



**City Council Meeting Minutes of January 14, 2020**

**Assistant City Attorney Richard Padilla reported out of Closed Session with respect to Items 4.1 through 4.6.**

- 4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: Raul Sepulveda vs. City of El Monte, District Court Central District Case No. 2:18-CV-07973.

**Item not discussed.**

- 4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: Angel Jose Velasco vs. City of El Monte, Los Angeles Superior Court Case No. 19STCV13639.

**Item not discussed.**

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

**General update, no final action.**

- 4.4 Closed Session Pursuant to Government Code Section 54956.8 – Conference with Real Property Negotiator

Property Location:  
12159 Cherrylee Drive

Name of Party City is Negotiating with:  
Michael Hastings

City's Designated Negotiators:  
Alma K. Martinez, City Manager; and Betty Donovanik, Community and Economic Development Director; and Dave Gondek, Senior Deputy City Attorney.

Under Discussion:  
Both Price and Terms.

**Councilmember Jerry Velasco recused himself from this item.**

**General update, no final action.**

- 4.5 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Matter: El Rovia vs. City of El Monte, Court Appeal, Second Appellate District Case No. B288134; El Rovia vs. City of El Monte, District Court Central District Case No. 2:19-CV-7506 CAS AFMx; and El Rovia vs. City of El Monte, Los Angeles Superior Court Case No. 19STCP05151.

**General update, no final action.**

- 4.6 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related Matter: Greater SGV Safe Community Foundation vs. City of El Monte, Los Angeles Superior Court Case No. 19STCP05662.

**General update, no final action.**

**m) Mayor Quintero  
s) Councilmember Velasco**

**5-0**

**City Council Meeting Minutes of January 14, 2020**

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: **Chaplain George Ussery, Evangelical Methodist Church.  
Absent  
Councilwoman Martinez Muela**
6. FLAG SALUTE: **Gabriela Lopez, 6<sup>th</sup> Grader from Maxson Elementary School.  
Enjoys Cheerleading. Absent  
Mayor Quintero**
7. RECOGNITIONS, HONORS AND COMMUNITY INTEREST PRESENTATIONS:
  - 7.1 Presentation by the City Council to Gabriela Lopez from Maxson Elementary School for Leading the Pledge of Allegiance. **Absent**

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 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.

Xipingeno Zhou – I am here to support the ban on all flavored tobacco products in El Monte. These products are appealing to the youth and teenagers. These products cause deaths and I hope that my community prevents the selling of these products to both the youth and teenagers.

Yaling Liu – I want to address issues of flavored tobacco. I often can smell menthol in our bathrooms at school. Please take action to end the sale of tobacco products.

**City Council Meeting Minutes of January 14, 2020**

Yazhen Liu – I am in favor of banning flavored tobacco. These flavored tobacco products are harmful as traditional tobacco products.

Gabriel Ramirez – Happy New Year. Congratulations to Vicky for doing a great job at the last meeting. I have here the Form 460s for Team El Monte who supports candidates. This is a monopoly because this is not working for the people.

Julio Ramirez – Congratulations Vicky. It is a shame that this City does not follow the process like other cities to name their Mayor Pro Tem position.

Howard Owens – I came back from my vacation that my neighbor's mail was scattered all over the place and opened. Can we meet to discuss this with the post office? Up on Clark Street there are people who are living in motor homes. Some of the mail has been taken from lock boxes.

Cosme Jimenez – I think that you are dividing the Council more and more.

Gabriela Arellanes – I am happy to introduce myself and I am your new representative from Assemblywoman Blanca Rubio.

Mike Gomez – I want to thank the City Council for the great job that you are doing here in the City.

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

10. DEMAND RESOLUTION NO. D-612

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 \$7,935,579.87 have been examined by the City Treasurer and that warrant numbers 1087542 through 1087762 and the payroll period November 16, 2019 through December 15, 2019 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:

Adjourned Regular Meeting Minutes of November 25, 2019

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

Special Meeting Minutes of November 27, 2019

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

Meeting Minutes of December 3, 2019

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

Meeting Minutes of December 17, 2019

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

**City Council Meeting Minutes of January 14, 2020**

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.

