

APPROVAL OF MINUTES
EL MONTE CITY COUNCIL SPECIAL MEETING
OF JUNE 22, 2021

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: **6:02 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**
Dr. Maria Morales, Councilmember/Authority Member – **present**
Alma D. Puente, Councilmember/Authority Member – **present**

3. APPROVAL OF AGENDA:

m) Mayor Pro Tem Martinez Muela
s) Mayor Ancona **5-0**
Table Item 7.6 to the meeting of
June 29, 2021

4. INVOCATION: **Mayor Ancona**

5. FLAG SALUTE: **Councilmember Herrera**

6. SPECIAL MEETING PUBLIC COMMENT REGARDING AGENDIZED MATTERS ONLY:

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

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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 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.

Cosme Jimenez – I just want to read a letter from my committee EM Oversight Committee. You probably have copies of this report. Mayor Ancona and Councilmembers this correspondence and recommendations of the Measure EM Oversight committee that are contained in this letter I submit it pursuant to ...I have a copy here from the Fire Department the report made in 2010 it was no difference when it was closed in 2009 open in 2010. The reason why it was open the Fire Union at that time contacted Congresswoman Judy Chu at that time to get federal funds to open it up again for two years with federal money. It was like a set up deal a trap deal whatever you want to call it to open it up for two years after that the City would take over it again one hundred percent and that is where we got stuck with this again. But I am not saying you close it, you do this, you do that I am saying a study needs to be done to make sure we need this or if it is not this it could be another one because the prices, the fees they are charging us are through the roof the Fire Department they have no mercy for the City.

Yuri Gaona – As we've reported, recent changes in Councilmembers have added much to our difficulty in resolving labor issues. The strife appears to be unrelated to our issues, but it is having an effect nevertheless. A few Councilmembers are also fairly new so it is concerning when City leadership informs them that employee raises are to blame for the ongoing deficits. The truth is that our members have always sacrificed when the City needed it. We went more than seven years without a cost of living increase (2008 - 2016) and have deferred already scheduled raises multiple times. In our opinion, the true reason for these deficits is failure to control overtime and excessive use of contractors. If the City truly wanted to operate within a budget, it would reconcile those two things. Overtime: There is only one department where there is an excessive amount of overtime and that is the Police Department. Public Safety is necessary and those officers aren't to blame for providing one of the most essential of services: keeping our families safe. We believe the City should hire enough officers and properly assign them so that overtime isn't needed. Contracts: Let's dispel the notion that contractors can do it better or cheaper than our members. Contractors charge more to compensate for benefit differences and they're not committed to misusing our tax dollars. We have seen the result time and again - conflict

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of interest, misuse, costly contract amendments, and ultimately our members clean up the mess. If the City can't get its house in order, we are supportive of a City "audit" - but in order to be effective, it needs to be more than just a confirmation the City spent what it says it did... There should also be a cost/benefit review of expenditures, contracts, personnel decisions, etc. Each of you likely have an example where you've been left wondering why did they do that? We met recently with the City's new negotiator - ironically another contract attorney - and while there has been some progress in getting back to our original agreement, we now have confirmation that there's no need for concessions. The City will receive \$42M worth of American Rescue Plan Act (ARPA) funding. We have reviewed the guidelines and are pleased to report that the primary focus is to restore things to the way they were pre-COVID. For our members that means: 1) restore the COLA that was deferred from January this year, 2) restore the furlough days our members suffered last year, and 3) honor our MOU's fairness provisions - granting us other benefit improvements on the same schedule as other units. But ARPA goes further - allowing for all positions that were vacated and frozen during COVID to be filled (for our membership that would be 12 new hires). ARPA also encourages premium pay for essential workers and reimbursement for any hours used because of COVID. We know our members are the ones responsible for delivering the services our community needs and we will stand strong to make sure that work is respected and supported!

