CITY OF MONTEBELLO CITY COUNCIL
REGULAR MEETING AGENDA

WEDNESDAY, FEBRUARY 9, 2022 AT 5:00 P.M.

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA

CITY COUNCIL

Kimberly A. Cobos-Cawthorne, Mayor
Angie M. Jimenez, Mayor Pro Tem
Scarlet Peralta, Councilmember
Salvador Melendez, Councilmember
David N. Torres, Councilmember

CITY MANAGER	CITY TREASURER	CITY ATTORNEY
René Bobadilla, City Manager	Rafael Gutierrez	Arnold M. Alvarez-Glasman

CITY CLERK

Christopher Jimenez

DEPARTMENT HEADS

Assistant City Manager	Arlene Salazar
Fire Chief	Fernando Pelaez
Police Chief	Brad Keller
Director of Finance	Michael Solorza
Director of Human Resources	Nicholas Razo
Director of Planning/Community Development	Joseph Palombi
Director of Public Works	James Enriquez
Director of Recreation and Community Services	David Sosnowski
Director of Transportation	Lupita Ibarra

NOTICES

COVID-19 NOTICE: Pursuant to the Executive Order N-29-20 and No. N-35-20 from the Executive Department of the State of California and the County of Los Angeles Department of Public Health Safer at Home Order, Council Members may attend City Council meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public seeking to observe and address the City Council. The City Council and Staff will meet in person at City Hall but **due to the increased transmission of COVID-19 and to ensure the health and safety of the public, the Council Chambers will be closed to the public and all *real time public participation*, pursuant to Assembly Bill 361, will continue to occur telephonically and/or in writing until further notice.** Consistent with the Executive Order, the City Council meeting will continue to be live streamed and can be watched on the City's website at: https://www.cityofmontebello.com/government/live-streaming.html, and may also be viewed on Spectrum Public Access Channel 3 for all Spectrum cable subscribers.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act (ADA) any person with a disability who requires special accommodations in order to participate in a meeting should contact the Administration Office at (323) 887-1363 Monday-Thursday from 7:30 a.m.-5:30 p.m. Please call 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II 1203). If you require translation services, please contact the City Clerk's office 48 hours before this meeting.

Si necesita servicios de traducción, comuníquese con la Oficina del Secretario Municipal 72 horas antes de esta reunión.
如果您需要翻译服务，请在会议前 72 小时联系市书记员办公室.

STATEMENT OF PUBLIC COMMENTS AND PARTICIPATION: Members of the public may address the City Council on Closed Session items during the "Public Comments for Closed Session Items" period. The public may also address the City Council on any items listed on the Agenda and on items *not* listed on the Agenda (Non-Agenda Items) during the "Public Comments" period. State Law prohibits the City Council from taking action or entertaining extended discussion on a topic not listed on the agenda. In order to conduct a timely meeting, the maximum time allotted for members of the public to speak on any or all agenda items and on any Non-Agenda Item(s) shall not exceed three (3) minutes per person; the period for all "Public Comments" may be limited to 30-minutes.

Pursuant to Assembly Bill 361, for those interested in participating during the public comment period or public testimony period for public hearings of the City Council meetings, you may call in to the City Clerk's office as listed below *until the day of the meeting prior to the start of each Public Comments period, Wednesday, February 9, 2022*. The public can submit *speaker card requests telephonically* by calling (323) 887-1216, Staff will complete/number the speaker cards and speakers will be called in the order received during the City Council meeting – Closed Session begins at 5:00 p.m. and Regular Session begins at 6:00 p.m. The exact call back time is not predictable due to the nature of the City Council agenda. As a result, you must be available until the end of the public comments period(s).

The City has also created an email address, ccpubliccomment@cityofmontebello.com, where the public can submit written comments up ***until the day of the meeting, Wednesday, February 9, 2022 between 7:30 a.m. – 3:00 p.m*.** These comments will be submitted to all members of the City Council and may *not* be read aloud, but will be entered into the record of the proceedings to the extent they relate to matters listed on the posted agenda or otherwise address matters/issues within the subject matter jurisdiction of the City Council. Any requests to provide public comment which is submitted after the deadlines indicated above will *not* be submitted to the City Council until the after the meeting, with the exception of non-agenda written item comments which will be held over for the next regularly scheduled meeting.

