

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL SPECIAL MEETING
OF JUNE 2, 2020

MEETING JOINTLY AND REGULARLY WITH THE EL MONTE HOUSING AUTHORITY; EL MONTE PUBLIC FINANCING AUTHORITY; EL MONTE PARKING AUTHORITY; EL MONTE WATER 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: **2:49 p.m.**

2. ROLL CALL FOR CITY COUNCIL AND AUTHORITY BODIES:

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

3. APPROVAL OF AGENDA:

WITH THE FOLLOWING EDITS/CHANGES TO THE AGENDA:

Item 14.3 has been pulled.

m) Mayor Quintero

s) Councilmember Velasco

4-0 (Councilmember Ancona absent)

4. CLOSED SESSION (2:00 p.m. – 3:00 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 2:00 p.m. and 3:00 p.m. If the Council completes all Closed Session business prior to 3:00 p.m., the Council will take a short recess and commence all Open Session proceedings promptly at 3:00 p.m. In the event the City Council is unable to address or complete all agenda items by 3:00 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 *agenda* 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 agenda 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 agenda 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 4.3.

Mayor Quintero and the City Council recessed into Closed Session at approximately 2:50 p.m. Councilmember Ancona joined the City Council in Closed Session by phone for the entirety of Closed Session. Mayor Quintero and the City Council reconvened from Closed Session at approximately 4:07 pm.

City Attorney Rick Olivarez reported out of Closed Session with respect to Items 4.1 through 4.3.

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- 4.1 Closed Session Pursuant to Government Code Section 54956.2(d)(2) and 54956.9(e)(1) – Conference with Legal Counsel to Discuss Facts and Circumstances which May Create Exposure to Litigation – One (1) Matter.

General update, no final action

- 4.2 Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator – 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

General update, no final action

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(2) and 54956.9(e) – Conference with Legal Counsel Regarding Anticipated Litigation – One (1) Matter.

General update, no final action

- m) Mayor Quintero
 - s) Councilmember 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: **Mayor Quintero**

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

- 7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS: **No material submitted.**

- 8. SPECIAL MEETING PUBLIC COMMENT REGARDING AGENDIZED MATTERS ONLY: **None**

As provided under **Government Code Section 54954.3**, this time has been set aside for persons in the audience to provide comment or make inquiries on matters appearing on this **Special Meeting agenda only**. Although no person is required to provide their name and address as a condition to attending a meeting, persons who wish to address the body 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. All comments or queries presented by a speaker shall be addressed to the body as a whole and not to any specific member thereof. No questions shall be posed to any member of the body except through the presiding official of the meeting, members of the body 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 body 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 Special Meeting agenda.

Enforcement of Decorum: The Chief of Police of the City of El Monte, or such member, or members of the Police Department as the Chief of Police may designate, shall serve as the Sergeant-at-Arms of the meeting. The Sergeant-at-Arms shall carry out all orders

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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 policies and the action(s) or proposed action(s) of the body 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 policies 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.

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

10. DEMAND RESOLUTION NO. D-622

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 \$4,721,444.57 have been examined by the City Treasurer and that warrant numbers 1090712 through 1090922 and the payroll ending May 15, 2020 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

m) Mayor Quintero
s) Councilmember Velasco **5-0**

11. APPROVAL OF MINUTES: **No material submitted.**

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 Quintero
s) Councilmember Velasco **5-0**

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- 12.2 Approval of Recommendation to Submit an Application to the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Coronavirus Supplemental Funding Program Fiscal Year 2020 Local Solicitation.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

1. Authorize staff to submit a grant application in response to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance Coronavirus Emergency Supplemental Funding (CESF) Program Fiscal Year 2020 Local Solicitation; and
2. Authorize the City Manager, or her designee, to sign all grant related documents as the authorized representative of the City of El Monte.

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

m) Mayor Quintero
s) Councilmember Velasco **5-0**

- 12.3 Approval of Recommendation to Use Asset Forfeiture Funds for Overtime Costs to Address Critical Police Investigations.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

1. Consider and approve the use of Asset Forfeiture Funds in an amount not-to-exceed \$125,000 for overtime expenditures related to addressing critical police investigations.

