

APPROVAL OF MINUTES  
EL MONTE CITY COUNCIL REGULAR MEETING  
OF MAY 16, 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 – **present**  
Alma D. Puente, Councilmember/Authority Member – **present**  
Richard Rojo, Councilmember/Authority Member – **absent**  
Julia Ruedas, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

**m) Councilmember Puente**  
**s) Councilmember Martinez Muela** **6-0 (Councilmember Rojo 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 agendaized Closed Session items by 7:00 p.m., the City Council will hear all such remaining items toward the end of the meeting, immediately following Council Communications. Should any member of the public wish to address the City Council on any *agendaized* Closed Session matter, the City Council shall allow such person to address the City Council on such matter(s) prior to going into Closed Session, provided that all persons wishing to address the Council on an agendaized Closed Session matter shall (i) call-in 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 4.11. Mayor Ancona and the City Council recessed into Closed Session at approximately 6:01 p.m. Mayor Ancona and the City Council reconvened from Closed Session at approximately 7:07 p.m.**

**Assistant City Attorney Lloyd Pilchen reported out of Closed Session with respect to Items 4.1 and 4.11.**

4.1 Closed Session Pursuant to Government Code Section 54956.9 Subparts (a), (d)(2) and (e)(3) – Conference with Legal Counsel – Anticipated Litigation – One (1) Matter.

**Received report and no reportable action taken.**

4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – City of El Monte v. Crown Estate Holding, LLC, Los Angeles County Superior Court Case No. 21STCV26110.

**Received report and no reportable action taken.**

**City Council Meeting Minutes of May 16, 2023**

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – City of El Monte v. Zhoujun Chen, et al., Los Angeles County Superior Court Case No. 21PSCV00379.

**Received report and no reportable action taken.**

- 4.4 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – City of El Monte v. Ying Ying Feng, et al., Los Angeles County Superior Court Case No. 22PSCV00256.

**Received report and no reportable action taken.**

- 4.5 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – City of El Monte v. Andrea Paterno, et al., Los Angeles County Superior Court Case No. 21PSCV00363.

**Received report and no reportable action taken.**

- 4.6 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – City of El Monte v. NGA Thi Nguyen, et al., Los Angeles County Superior Court Case No. 21PSCV00383.

**Received report and no reportable action taken.**

- 4.7 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – City of El Monte v. Minh Tang, et al., Los Angeles County Superior Court Case No. 21PSCV00366.

**Received report and no reportable action taken.**

- 4.8 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – City of El Monte v. Dan Tu Cun, et al., Los Angeles County Superior Court Case No. 21PSCV00471.

**Received report and no reportable action taken.**

- 4.9 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – City of El Monte v. Lino James Ibarra et al., Los Angeles County Superior Court Case No. 22PSCV00257.

**Received report and no reportable action taken.**

- 4.10 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – City of El Monte v. Dale Lue, et al., Los Angeles County Superior Court Case No. 21PSCV00656.

**Received report and no reportable action taken.**

- 4.11 Closed Session Pursuant to Government Code Section 54956.9 Subparts (a), (d)(2) and (e)(3) – Conference with Legal Counsel – Anticipated Litigation – One (1) Matter.

**Received report and no reportable 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: Chaplain. **Chaplain Manny Coronilla, Calvary Chapel El Monte**

**City Council Meeting Minutes of May 16, 2023**

6. FLAG SALUTE: Ayden White, 3<sup>rd</sup> Grade Student from Le Gore Elementary School.  
**Present**
  
7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:
  - 7.1 Presentation by the City Council to Ayden White from Le Gore Elementary School for Leading the Pledge of Allegiance. **Present**
  - 7.2 Presentation by the City Council Proclaiming the First Friday in June to be National Gun Violence Awareness Day. **Present**
  - 7.3 Presentation by the City Council Proclaiming the Month of May 2023 as American Asian and Pacific Islander Heritage Month. **Present**
  - 7.4 Presentation by the City Council to the El Monte Pee Wee Cheer All Cheer Captains. **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 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 agenda items under the Public Hearing portion of the agenda shall have a separate allotment of three (3) continuous minutes per speaker per public hearing item. Except as otherwise provided under the Brown Act (Gov. Code Section 54950 et seq.), the Council may not deliberate or take action upon any matter not listed on this posted agenda but may order that any such matter be placed on the agenda for a subsequent meeting. The Council may also direct staff to investigate certain matters for consideration at a future meeting. Persons wishing to address the Council on matters covered under General Public Comment shall call in 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.

