

City Council Meeting Minutes of April 7, 2020

The City Council unanimously approved the terms of a settlement of litigation with said petitioner. The salient terms are to dissolve the lawsuit in exchange for City agreement to waive all costs in attorney's fees and the City Manager was authorized to execute the agreement.

m) Mayor Quintero

s) Mayor Pro Tem Morales

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: Chaplain Steve Lucero, New Hope Community Church. Absent **Councilmember Martinez Muela**

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

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

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

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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.

There was a question by a member of the public who wanted to know where the 10,000 masks that were donated to the City were.

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

10. DEMAND RESOLUTION NO. D-618

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 \$9,622,894.25 have been examined by the City Treasurer and that warrant numbers 1089424 through 1089730 and the payroll period February 16, 2020 through March 15, 2020 inclusive are hereby allowed in the amounts and ordered paid out of the respective funds as set forth.

m) Mayor Quintero

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

11. APPROVAL OF MINUTES:

Regular Meeting Minutes of March 4, 2020

m) Mayor Quintero

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

Regular Meeting Minutes of March 17, 2020

m) Mayor Quintero

s) Councilmember Velasco **3-0-2 (Councilmember Ancona and Martinez Muela abstain)**

Special Concurrent Meeting Minutes of March 17, 2020

m) Mayor Quintero

s) Councilmember Velasco **3-0-2 (Councilmember Ancona and Martinez Muela abstain)**

Special Meeting Minutes of March 19, 2020.

m) Mayor Quintero

s) Councilmember Velasco **5-0**

12. CONSENT CALENDAR:

All matters listed under the Consent Calendar are considered to be routine in nature and may be enacted by one motion approving the recommendation listed on the Agenda. One or more items may be removed from the Consent Calendar so that they may be discussed, considered and voted upon individually by the Council. A matter may be removed from the Consent Calendar and taken up separately by way of a seconded motion of any member of the Council with the approval of a majority of the Council quorum.

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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) Councilmember Velasco **5-0**

12.2 Second Reading of an Ordinance of the City Council of the City of El Monte Enacting a Modified Temporary Moratorium on Evictions Due to the Nonpayment of Rent for Residential Tenants where the Failure to Pay Rent Results from Income Loss Resulting from the Novel Coronavirus (COVID-19).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

1. Ratify the proposed Ordinance for second reading by no less than three votes.

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

Ordinance No. 2972

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

m) Mayor Quintero
s) Councilmember Velasco **5-0**
Item 12.2 was reconsidered

m) Mayor Quintero
s) Councilmember Velasco **5-0**
Table Item 12.2

12.3 Receive and File the City Clerk's Quarterly Listing of Contracts Filed in the City Clerk's Office Between January 1, 2020 and March 31, 2020.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the report.

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

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

12.4 Approval of a Resolution Adopting a Revised List of Designated Positions and Disclosure Categories for Officers and Employees of the City Pursuant to Government Code Section 87306.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Approve the attached Resolution adopting a revised list of designated positions for officers and employees of the City of El Monte pursuant to Government Code Section 87306.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10109

m) Mayor Quintero

s) Councilmember Velasco

5-0

- 12.5 Approval of a Contract Service Agreement with Air-Ex Air Conditioning, Inc. for On Call and As-Needed Heating, Ventilation, and Air Conditioning (HVAC) Services Citywide for an Amount Not-to-Exceed \$35,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a contract service agreement with Air-Ex Air Conditioning, Inc. for on-call and as-needed heating, ventilation, and air conditioning (HVAC) services Citywide for a not-to-exceed amount of \$35,000; and
2. Authorize the City Manager, or her designee, to execute a Contract Service Agreement with Air-Ex Conditioning, Inc.

Total Cost: \$35,000

Account No: 100-67-673-6111

Is the cost of this item budgeted? Yes

m) Mayor Quintero

s) Councilmember Velasco

5-0

- 12.6 Approval of a Contract Service Agreement with R&S Overhead Doors of Commerce for On Call and As-Needed Door and Gate Maintenance and Installation Services Citywide for an Amount Not-to-Exceed \$61,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a contract service agreement with R&S Overhead Doors of Commerce for on-call and as-needed door and gate maintenance and installation services Citywide for an amount not-to-exceed \$61,000; and
2. Authorize the City Manager or her designee to execute a Contract Services Agreement with R&S Overhead Doors of Commerce.

Total Cost: \$61,000

Account No: 100-67-673-6111 (\$35,000)

Is the cost of this item budgeted? Yes

600-67-695-6111 (\$26,000)

m) Mayor Quintero

s) Councilmember Velasco

5-0

- 12.7 Approval to Use Supplemental Law Enforcement Service Account (SLESA) Funds for the Purchase of Six (6) Police Vehicles.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and authorize the use of Supplemental Law Enforcement Services Account (SLESA) monies in amount not-to-exceed \$439,950 to purchase six (6) police vehicles;

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2. Consider and authorize the purchase of six (6) vehicles from Villa Ford of Orange in an amount not-to-exceed \$270,000;
3. Consider and authorize the outfitting of six (6) police vehicles by Black and White Emergency Vehicles in an amount not-to-exceed \$95,000; and
4. Consider and authorize the outfitting of six (6) Mobile Data Terminals for an amount not-to-exceed \$44,000.

Total Cost: \$439,950
Is the cost of this item budgeted? N/A

Account No: 204-71-711-8133
(SLESA Fund)

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

- 12.8 Approval of Request for the Prosecution of the City of El Monte Municipal Code Violations by the Los Angeles County District Attorney's Office.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Authorize staff to submit a written request to contract with the Los Angeles County District Attorney's Office to prosecute El Monte Municipal Code violations filed at the Los Angeles County Superior Court; and
2. Authorize the City Manager, or her designee, to sign all related documents as the authorized representatives of the City of El Monte.

