

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL REGULAR MEETING
OF FEBRUARY 16, 2021

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: **6:05 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

Jessica Ancona, Mayor/Chair – **present**
Victoria Martinez Muela, Mayor Pro Tem/Authority Member – **present**
Martin R. Herrera, Councilmember/Authority Member – **present**
Maria Morales, Councilmember/Authority Member – **present**
Alma D. Puente, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

WITH THE FOLLOWING EDITS/CHANGES TO THE AGENDA:

SPECIALLY ADDED REGULAR AGENDA ITEM:

4.10 Closed Session Pursuant to Government Code Section 54956.9(d)(2) and (e)(1)
– Potential Litigation: One (1) Potential Case.

m) Mayor Ancona
s) Dr. Morales

5-0

4. CLOSED SESSION:

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 agendaized 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 *agendaized* 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 agendaized Closed Session matter shall fill out a speaker card and be subject to a

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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 agenda item in Closed Session pursuant to the Brown Act (Govt. Code Section 54950 et seq.).

Mayor Ancona invited members of the public to address the City Council on Closed Session Items 4.1 through 4.10.

Mayor Ancona and the City Council recessed into Closed Session at approximately 6:08 p.m. Mayor Ancona and the City Council reconvened from Closed Session at approximately 7:25 p.m.

Per Mayor Ancona, the City Council has not concluded with Closed Session so there will be no reporting out until the City Council concludes with the Closed Session items.

At 12:01 a.m., City Attorney Rick Olivarez reported on the Closed Session Items as listed on the agenda.

- 4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: FEAH, LLC vs. City of El Monte, LASC Case No. 20STCP03720.

The City Council received a report from the City Attorney's Office on various legal matters and strategies concerning these matters but did not take any final action in Closed Session.

- 4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: NeroCanna vs. City of El Monte, Los Angeles Superior Court Case No. 20STCP02545.

The City Council received a report from the City Attorney's Office on various legal matters and strategies concerning these matters but did not take any final action in Closed Session.

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: Clade9Ellis Lane, LLC vs. City of El Monte, et al., Los Angeles Superior Court Case No. 20STCP04213.

The City Council received a report from the City Attorney's Office on various legal matters and strategies concerning these matters but did not take any final action in Closed Session.

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- 4.4 Closed Session Pursuant to Government Code Section 54956.9(d)(1) Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: Calimed Baldwin, LLC vs. City of El Monte, Los Angeles Superior Court Case No. 20STCP03134.

The City Council received a report from the City Attorney's Office on various legal matters and strategies concerning these matters but did not take any final action in Closed Session.

- 4.5 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: Nibble This – El Monte, LLC vs. City of El Monte, et al., Los Angeles Superior Court Case No. 20STCP04044.

The City Council received a report from the City Attorney's Office on various legal matters and strategies concerning these matters but did not take any final action in Closed Session.

- 4.6 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: Dronatherapy, Inc. vs. City of El Monte, Los Angeles Superior Court Case No. 20STCP04067.

The City Council received a report from the City Attorney's Office on various legal matters and strategies concerning these matters but did not take any final action in Closed Session.

- 4.7 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: Embiem, LLC vs. City of El Monte, Los Angeles Superior Court Case No. 21STCP00345.

The City Council received a report from the City Attorney's Office on various legal matters and strategies concerning these matters but did not take any final action in Closed Session.

- 4.8 Closed Session Pursuant to Government Code Section 54956.9(d)(2) and (e)(1) – Significant Exposure of Litigation: One (1) Potential Case.

The City Council received a report from the City Attorney's Office on various legal matters and strategies concerning these matters but did not take any final action in Closed Session.

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- 4.9 Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator – All Represented Employees:

Bargaining Units Subject to Negotiations: El Monte SEIU Local 721; El Monte Police Mid-Managers Association; El Monte Police Officers Association; Management Group; and El Monte General Mid-Managers Association.

City’s Designated Negotiator: Alma K. Martinez, City Manager and John Nguyen, Human Resources/Risk Management Director

The City Council received a report from the City’s designated representatives Alma Martinez and Adrian Guzman of Liebert Cassidy and Whitmore feedback was provided but no final action taken.

- 4.10 Closed Session Pursuant to Government Code Section 54956.9(d)(2) and (e)(1) – Potential Litigation: One (1) Potential Case.

The City Council did not discuss this item tonight in Closed Session.