AGENDA MATERIALS: The agenda/agenda packet are available for public inspection at City's website at: https://www.cityofmontebello.com/council-agendas.html. The agenda cover sheets may also be emailed upon request.

IN CONSIDERATION OF OTHERS, PLEASE TURN OFF, OR MUTE, ALL CELL PHONES AND PAGERS
THANK YOU FOR YOUR COOPERATION

OPENING CEREMONIES

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS

Pursuant to AB 361 and the guidelines specifically stated in this agenda above, at this time, the general public may address the City Council on Closed Session Items. Please be aware that the maximum time allotted for members of the public to speak on Closed Session Items shall not exceed three (3) minutes per person. State Law prohibits the City Council from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor.

CLOSED SESSION – 5:00 P.M.

The City Attorney shall provide a briefing on the item listed for Closed Session as follows:

1. **THREAT TO PUBLIC SERVICES OR FACILITIES**
   Government Code Section 54957
   Consultation with City Manager, Police Chief, City Attorney and other related City officials.

2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
   Government Code Section 54956.9(d)(2)
   Threat of litigation – One matter related to the CVRA

3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
   Government Code Section 54956.9(d)(1)
   Application of San Gabriel Valley Water Company (U337W) for an Order Authorizing the Purchase of the City of Montebello's Water System Assets and related Approvals. PUC Application 20-10-004

4. **CONFERENCE WITH LABOR NEGOTIATORS**
   Government Code Section 54957.6
   Agency Negotiators: Rene Bobadilla, Nicholas Razo
   Employee Groups: Various City employee groups including but not limited to MPMA, MFMA, MMMA, MSA, MPOA, MCEA, MFA and unrepresented employees.

REGULAR SESSION – NO LATER THAN 6:00 P.M.

CLOSED SESSION REPORT

INVOCATION

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA – CITY MANAGER

CEREMONIAL/PRESENTATIONS

5. RECOGNITION OF UNITED STATES MARINE CORPS RECRUITING SUBSTATION OFFICE OF THE YEAR AWARD FOR 2021

6. RECOGNITION OF BLACK HISTORY MONTH

7. RECOGNITION OF AMERICAN HEART MONTH

PUBLIC COMMENTS ON NON-AGENDA AND AGENDA ITEMS (30 MINUTES)

Pursuant to AB 361 and the guidelines specifically stated in this agenda above, at this time, the general public may address the City Council on both non-agenda *and* agenda items. Please be aware that the maximum time allotted for members of the public to speak shall not exceed three (3) minutes per speaker. State Law prohibits the City Council from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

PUBLIC HEARING

8. CALIFORNIA VOTING RIGHTS ACT ("CVRA") TRANSITION FROM AN "AT-LARGE" TO A "BY-DISTRICT" ELECTION SYSTEM – PUBLIC HEARING NO. 3

RECOMMENDATION: It is recommended that the City Council:

1) Review draft City Council district maps submitted by the public and ARDA Demographics; and
2) Receive input from the public regarding the draft City Council district maps submitted by the public and ARDA Demographics; and
3) Take such additional, related, action that may be desirable.

REGULAR BUSINESS

9. RECEIVE AND FILE THE FISCAL YEAR 2020-21 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR)

RECOMMENDATION: It is recommended that the City Council:

1) Receive and file the Fiscal Year 2020-21 Annual Comprehensive Financial Report (ACFR) and presentation.

10. FISCAL YEAR 2021-22 SECOND QUARTER BUDGET REPORT

RECOMMENDATION: It is recommended that the City Council:

1) Receive and file this agenda report and the presentation on the Fiscal Year 2021-22 Second Quarter Budget report; and,
2) Amend the budget by increasing appropriations by the listed amounts in the various accounts listed on Attachment B; and,
3) Update the Table of Organization/Master Position Control by adding two (2) Deputy Director positions in the Transit Department (Attachment C); and,
4) Take whatever additional actions necessary.

CONSENT CALENDAR

ALL MATTERS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED TO BE ROUTINE. ANY ITEMS A COUNCILMEMBER WISHES TO DISCUSS SHOULD BE DESIGNATED AT THIS TIME. ALL OTHER ITEMS MAY BE APPROVED IN A SINGLE MOTION. SUCH APPROVAL WILL ALSO WAIVE THE READING OF ANY ORDINANCE.