Total Cost: \$125,000 Account No: Asset Forfeiture
Is the cost of this item budgeted? N/A

m) Mayor Quintero
s) Councilmember Velasco **5-0**

- 12.4 Approval of Recommendation to Install Four (4) Dual Electric Vehicle Charging Stations at the El Monte Metrolink Station Project as Complete and File the Notice of Completion with Los Angeles County Recorder's Office.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

1. Accept the installation of four (4) dual electric vehicle charging stations at the El Monte Metrolink Station project as completed; and
2. File the Notice of Completion with the Los Angeles County Recorder's Office.

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

m) Mayor Quintero
s) Councilmember Velasco **5-0**

- 12.5 Approval of a Resolution to Accept an Access Easement to an Existing City Storm Drain Pump Station Located on Parcel A of Tract Map No. 73961.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve to adopt a Resolution accepting the Access Easement on Parcel 2 of Tract Map No. 73961 to an existing City storm drain pump station located on Parcel A of Tract Map No. 73961; and
2. Authorize the City Manager or her designee to execute the Certificate of Acceptance in the Easement Deed for Recordation with the Los Angeles County Recorder's Office.

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

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Resolution No. 10134

m) Mayor Quintero
s) Councilmember Velasco **5-0**

12.6 Approval of Recommendation to Receive and File a Storm Drain Easement and Agreement for a New City Storm Drain Line Installed Across Parcels A, B, and C (APN Nos. 8577-007-021, 8577-007-002, and 8577-007-023) as Required per Project Condition of Approval No. 91 in City Council Resolution No. 9893 for GLC El Monte, LLC – Construction of Two Industrial Buildings Located at 10150 Lower Azusa Road; Instrument No. 20200536784 Recorded May 15, 2020.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file recordation of a Storm Drain Easement and Agreement for a new City storm drain line installed across Parcels A, B, and C (APN Nos. 8577-007-021, 8577-007-022, and 8577-007-023); Instrument No. 20200536784 recorded May 15, 2020.

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

m) Mayor Quintero
s) Councilmember Velasco **5-0**

13. PUBLIC HEARINGS:

13.1 A Public Hearing to Consider and Approve an Ordinance that (A) Repeals Prior Urgency Ordinance No. 2974 which Established an El Monte-Specific Moratorium on Residential and Commercial Evictions and (B) Establishes that El Monte Tenants Shall Instead be Covered Under the Recently Updated County of Los Angeles Anti-Eviction Moratorium which now Extends to Incorporated Cities Within Los Angeles County.

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 question 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 the attached Ordinance by a simple majority of the City Council.

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

Ordinance No. 2977

Tabled to a future meeting

13.2 A Public Hearing to Consider and Approve by 4/5 Vote an Uncodified Urgency Ordinance of the City Council of the City of El Monte, California, Temporarily Suspending Section 8.16.030 of Chapter 8.16 and Section 15.34.040 (B) of Chapter 15.34 of the El Monte Municipal Code Rescinding the Approval of any Applications for Permits Permitting Firework Stands and Prohibiting the Discharge of "Safe and Sane Fireworks" on July 3, 2020 and July 4, 2020.

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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 question 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. Adopt by 4/5 vote an uncodified Urgency Ordinance declaring a temporary suspension on the issuance of permits for firework stands for the year 2020 and prohibiting the discharge and use of "safe and sane fireworks" on July 3, 2020 and July 4, 2020.