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: **Councilmember Puente.**

6. FLAG SALUTE: **Chief of Police, David Reynoso. Present**

7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:

- 7.1 Presentation by San Gabriel Valley Council of Governments on the 2020 San Gabriel Valley Energy Champion Awards Recognition. **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

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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 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.

Mary Ann Powers – Since the start of the pandemic, restaurants have been struggling to survive. First they are told to shut down indoor dining They invest in heaters, tables, chairs, and tents only to have the state and county ban outdoor dining. This happens even though they are NOT a major source of spread of Covid-19. The average person runs a greater risk of catching the virus by visiting a government building. Through all of these shutdowns, we have had pop-up food stands on corners & major streets in our city. These places do not have the expenses that the restaurants have, so they don't have to charge what restaurants would charge for their food. They do not pay rent for the sidewalks they block when they occupy them with their tents and grills. There is no social distancing enforced at these food stands. Do they even collect and pay sales tax? There are no restroom facilities for the staff or customers. Do they wash their hands? If there are no facilities.... how do they manage? I realize that Governor Newsom signed legislation allowing these sidewalk businesses. I see the street vendors in El Monte, the city of Los Angeles and County areas. Why don't I see them in Arcadia, Monrovia, or even Baldwin Park? What are these cities doing differently? For the survival of our El Monte businesses, and the health and well-being of our citizens, it is time to make our codes as strict possible and to vigorously enforce the codes. Whenever the citizens of El Monte are asked what new things they would like to see come to the city, restaurants are always in the top ten. Let's do what we can to keep the few we have, and perhaps that will encourage more to come.

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Irma Zamorano – Good evening Mayor and City Council my name is Irma Zamorano resident for 50 years and I'm concern about the treatment of the street vendors, I want to know what's the city guidelines on permits, the cost and how to obtain a permit. How can we make the process easier for all without violence. It's concerning to know that a Los Angeles County health inspectors came to the city on his day off just to shut down vendors. To me that's a personal attack on one particular vendor. It's not right to see health inspectors abusing their power by continuous harassment, bullying and intimidation of street vendors there should be a better way to let vendors know if their permits are clear and meeting all the requirements to operate before setting up. It's sad to see health inspectors be thugs by throwing their food away taking their equipment which is unnecessary. Please look into this matter I know there's always to side of the story but we should refrain from violence its uncalled for and makes our city look good.

Evangelica Child – I am a Health Policy Liaison with Day One here in El Monte at the Jeff Seymour Center. Currently, I and a fellow colleague Carly Lopez are working on a project called Project Sticker Shock. What Project Sticker Shock is we partner with retailers in the city such as liquor stores and grocery stores mostly small businesses, and we partner with them to place stickers on multi-packs of beer or liquor that may be in the fridges of the store. The Stickers bring awareness to adults who may be purchasing alcohol to minors and show them what they can be penalized with such as 6 months in prison or a \$1,000 fine and at times both. We are working on this project with College students from around the area and high school students so that we can decrease underage drinking in the area. Thank you for your time.

Cosmic J Menes – Good evening Mayor Palin and esteemed city council, As a 69-year resident of our fair city I am writing today to speak about several matters. I witnessed the horrendous acts that took place between our police officers and street vendors. I think it's despicable that a business operator would be allowed to assault a police officer, while I also think it's terrifying how our police officers responded to the assault. I hope the city council will take swift action to address this matter...perhaps another thoughts and prayers event streamed online will make quick work of solving this pressing matter, because nothing says "we're taking action" like sitting in front of a camera. Moving on to another important matter, I would like to congratulate our newest monarch, Mayor Pro Tem Victoria Martinez-Muela, her royal highness! I'm thrilled she has finally been recognized for all her hard work, including when she held a fake fundraiser for local charities, hoarded the money during a pandemic, then parceled it out during her election, as though she was making these "donations" from her own pocket. So in addition to a 5-0 vote to appoint madam mayor pro tem, I hope our council will vote unanimously to investigate Queen Victoria's shady dealings. I am concerned that with so much institutional knowledge in her head, it may have pushed out her common sense. Finally I would like to speak of none other than the great Diva herself, La Gran Señora, Irma Zamorano. It seems that Irma hasn't paid her debt to our fair city, currently owing in excess of \$2,000 for her campaign fees. I'm glad her promise to save El Monte \$338,000 by not holding a special election was kept—by appointing anyone else but her to the vacant seat, but her royal grandness needs to cough up from her gullet the money she owes our city ASAP, before El Monte is bankrupt from lawsuits due to police getting beat up by food vendors, or however that all went down. Maybe residents can ask Irma what happened, since she claims to have been there defending the poor street vendors, and most definitely not stuffing herself with free tacos.

