

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL REGULAR MEETING
OF APRIL 4, 2023

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: **6:00 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

Jessica Ancona, Mayor/Chair – **present**
Martin Herrera, Mayor Pro Tem/Authority Member – **present**
Marisol Cortez, Councilmember/Authority Member – **present**
Victoria Martinez Muela, Councilmember/Authority Member – **absent**
Alma D. Puente, Councilmember/Authority Member – **present**
Richard Rojo, Councilmember/Authority Member – **present**
Julia Ruedas, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

WALK-ON ITEMS:

4.2 **Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Council on Existing Litigation – Toussant v. City of El Monte et al. Case No. 2:20-cv-06669-AB-KK.**

4.3 **Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Council on Existing Litigation – In Re: National Prescription Opiate Litigation, U.S. District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-MD-02804.**

Item 12.5 was pulled.

m) Mayor Ancona
s) Councilmember Alma Puente **6-0 (Councilmember Martinez Muela absent)**

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.

City Council Meeting Minutes of April 4, 2023

Mayor Ancona invited members of the public to address the City Council on Closed Session Items 4.1 through Item 4.3. Mayor Ancona and the City Council recessed into Closed Session at approximately 6:15 p.m. Mayor Ancona and the City Council reconvened from Closed Session at approximately 7:18 p.m.

Assistant City Attorney Lloyd Pilchen reported out of Closed Session with respect to Items 4.1 through 4.3.

- 4.1 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 the City including the Executive Team and Part-Time.

City’s Designated Negotiator: Alma Martinez, City Manager and Rigoberto Gutierrez, Acting Human Resources/Risk Management Director.

Direction only no final reportable action taken.

- 4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Council on Existing Litigation – Toussant v. City of El Monte et al. Case No. 2:20-cv-06669-AB-KK.

Direction only no final reportable action taken.

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Council on Existing Litigation – In Re: National Prescription Opiate Litigation, U.S. District Court, Northern District of Ohio, Eastern Division, Case No. 1:17-MD-02804.

The City Council voted unanimously to settle with five (5) separate settlements.

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. **Councilmember Puente**

6. FLAG SALUTE: Melanie Cardona, 4th Grade Student from Baker Elementary School. **Present**

7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:

- 7.1 Presentation by the City Council to Melanie Cardona from Baker Elementary School for Leading the Pledge of Allegiance. **Present**

- 7.2 Presentation by the City Council to Michael Bae. **Present**

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 matter of interest to the speaker/caller that is within the subject matter jurisdiction of the City Council, the Housing Authority, the Financing

City Council Meeting Minutes of April 4, 2023

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 agendized 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.

Jorge Rivera – Provided information regarding the services the Healing and Justice Center provides.

Cosme Jimenez – Spoke regarding Item 18E.1 and cannabis revenue.

Kenneth Mackenzie – Spoke about the incident that happened at his property on September 17, 2022.

Amber Perez – Served a lawsuit.

Julio Ramirez – Spoke about Brown Act violations and bringing a union store to the City.

Written Public Comments:

Kate Cabanas – Submitted written comment regarding the rise in crime and other matters related to the Mayor.

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

10. DEMAND RESOLUTION NO. D-684

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 \$4,421,765.83 have been examined by the City Treasurer and that warrant numbers 1112914 through 1113123, and the payroll ending March 15, 2023, inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

**m) Councilmember Puente
s) Mayor Pro Tem Herrera**

6-0 (Councilmember Martinez Muela absent)

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.

City Council Meeting Minutes of April 4, 2023

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 Pro Tem Herrera
s) Councilmember Ruedas**

6-0 (Councilmember Martinez Muela absent)

12.2 Consideration and Approval of a Revision to the Second Amendment to the Operation and Supportive Services Agreement with Union Station Homeless Services (USHS) to Provide Operation and Supportive Services for the El Monte Homekey Program Sites.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a revision to the Second Amendment to the Operation and Supportive Services Agreement with Union Station Homeless Services that was previously approved by the City Council on January 24, 2023, extending the contract term date to December 31, 2023 to provide operation and supportive services for the El Monte the Homekey Program sites; and
2. Authorize the City Manager, or her designee, to make all conforming modifications and edits and execute all implementing documents.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

**m) Councilmember Puente
s) Mayor Pro Tem Herrera**

6-0 (Councilmember Martinez Muela absent)

12.3 Receive and File the Fiscal Year 2021-2022 Successor Agency Annual Report for Submission to the California Department of Housing and Community Development.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the Fiscal Year 2021-2022 Successor Agency Annual Report; and
2. Direct staff to submit the Successor Agency Annual Report to the California Department of Housing and Community Development.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

**m) Mayor Pro Tem Herrera
s) Councilmember Ruedas**

6-0 (Councilmember Martinez Muela absent)