**m) Mayor Quintero**

**s) Mayor Pro Tem Morales 5-0**

12.2 Receive and File the City Clerk’s Quarterly Listing of Contracts Filed in the City Clerk’s Office Between October 1, 2019 and December 31, 2019.

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 Quintero**

**s) Mayor Pro Tem Morales 5-0**

12.3 Approval of Request to Serve Wine and “Spirits” Liquor at the Following City-Owned Facilities.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council consider and approve the request to serve/sell wine and “Spirits” liquor at the following City-owned facilities:

<u>Private User</u>	<u>Event</u>	<u>Date</u>
Fabiola Estrella (Lambert Park)	Quinceañera (Attendance 100)	Saturday, May 9, 2020 5:00 p.m. – 11:00 p.m.
Erica Quezada (Grace T. Black Auditorium)	Quinceañera (Attendance 200)	Saturday, July 18, 2020 5:00 p.m. – 12:00 a.m.
Veronica Ramos (Grace T. Black Auditorium)	Wedding (Attendance 150)	Saturday, September 5, 2020 5:00 p.m. – 12:00 a.m.
Javier Avila (Grace T. Black Auditorium)	Wedding (Attendance 150)	Saturday, October 10, 2020 5:00 p.m. – 12:00 a.m.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

**m) Mayor Quintero**

**s) Mayor Pro Tem Morales 5-0**



**City Council Meeting Minutes of January 14, 2020**

- 12.7 Approval of a Contract Service Agreement with Crosstown Electrical & Data, Inc. to Perform Traffic Signal and Street Lighting Repairs on an As-Needed Basis for a Term of Three (3) Years with the Option for Two (2) One (1) Year Extensions for an Amount Not-to-Exceed \$60,000 Per Year.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Consider and approve a contract service agreement with Crosstown Electrical & Data, Inc. to perform traffic signal and street lighting repairs on an as-needed basis for a term of three (3) years with the option for two (2) one (1) year extensions for an amount not-to-exceed \$60,000 per year; and
2. Authorize the City Manager, or her designee, to execute a Contract Service Agreement with Crosstown Electrical & Data, Inc.

Total Cost: \$60,000 Account No: 100-67-685-6111  
Is the cost of this item budgeted? Yes

Cosme Jimenez – Is this work going to include the repair of traffic lights because I continue to call to report lights and I am told that I have to wait until Monday but if we are going to pay \$60,000 why do we have to wait until Monday.

**m) Mayor Quintero**  
**s) Mayor Pro Tem Morales 5-0**

- 12.8 Approval and Acceptance of a Notice of Completion for the Civic Center Duct Cleaning Project and Authorization to File the Notice of Completion with Los Angeles County Recorder's Office.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Accept the Civic Center Duct Cleaning Project as completed; and
2. File the Notice of Completion (NOC) 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) Mayor Pro Tem Morales 5-0**

- 12.9 Approval of a Contract Service Agreement with Spectrum to Provide an Ethernet Connection Between City Hall and the City Yard Facility for a Term of Five (5) Years for an Amount Not-to-Exceed \$12,000 per Year.

**RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:**

It is recommended that the City Council:

1. Consider and approve a contract service agreement with Spectrum to provide an Ethernet connection between City Hall and the City Yard Facility for a term of five (5) years for an amount not-to-exceed \$12,000 per year; and
2. Authorize the City Manager, or her designee, to execute a Contract Service Agreement with Spectrum.

Total Cost: \$12,000 Account No: 100-67-673-6411 - \$4,000  
203-67-571-6411 - \$4,000  
600-67-695-6115 - \$2,000  
Is the cost of this item budgeted? Yes 650-67-695-6115 - \$2,000

**m) Mayor Quintero**  
**s) Mayor Pro Tem Morales 5-0**

**City Council Meeting Minutes of January 14, 2020**

13. PUBLIC HEARINGS:

13.1 A Public Hearing to Consider and Approve for First Reading of an Ordinance Amending Title 8 (Health and Safety), Chapter 8.10 (Retail Sales of Tobacco Products) of the El Monte Municipal Code, to Prohibit the Sale of all Flavored Tobacco, Including but not Limited to E-Cigarettes and Vape Products.