Councilmember Margaret Clark, City of Rosemead – **[INAUDIBLE]**

Ricardo Padilla – **[INAUDIBLE]**... I would like to congratulate Councilmember Mr. Martin Herrera our new City Council Member **[INAUDIBLE]**. We are aware that this appointment was made possible by the vote of three women on this Council and it was not done with an election process. There were many candidates with great qualifications, education qualifications, of course as an educator of much interest to me many years of service and many years of in the community but at the end the process is the process and the rest is history. With that being said I want to share with Councilman Martin Herrera will make all of his decisions based on what is best for El Monte residents. It was nice to see that we had a neutral unbinding party in Mr. Herrera. I say this because we know what the voters said in the last election when it came to members of Team El Monte and again this appointment was made possible by three women Councilwoman Ancona,

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Martinez and Puente. Remember that the public always remember us by the work that we do and the decisions we make. If you recall they even remember that girls don't just want to have fun girls want to have fun and get things done and Mr. Herrera is so lucky to be a part of you he will learn a lot and trust me I know I speak from experience. I sit on a board made up of all men and one woman and it is the woman who brings the most educational experience as well as the most life experience to our board. Lastly, I was really troubled and blindsided by not getting information regarding the two hotels on Valley over by Baldwin Avenue that the City of El Monte is involved with that will serve homeless families. This is something that your City Manager in my opinion could and should have done a better job of handling. When I called my Superintendent he knew nothing about it. Members of the Community are concerned about what this is going to look like and they have many questions. I did see articles and pictures of your City Manager involved with food distribution if you are going to distribute food great but you do not have to brag about it just do it. This tells me she does have enough time to call our Superintendent about homeless families and motels and its impacts. Please give us a report if possible

Cosme Jimenez – I have three items, number one I want to congratulate the new Councilmember Martin Herrera he is going to be indirectly he is going to be the swing vote. **[INAUDIBLE]**. Number two I got a copy of making comments against Councilwoman Martinez and Mayor Ancona I know where this is coming from using my name close to my name playing games with the Council. I hope something could be done with the help of the City Attorney also the Councilmembers that can help us are Morales and Councilwoman Puente because it is not attacking them. So I am not saying that they are involved with this but I am saying they might have a clue like I have too where this is coming from. Number three is the street vendors the street vendors we have we need somebody at City Hall that they can talk too **[INAUDIBLE]**

Howard Owens – Thank you for taking my phone call it is kind of frustrating being home. I would like to speak about the problem with the street vendors. They take taxes, health department things and everything else and the street vendors don't have to do that and we have to keep our restaurants open. Other items I have here are cannabis how much are we paying in legal fees for cannabis when we first started this thing all legal fees were going to be taken care of by the cannabis people. I want to thank this Council for going ahead and appointing someone. I want to thank our new Councilwoman for stepping up to the plate and you guys appointing Mr. Martin Herrera and I congratulate him and welcome him to the City. We need to get into the Council and where we can get up and speak we have a lot of frustrated people out there that haven't been able to this for a year and it would be nice if we could come one at a time and come to the City Council with our views with our problems and with our worries. I appreciate this and looking forward to coming out here and speaking in person and not trying to do it over the phone. Thank you very much.

9. CITY TREASURER'S REPORT:

9.1 Transmittal of the Treasurer's Investment Report for the Quarter Ended December 31, 2020.

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, 2020.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

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10. DEMAND RESOLUTION NO. D-637

