

City Council Meeting Minutes of April 21, 2020

- 4.1 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation (Workers Compensation) – Retired Employee E. Stanley, Case No. ADJ11287566.

The City Council unanimously approved the terms of settlement. Copies of the settlement agreement will be available for public inspection as public records should anyone request the records.

- 4.2 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation – Workers Compensation Case Nos. ADJ11308746 and ADJ11312028.

The City Council unanimously approved the terms of settlement. Copies of the settlement agreement will be available for public inspection as public records should anyone request the records.

- 4.3 Closed Session Pursuant to Government Code Section 54956.9(d)(2) and 54956.9(e)(3) – Significant Exposure to Litigation – One (1) Matter.

General update, direction given to staff but no final action.

- 4.4 Closed Session Pursuant to Government Code Section 54956.9(d)(1) – Conference with Legal Counsel – Existing Litigation Regarding the Following Related 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, direction given to staff but no final action.

- 4.5 Closed Session Pursuant to Government Code Section 54956.9(d)(4) – Conference with Legal Counsel – Initiation of Litigation – One (1) Matter.

General update, direction given to staff but no final action.

- 4.6 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, direction given to staff but no final action.

- 4.7 Closed Session Pursuant to Government Code Section 54956.9(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, direction given to staff but 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: Chaplain Manny Coronilla, Calvary Chapel. **Councilmember Martinez Muela**

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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 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.

Blanca Medina – I'm the president of the Downtown El Monte Business Association, and I had my business on Main St. For 27 years and i would like to stay here for a lot more years, and for that i want to thank all of you city councils, Mayor Andre Quintero and city manager Alma Martinez for all the interest you have putting on us small businesses, with all the help that is out there from the federal government and hopefully with the help from the city of El Monte approving the business grand program we would be able to be back up and running soon. Hope to have more conference calls they are very informative.

Gary – Just a note of thanks for the care package I received from the City.

Gabriel Ramirez – Would it be possible to have barber and salon shops open and consider to be essential? Essential jobs like government jobs, grocery, medical field, first responders and those who deliver food deal with the public and it's very important to have hygiene. Solution is to allow barber and salon shop business to be open.

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

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10. DEMAND RESOLUTION NO. D-619

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 \$2,479,070.17 have been examined by the City Treasurer and that warrant numbers 1089731 through 1090086 and the payroll ending March 31, 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.

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, California 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 Dogs and Skate Park Regulations.

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. 2973

m) Mayor Quintero

s) Councilmember Velasco

5-0

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2. Authorize the City Manager to execute the Third Amendment to the Professional Services Agreement with HdL Companies (PSA Agreement No. 17P08079).

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

- 12.6 Approval of a Resolution of the City Council Approving a HOME Minor Amendment to the Fiscal Year 2019-2020 Annual Action Plan to Allocate \$44,260.30 in HOME Funds to the HOME Administration Fiscal Year 2019-2020 Budget.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt the proposed Resolution approving a Minor Amendment to the Fiscal Year 2019-2020 Annual Action Plan to allocate \$44,260.30 in HOME Funds to the HOME Administration Fiscal Year 2019-2020 Budget; and
2. Authorize an increase in appropriation of \$44,260.30 in the HOME Fund to the HOME Administration Fiscal Year 2019-2020 Budget to Account Number 221-61-611-5111.

Total Cost: \$44,260.30

Account No: 221-61-611-5111 (HOME)

Is the cost of this item budgeted? Yes

Resolution No. 10116

m) Mayor Quintero

s) Councilmember Velasco

5-0

- 12.7 Approval of a Resolution Approving a HOME Commitment Agreement Between the City of El Monte and Neighborhood Housing Partners Inc. (NHP) for 11423 Stewart Street.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt the proposed Resolution approving a HOME Commitment Agreement between the City of El Monte and Neighborhood Housing Partners Inc. for 11423 Stewart Street for the purpose of creating affordable ownership housing; and
2. Authorize the City Manager to execute said Agreement on behalf of the City in a form approved by the City Attorney.