12.4 Consideration and Approval the Escheatment of Unclaimed City Checks.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

City Council Meeting Minutes of April 4, 2023

1. Consider and approve the attached Resolution Escheatment of Unclaimed City Checks and other unclaimed funds and authorize their receipts as miscellaneous revenue.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10440

**m) Mayor Pro Tem Herrera
s) Councilmember Ruedas**

6-0 (Councilmember Martinez Muela absent)

- 12.5 Consideration and Approval of Recommendation to Authorize the Mayor to Sign on Behalf of the City Council a Letter to Congresswoman Grace Napolitano (CA-31) Urging Her to Support the EPA in its Enforcement Involving Westside Responsible Parties to Address Chromium Plume Migration Toward the City's Groundwater Treatment Plan.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve recommendation to authorize the Mayor to sign on behalf of the City Council a letter to Congresswoman Grace Napolitano (CA-31) urging her to support the EPA in its enforcement involving Westside responsible parties to address chromium plume migration toward the City's Groundwater Treatment Plan.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Item was pulled.

- 12.6 Consideration and Approval of a Fallen Heroes Memorial Project Honoring Sergeant Michael Paredes and Officer Joseph Santana.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a fallen heroes memorial project honoring Sergeant Michael Paredes and Officer Joseph Santana; and
2. Authorize the City Manager to issue a Notice Inviting Bids for the design and construction of the fallen heroes memorial project in honor of Sergeant Michael Paredes and Officer Joseph Santana.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

**m) Mayor Pro Tem Herrera
s) Councilmember Ruedas**

6-0 (Councilmember Martinez Muela absent)

13. PUBLIC HEARINGS:

- 13.1 A Public Hearing to Consider and Approve an Ordinance Amending Title 2 (Administration and Personnel) of the El Monte Municipal Code by the Addition of a New Chapter 2.28 (Lobbyist) to Establish Local Lobbyist Registration, Reporting, Disclosure Requirements and Prohibitions on the Employment of a Lobbyist.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the public hearing;
2. Receive the presentation of City Attorney's Office;

City Council Meeting Minutes of April 4, 2023

3. Pose questions;
4. Receive public comment;
5. Pose closing questions and provide final comments;
6. Close the public hearing;
7. If it is the desire of the City Council, approve the attached Ordinance for first reading; and
8. Direct staff to agendaize the proposed Ordinance for second reading/adoption at the next regular City Council meeting.

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

Ordinance No. 3022

m) Mayor Ancona
s) Councilmember Puente 6-0 (Councilmember Martinez Muela absent)
Open P.H.

Mr. Trigeros – Spoke about the item.

m) Councilmember Puente
s) Mayor Pro Tem Herrera 6-0 (Councilmember Martinez Muela absent)
Close P.H.

m) Mayor Pro Tem Herrera
s) Councilmember Rojo 6-0 (Councilmember Martinez Muela absent)
Motion to approve

Motion for Reconsideration
m) Mayor Pro Tem Herrera 5-0 (Councilmembers Martinez Muela and Puente absent)

m) Mayor Pro Tem Herrera
s) Councilmember Alma Puente 6-0 (Councilmember Martinez Muela absent)
Motion to approve red line Ordinance

14. REGULAR AGENDA:

- 14.1 Consideration and Approval of a Resolution of the City Council Approving the Annual General Plan Housing Progress Report for the Year 2022 and Directing Staff to Transmit the Report to the Governor’s Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt a Resolution approving the 2022 Annual General Plan Housing Element Report; and
2. Direct staff to transmit such report to the Governor’s Office of Planning and Research and the State California Department of Housing and Community Development.

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

Resolution No. 10441

m) Councilmember Puente
s) Mayor Ancona 6-0 (Councilmember Martinez Muela absent)

City Council Meeting Minutes of April 4, 2023

- 14.2 Consideration and Approval of a Parking and Business Improvement Area Programming Agreement Between the City of El Monte and the Downtown El Monte Business Association (“DEMBA”).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the form of the Agreement between the City of El Monte and the Downtown El Monte Business Association to provide funding to reimburse certain eligible activities; and
2. Authorize the City Manager to execute the Agreement on behalf of the City.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Mayor Ancona

s) Mayor Pro Tem Herrera

5-0 (Councilmembers Martinez Muela and Puente absent)

- 14.3 Consideration and Approval of an Increase to the Purchase Orders with the Bus Doctor 1 and 3L Executive Services for Transit Bus Maintenance Services.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve an increase to the Purchase Orders with The Bus Doctor 1 and 3L Executive Services for transit bus maintenance services.