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 \$8,050,813.02 have been examined by the City Treasurer and that warrant numbers 1096042 through 1096591, and the payroll period ending January 15, 2021 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

m) Dr. Morales

s) Mayor Pro Tem Martinez Muela

5-0

11. APPROVAL OF MINUTES:

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m) Mayor Ancona

s) Mayor Pro Tem Martinez Muela

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 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 Martinez Muela

s) Mayor Ancona

5-0

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- 12.2 Receive and File the City Clerk's Quarterly Listing of Contracts Filed in the City Clerk's Office Between October 1, 2020 and December 31, 2020.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the Report.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Mayor Pro Tem Martinez Muela

s) Dr. Morales

5-0

- 12.3 Consideration and Approval of a Resolution of the City Council of the City of El Monte, California Reaffirming the Representatives to the Independent Cities Risk Management Authority.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Ratify the attached Resolution reaffirming the City's representatives to the Independent Cities Risk Manager Authority.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10237

m) Mayor Pro Tem Martinez Muela

s) Mayor Ancona

5-0

- 12.4 Second Reading Approval of an Ordinance of the El Monte City Council Amending Chapters 17.02 (Definitions); 17.06 (General Regulations); 17.08 (Parking); 17.10 (Landscaping Requirements); 17.12 (Sign Standards and Sign Regulations); 17.14 (NonConforming Provisions); 17.18 (Zoning Clearances); 17.20 (Modification-Variance); 17.24 (Conditional Use Permit); 17.34 (R-1B Zone); 17.36 (R-1C Zone); 17.38 (R-2 Zone); 17.40 (R-3 Zone); 17.42 (R-4 Zone); 17.45 (Mixed/Multiuse Zone); 17.48 (C-O Zone); 17.50 (C-1 Zone); 17.52 (C-2 Zone); 17.54 (C-3 Zone); 17.56 (C-4 Zone); 17.58 (M-1 Zone); and 17.60 (M-2 Zone) of the El Monte Municipal Code (EMMC).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Ratify the proposed Ordinance by second reading by no less than three (3) votes.

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

Ordinance No. 2994

m) Mayor Pro Tem Martinez Muela
s) Mayor Ancona **5-0**

- 12.5 Approval of Request to Advertise and Publish the Notice Inviting Bids (NIB) for the Renovation of the Budget Inn Homekey Program Site.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the advertisement and publication of the Notice Inviting Bids (NIB) for the renovation of the Budget Inn Homekey Program site.

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

m) Mayor Pro Tem Martinez Muela
s) Mayor Ancona **5-0**

- 12.6 Approval of a Resolution Extending the "Dine-Out El Monte" Program to July 31, 2021, to Allow Temporary Outdoor Dining for Restaurants and Other Eateries to Promote the City's Economic Recovery in Response to the COVID-19 Pandemic.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and adopt a Resolution extending the "Dine-out El Monte" Program through July 31, 2021, to allow temporary outdoor dining for restaurants and other eateries in response to the Coronavirus COVID-19 pandemic.

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

Resolution No. 10238

m) Mayor Pro Tem Martinez Muela
s) Dr. Morales **5-0**

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- 12.7 Approval of a Resolution Authorizing the Use of the City Seal in a Memorial Observance Honoring the Legacy and Contributions of Former City Attorney David F. Gondek Proposed for Display on the Electronic Billboard Located at 3340 Peck Road and Operated by Outfront Media, in Accordance with El Monte Municipal Code Section 1.08.040.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt the proposed Resolution authorizing the use of the City seal in a memorial observance honoring the legacy and contributions of former City Attorney David F. Gondek proposed for display on the electronic billboard located at 3340 Peck Road and operated by Outfront Media, in accordance with El Monte Municipal Code Section 1.08.040.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10239

**m) Mayor Pro Tem Martinez Muela
s) Mayor Ancona**

5-0

13. PUBLIC HEARINGS:

- 13.1 A Public Hearing to Consider and Approve a Resolution Approving Minor Technical Amendments to a Disposition, Development, and Affordable Rental Housing Loan Agreement Regarding a 53-Dwelling Unit Affordable Rental Housing Development Project to be Constructed and Developed by the Cesar Chavez Foundation or its Affiliate(s) at the Corner of Valley Boulevard and Tyler Avenue.

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. Adopt the proposed Resolution approving the Amended and Restated Disposition, Development and Affordable Rental Housing Loan Agreement and associated documents.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10240

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m) Mayor Ancona
s) Mayor Pro Tem Martinez Muela 5-0
Open P.H.

m) Mayor Ancona
s) Dr. Morales 5-0
Close P.H.

m) Dr. Morales
s) Councilmember Puente 5-0
Resolution No. 10240

Break at 9:05 pm
Return at 9:11 pm

- 13.2 A Public Hearing Pursuant to Government Code Section 4217.12 to Consider and Approve Findings Establishing that it is in the Best Interest of the City to Execute and Energy Services Agreement with Alliance Building Solutions, Inc. for the Implementation of Energy Related Services to City.