Ed Rardin - I am the president of the Local SEIU for the general membership I have the privilege and the honor of representing over 120 of the nearly 400 employees. The reason I say over 120 I also help out with the Mid-Managers and anyone who wants to come to me and talk to me I hear everybody. Twenty of us of the General Unit actually live here in El Monte so we have the unusual dynamic of we work for the people who work for us so it is kind of an interesting dynamic. Last week I watched the Finance presentation and I have to say I watched a lot of doom and gloom brought up the budget and it showed that there is going to be a \$9 million proposed deficit and the fiscal year hasn't even started yet I don't know how that makes sense but we do have an issue with that and we have an issue with the first slide after was talking about that was going to be because of COLA increases given to our membership stuff that has been inside the MOU for years that we negotiate and everything else and as Yuri shared you know for a lot of us have been here for a long time the classic employees we have sacrificed and naturally postponed a lot of those COLA increases and we are just trying to be made whole. And I did take offence to the notion of the employees are the case for any kind of deficit because employees are easy. I could tell you what an employee is going to cost the City from date of hire to date of retirement that's with COLA increases, longevity increases everything. And as Yuri shared what is unpredictable is the overtime, which for a lot of the general unit members we do not do overtime. Now with the farmers market and stuff that they're having to work overtime for that but for the most part it is not with us overtime is with the PD and if we actually had more staff we wouldn't need all the overtime hours they need to figure out how much they cost. And yes, the contracts I have always been an advocate for employees obviously contracts are a burden and ideally, we would have a fully staffed City where we wouldn't need contracts and there wouldn't be increases in price. After watching the presentation last week, I have to tell you that in my own personal mind the credibility of the Finance Department and the presentation is diminished there needs to be a better focus for employees and we definitely encourage an investigation. Welcome the idea of getting rid of contracts.

Anonymous - Mayor and Councilmembers I want to join my co-workers in a plea that you reconsider your position in regards to the so-called deficit that the Upper Management is

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trying to present to you. The reluctant policy of hiring freezes with the excuse that the cost of employees' salaries and benefits to the City is unsustainable is proven not to be true. With the change in benefits during previous administrations it is clear that the turn-around of employees is high and that the cost to the City is minimal. Now a days employees do not stay with the City for years on end the benefits are the same as other cities so hire new employees. Another case in point is the Police, although I am not a big fan of our officers I realize that the cost of their overtime is completely outrageous and out of control but sometimes necessary due to the lack of man power if anything you guys should get back to the business of the day doing what is best for the City and get back to hire new police officers instead of giving more perks to our Police Chief by giving lifetime medical to his entire family. Put yourself in the shoes of El Monte hardworking taxpayers do you believe for a minute that they will agree to pay for that additional perk? Lifetime medical for an entire family for a high paid official why? Another issue is lack of vision regarding the contracts for different projects we now contract for everything and although we request different bids and take the lowest bidder it is common practice for all departments to come back asking to amend the contract and pay more. Is that the best use of City funds? I am one of many employees who usually does not voice his opinion because we never see anything constructive coming out of this but the opportunity for you to make a difference is now.

7. REGULAR AGENDA:

- 7.1 Receive Presentation of Staff and Consider, Discuss and Provide Direction Regarding the General Fund Fiscal Year 2021-2022 Operating Budget to be adopted at a Subsequent Meeting.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

- 1. Consider, discuss and provide direction to staff regarding the General Fund Fiscal Year Budget to be adopted at a subsequent City Council meeting.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Cosme Jimenez – This is related to the previous speaker who was talking about overtime. This report right there no way this City can continue we do not have the resources we do not have the income we do not have enough money to support that kind of money unless we are talking about the City of Industry the tax revenue is \$300 million a year and plus. \$300 million they receive in Industry over here we barely make \$70 so that has to be reviewed overtime is out of control in some departments which is fine it is your decision but the deficits are here to stay if you don't do anything about it. \$10 million a year you are going to probably come to \$15 million a year if you don't start doing something right now. This page right here expenditures for police services 2018 -2019 we spent \$28,731,000 we expect now 2021-2022 is going to go up \$5 million in two years also the Fire Department is going to go up \$3.6 million in three years what City are they talking about. The revenues we get here they cannot support that kind of increases so it is time to do something it is going to be up to you the five members to do something because

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you are the ones signing the checks to pay for all this. If you say no I don't want to sign it you can save us money because you give the final approval to pay on this out of control expenditures it is time to do something it is time to get some control. I also forgot to mention for your information that the Fire Department the highest paid in California right now retired Fire Chief in California \$850,000 a year he is making right now he is one of the top paid in California Fire Chief \$850,000 that is why cities do not have enough money to pay him. They don't need money for the equipment, they don't need it for the services they need it for the really big fat pensions they think we have money making machines in this town or some cities it leaves something for you to review if you look at these numbers and do something about it.