11. UPDATED REPORT OF EMERGENCY REPAIR AND REPLACEMENT OF THE BEACH STREET STORM DRAIN

RECOMMENDATION: It is recommended that the City Council:

1) Receive and file the City Manager's updated report of the emergency repair of the Beach Street Storm Drain pursuant to Montebello Municipal Code Section 3.20.140 and Public Contracts Code Section 22035; and
2) Take such additional, related, action that may be desirable.

12. COMMUNITY GARDEN AT GRANT REA PARK

RECOMMENDATION: It is recommended that the City Council:

1) Approve an Agreement No. 3955 with the Los Angeles Community Garden Council ("LACGC") for a three -year term to manage a community garden at Grant Rea Park; and
2) Amend the Fiscal Year 2021-22 budget by increasing appropriations in Account Nos. 221-70-720-6040.10 by $41,000; 221-70-720-6040.96 by $25,000 and 221-70-720-7116 by $75,000 (Measure A, Parks and Recreation, Parks Maintenance, Outside Contracts; Engineering Design Services; Improvements Other Than Building; and
3) Take such additional, related, action that may be desirable.

13. APPROVE BLANKET PURCHASE ORDER WITH PDQ RENTAL CENTER FOR PURCHASE OR RENTALS OF CITYWIDE EQUIPMENT

RECOMMENDATION: It is recommended that the City Council:

1) Approve a blanket purchase order with PDQ Rental Center in a total not-to-exceed amount of $75,000, for the purchase or rental of citywide equipment rentals; and
2) Take such additional, related, action that may be desirable.

14. WAIVE SECOND READING AND ADOPT ORDINANCE NO. 2447 AMENDING MONTEBELLO MUNICIPAL CODE CHAPTERS 3.16 "CITY FUNDS," 3.20 "PURCHASING SYSTEM," AND 3.21 "CONTRACTS FOR PROFESSIONAL AND SPECIAL SERVICES" TO INCORPORATE REVISIONS AND RECOMMENDATIONS MADE IN THE STATE AUDITORS REPORT OF 2021

RECOMMENDATION: It is recommended that the City Council:

1) Waive Second Reading and adopt Ordinance No. 2447 Amending Chapters 3.16 "City Funds," 3.20 "Purchasing System," and 3.21 "Contracts for Professional and Special Services" of the Montebello Municipal Code Relating; and
2) Take such additional, related, action that may be desirable.

15. APPROVE PURCHASE OF A FIRE COMMAND VEHICLE AND AMEND THE FISCAL YEAR 2021-22 BUDGET

RECOMMENDATION: It is recommended that the City Council:

1) Authorize the purchase and replacement of the Fire Command Vehicle using pre-bid Sourcewell Contract #0011620-NCL awarded to NCL Government Capital; and
2) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $221,000 in Account No. 100--85-860-6082(General Fund, Fire, Suppression, Vehicle Purchases); and
3) Take such additional, related actions necessary to actions to effectively and efficiently procure the Fire Command Vehicle.

16. PAYMENT OF BILLS: RESOLUTION NO. 22-08 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED FEBRUARY 9, 2022

RECOMMENDATION: Adopt Resolution No. 22-08 approving the Warrant Register dated February 9, 2022.

17. APPROVAL OF MINUTES – SPECIAL MEETING MAY 1, 2021; CITY COUNCIL MEETING MAY 12, 2021; CITY COUNCIL MEETING MAY 26, 2021; ADJOURNED CITY COUNCIL MEETING JUNE 1, 2021; JOINT SPECIAL CITY COUNCIL AND PLANNING MEETING JUNE 1, 2021; ADJOURNED CITY COUNCIL MEETING JUNE 3, 2021; AND CITY COUNCIL MEETING JUNE 9, 2021.

RECOMMENDATION: Approve said minutes as written.

AB 1234 TRAVEL REPORTS

Members of the City Council will provide a brief report on meetings attended at the expense of the local agency as required by Government Code Section 53232.3(d).

COUNCIL ORALS

Council member announcements; requests for future agenda items; conference/meetings reports.

1. **Councilmember Torres**
   a. Comments on Black History Month
   b. Request for financial reports
   c. Request for report on language access plan status
2. **Councilmember Melendez**
3. **Councilmember Peralta**
4. **Mayor Pro Tem Jimenez**
5. **Mayor Cobos-Cawthorne**

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on February 23, 2022 at 5:00 p.m.** which can be live streamed at www.cityofmontebello.com (Click on Live Stream).