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; and
7. Approve a Resolution authorizing the City Manager to negotiate finalized Energy Services Agreement with Alliance Building Solutions, Inc. subject to such modifications as may be recommended, and to initiate efforts to secure financing for the same (substantive form of documents are attached to this staff report).

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

Resolution No. 10241

m) Mayor Ancona
s) Mayor Pro Tem Martinez Muela 5-0
Open P.H.

At 9:39 pm
m) Dr. Morales
s) Councilmember Herrera 5-0
To extend the meeting past 10:00 pm

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Break at 10:23 pm

Return at 1028 pm

Tony Lumino – I work for ENGIE Services and have been the primary contact with the City of El Monte since the signing of our Professional Services Agreement in June, 2017. Thank you for this opportunity to address you, my apologies for not being able to present my comments in person, or online. Before I comment, I'd like to congratulate you on the 2020 San Gabriel Valley Energy Champion Award. It is a significant accomplishment that requires initiative, time and perseverance by staff. The residents of El Monte should be proud of, and have confidence their City employees are taking positive action for the environment and resiliency of the City. I wish to comment on item 13.2 regarding the consideration to enter into an Energy Services Agreement with Alliance Building Solutions. As previously stated, I have been the team lead working with the city for over three years on a comprehensive energy efficiency and renewable energy solution. Starting with our comprehensive investment grade audit of the city facilities and assets, ENGIE has presented several potential scenario's for a guaranteed, self-funding, paid from savings citywide efficiency & renewable energy program. These proposed scenario's resulted in a true, guaranteed positive cash flow. In other words, they were paid from savings and in all regards met the statute of Government Code 4217.12. ENGIE and its legacy companies has been serving the public sector for over 46 years, and I personally have been in the business for more than 25. Energy Services Agreements – energy projects – are complicated and the nuances are important to understand. I encourage the City to further its due diligence to the proposal before you, as with any energy services proposal. I encourage the City to pursue the goal of modernizing its facilities through energy savings, be it with the company under consideration, ENGIE, or another opportunity.

Mike Kefchaf – Currently the Director of Business Affairs for the International Brotherhood of Electrical Workers. I am speaking in favor of Agenda Item 13.2. Given that IBEW's partnership and relationship with Alliance Business Solutions they have distinguished themselves as responsible and an integral organization that are committed to their reputation. So given the City of El Monte's adoption of Government Code Section 4217.12 and 13 regarding an energy service agreement this agreement pushes your pursuit of Alliance Business Solutions being the exact right choice of implementation of the City's energy related services as you move forward which is a responsible and financial move for the City. As the Director of Business Affairs for IBEW my interest vary but my primary concern is for the integration of reference of IBEW which provides careers to not only the 360 of your current residents of the City of El Monte but the veterans returning back home to the City of El Monte from military service who will be in search of sustaining careers. I actually conducted an annual career fair at the El Monte Army Reserve Center with Congresswoman Napolitano advertising our career trade.

Thomas Davey – I represent the International Brotherhood of Electrical Workers Local Union 11 in Los Angeles. We represent over 12,000 members in L.A. County and we also represent our nica contractors over 400 electrical contractors from the L.A. and Orange County area. Currently right now we have over 360 members who actually live in the City of El Monte with this project it will create work investment for our members who live in the community so their investment

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stays in the community it doesn't leave the City and we know this for a fact because we have worked on a lot of these projects for cities and municipalities, and courts and airports that when these types of projects happen we make sure that local hiring is invested, local contractors are invested and the local workforce is invested in the community. With this partnership with ABS we have a partnership with them moving forward we know that these types of applications that are being presented to you know we know we can get a finished product and we commit to these projects to get on time and on budget. We pride ourselves on being professional and making sure that we ensure that safety is the number one goal and giving you a good project. This is a good proposal we urge the City Council to approve this proposal moving forward.

m) Mayor Ancona
s) Mayor Pro Tem Martinez Muela **5-0**
Close P.H.