**Break at 8:05 p.m.
Return at 8:17 p.m.**

**Break at 9:16 p.m.
Return at 9:19 p.m.**

At 9:45 p.m.

m) Mayor Ancona

s) Councilmember Puente 5-0

**Extend the meeting past 10:00 p.m. to
Hear all items under the regular agenda**

m) Mayor Ancona

s) Dr. Morales 5-0

Receive and file the report

- 7.2 Consideration and Approval of Request to Award a Construction Contract to All American Asphalt, Inc. for the El Monte Bike Boulevard Bicycle and Pavement Rehabilitation Improvements Project – CIP No. 031 for a Not-to-Exceed Amount of \$1,091,055; and Enter into a Cooperative Agreement with the City of South El Monte for the Fern Street Rehabilitation Project.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve to award a Construction Contract to All American Asphalt, Inc. for the El Monte Bike Boulevard Bicycle and Pavement Rehabilitation Improvements Project – CIP No. 031 for a not-to-exceed amount of \$1,091,055;
2. Consider and approve the total appropriation of a not-to-exceed amount of \$1,091,055 which includes the contract amount of \$948,744 plus a fifteen percent (15%) contingency of \$142,311;
3. Consider and approve appropriation of Multi-Year Sub-Regional Grant Funds in the amount of \$582,075 for the Project;
4. Authorize the City Manager, or her designee, to execute a Construction Contract with All American Asphalt, Inc.;

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regulations for Fiscal Year 2021-2022 for a not-to-exceed amount of \$112,000; and

2. Authorize the City Manager, or her designee, to execute the Professional Services Agreement with Enthalpy.

Total Cost: \$112,000

Account No: 600-67-696-6161 - \$62,000
Water Fund-Pumping
Transmission Distribution
Water Quality Testing
600-67-679-6161 - \$50,000
Water Fund – EM Operable
Unit Capital Project POST-
Permit - Water Quality
Testing

Is the cost of this item budgeted? Yes

m) Councilmember Puente

s) Councilmember Herrera

5-0

- 7.5 Consideration and Approval of a Professional Services Agreement with Magellan Advisors, LLC, for a Term of One (1) Year, to Develop a Technology Master Plan in an Amount Not-to-Exceed \$143,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Professional Services Agreement with Magellan Advisors, LLC, for a term of one (1) year, to develop a Technology Master Plan in an amount not-to-exceed \$143,000; and
2. Authorize the City Manager, or her designee, to enter into a Professional Services Agreement with Magellan Advisors, LLC, to develop a Technology Master Plan.

Total Cost: \$143,000

Account No: 100-61-617-6111

Is the cost of this item budgeted? Yes (for FY 2021-2022)

Secondary Motion

Table Item

m) Mayor Pro Tem Martinez Muela

s) Mayor Ancona

**2-3 (Councilmembers Herrera,
Dr. Morales and Councilmember
Puente No)**

m) Dr. Morales

s) Councilmember Puente

To Use Federal Funds

**3-2 (Mayor Ancona and Mayor Pro Tem
Martinez Muela No)**

- 7.6 Consideration and Approval of Recommendation to Award a Construction Contract to Certified Roofing Applicators, Inc., for the Roof Replacement Project for the Homekey Program at the Budget Inn.

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RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the award of a Construction Contract to Certified Roofing Applicators, Inc. in the amount of \$289,720 for the roof replacement project for the Homekey Program at the Budget Inn; and
2. Authorize the City Manager, or her designee, to execute the Construction Contract and approve change orders that may be necessary during construction to cover any unforeseen conditions in an amount not-to-exceed 20% of the construction contract.

Total Cost: \$289,720

Account No: ESG-CV

Is the cost of this item budgeted? Yes

Item tabled to the meeting of June 29, 2021.

- 7.7 Consideration and Approval of a Budget Amendment to Modify the Funding Source for the Professional Services Agreement with Absolute International Security, Inc. which Provided Onsite Security Services for the El Monte Homekey Program for a Not-to-Exceed Amount of \$145,200.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the budget amendment to modify the funding source to pay for the Professional Services Agreement with Absolute International Security, Inc. which provided onsite security services for the Homekey Program for a total contract amount not-to-exceed \$145,200.

Total Cost: \$145,200

Account No: 100-11-111-6111 - \$45,000

100-11-111-6211 - \$95,000

Is the cost of this item budgeted? No

100-11-111-6221 - \$ 5,200

**m) Councilmember Herrera
s) Dr. Morales**

**3-2 (Mayor Ancona and Mayor Pro Tem
Martinez Muela No)**

- 7.8 Consideration and Approval of Request to Authorize the Release of a Request for Proposals for Vehicle Towing and Storage Services Subject to Any Additional Input and Direction from the City Council.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Provide direction to staff with regard to the upcoming Request for Proposals (RFP) for Vehicle Towing and Storage Services based on review of attached draft materials; and
2. Approve the release of a Request for Proposals for Vehicle Towing and Storage Services (the "RFP"), subject to final City Council direction and other finalizing edits of City staff.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Dr. Morales

s) Councilmember Puente

5-0

8. CITY ATTORNEY'S AGENDA:

9. CITY MANAGER'S AGENDA:

9.1 2021 Fireworks Deployment Update.