Ordinance No. 2978

m) Mayor Quintero

s) Councilmember Velasco

5-0

Open the PH

Janet Kershaw – For 35-years, I have been a property owner and resident of El Monte. I wish to state my desire that NO fireworks, safe or sane, be allowed to be sold nor ignited in the City of El Monte. My house is in northern El Monte and each year, near the 4th of July, the area sounds and feels like a war zone. I am tired of cleaning-up remnants of rockets on my roof and backyard and am tired of the smoke and startling noise. Hundreds of neighborhood residents should not be suddenly startled because someone wants to ignite explosives. I am tired of the severe animal abuse that goes on for days each year, terrifying the city's dogs and cats and seeing posters after the July 4th holiday of people trying to find their loved pets. Yes, a few nonprofits in El Monte do profit from selling safe-and-sane fireworks as a fundraiser. However, the time spent on police enforcement has been costly to the police department. By permitting fireworks, the City is carrying a liability exposure which could become substantial. Most cities in the San Gabriel Valley do not permit what goes on in El Monte. The on-going pandemic is a good time to stop the massive firework parties and break the cycle of a dangerous custom. For the local civic organizations that sell fireworks, they are fueling the problem and they can adapt to other fundraisers. Perhaps the City can partially cover what would be their profit for a few years. It would help address the problem. Many of the city's elderly have respiratory problems such as Chronic Bronchitis and COPD. They cannot adapt. The dangerous smoke engulfing their homes on the 4th is very hazardous to them. These city citizens deserve better protection from this Council. The City's police have a problem of enforcement against the tons of illegal fireworks because of the mixture of the legal safe-and-sane. Once you ban the safe-and-sane fireworks, the illegal explosives will be more readily identifiable. The City needs to do far more in educating the public, even publicizing severe penalties for violations (even if not enforced). The public needs to understand the City is serious. The crazy fireworks need to stop.

Carlos Romero – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July are already cancelled or postponed. Our family is staying at home this year and we should be able to celebrate our nation's birthday with the State Approved Fireworks! Finally, aren't we helping churches, booster clubs and other worthy causes in our city when we buy State Approved Fireworks from them? They need help now more than ever! It is for these reasons and more that as a resident of El Monte, I respectfully urge you to uphold our freedom to buy and use State Approved Fireworks this 4th of July.

Angel Otamendi - It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July

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Gloria Ramirez – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July are already cancelled or postponed. Our family is staying at home this year and we should be able to celebrate our nation's birthday with the State Approved Fireworks! Finally, aren't we helping churches, booster clubs and other worthy causes in our city when we buy State Approved Fireworks from them? They need help now more than ever! It is for these reasons and more that as a resident of El Monte, I respectfully urge you to uphold our freedom to buy and use State Approved Fireworks this 4th of July.

Sim Lee – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July are already cancelled or postponed. Our family is staying at home this year and we should be able to celebrate our nation's birthday with the State Approved Fireworks! Finally, aren't we helping churches, booster clubs and other worthy causes in our city when we buy State Approved Fireworks from them? They need help now more than ever! It is for these reasons and more that as a resident of El Monte, I respectfully urge you to uphold our freedom to buy and use State Approved Fireworks this 4th of July.

Alejandra Contreras – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July are already cancelled or postponed. Our family is staying at home this year and we should be able to celebrate our nation's birthday with the State Approved Fireworks! Finally, aren't we helping churches, booster clubs and other worthy causes in our city when we buy State Approved Fireworks from them? They need help now more than ever! It is for these reasons and more that as a resident of El Monte, I respectfully urge you to uphold our freedom to buy and use State Approved Fireworks this 4th of July.

Irene Moraga – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July are already cancelled or postponed. Our family is staying at home this year and we should be able to celebrate our nation's birthday with the State Approved Fireworks! Finally, aren't we helping churches, booster clubs and other worthy causes in our city when we buy State Approved Fireworks from them? They need help now more than ever! It is for these reasons and more that as a resident of El Monte, I respectfully urge you to uphold our freedom to buy and use State Approved Fireworks this 4th of July.

Daniel Lucero – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe

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Erica Davila – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July are already cancelled or postponed. Our family is staying at home this year and we should be able to celebrate our nation's birthday with the State Approved Fireworks! Finally, aren't we helping churches, booster clubs and other worthy causes in our city when we buy State Approved Fireworks from them? They need help now more than ever! It is for these reasons and more that as a resident of El Monte, I respectfully urge you to uphold our freedom to buy and use State Approved Fireworks this 4th of July.