m) Dr. Morales
s) Councilmember Puente **5-0**
To bring back on March 2, 2021

Secondary Motion
m) Dr. Morales
s) Councilmember Puente **5-0**
Bring back on March 2, 2021

m) Councilmember Herrera
s) Dr. Morales **5-0**
Continue the PH to March 2, 2021

14. **REGULAR AGENDA:**

14.1 Consideration and Approval of a Resolution Authorizing the Execution of the Safe Clean Water Municipal Funds Transfer Agreement Between the City of El Monte and the County of Los Angeles Flood Control District's Safe Clean Water Program.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt a Resolution authorizing the execution of the safe clean water municipal funds transfer agreement for the Regional Program between the City of El Monte and the County of Los Angeles Flood Control District's Safe Clean Water Program;
2. Accept the receipt of funds in the amount of \$4,000,000 from the Safe Clean Water Program (SCP) to be placed into the Special Revenue Fund 283 Storm Drain Revenue Account No. 283-678-4080; and
3. Update the total appropriation amount an additional \$4,000,000 in the Storm Drain Fund 283 for FY 2020-2021 fiscal budget to Expenditure Account

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Series 283-678-884 and authorize the use of State Clean Water funds for this budget appropriation.

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

Resolution No. 10242

m) Mayor Pro Tem Martinez Muela
s) Mayor Ancona 5-0

- 14.2 Consideration and Approval of a Request to Amend the Purchase Agreement with JTB Supply Company, Inc. for Traffic Signal Supplies and Materials on an As-Needed Basis Increasing by Increasing the Original Sum Not-to-Exceed Sum \$25,000 to a New Sum of \$45,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve an amending the Purchase Agreement with JTB Supply Company, Inc. for traffic signal supplies and materials on an as-needed basis by increasing the original not-to-exceed sum of \$25,000 to a new sum of \$45,000.

Total Cost: \$20,000 Account No: 212-67-685-6211
Is the cost of this item budgeted? Yes Measure R

m) Mayor Ancona
s) Councilmember Herrera 5-0

- 14.3 Receive Report from Staff Regarding the Different Types of Vendors Including Those on Sidewalks or Streets and with or Without Food, and Provide Staff with Direction on Possible Next Steps.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive presentation and report from staff;
2. Pose questions to staff; and
3. Provide staff with direction on possible next steps.

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

m) Mayor Ancona
s) Mayor Pro Tem Martinez Muela 5-0
To Receive and File the Report

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- 14.4 Consideration and Approval of a Professional Services Agreement with Volunteers of America of Los Angeles (VOALA) to Provide Operation and Supportive Services for a Total Amount Not-to-Exceed \$751,880 and Approval of License Agreement with VOALA for the Implementation of the Homekey Program.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Professional Services Agreement with VOALA to provide operation and supportive services for the Homekey Program at the Budget Inn in the amount of \$751,880;
2. Approve a License Agreement with VOALA for the Budget Inn; and
3. Authorize the City Manager, or her designee, to make all conforming modifications and edits and execute all implementing documents.

Total Cost: \$751,800 Account No: HCD Homekey Grant - \$480,000
Is the cost of this item budgeted? Yes ESG-CV - \$271,880

m) Councilmember Herrera
s) Dr. Morales

5-0

- 14.5 Transmittal of the City Manager's Report on Municipal Broadband for the City of El Monte, California.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive presentation from Staff;
2. Pose questions to Staff;
3. Receive the Municipal Broadband Report; and
4. Direct staff to release a Request for Proposals ("RFP") for technology consulting services.

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

- 14.6 Consideration and Approval of Request to use Asset Forfeiture Funds for the Purchase of Three (3) New Vehicles for the Police Department.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

If necessary or desired, it is recommended that the City Council:

1. Consider and authorize the use of Asset Forfeiture funds for purchase three (3) new vehicles for staff use in an amount not-to-exceed \$150,000; and

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2. Consider and authorize the purchase of the vehicles from the City of El Monte Toyota Dealership (Longo Toyota).

Total Cost: \$150,000

Account No: 259-71-711-8132

Is the cost of this item budgeted? N/A

Asset Forfeiture

- 14.7 Consideration and Approval of a Resolution Implementing Mid-Year Budget Adjustments for the General Fund and Other Funds for Fiscal Year 2020-2021.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and adopt a Resolution amending the City of El Monte's Operating and Capital Budget for Fiscal Year 2020-21 by increasing appropriations in the General Fund by \$3.8 million; Special Revenue Funds by \$16.1 million; and the Water and Sewer Funds by \$730,720.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

- 14.8 Consideration and Approval of the Purchase of a New Managed Detection and Response Security Service.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the purchase for a new managed detection and response security service in the amount not-to-exceed \$55,000 annually from Del Secure Works.