I, Alicia Fernandez, Deputy City Clerk for the City of Montebello hereby certify that a copy of this agenda has been posted on or before **Sunday, February 6, 2022 5:00 p.m.**

Alicia Fernandez, Deputy City Clerk

ITEM # 8

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: Arnold M. Alvarez-Glasman, City Attorney

SUBJECT: **California Voting Rights Act ("CVRA") Transition From an "At-Large" to a "By-District" Election System – Public Hearing 3**

DATE: February 9, 2022

RECOMMENDATION (S):

It is recommended that the City Council:

1) Review draft City Council district maps submitted by the public and ARDA Demographics; and

2) Receive input from the public regarding the draft City Council district maps submitted by the public and ARDA Demographics; and

3) Take such additional, related, action that may be desirable.

FISCAL IMPACT

None.

BACKGROUND

Members of the Montebello City Council are currently elected in "at-large" elections, in which each City Councilmember is elected by the registered voters of the entire City and the next regular election is to take place on November 8, 2022.

The City received a petition on March 15, 2021 from Scott J. Rafferty ("Petition") alleging that the City's at-large election system violates Elections Code, Sections 14027 and 14028, (the California Voting Rights Act or "CVRA") and requesting that the City voluntarily change its at-large system of electing Councilmembers through the

collaborative process set forth in Elections Code, Section 10010. On May 26, 2021, the City of Montebello adopted a Resolution of Intention stating the intention of the City to transition from an at-large election process to a by-district election process.

DISCUSSION

The CVRA was enacted in 2001 to implement the California constitutional guarantees of equal protection and the right to vote. The CVRA is broader than the Federal Voting Rights Act and provides a private right of action to members of a protected class where, because of "dilution or the abridgment of the rights of voters," an at-large election system "impairs the ability of a protected class to elect candidates of its choice or its ability to include the outcome of an election." A violation of CVRA is established if racially polarized voting occurs in elections. "Racially polarized voting" means voting where there is a difference between candidates or other electoral choices preferred by voters in a protected class and those preferred by voters in the rest of the electorate." Intent to discriminate is not necessary to find evidence of racially polarized voting.

Under the CVRA, a city is required to hold at least two (2) public hearings prior to the drawing of draft City Council district maps, and at least two (2) public hearings after the draft City Council district maps are drawn, where the City Council will receive public input on such maps.

At its meeting on October 13, 2021, the City Council held its first public hearing to receive comment and input from the residents of Montebello with regard to the transition from an at-large election process to a by-district process. The City held its second public hearing for November 13, 2021 to continue receiving input from the public.

SUMMARY

Staff recommends that the City Council review draft City Council district maps submitted by the public and ARDA Demographics and receive input from the public regarding the same.