Total Cost: \$208,913

Account No: 221-65-662-6115 (HOME

Is the cost of this item budgeted? Yes

Fund – CHDO Operations)

Resolution No. 10117

m) Mayor Quintero

s) Councilmember Velasco

5-0

- 12.8 Approval of a Resolution of the City Council of the City of El Monte Approving the San Gabriel Valley Regional Trust Joint Exercise of Powers Agreement Between the City of El Monte and the San Gabriel Valley Regional Housing Trust.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

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1. Adopt the proposed Resolution approving the San Gabriel Valley Regional Trust Joint Exercise of Powers Agreement with the San Gabriel Valley Regional Housing Trust; and
2. Authorize the City Manager to execute said Agreement on behalf of the City in a form approved by the City Attorney.

Total Cost: \$25,000 Account No: Tri-City Homelessness Cohort
Is the cost of this item budgeted? Yes Funds

Resolution No. 10118

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

- 12.9 Approval of Resolution Approving the 2020 Grant of Storm Drain Easement and Agreement Between the City of El Monte and GLC El Monte, LLC (Goodman) Related to the Industrial Use at 10150 Lower Azusa Road, El Monte, California and the City's Operation of a Public Storm Drain Pipeline Thereupon.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt the proposed Resolution approving the 2020 Grant of Storm Drain Easement and Agreement; and
2. Authorize the City Manager to execute the 2020 Grant of Storm Drain Easement and Agreement.

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

Resolution No. 10119

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

13. **PUBLIC HEARINGS:**

- 13.1 A Public Hearing to Consider and Approve a Resolution Approving Substantial Amendment #4 to the City of El Monte Fiscal Year (FY) 2019-2020 Annual Action Plan in Accordance with the U.S. Department of Housing and Urban Development (HUD) Regulations.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the public hearing;
2. Receive a staff presentation;
3. Allow a public comment period;
4. Close the public hearing;
5. Adopt the proposed Resolution approving Substantial Amendment #4 to the FY 2019-2020 Annual Action Plan;
6. Authorize the City Manager to make all conforming modifications and edits, and to execute all ancillary documents required by HUD;
7. Authorize an appropriation of:
 - a. \$1,029,409 in CDBG-CV to the FY 2019 Annual Action Plan; and
 - b. \$520,314 in ESG-CV to the FY 2019 Annual Action Plan;
8. Authorize the reprogramming of FY 2019 CDBG funds in the amount of \$228,103;
9. Direct Staff to submit Substantial Amendment #4 to the FY 2019 Annual Action Plan to HUD; and

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Total Cost: \$60,000

Account No: 100-61-615 (Pass Thru)

Is the cost of this item budgeted? Yes

m) Mayor Quintero

s) Mayor Pro Tem Morales

5-0

- 14.3 Consideration and Approval of a Professional Services Agreement with Walker Consultants to Develop a Smart Parking Detection System and Shared Parking Program, CIP No. 846, for a Not-to-Exceed Amount of \$159,500.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Professional Services Agreement to develop a Smart Parking Detection System and Shared Parking Program, CIP No. 846, with Walker Consultants for an amount of \$144,978 plus an approximate ten percent (10%) contingency for a total not-to-exceed contract amount of \$159,500; and
2. Authorize the increase in appropriation in the amount of \$159,500 to account 201-67-846-8221 from existing fund balance reserves.
3. Authorize the City Manager, or her designee, to execute the Professional Services Agreement.

Total Cost: \$159,500

Account No: 212-67-846-8211

Is the cost of this item budgeted? Yes

m) Mayor Quintero

s) Councilmember Velasco

4-0-1 (Councilmember Martinez Muela abstain)

- 14.4 Consideration and Approval of a Contract Service Agreement with FS Contractors, Inc. to Construct a Block Wall at Gibson Mariposa Park for a Project Amount Not-to-Exceed \$85,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a contract service agreement with FS Contractors, Inc. to construct a block wall at Gibson Mariposa Park for a not-to-exceed amount of \$72,000 plus a \$13,000 contingency for a total of \$85,000; and
2. Authorize the City Manager, or her designee, to execute a Contract Service Agreement with FS Contractors, Inc.