Dominic Hernandez – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July are already cancelled or postponed. Our family is staying at home this year and we should be able to celebrate our nation's birthday with the State Approved Fireworks! Finally, aren't we helping churches, booster clubs and other worthy causes in our city when we buy State Approved Fireworks from them? They need help now more than ever! It is for these reasons and more that as a resident of El Monte, I respectfully urge you to uphold our freedom to buy and use State Approved Fireworks this 4th of July.

Rafael Rodriguez Castro – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July are already cancelled or postponed. Our family is staying at home this year and we should be able to celebrate our nation's birthday with the State Approved Fireworks! Finally, aren't we helping churches, booster clubs and other worthy causes in our city when we buy State Approved Fireworks from them? They need help now more than ever! It is for these reasons and more that as a resident of El Monte, I respectfully urge you to uphold our freedom to buy and use State Approved Fireworks this 4th of July.

Rafael Junior – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July are already cancelled or postponed. Our family is staying at home this year and we should be able to celebrate our nation's birthday with the State Approved Fireworks! Finally, aren't we helping churches, booster clubs and other worthy causes in our city when we buy State Approved Fireworks from them? They need help now more than ever! It is for these reasons and more that as a resident of El Monte, I respectfully urge you to uphold our freedom to buy and use State Approved Fireworks this 4th of July.

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Joseph Walsh – It is my understanding that the El Monte City Council is considering suspending our community's nonprofit organizations permits to sell State Approved Fireworks and my family's privilege to responsibly celebrate with them this 4th of July. I am opposed to this! Other retail establishments have successfully implemented safe distribution to the general public. Why single out State Approved Fireworks? Why are you restricting what our family can do in the privacy of our own backyard? I understand most of the big fireworks shows, parades and festivals we are used to on the 4th of July are already cancelled or postponed. Our family is staying at home this year and we should be able to celebrate our nation's birthday with the State Approved Fireworks! Finally, aren't we helping churches, booster clubs and other worthy causes in our city when we buy State Approved Fireworks from them? They need help now more than ever! It is for these reasons and more that as a resident of El Monte, I respectfully urge you to uphold our freedom to buy and use State Approved Fireworks this 4th of July.

Joe Massaro – I have been operating Safe and Sane Firework fundraising since 1990 when I worked in the Garden Grove Unified School District. I was the Director of Bands at Bolsa Grande HS and then at Los Amigos HS totaling 16 years of service in that District. In our annual discussions with the City of Garden Grove over safety concerns, we came to these realizations over and over which I would like to share with you. 1. Citizens love to celebrate the 4th of July. It is impossible to prevent them from finding a way to do so. Banning the use of Fireworks does not prevent their use. 2. If legal means of celebrating are taken away or prohibited, then citizens will be forced to find illegal or underground means to fulfill their desire to celebrate the 4th of July. 3. Safe and Sane Fireworks, when used responsibly, do not harm citizens nor do they destroy public or private property. As a seller of this product, we make sure that people are safe and we never sell to children. 4. Illegal fireworks cause a substantial amount of personal injury each year, and are the primary cause of public and private property damage in our cities over the 4th of July holiday. These are mainly obtained from Mexico and Native American Reservations. 5. By allowing us to sell legal Fireworks, we can continue to educate the public on the proper way to celebrate safely. To illustrate my point, please think back on Alcohol Prohibition and how that turned out. Underground crime increased and property damage, Injury and death of citizens was rampant as a result. Let's learn from History. Please keep these proven points (from my personal experience) in mind when you consider whether to keep, or take away, our citizens ability to purchase Safe and Sane Fireworks in El Monte. Have a Happy and Safe 4th of July!