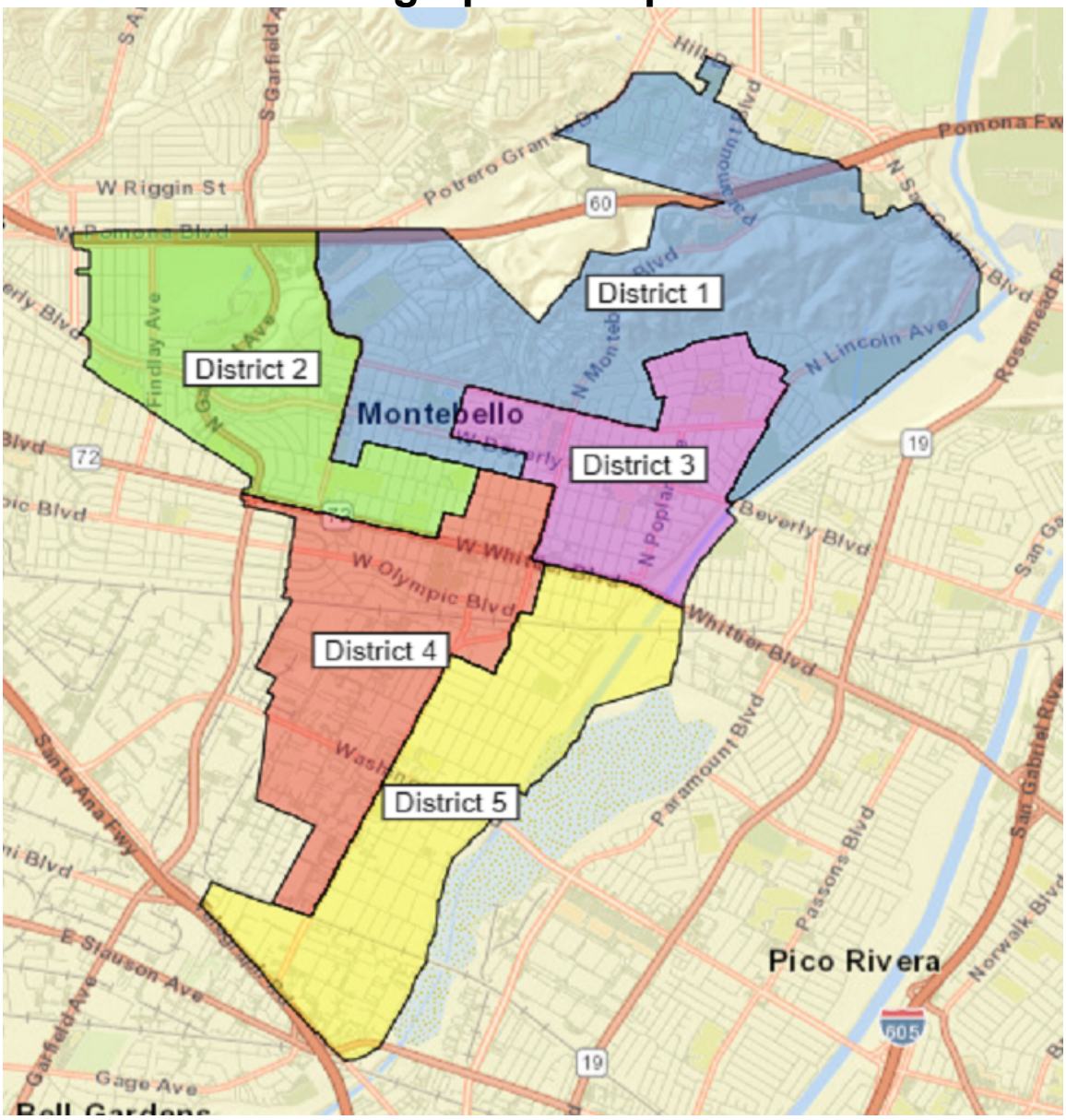
ATTACHMENT (S):

A. Attachment A – Submitted Draft City Council District Maps

ATTACHMENT A

MONTEBELLO DISTRICT PROPOSALS WITH DETAILED DEMOGRAPHIC DATA

Demographer Proposal 1



TOTAL Population:	62,879
Mean Target Population:	12,576
Largest Positive Deviation:	450
Largest Negative Deviation:	-501
Overall Range in Deviation:	951
Overall Range in Deviation Percentage:	7.56%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	12,075	12,576	-501	-3.98
2	12,515	12,576	-61	-0.49
3	12,846	12,576	270	2.15
4	12,417	12,576	-159	-1.26
5	13,026	12,576	450	3.58