Eileen Penson – From the Public Library provided update regarding the free lunches being served during the summer at Norwood from June 5<sup>th</sup> to August 11<sup>th</sup>. Free for those ages 18 and under.

Jane Myring – Representing the Women’s Call. Thanked the City Attorney’s Office for paying their rent. Would like to request a written answer regarding why one organization is treated differently.

Cindy Wu – Board Member Mountain View School District. Thanked the City Council regarding the Gun Violence Proclamation. Thanked the City Council for recognizing the month of May as American, Asian and Pacific Islander Heritage Month. Mountain View has a speech contest about what the younger people are thinking about areas of improvement at the City.

Alyssa Garcia – Read her speech that she wrote for the Mountain View speech contest. Spoke about the positive things and the flaws that the City has.

Leticia Marquez Hernandez – Here supporting her daughter Elisa Garcia for having the courage to speak out and come out of her comfort zone. Encouraged other parents to bring their kids to the City Council meetings.

Julio Ramirez – Spoke about the last meeting about the 4<sup>th</sup> of July. Thanked Councilmember Martinez Muela for bringing this up. Spoke about gun violence.

Mary Ann Powers – Have been dealing with the drought for many years it was a very convenient way to ignore the unkept yards. Now you see more unkept yards than kept yards. The City has to hold the landlords responsible.

**City Council Meeting Minutes of May 16, 2023**

Edward Saucedo – Spoke about public safety and the need for another bear cat.

Jesse Fierro – Spoke about issue with one of his neighbors regarding a fence.

Gabriel Ramirez – Made a suggestion to the City Council and Directors regarding having a CPR training. Also spoke about public records requests. Requested additional staffing to assist with complying with public records requests.

9. CITY TREASURER’S REPORT:

9.1 Transmittal of the Treasurer’s Cash and Investment Report for the Quarter Ended March 31, 2023.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the Treasurer’s Cash and Investment Report for the quarter ended March 31, 2023.

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

10. DEMAND RESOLUTION NO. D-687

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 \$4,442,798.40 have been examined by the City Treasurer and that warrant numbers 1113805 through 1114215, and the payroll ending April 15, 2023, inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

**m) Councilmember Puente**  
**s) Councilmember Ruedas** **5-0 (Councilmember Martinez Muela and Rojo absent)**

11. APPROVAL OF MINUTES: Regular Meeting Minutes of April 18, 2023; and Regular Meeting Minutes of May 2, 2023

**m) Councilmember Puente**  
**s) Mayor Ancona** **6-0 (Councilmember Rojo absent)**

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.

**City Council Meeting Minutes of May 16, 2023**

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**                      **6-0 (Councilmember Rojo absent)**

12.2 Consideration and Approval of Document Destruction of Finance Department Financial Records and Related Support Per the City's Retention Policy.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Consider and approve the attached Resolution authorizing the purging and destruction of financial records and related support per the City's Records Retention Policy for destruction.

Total Cost: \$1,800 Account No: 100-31-311-6111 - \$900  
Is the cost of this item budgeted? Yes 600-67-695-6111 - \$900

Resolution No. 10450

**m) Mayor Ancona**  
**s) Mayor Pro Tem Herrera**                      **6-0 (Councilmember Rojo absent)**

12.3 Consideration and Approval of a Professional Service Agreement with Michael Baker International for the Preparation of a California Environmental Quality Act (CEQA) Document in the Amount Not-to-Exceed \$133,350 for the Proposed Garvey Corridor and Five Points Plan.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Approve the proposed Professional Services Agreement with Michael Baker International for the preparation of an Addendum to the General Plan EIR or Subsequent Mitigated Negative Declaration for a not-to-exceed amount of \$133,350; and
2. Authorize the City Manager to execute a Professional Services Agreement with Michael Baker International, Inc.

Total Cost: \$133,350 Account No: 299-61-624-6111 - \$83,350  
Is the cost of this item budgeted? Yes 100-61-611-6111 - \$50,000

**m) Dr. Ruedas**  
**s) Mayor Pro Tem Herrera**                      **6-0 (Councilmember Rojo absent)**

12.4 Consideration and Approval of a Third Amendment to Attorney-Client Agreement with Danning, Gill, Israel & Krasnoff, LLP for Bankruptcy Legal Services Relating to Illegal Cannabis Operations.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Approve the Third Amendment to the Attorney-Client Agreement with Danning, Gill, Israel & Krasnoff, LLP, to increase the cap on legal fees from \$75,000 to \$95,000 incurred in the representation of the City of El Monte in the bankruptcy matter (Crown Estates Holding) involving property where illegal cannabis activities have occurred; and
2. Authorize the City Manager to make nonmaterial changes in consultation with the City Attorney's Office and execute all implementing documents.

