

City Council Meeting Minutes of May 19, 2020

take action on any issue raised by a speaker beyond such action as the City Council may be lawfully authorized to take on an agenda item pursuant to the Brown Act (Govt. Code Section 54950 et seq.).

Mayor Quintero invited members of the public to address the City Council on Closed Session Items 4.1 through 4.3.

Mayor Quintero and the City Council recessed into Closed Session at approximately 6:08 p.m. Mayor Quintero and the City Council reconvened from Closed Session at approximately 7:26 pm.

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

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

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

- 4.2 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. The City Manager did not participate during the discussion of Item 4.2.

- 4.3 Closed Session Pursuant to Government Code Section 54957.6 – Conference with Labor Negotiator – Represented Employees:

Bargaining Units Subject to Negotiations: El Monte SEIU Local 721; El Monte Police Mid-Managers Association; El Monte Police Officers Association; Management Group; and El Monte General Mid-Managers Association.

City's Designated Negotiator: Alma K. Martinez, City Manager and John Nguyen, Human Resources/Risk Management Director

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

m) Mayor Quintero

s) Mayor Pro Tem Morales

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OPEN SESSION PROCEEDINGS

(Commencing at 6:00 p.m. or as soon thereafter as the City Council reconvene from Closed Session/Short Recess)

5. INVOCATION: **Mayor Quintero**

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

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

8. PUBLIC COMMENT REGARDING NON-AGENDIZED MATTERS: **None**

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

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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.

9. CITY TREASURER'S REPORT:

9.1 Transmittal of the Treasurer's Investment Report for the Quarter Ended March 31, 2020.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive and file the Treasurer's Investment Report for the Quarter Ended March 31, 2020.

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

4-0 (Councilmember Velasco absent)

Break at 9:29 pm

Return at 9:51 pm

m) Mayor Quintero

s) Councilmember Velasco

3-0 (Councilmembers Ancona and Martinez Muela absent)

Move to extend the meeting for all regular items that are on the agenda with the exception of the City Manager report and the Council Communication.

10. DEMAND RESOLUTION NO. D-621

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 \$3,619,777.68 have been examined by the City Treasurer and that warrant numbers 1090311 through 1090711 and the payroll ending April 30, 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

3-0 (Councilmembers Ancona and Martinez Muela absent)

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11. APPROVAL OF MINUTES:

Special Meeting Minutes of March 23, 2020

m) Mayor Quintero

s) Councilmember Velasco

**3-0 (Councilmembers Ancona and Martinez
Muela absent)**

Regular Meeting Minutes of April 7, 2020.

m) Mayor Quintero

s) Mayor Pro Tem Morales

**3-0 (Councilmembers Ancona and Martinez
Muela absent)**

12. CONSENT CALENDAR:

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

12.1 Waiver of Full Reading of Ordinance(s).

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approval to waive full reading (except title) of all ordinances appearing on the City Council agenda as authorized under Government Code Section 36934, unless otherwise directed by the City Council.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

m) Mayor Quintero

s) Councilmember Velasco

**3-0 (Councilmembers Ancona and Martinez
Muela absent)**

- 12.2 Approval of a Contract Service Agreement with Petrusse-Norris Painting, Inc. to Paint the Exterior of the Lambert Park Auditorium for an Amount not-to-exceed \$55,000.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

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1. Consider and approve a Contract Service Agreement with Petrusse-Norris Painting, Inc. to paint the exterior of the Lambert Park Auditorium for an amount not-to-exceed \$55,000; and
2. Authorize the City Manager or her designee to execute a Contract Service Agreement with Petrusse-Norris Painting, Inc.

Total Cost: \$55,000

Account No: 100-67-673-6111

Is the cost of this item budgeted? No

Item has been pulled.

- 12.3 Approval of a Professional Service Agreement with CampaignRep for the Creation and Development of Digital Applications (Virtual City Hall) Related to Retooling of City Services During the Covid-19 Pandemic.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

1. Consider and approve a Professional Services Agreement with CampaignRep to enhance the City's digital presence to provide the level of information and support that will aid constituents during the entirety of the Covid-19 pandemic and beyond in an amount not-to-exceed \$94,000; and
2. Authorize the City Manager, her designee, execute the Professional Services Agreement and make minor conforming edits to proposed agreement as necessary.

Total Cost: \$94,000

Account No: 100-71-731-6115

Is the cost of this item budgeted? No

m) Mayor Quintero

s) Councilmember Velasco

**3-0 (Councilmembers Ancona and Martinez
Muela absent)**

- 12.4 Approval of a Resolution Designating the Month of May as Asian and Pacific Islander American Heritage Month in the City of El Monte.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

1. Consider and approve a Resolution designating the month of May of each year as "Asian and Pacific Islander American Heritage Month" in the City of El Monte in recognition of the achievements, contributions, and history of Asian and Pacific Islander Americans.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10131

m) Mayor Quintero

s) Councilmember Velasco

**3-0 (Councilmembers Ancona and Martinez
Muela absent)**

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13. PUBLIC HEARINGS:

- 13.1 A Public Hearing to Consider and Approve a Resolution Approving Substantial Amendment No. 5 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 presentation from staff;
3. Pose question to staff;
4. Allow members of the public to offer comment;
5. Pose follow-up questions to staff;
6. Close the public hearing; and
7. Adopt the proposed Resolution approving Substantial Amendment #5 to the FY 2019-2020 Annual Action Plan;
8. Authorize the reallocation of \$425,000 in CDBG FY 2019 funds and \$200,000 in CDBG-CV funds in accordance with the projects listed in Substantial Amendment #5;
9. Authorize the City Manager to make all conforming modifications and edits, and to execute all implementing documents required by HUD; and
10. Direct Staff to submit Substantial Amendment #5 to the FY 2019-2020 Annual Action Plan to HUD.