Total Cost: \$60,000 (\$30,000 Increase to The Bus Doctor PO)

Account No: 202-67-576-6335

\$50,000 (\$20,000 Increase to 3L Executive Services)

Is the cost of this item budgeted? Yes

m) Mayor Ancona

s) Councilmember Puente

6-0 (Councilmember Martinez Muela absent)

15. CITY ATTORNEY’S AGENDA:

- 15.1 Discussion and Request for Direction Regarding Size and Composition of Certain City Commissions to Reflect Recent Changes to the Size and Composition of the City Council.

Direction was given from the Council to promote the application for the vacancies in the varies commissions and the positions in committees that have had standing members.

At 9:38 p.m.

m) Mayor Pro Tem Herrera

s) Councilmember Puente

To Extend the meeting past 10:00 p.m. to cover Items 16.1 and 16.2

Secondary Motion

m) Councilmember Puente

s) Councilmember Ruedas

To extend the meeting past 10:00 p.m. to allow the Mayor to speak on two urgent matters.

5-0 (Councilmembers Martinez Muela and Herrera absent)

City Council Meeting Minutes of April 4, 2023

16. CITY MANAGER'S AGENDA:

16.1 Receive a Presentation on the Planning, Building and Engineering Divisions Modernization and Efficiency Program.

m) Mayor Ancona
s) Councilmember Puente **6-0 (Councilmember Martinez Muela absent)**
Item was tabled.

16.2 Receive a Presentation on Parks, Recreation and Community Services Department 2023 Programming and Events.

m) Mayor Ancona
s) Councilmember Puente **6-0 (Councilmember Martinez Muela absent)**
Item was tabled.

17. WRITTEN COMMUNICATIONS: **None**

18. COUNCIL COMMUNICATIONS/REPORTS:

18A. Mayor Ancona

Direct staff to write a letter on behalf of the Council to the Governor's Office requesting that they continue to support City of El Monte in these three areas: Parks, Project Home Key, and the Police Department.

Direct staff to write a letter to Supervisor Hilda Solis on behalf of the City of El Monte in regards to Digital Equity, in which the work of Supervisor Solis's office is acknowledged.

18A.1 Discussion on Creating Grant Opportunities for Youth Sports.

18A.2 Update on Arts in Public Places Murals.

18B. Mayor Pro Tem Herrera

18B.1 Discussion Regarding Issuing Bonds for Street Repairs.

18B.2 Discussion Regarding Creating a CFD as Part of the Economic Stimulus for Main Street (Downtown Valley Mall).

18B.3 Discussion Regarding Economic Development Plan for Main Street (Downtown Valley Mall).

18B.4 Discussion Regarding Street/Sidewalk and Infrastructure Improvements for Main Street (Downtown Valley Mall).

18C. Councilwoman Cortez

18C.1 Discussion Regarding Economic Development Plan for the Entire City.

18C.2 Discussion and Update Regarding Garvey Underpass – Flooding Issues and Project Timeline.

18C.3 Discussion Regarding Welcome to El Monte Signs.

City Council Meeting Minutes of April 4, 2023

18C.4 Discussion Regarding Code Enforcement Efforts – Data and Report on Open Cases and Departmental Needs.

18D. Councilwoman Martinez Muela

18D.1 Status of the Efficiency Study, Approved December 2021.

18D.2 Discussion Regarding Public Information Officer Position, Funded July 2020.

18D.3 Update on Budgeted, Unfilled Positions and Recent Turnover.

18D.4 Discussion and Action Directing Staff to Complete a Salary Compensation Study.

18D.5 Update on the Status of the Annual Comprehensive Financial Report (ACFR).

18E. Councilwoman Puente

18E.1 Discussion Regarding Presentation on Cannabis Revenues Focus on Impact for Youth Programming and Education.

18F. Councilman Rojo

18F.1 Discussion Regarding the Results of the March 14, 2023 Goal Setting Session.

18F.2 Discussion Regarding Proposal to Name a Park in Honor of Los Angeles County Supervisor Hilda Solis.

18G. Councilwoman Ruedas

18G.1 Discussion Regarding Programs and Services Offered for Our Community and Seniors.

18G.2 Discussion Regarding What is Being Done to Ensure our City's Infrastructure is in Good Condition.

18G.3 Discussion Regarding Programs and Services to Promote and Serve Our Youth.

18G.4 Discussion Regarding Current Strategies Being Done for the Retention of Our Business Community.

City Council Meeting Minutes of April 4, 2023

19. ADJOURNMENT:

- m) Mayor Ancona**
 - s) Councilmember Puente**
- Adjourn the meeting at 9:48 p.m.**

The next Regular Meeting of the City Council will be held on **April 18, 2023** 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.

Gabriel Ramirez, City Clerk
City of El Monte

APPROVED:

Jessica Ancona, Mayor
City of El Monte