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 proposed Ordinance by no less than three (3) votes, for first reading.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Ordinance No. 2964

**m) Mayor Quintero**  
**s) Councilmember Velasco**                    **5-0**  
**Open P.H.**

**m) Mayor Quintero**  
**s) Councilmember Velasco**                    **5-0**  
**Close P.H.**

**Continue the public hearing to February 18, 2020.**

13.2 A Public Hearing to Consider and Approve an Urgency Ordinance Amending Chapters 17.04 (Definitions), 17.06 (General Regulations) and 17.08 (Parking) of Title (Zoning) of the El Monte Municipal Code, Regarding Accessory Dwelling Units and Related Zoning Standards, to Conform with Multiple California Legislature Bills.

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 proposed Urgency Ordinance by no less than four-fifths (4/5) vote.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Urgency Ordinance No. 2965

**Continue the public hearing to a future meeting.**

13.3 A Public Hearing to Consider and Approve a Resolution Adopting an Electric Vehicle Charging Fee and an Employee Electric Vehicle Incentive Program

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

**City Council Meeting Minutes of January 14, 2020**

1. Open the public hearing;
2. Receive the 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. Consider and approve the Electric Vehicle (EV) Charging Fee of \$0.30 per kilowatt hour (KWh); and
  
8. Adopt the proposed Resolution to establish an EV Charging Fee and an Employee EV Incentive Program.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10079

**m) Mayor Quintero**

**s) Mayor Pro Tem Morales**                      **5-0**  
**Open P.H.**

**m) Mayor Quintero**

**s) Councilmember Velasco**                      **5-0**  
**Close P.H.**

**m) Mayor Quintero**

**s) Mayor Pro Tem Morales**                      **5-0**  
**Resolution No. 10079**

14. **REGULAR AGENDA: No material submitted.**

15. **CITY ATTORNEY'S AGENDA: No material submitted.**

16. **CITY MANAGER'S AGENDA:**

16.1 A Presentation Regarding the 2020 Greater Los Angeles Homeless Authority Homeless Count Taking Place on Tuesday, January 21, 2020, at the Jack Crippen Senior Center.

17. **WRITTEN COMMUNICATIONS: No material submitted.**

18. **COUNCIL COMMUNICATIONS/REPORTS:**

18A. Mayor Quintero

If anything about being here at the City is that we get to celebrate two New Year's. We get New Year's at the beginning of the year and we are going to be celebrating Lunar New Year on February 8<sup>th</sup> Chinese New Year celebration in the Downtown Mall area so please come out if you can. I also want to give staff thanks for a wonderful 2019 and I know this is going to be a tremendous 2020 and thank you for all the sacrifices that you make with your families to do what you do and thank you very much and City Manager in particular thank you for your leadership. City Attorney I hardly recognize you and I do want to say more for the community because I am loath to interrupt speakers when they are speaking I have been here for 10 years and I can count on one hand how many times I have done that. But I have to tell you after a while sometimes it is necessary to point out a few things and I want to say I have no problem if we did not have contributions put on Forms 460's there wouldn't been transparency I mean that is a legal requirement and it is there for a purpose for you as residents and for those of you who are paying attention at home and for those of you who will watch this later on know that there is accountability in place and it is a fair comment to be able to make where the resources are coming from for

**City Council Meeting Minutes of January 14, 2020**

candidates for office and usually that is an argument that you make in front of voters and not in front of the elected body of here unless to make the following point and I think it is a legitimate point the influence of money on politics. This is the 10<sup>th</sup> anniversary of Citizens United and that decision blew a wide door open for federal campaign funding. It's a joy that many would argue had a detrimental impact on public policy decision making at the federal level. Obviously we are not at the federal level we are at the local level in the 10 years that I have been here I have not heard from anyone frankly whose ever said maybe we should limit the amount of contributions a candidate receives because as those of you who know there are no limits in the City of El Monte. If someone would want to drop a million dollars on a campaign here they could. So I am hoping that the gentleman who spoke earlier and expressed some concerns about contributions will chime in when we have that conversation in the future I anticipate we will have conversations about becoming a charter city.