Total Cost: \$425,000 CDBG -19
\$200,000 CDBG-CV

Account No: 220-67-xxx-xxxx

Is the cost of this item budgeted? Yes

Resolution No. 10132

m) Mayor Quintero
s) Councilmember Velasco
Open P.H.

m) Mayor Quintero
s) Mayor Pro Tem Morales
Close P.H.

m) Mayor Quintero
s) Councilmember Velasco
Resolution No. 10132

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

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Open the public hearing;
2. Receive presentation from staff;
3. Pose question to staff;
4. Allow members of the public to offer comment;
5. Pose follow-up questions to staff;
6. Close the public hearing; and
7. Approve the attached Ordinance for First Reading.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Ordinance No. 2976

Continue to the meeting of June 2, 2020

14. **REGULAR AGENDA:**

- 14.1 Consideration and Approval of a Resolution of the City Council of the City of El Monte, California Approving the Form of and Authorizing the Execution and Delivery of a Preliminary Official Statement, a Purchase Contract and a Continuing Disclosure Agreement in Connection with the Issuance, Sale and Delivery of Pension Obligation Bonds; Authorizing Certain Maximum Interest Rates for Pension Obligation Bonds and Lease Revenue Bonds; and Adopting a Continuing Disclosure Policy.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the attached Resolution approving the form of and authorizing the execution and delivery of a Preliminary Official Statement, a Purchase Contract and a Continuing Disclosure Agreement in Connection with the Issuance, Sale and Delivery of Pension Obligation Bonds; Authorizing Certain Maximum Interest Rates for Pension Obligation Bonds and Lease Revenue Bonds; and Adopting a Continuing Disclosure Policy.

Total Cost: N/A

Account No: N/A

Is the cost of this item budgeted? N/A

Resolution No. 10133

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3. Authorize the City Manager, or her designee, to execute the Professional Services Agreement.

Total Cost: \$118,800

Account No: 206-67-890-8221

Is the cost of this item budgeted? Yes

m) Mayor Quintero

s) Councilmember Velasco

**3-0 (Councilmembers Ancona and Martinez
Muela absent)**

- 14.4 Consideration and Approval of Contract Extension with Southland Transit, Inc. for Monday-Sunday Fixed-Route Transit and Dial-A-Ride Services.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Exercise the right to extend the term of the Master Agreement for an additional one-year extension term as provided under the original terms of the Master Agreement, to June 30, 2021;
2. Consider and approve the option of another one (1) year contract extension with Southland Transit, Inc., to continue to operate the City's Monday – Sunday Fixed-Route Transit and Dial-A-Ride Programs utilizing Proposition A Local Return funds for a not-to-exceed amount of \$1,819,836 (without an estimated farebox), with initial contract term July 1, 2020 – June 30,2021; and
3. Authorize the City Manager, or her designee, to execute the contract extension.

Total Cost: \$1,819,836

Account No: 202-67-575-6111 (FRT) - \$1,210,450

Is the cost of this item budgeted? Yes

202-67-574-6111 (DAR) - \$ 609,386

m) Mayor Quintero

s) Councilmember Velasco

5-0

- 14.5 Confirmation of an Updated June 15, 2020 Deadline for the Submission of Commercial Cannabis Business Applications.

RECOMMENDATION OF BUSINESS ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Receive a presentation from staff; and
2. Confirm an updated June 15, 2020 deadline for the submission of Commercial Cannabis Business Applications.

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

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- 15. CITY ATTORNEY'S AGENDA:

- 16. CITY MANAGER'S AGENDA:
 - 16.1 COVID-19 Update.

- 17. WRITTEN COMMUNICATIONS:

- 18. COUNCIL COMMUNICATIONS/REPORTS:
 - 18A. Mayor Quintero
 - 18A.1 Discussion and Action Regarding Deferral of Council Car Allowance.

 - 18B. Mayor Pro Tem Morales
 - 18B.1 Discussion and Action Regarding the El Monte Union High School District Graduation Flag Program.

 - 18C. Councilwoman Ancona

 - 18D. Councilwoman Martinez Muela
 - 18D.1 Discussion Regarding Active Transportation Event, Similar to City of Los Angeles Street Closures to Support Active Lifestyles. Also, Requesting Staff Update Regarding Bike Lanes and Pending Grant Opportunities.

 - 18D.2 Discussion Regarding Protocol and Transparent Dismissal of Members of Commissions.

 - 18D.3 Discussion Regarding Lack of Transparency and Communication with Council, Commission and our Community.

 - 18E. Councilman Velasco
 - 18E.1 Update Regarding all the Resources Available to the Community During the COVID-19 Pandemic.

 - 18E.2 Update Regarding Census 2020.

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19. ADJOURNMENT:

Without objection the Mayor adjourned the meeting at 10:08 pm.

The next Regular Meeting of the City Council will be held on **June 2, 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