**City Council Meeting Minutes of May 16, 2023**

Total Cost: \$20,000  
Is the cost of this item budgeted? Yes

Account No: 100-41-412-6125

**m) Mayor Ancona**  
**s) Mayor Pro Tem Herrera**                      **6-0 (Councilmember Rojo absent)**

13. PUBLIC HEARINGS: **None**

14. REGULAR AGENDA:

14.1 Consideration and Approval of the First Amendment to Native American Monitoring Service Agreement with Kizh Nation Resources Management for the Nevada Avenue and Bodger Street Area Sewer Replacement Project, CIP 005.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:  
It is recommended that the City Council:

1. Consider and approve Amendment No. 1 to the Native American Monitoring Service Agreement with Kizh Nation Resources Management in the amount of \$23,000, increasing the original contract amount from \$29,500 to \$52,500; and
2. Authorize the City Manager to execute Amendment No. 1 to the Native American Monitoring Service Agreement with Kizh Nation Resources Management, with terms and services extended through December 31, 2023.

Total Cost: \$23,000  
Is the cost of this item budgeted? Yes

Account No: 650-67-005-8221  
Sewer Fund

**m) Councilmember Puente**  
**s) Dr. Ruedas**                                      **6-0 (Councilmember Rojo absent)**

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 on Budget Workshop Date.**

Discussed having budget meetings June 12<sup>th</sup> and June 13<sup>th</sup> at 6:00 p.m.

Mayor Ancona – Spoke about her trip to Sacramento for the State Police Officer's Memorial. Also spoke about the National Memorial Ceremony that took place in Washington DC. There were over 400 fallen officers in 2022.

Councilmember Martinez Muela – Roger Cobian was selected to sing the National Anthem at the memorial.

18B. Mayor Pro Tem Herrera

18C. Councilwoman Cortez

18C.1 Update Regarding the El Monte RV Site Clean Up.

Thanked the City Manager, City Attorney and staff for the work being done on the El Monte RV Site.

**City Council Meeting Minutes of May 16, 2023**

18D. Councilwoman Martinez Muela

Thanked staff for a beautiful breakfast for the National Day of Prayer. All the Chaplains were present. Mother's Day at Farmers Market was tremendous. The flowers that Councilmembers got to pass out to the community was great. Spoke about and thanked everyone who put together the Inspire Event.

18D.1 Update on Budget Workshops for the City Council.

Spoke about this year's Mid-Year budget and the use of \$7.0 million from ARPA for this year. Some of the approvals that happened at the last meeting are going to adversely affect the City. Deeply concerned that all is okay but not everything is okay.

Will the City Council receive the binder prior to the budget workshops.

18D.2 Discussion on the Fair and Equitable Treatment of Nonprofit Organizations.

Would like to understand how certain organizations have the \$1.00 fee and how other organizations are paying a tremendous amount of rent.

The City Council has requested a Policy regarding non-profit organizations regarding this.

18E. Councilwoman Puente

18F. Councilman Rojo

18G. Councilwoman Ruedas

18G.1 Status on the My El Monte Application Requests from the Community.

Interested to know what is going on with the My El Monte Application Requests from the Community. What is the community asking, what are the needs?

18G.2 Discussion Regarding Monthly Recognitions to Local Businesses.

Attended the ribbon cutting ceremonies for two of the businesses. It would be great to recognize local businesses in the City.

Councilmember Martinez Muela – Would like to bring back the Quarterly meeting that the City used to hold.

Mayor Ancona – The Quarterly meetings will open up the space for the community.

Mayor Ancona – Have we promoted that we have openings on our Commissions/Committees.

**City Council Meeting Minutes of May 16, 2023**

19. ADJOURNMENT:

**m) Mayor Ancona  
s) Councilmember Puente  
Adjourn the meeting at 8:32 p.m.**

**6-0 (Councilmember Rojo)**

The next Regular Meeting of the City Council will be held on **June 6, 2023** at 6:00 p.m. This Agenda will be posted on the City's website, [www.ci.el-monte.ca.us](http://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