10. WRITTEN COMMUNICATIONS:

11. COUNCIL COMMUNICATIONS/REPORTS:

11A. Mayor Ancona

11A.1 Discussion and Action to Amend Municipal Code to Require that All Contracts be Approved by the City Council and Reduce City Manager's Spending Authority to \$0.

11A.2 Discussion and Action to Establish a 4 Year Revolving Door Lobbying Restriction to the Municipal Code Which Will Restrict Former City of El Monte Elected Officials and Employees from Lobbying the City and Profiting.

11A.3 Discussion regarding Ability of City Council to appoint Chief of Police Under City Manager Form of Government and Request for Direction regarding Implementation of the same.

11A.4 Discussion and Action on a Third Party Investigation on the Procurement of the AIS Security Contract for Project Homekey.

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11A.5 Discussion and Direction to place Ballot Initiatives on November 2021 Election to consider cost savings Through Restructuring of Elected Positions and Cycles.

- Removal of Elected Mayor to add a 5th Council Member and adopt Rotating Mayor Policy which will result in Election Cost Savings and/or
- Proposal to Have Elected Mayor Serve a 4 year Position to Reduce Election Costs.
- Elimination of Elected City Clerk position with costs savings of \$35,000/year + election costs
- Elimination of Elected Treasurer position with costs savings of \$35,000/year + election costs

11A.6 Discussion and Action Regarding a Resolution of the City Council Calling For a State Audit for High Risk Local Governments.

11A.7 Discussion and Direction on a Citywide Catalytic Theft Deferent event with EMPD and Current Tow Contractors.

11A.8 Request for Report and Recommendations from Measure EM Oversight Committee.

11A.9 Discussion and Action Regarding Budget Approval Process and Adopting a City Mandated Deadline.

11A.10 Discussion on Job Fair with Local Unions and Building Trades.

11A.11 Discussion on El Monte Municipal Code Chapter 2.08.040 duties of Mayor as Presiding Officer.

11B. Mayor Pro Tem Martinez Muela

11B.1 Discussion and Action Regarding a Resolution of the City Council Calling for a State Audit for High Risk Local Governments.

11B.2 Discussion and Action on Third Party Investigation Into the Procurement of the Absolute International Security, Inc. (AIS) Contract for Project Homekey.

11B.3 Update on El Monte Water System.

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- 11B.4 Discussion and Action regarding Contract Oversight and Administrative Spending Authority.
- 11B.5 Discussion on Whistleblower Policy.
- 11B.6 Discussion and Action Regarding El Monte Policy on Smoke Free Outdoor Areas.
- 11B.7 Discussion and Action Regarding Citywide Employee Survey of Workplace Satisfaction and Recommendations.
- 11B.8 Discussion and Action Regarding Budget Approval Process and Adopting a City Mandated Deadline.
- 11B.9 Discussion and Action on Reinstating the Neighborhood Services Program.
- 11C. Councilman Herrera
 - 11C.1 Discussion for Council to Consider District Election of its Members.
 - 11C.2 Discussion for Council to Consider the Adoption of a Smoke Free Outdoor Ordinance.
- 11D. Councilwoman Dr. Morales
 - 11D.1 Cost of State Audit.
 - 11D.2 Discussion Regarding District Elections.
 - 11D.3 Discussion Regarding Campaign Finance Reform.
 - 11D.4 Discussion and Action Regarding Universal Basic Income.
 - 11D.5 Discussion Regarding the Development of a Climate Action Plan.
 - 11D.6 Discussion Regarding Updating the General Plan.

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11D.7 Update Regarding the Park Master Plan, Maclaren Park and Lambert Park Phase-1.

11D.8 Discussion and Direction on Starting a Pilot Program to Have an Unarmed Team of Social Workers and Mental Health Professionals Respond to Non-Violent Police Calls for Service Involving our Homeless Community.

11E. Councilwoman Puente

11E.1 Discussion Regarding Transitional Housing.

11E.2 Townhall Meeting/Resource Fair – June 19, 2021 at Arceo Park from 9:00 a.m. to 11:00 a.m.

12. ADJOURNMENT:

Without objection the meeting was adjourned at 10:47 p.m.

The next Regular Meeting of the City Council will be held on **Tuesday, June 29, 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