Total Cost: \$85,000

Account No: 220-67-825-8113

Is the cost of this item budgeted? Yes

m) Mayor Quintero

s) Councilmember Velasco

5-0

- 14.5 Consideration and Approval of a Contract Service Agreement with Ochoa's Custom Construction, Inc. to Remodel the Men's and Women's Outdoor Facility Restrooms at Mountain View Park for a Total Project Amount Not-to-Exceed \$93,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and approve a Contract Service Agreement with Ochoa's Custom Construction, Inc. to remodel the men's and women's outdoor facility restrooms at Mountain View Park for an amount not-to-exceed \$77,800 plus appropriate an additional \$15,200 for project contingency for a total project cost of \$93,000; and

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2. Authorize the City Manager, or her designee, to execute a Contract Service Agreement with Ochoa's Custom Construction, Inc.

Total Cost: \$93,000

Account No: 220-67-825-8113

Is the cost of this item budgeted? Yes

m) Mayor Quintero

s) Councilmember Velasco

5-0

- 14.6 Consideration and Approval to Adopt a Resolution for Final Parcel Map No. 74489 for the 2-Unit Detached Residential Development with a 2-Foot Dedication for Street Purposes on Cogswell Road.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Consider and adopt a Resolution authorizing the recordation of Final Parcel Map No. 74889 and acceptance of a dedication for street purposes on Cogswell Road.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10121

m) Mayor Quintero

s) Mayor Pro Tem Morales

5-0

- 14.7 Consideration and Adoption of a Resolution Approving a Business Grant Program to Assist Businesses in the City of El Monte.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt the proposed Resolution approving a Business Grant Program;
2. Authorize the reallocation of \$228,103 in CDBG funds for Fiscal Year 2019-2020 from the Residential Rehabilitation Program and the Home Buyer Assistance Program to the Business Grant Program; and
3. Authorize the allocation of \$200,000 in CDBG-CV funds to the Business Grant Program.

Total Cost: \$428,103

Account No: CDBG

Is the cost of this item budgeted? Yes

Resolution No. 10122

m) Councilmember Velasco

s) Councilmember Martinez Muela

5-0

- 14.8 Consideration and Approval of a Resolution Updating and Modifying the City's Declared Local Emergency Declaration Due to the Public Threat Caused by the Coronavirus (COVID-19).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt the attached Resolution updating and modifying the City's declared local emergency due to the public threat caused by the coronavirus (COVID-19).

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

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18B. Mayor Pro Tem Morales

I want to give a thank to staff for putting together and organizing the food pantry in such a quick manner. We are going to move forward on a Monday, Wednesday and Friday, the system in place, the distribution in place, food, the amount of food, the quality of food is being assessed.

18C. Councilwoman Ancona

18C.1 Discussion on Honoring City of El Monte Graduating High School Seniors.

I would like to ask City staff to reach out to our Superintendent at El Monte Union High School District as to how we as a City can help support in honoring the graduating Class of 2020.

18D. Councilwoman Martinez Muela

Going back to the Business Grant Program there a couple of business owners who requested time to download the information to be able to process it for at least 24 hours and then have a submission date especially if you are requiring documentation that they may have a fair share to submit the application to the City.

Mayor Quintero – The suggest from Councilmember Martinez Muela is that even if the application is available tomorrow to give people a starting application submission date of at least 24 hours to two days from now. Any time after 9:00 am on Monday you can submit your applications.

I did submit an item for my Council Communication I want to say thank you to Laura Arechiga for sharing a video with us and I want to recommend this idea to see what your thoughts are. Just recognizing that there are so many home and if we can spread cheer in the City of El Monte and maybe we can organize a car parade.

18E. Councilman Velasco

It is exciting to see some of our lifeguards delivering food to our seniors.

18E.1 Update Regarding Census 2020.

18E.2 Discussion Regarding Small Business Grants.

The small businesses are the backbone to the City. This is something small and we hope this can help you.

18E.3 Discussion Regarding El Monte Testing Site.

We reached out to Supervisor Solis regarding having a testing site at the airport because there wasn't a testing site in this region.

18E.4 Discussion Regarding Homeless Hygiene (Showers and Laundry).

This program will start at the end of the week the latest the beginning of next week and this will be once a week.

All the public works staff are doing a fantastic job, parks and recreation staff are doing a good job. Thank you to the Council, thank you to the staff, thank you to the Chief for everything you are doing.

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19. ADJOURNMENT: **Adjourn in Memory of Mr. Alberto Rodriguez.**

Without objection the Mayor adjourned the meeting at 10:17 pm.

The next Regular Meeting of the City Council will be held on **May 5, 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