Jessica Schoenfeld – I am the Arroyo Band President. As a band booster for 8 years now with 5 more to go I know how important fundraising is to the success of our band program. The funds for the band program, which is more than \$100,000 a year, does not get paid by the EMUHSD or by the State/Federal government. The parents and students do. The only thing covered by the EMUHSD is our band director's salary and an occasional instrument or uniform purchase. All the money spent on coaches, equipment like \$2000 speakers, props for field shows, rights to music all get paid by band parents and booster fundraising. We have an annual band fee pf \$600 that parents struggle to pay even though we keep it as low as we can and offer a payment plan. We are able to keep the fees down due to to fundraising like the fireworks stand. This year due to COVID we may also be losing our second best fundraiser where we decorating Rose Parade Floats. If we lose both fundraisers in the same year, we will lose more than half of our annual income and our students will be the ones who will pay the price. This loss will increase the costs to our students by \$1000 which means to be in band our student will now need to pay \$1600. Does this sound possible to you considering the demographics of our student body? If we as boosters lose the ability to support the band financially our band numbers will drop dramatically and we will not be able to compete in the field shows and maintain our programs status. Arroyo will end up like the other High Schools in our district with small programs that only play at football games and a few parades. With the support of our band boosters the Arroyo band has been able to compete with bands from wealthier communities like Arcadia, Chino, and Chino Hills. Even with what we are able to provide it is obvious that our program does not receive the financial support of bands like Arcadia, Chino, and Chino Hills. Yet our kids work hard and manage to do very well even without the same financial support. If you take away our biggest fundraiser you will lose your best band program in the district. All you have to do is look at all the other programs and see that the difference is the booster club and its support offers. The less support the boosters can provide, the more the families have to provide and our band program will pay the price.

Virginia Freeman – I am in favor of the City Council suspending the issuance of firework permits. I have been volunteering at the Mobile Lodge Park for 30 years. I have been helping elderlies put out their fires caused by fireworks for 30 plus years. I am 63 years

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old and I will continue to help them put out the fires on their roofs and bushes. These individuals are on oxygen so they cannot breath. This has got to stop. The streets are full of trash the next day and all the illegal fireworks are blasted throughout my street. Please help with this matter.

Jane Myring – We need to allow safe and sane fireworks sold in our City to let families have their backyard bbq and have fun on the 4th of July. Our stands can practice social distancing with guidelines set forth by the City and TNT fireworks. I don't believe we will sell a lot because of how many people aren't working, but we can let them enjoy the day with their children. A few fireworks can bring a lot of joy into a child's life who has not been able to leave their house. The groups who sell the fireworks have no other way to raise funds to promote their programs such as the bands, cheerleaders, El Monte Jets, etc. Please consider my request.

Jeff Cox – In favor of the City allowing for the sale of safe and sane fireworks.

m) Mayor Quintero
s) Councilmember Velasco 5-0
Close the PH

m) Councilmember Martinez Muela 5-0
s) Councilmember Ancona
Table item

14. REGULAR AGENDA:

14.1 Consideration and Approval of a Professional Services Agreement with Willdan Engineering for Professional Civil Engineering Design Services for the Cedar Avenue, Lower Azusa Road, City Limit Area (Zone 2) Street Improvement Project, CIP No. 029, for a Not-to-Exceed Amount of \$188,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement for professional civil engineering design services for the Cedar Avenue, Lower Azusa Road, City Limit Area (Zone 2), CIP No. 029, with Willdan Engineering for an amount of \$171,244;
2. Consider and approve the total appropriation of a not-to-exceed amount of \$188,000 which includes the contract amount of \$171,244 plus approximately ten percent (10%) contingency of \$16,756; and
3. Authorize the City Manager, or her designee, to execute the Professional Services Agreement.