Total Cost: \$55,000 (Annually)

Account No: 100-24-261-6111

Is the cost of this item budgeted? Yes

15. CITY ATTORNEY'S AGENDA:

16. CITY MANAGER'S AGENDA:

- 16.1 City Council Direction on the Following City Contracts:

- i. Towing Contract;
- ii. Transportation Contract; and
- iii. Lobbyists Contract.

- 16.2 City Council Direction Regarding the City's Website.

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16.3 City of El Monte Budget Priority Survey.

16.4 Update from the Los Angeles County Health Department on Street Vendors.

17. WRITTEN COMMUNICATIONS:

18. COUNCIL COMMUNICATIONS/REPORTS:

18A. Mayor Ancona

18A.1 Update on Citywide Broadband Accessibility.

18A.2 Discussion Regarding Energy Efficiency Projects.

18A.3 Discussion on Virtual Job Fair.

18B. Mayor Pro Tem Martinez Muela

18B.1 Discussion and Action Regarding Bi-Annual Ethics Certification for City Officials.

18B.2 Discussion and Staff Direction Regarding the City of El Monte Water System.

18B.3 Discussion and Action Supporting a Resolution of the City Council Declaring the Month of March Women's History Month.

18B.4 Discussion of Staff Protocols for Ensuring Payment of City Invoices in a Timely Manner.

18B.5 Requested Update on Economic Development Projects, Especially Santa Anita.

18C. Councilman Herrera

18C.1 Discussion to Consider Seeking State Budget Allocation for Pioneer Park.

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18C.2 Discussion to Consider Creation of Standing Committees of the City Council.

18C.3 Discussion to Consider Creation of Ethics Task Force.

18D. Councilwoman Morales

18D.1 Update Regarding the Park Master Plan, Maclaren Park and Lambert Park-Phase 1.

18D.2 Cost of State Audit.

18D.3 Update Regarding the Citywide Broadband Accessibility.

18D.4 Update Regarding Crime Stats and Special Training from the El Monte Police Department.

18D.5 Update Regarding Citywide Street Repairs and the Three (3) Year CIP Progress Report.

18D.6 Discussion Regarding Campaign Finance Reform.

18D.7 Discussion Regarding District Elections.

18D.8 Discussion Regarding Updating the General Plan.

18D.9 Discussion Regarding City Council Goal Setting Session.

18D.10 Discussion Regarding the Development of a Climate Action Plan.

18E. Councilwoman Puente

18E.1 Cost of State Audit.

18E.2 Update on Street Vendors Best Practices.

18E.3 Discussion Regarding Polling the Community on Top Budget Priorities to Inform at the City Council Goal Setting Session.

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18E.4 Discussion Regarding Coordination with Los Angeles County Regarding COVID-19 Vaccine Distribution.

18E.5 Discussion Regarding Efforts to Provide Transportation for Seniors to Vaccination Sites.

18E.6 Discussion and Action on Annual Council Goal Retreat.

19. ADJOURNMENT: Adjourn in Memory of Mr. Henry Velasco, Former City Council Member and City Treasurer.

m) Mayor Pro Tem Martinez Muela
s) Mayor Ancona

The next Regular Meeting of the City Council will be held on **March 2, 2021** at 6:00 p.m. This Agenda will be posted on the City's website, www.ci.el-monte.ca.us, and physically posted no less than 72 hours prior to the start of the subject regular meeting. Although it is the City's practice and desire to electronically post a copy of this Agenda along with supporting material as part of its website posting, the size or formatting of certain supporting materials may render their website posting infeasible. Nevertheless, all supporting materials related to any item on this Agenda, that is made available to the members of the council may be inspected by members of the public at the City Clerk's Office located at 11333 Valley Boulevard, El Monte, Monday through Thursday, 7:00 am – 5:30 pm. For more information, please call the City Clerk's Office at 626-580-2016.

All public meetings and events sponsored or conducted by the City of El Monte are held in sites accessible to persons with disabilities. Requests for accommodations may be made by calling the office of the City Clerk at (626) 580-2016 at least three (3) working days prior to the event, if possible. This Agenda and copies of documents distributed at the meeting are available in alternative formats upon request.

Catherine A. Eredia, City Clerk
City of El Monte

APPROVED:

Jessica Ancona, Mayor
City of El Monte