Total Cost: \$30,000
Is the cost of this item budgeted? No

Account No: 100-71-711-6111

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

- 12.9 Approval of Resolution Authorizing the City Manager to Execute all Documents and Agreements for Projects Funded through the State of California Department of Transportation (CALTRANS).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve to adopt a Resolution authorizing the City Manager to execute all required agreements and documents for projects funded through Caltrans.

Total Cost: N/A
Is the cost of this item budgeted? N/A

Account No: N/A

Resolution No. 10110

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

- 12.10 Approval of Request to Repeal the Notice of Completion for Federal Drive (CIP 894) Approval by the City Council on February 18, 2020 Under Agenda Item No. 12.8; and Accept and Authorize Staff to File a Revised Notice of Completion for Federal Drive (CIP 894).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Repeal the Notice of Completion for Federal Drive (CIP 894) approval by the City Council on February 18, 2020 under Agenda Item No. 12.8; and
2. Authorize staff to file a revised Notice of Completion (NOC) with the Los Angeles County Recorder's Office as presented in Attachment 1.

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Total Cost: N/A
Is the cost of this item budgeted? N/A

Account No: N/A

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

12.11 Approval of a Resolution to Designate the City of El Monte's Agent for Non-State Agencies for the Purpose of Obtaining Federal Financial Assistance due to Disasters.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve the attached Resolution "Designation of Applicant's Agent Resolution for Non-State Agencies" designating the City Manager as the City of El Monte's Agent for the purpose of obtaining Federal financial assistance due to disasters; and
2. Direct staff to submit certified copies of the approved Resolution to all applicable agencies.

Total Cost: N/A
Is the cost of this item budgeted? N/A

Account No: N/A

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

12.12 Approval of a Resolution of the City Council of the City of El Monte, California Confirming the Conduct of a March 3, 2020 Special Municipal Election Consolidated with the Presidential Primary Election Administered by the County of Los Angeles on the Same Day and Declaring the Approval of the Results of Said Election.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the attached Resolution approving the Election Results for the Special Municipal Election of March 3, 2020.

Total Cost: N/A
Is the cost of this item budgeted? N/A

Account No: N/A

Resolution No. 10111

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

13. PUBLIC HEARINGS:

13.1 A Public Hearing to Consider and Approve for First Reading an Ordinance Amending Portions of Chapter 12.48 (Parks and Recreational Activities) and Adding Chapter 12.50 (Skate Parks) of Title 12 (Streets, Sidewalks and Public Places) of the El Monte Municipal Code Regarding Dog and Skate Park Regulations.

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;

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14. REGULAR AGENDA:

- 14.1 Consideration and Approval of Request for Authorization to issue a Letter of Intent for Yellow Iron Investments, LLC for the Development of Property for a Refueling Station and for the Purchase of Fuel by the City.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the terms of the attached draft Letter of Intent subject to such other direction as may be given 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

- 14.2 Consideration and Approval of a Professional Services Agreement with Nationwide Cost Recovery Services, LLC for the Implementation and Oversight of Foreclosed Property Registration Program Services.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve a Professional Services Agreement with Nationwide Cost Recovery Services, LLP for Implementation and Oversight Services for the Foreclosed Property Registration Program, for a term not-to-exceed five (5) years commencing as of the Effective Date.

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

Continued to a future meeting.

- 14.3 Consideration and Approval of a Reimbursement Agreement By and Between the Mountain View School District and the City of El Monte for the Purchase and Reimbursement of Technology (Hardware and Software) Required for Distance Learning by Students.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Reimbursement Agreement between the City of El Monte and Mountain View School District for the purchase and reimbursement of technology (hardware and software) subject to the terms and conditions set forth by the City of El Monte in a form acceptable to the City Council; and
2. Authorize the City Manager, her designee, to make minor conforming edits to proposed agreement as necessary.

Total Cost: \$170,000 (Reimbursable) Account No: 100-71-731-XXXX
Is the cost of this item budgeted? No (Civil Defense Fund)

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 City Budget Update.

16.2 COVID-19 Update.

17. WRITTEN COMMUNICATIONS:

18. COUNCIL COMMUNICATIONS/REPORTS:

18A. Mayor Quintero

I want to thank all of those who tuned in. I want to thank all the folks who participated through Facebook. Thank you very much for tuning in, thank you to each and every one of you who are here. To the Police Officers and First Responders that we have please make sure you are wearing your masks when you get out there we want to keep you and most importantly your families safe.

18B. Mayor Pro Tem Morales

We are moving into learning about how we can collaborate with the County on hopefully getting a testing site closer to El Monte. There are testing sites in Pasadena and one close to East L.A. and one in Pomona. In addition, we are collaborating with other non-profits as well as our food pantry locations here in El Monte hopefully through the University of California to establish additional pantry locations to increase the number of meals that we can provide our community.

18C. Councilwoman Ancona

18C.1 Update Regarding Mid-Year Budget.

Per my Council Communications, my understanding this is a typical timeline when we should be receiving this information. I asked for this a couple of weeks ago.

18D. Councilwoman Martinez Muela

Covid-19 does have our families and our community it is just a different world for all of us. We have asked for patience, people to work with us as we make decisions on behalf of the community that will support us and will support our sustainability.

18E. Councilman Velasco

18E.1 Update Regarding Census 2020.

I have a Council Communication regarding the Census, there was an extension of time. Please make sure that you register and you get counted. The food pantries will never say to a donation that you may have whether it be Our Saviour or Lillian Rey.

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19. ADJOURNMENT:

Without objection the Mayor adjourned the meeting at 10:01 pm.

The next Regular Meeting of the City Council will be held on **April 21, 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