Total Cost: \$188,000 Account No: 212-67-029-8221
Is the cost of this item budgeted? Yes

m) Mayor Quintero
s) Councilmember Velasco 5-0

14.2 Consideration and Approval of a Resolution Pursuant to Public Contract Code Sections 20168 and 22050 Declaring that the Public Interest and Necessity Demand the Immediate Expenditure of Public Money to Safeguard Life, Health and Property in Connection with the Emergency Repair of a Water Service Lines on Santa Anita Boulevard Between Laurelhurst Drive and Mildred Street.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. By 4/5 vote approve the attached Resolution:
 - a. Finding that an emergency exists within the meaning of Public Contract Code 1102 in that damage to a water service lines on Santa Anita Boulevard between Laurelhurst Drive and Mildred Street poses a clear

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and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health or essential public services;

- b. Finding that the public interest and necessity demand the immediate expenditure of public money to repair the water service line to safeguard life, health and property;
- c. Delegating to the Public Works Director under the supervision of the City Manager the authority to order action to repair or replace the water service line and related infrastructure and equipment to fully abate the emergency;
- d. Directing the Public Works Director and the City Manager to undertake all subsequent reporting to the City Council required under Public Contract Code 22050(c); and
- e. Authorizing the use of \$84,805 in Bond Proceeds from the El Monte Water Authority Revenue Bonds Series 2018A per budget amendment.

Total Cost: \$84,805

Account No: 600-06-014-8651

Is the cost of this item budgeted? No

Resolution No. 10135

m) Mayor Quintero

s) Mayor Pro Tem Morales

5-0

- 14.3 Consideration and Approval of the El Monte Recovery Plan – Main Street Temporary Modifications.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

- 1. Authorize the City Manager to approve a no-fee Special Event Permit to DEMBA that includes the City's subsidy of equipment necessary to temporarily close Main Street Avenue between Ramona and Santa Anita a maximum of six (6) months commencing when the appropriate Coronavirus restrictions are lifted by the Los Angeles County Department of Public Health; and
- 2. Authorize additional Special Event Permits for the use of public and private spaces in and around Main Street in the Downtown Core for up to six (6) months in support of business recovery efforts.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Item has been pulled.

- 14.4 Consideration and Approval of a Resolution Creating the El Monte Farmers' Market Steering Committee.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

- 1. Adopt the proposed Resolution creating the El Monte Farmers' Market Steering Committee; and
- 2. Authorize the City Manager to approve no-fee Special Event Permits proposed by the El Monte Farmers' Market Steering Committee and subsidize efforts needed to maintain the events in Downtown El Monte.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10136

m) Mayor Quintero

s) Mayor Pro Tem Morales

5-0

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15. CITY ATTORNEY'S AGENDA:
16. CITY MANAGER'S AGENDA:
 - 16.1 COVID-19 Update.
17. WRITTEN COMMUNICATIONS:
18. COUNCIL COMMUNICATIONS/REPORTS:
 - 18A. Mayor Quintero
 - 18A.1 Discussion and Action Regarding Deferral of Council Car Allowance.
 - 18A.2 Discussion Regarding Campaign Financing.
 - 18A.3 Request to Submit Question to the Fair Political Practices Commission (FPPC) and the State Attorney General Regarding the Campaign Finance Practices of the City Council.
 - 18A.4 Discussion Regarding Renaming the El Monte Historical Museum.
 - 18B. Mayor Pro Tem Morales
 - 18B.1 Discussion and Action Regarding the El Monte Union High School District Graduation Flag Program.
 - 18C. Councilwoman Ancona
 - 18C.1 Discussion Regarding Covid-19 Testing for El Monte Residents.
 - 18C.2 Discussion Regarding Altamed Services to the Community of El Monte.
 - 18D. Councilwoman Martinez Muela
 - 18D.1 Discussion Regarding Active Transportation Event, Similar to City of Los Angeles Street Closures to Support Active Lifestyles. Also, Requesting Staff Update Regarding Bike Lanes and Pending Grant Opportunities.
 - 18D.2 Discussion Regarding Protocol and Transparent Dismissal of Members of Commissions.
 - 18D.3 Discussion Regarding Lack of Transparency and Communication with Council, Commission and our Community.
 - 18E. Councilman Velasco
 - 18E.1 Update Regarding all the Resources Available to the Community During the COVID-19 Pandemic.
 - 18E.2 Update Regarding Census 2020.

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19. ADJOURNMENT:

Without object the Mayor adjourned the meeting at 5:15 pm in memory of George Floyd.

The next Regular Meeting of the City Council will be held on **June 16, 2020** 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