18B. Mayor Pro Tem Morales

I wanted to say Happy New Year to everyone who are watching and are present at the moment. Like Councilmember Velasco mentioned there is a lot of movement in our community with respect to Public Works. I am really looking forward to this year being that year that we do see the shovels on the ground and we do see a lot of the projects moving along that we were waiting to get going and I think it is going to happen this year. We are going to do the best to publicize all this movement and if there is traffic that is good traffic because that means we are fixing streets and cleaning things up. I am really looking forward to that. I wanted to say thank you to staff for putting together and working so diligently often times through the weekends and I wanted to let you know it is duly noted so thank you for that.

18C. Councilwoman Ancona

I want to wish everyone a Happy New Year those of you are still here thank you for being here. I hope everyone enjoyed their time off with their families and friends over the holidays. Excited over what 2020 will bring we have a lot of things going on here in the City of El Monte which we will be sharing with all of you in the future. I am also very excited about Fletcher "Fetch" Park this past Saturday we just had the renaming of Valley Mall to Main Street. We have a lot of improvements going on there and just excited to see what this year will bring.

18D. Councilwoman Martinez Muela

Happy New Year everyone 2020 it is an exciting year and hopefully you have a lot of exciting plans. This year for me I want to make sure that I stay in touch with you the community so if you have any questions or concerns please make sure to find me on any of our social media avenues right here at City Hall there is an email and phone number let's stay connected. I reached out to some of my friends that I hadn't spoken to in a while as part of my new year and that includes you. If you have something to share with me good, bad or indifferent about the City and how we are doing let me know I am interested. I did want to share something interesting with you it is something that we have been working on for quite some time and that is Fletcher "Fetch" Park. The Fletcher "Fetch" Park is the first dog park here in El Monte. We have a groundbreaking happening on February 22, 2020 at 10:00 am and we hope that you come out and join us.

18E. Councilman Velasco

I just want to encourage everyone to get involved in the census it is very important. This is what is going to speak about El Monte's population for the next 10 years and funding for the City. Twenty Thousand per year per person is a lot of money it is a lot of money so if we undercount it will affect us. Tomorrow is Coordinating Counsel at 4:00 pm in the City Manager's Conference Room. There will be a lot of jobs available so make sure to attend or contact the City Manager's Office. You are all invited to attend on February 8, 2020 the

**City Council Meeting Minutes of January 14, 2020**

Ramona/Valley Intersection Improvement Project Groundbreaking Ceremony at 11:00 am.

19. ADJOURNMENT:

**Without objection the Mayor adjourned the meeting at 8:54 pm.**

The next Regular Meeting of the City Council will be held on **January 28, 2020** at 6:00 p.m. This Agenda will be posted on the City's website, [www.ci.el-monte.ca.us](http://www.ci.el-monte.ca.us), and physically posted no less than 72 hours prior to the start of the subject regular meeting. Although it is the City's practice and desire to electronically post a copy of this Agenda along with supporting material as part of its website posting, the size or formatting of certain supporting materials may render their website posting infeasible. Nevertheless, all supporting materials related to any item on this Agenda, that is made available to the members of the council may be inspected by members of the public at the City Clerk's Office located at 11333 Valley Boulevard, El Monte, Monday through Thursday, 7:00 am – 5:30 pm. For more information, please call the City Clerk's Office at 626-580-2016.

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

---

Catherine A. Eredia, City Clerk  
City of El Monte

APPROVED:

---

Andre Quintero, Mayor  
City of El Monte