, LLC for the Commercial Cultivation, Manufacturing, and Distribution of Medicinal Cannabis at 9860, 9866, 9870, and 9874 Gidley Street, El Monte, California; and (2) a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program as the Environmental Documentation for Such Project.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Ratify the proposed Ordinance by second reading by at least three (3) affirmative votes.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Ordinance No. 2944

Mayor Quintero – I will incorporate into the record without objection responses that were submitted by Blodgett Baylosis Environmental Planning dated March 5, 2019. For the record it is a document of 40 pages and it will be incorporated into the record on both approvals.

m) Mayor Quintero

s) Mayor Pro Tem Velasco

4-1 (Councilmember Ancona No)

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- 12.3 Approval of Recommendation to Accept Funding from the Los Angeles County Workforce Development, Aging and Community Services for the Supportive Services Program for Contract Years 2019-2023.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the acceptance of funding from the Los Angeles County Workforce Development, Aging and Community Services for the Supportive Services Program for Contract Years 2019-2023; and
2. Authorize the City Manager or his designee to sign all necessary documents and execute grant documents.

Total Cost: \$7,800 Annually

Account No: 100-55-551-5111

Is the cost of this item budgeted? Yes

m) Mayor Quintero

s) Councilmember Martinez Muela 5-0

- 12.4 Approval of a Resolution Adopting a Revised List of Designated Positions and Disclosure Categories for Officers and Employees of the City Pursuant to Government Code Section 87306.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the attached Resolution adopting a revised list of designated positions for officers and employees of the City of El Monte, pursuant to Government Code Section 87306.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 9952

m) Mayor Quintero

s) Mayor Pro Tem Velasco 4-1 (Councilmember Martinez Muela No)

13. PUBLIC HEARINGS: **No material submitted.**

14. REGULAR AGENDA:

- 14.1 Consideration and Approval of Recommendation to Authorize Purchase of Seven (7) 2019 Ford F-250 CNG Trucks.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the purchase of seven (7) 2019 Ford F-250 CNG trucks for an amount of \$292,077 from Measure R Fund Account 225-67-679-8132; and
2. Authorize an increase appropriation in the amount of \$292,077 in the Measure M Fund for Fiscal Year 2018-2019 budget to account number 225-67-579-8132 and authorize the use of Local M Local Return Funds for this budget amendment.

Total Cost: \$292,077

Account No: 225-67-579-8132

Is the cost of this item budgeted? No

Measure M Funds

m) Mayor Quintero

s) Mayor Pro Tem Velasco 4-1 (Councilmember Martinez Muela No)

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- 14.2 Consideration and Approval of Recommendation to Approve Purchase Order with Axxess Door for the Purchase and Installation of an Automatic Bi-Parting Glass and Aluminum Sliding Door for City Hall East.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a purchase order with Axxess Door for the purchase and installation of an automatic bi-parting glass and aluminum door for City Hall East for an amount of \$15,000; and
2. Authorize an appropriation of \$15,000 from the General Fund to Account Number 100-67-673-8301.

Total Cost: \$15,000

Account No: 100-67-673-8301

Is the cost of this item budgeted? No

m) Mayor Quintero

s) Mayor Pro Tem Velasco

5-0

15. CITY ATTORNEY'S AGENDA: **No material submitted.**

16. CITY MANAGER'S AGENDA: **No material submitted.**

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

18. COUNCIL COMMUNICATIONS/REPORTS:

- 18A. Mayor Quintero

I don't have any announcements.

- 18B. Mayor Pro Tem Velasco

There is the ASPCA Mobile they are going to be having on March 6, 8, 12, 13, 14, 20 and 27th free spay and neuter for cats and dogs from 8:00 am to 4:30 pm. The flyers are out there that you can find and as you know to neuter your pets it is over \$100 sometimes so this time the ASPCA is sending their mobile unit. So please take a flyer and take advantage of this offer.

I want to congratulate our Assistant City Manager Ms. Alma Martinez who that on May 8, 2019 the Mexican American Opportunity Foundation which is one of the largest non-profit organizations that operates a \$103M budget child care and senior centers in the Nation is going to be honoring her as woman of the year.

- 18C. Councilwoman Ancona

No comment this evening.

- 18D. Councilwoman Martinez Muela

Council one of the things that you have tasked me with is the opportunity to serve on the COG which also includes the opportunity to serve on ACE which have created the underpasses that we have here in the City at Baldwin and Ramona. During my participation in these meetings I wanted to bring back that there are some really exciting things that have been happening for El Monte. In is imperative that we have representation at these tables because we have dollars

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coming to our Community. First of all two months ago we found out the City was left off of a major grant funding and thanks to the efforts of our friends at Active SGV and Bike SGV we were able to locate half a million dollars to be invested in this community.

ACE just approved an almost \$5.0M contract for the San Gabriel Valley and those who have submitted letters of interest including the City of El Monte to experience electric scooters in our community.

The City of El Monte is receiving two grants. Thank you to SCAG and again kudos to Active SGV and Bike SGV who help us put together some of these grant applications.

I want to share with my colleagues and staff that at the last Alameda Corridor East meeting as the Chairperson I requested a presentation on quiet zones and that was supported by our Board of Directors in which we will all receive a presentation on quiet zones so that moving forward any City within the organization that would like to pursue quiet zones we know the experts that we can tap into and that is our friends at ACE. So friends we are trying to do our parts to reduce the number of fatalities and injuries. There is a concerted effort from the City of El Monte and our partners El Monte PD has been a part of this it has been a collaborative effort on active transportation to make sure that you have safer bikeways, walkways, ADA all taken into consideration. One of the grants that we received is a grant specific for our Vision Zero planning.

In October the City of El Monte is partnering in a regional event Ciclavia style event similar to what we did with Viva and it is an incredible open street where our streets will be closed for the day.

One item of action that we may want to consider at all of our counters here at the City I think there may be a need for safety and security cameras. I am including our counters over at City Hall West, I am including our counter here as folks walk in, I am including our PD. I think a potential integration of cameras that all feed back to PD could be something that we could benefit from. So Colleagues I wanted to see if you were open to that and we can continue but I just thought it would be really great not only for safety and security but I also think there are times when customer service has been lacking where we can utilize cameras

I wanted to see if you were open to that. I am interested to hear what the proposals would be for

18E. Councilwoman Morales

I would like to continue on that same spirit of celebrating women the last couple of weeks we have had an opportunity to welcome into our community small businesses owned by women Andrea's Kitchen, Plant Love Food, Lamour Boutique. These are young women who are trail blazers in their own way trying to bring in a different type of business environment. We wish them the best let's go spend some money at their restaurants and let's go and invest and make sure that we contribute to their investment. Staff again thank you for supporting us through this meeting, the Police Department for being here, the community of course for taking part of this democratic process and I hope everyone has a good night.

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19. ADJOURNMENT:

m) Mayor Quintero

s) Mayor Pro Tem Velasco 5-0

To Adjourn to a Regular Meeting on Tuesday, March 19, 2019 at 5:00 pm at the Grace T. Black Auditorium.

With no objection Mayor Quintero adjourned the City Council meeting at 8:34 pm.

The next Adjourned Regular Meeting of the City Council will be held on **March 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