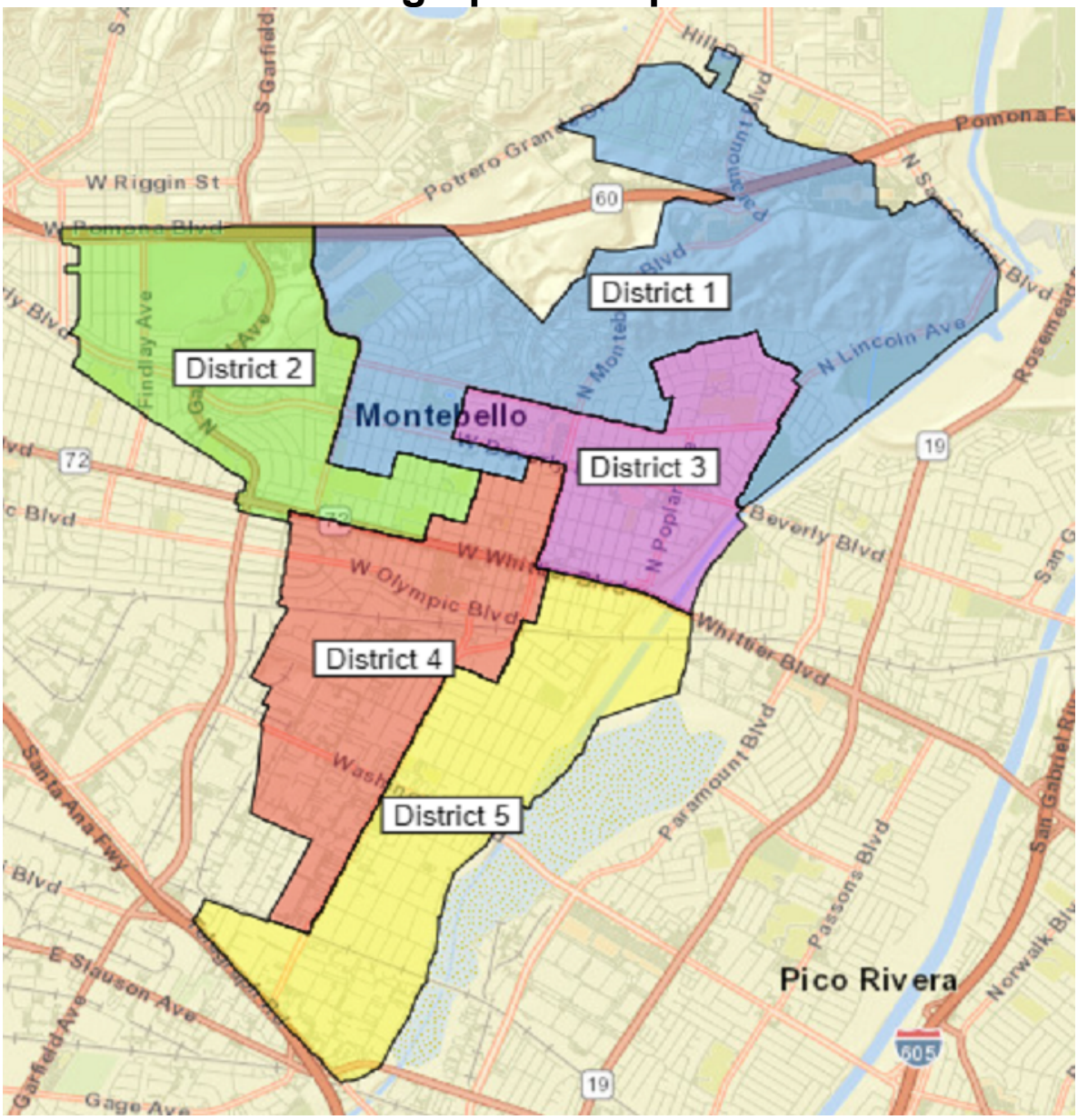
Demographer Proposal 1
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	12,075	1,274 10.55%	6,295 52.13%	119 0.99%	4,167 34.51%	220 1.82%
2	12,515	712 5.69%	10,509 83.97%	87 0.70%	1,009 8.06%	198 1.58%
3	12,846	1,406 10.95%	9,618 74.87%	113 0.88%	1,492 11.61%	217 1.69%
4	12,417	581 4.68%	11,082 89.25%	108 0.87%	504 4.06%	142 1.14%
5	13,026	500 3.84%	11,673 89.61%	97 0.74%	623 4.78%	133 1.03%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	8,678	1,013 11.67%	4,142 47.73%	120 1.38%	3,370 38.83%	33 0.39%
2	7,697	533 6.92%	6,659 86.51%	14 0.18%	458 5.95%	33 0.44%
3	7,989	1,391 17.41%	5,364 67.14%	299 3.74%	790 9.89%	145 1.82%
4	6,494	497 7.65%	5,628 86.66%	100 1.54%	241 3.71%	28 0.44%
5	7,685	335 4.36%	6,403 83.32%	14 0.18%	915 11.91%	18 0.23%
Total	38,543	3,769	28,196	547	5,774	257

Demographer Proposal 2



TOTAL Population:	62,879
Mean Target Population:	12,576
Largest Positive Deviation:	450
Largest Negative Deviation:	-332
Overall Range in Deviation:	782
Overall Range in Deviation Percentage:	6.22%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	12,282	12,576	-294	-2.34
2	12,244	12,576	-332	-2.64
3	12,692	12,576	116	0.92
4	12,635	12,576	59	0.47
5	13,026	12,576	450	3.58

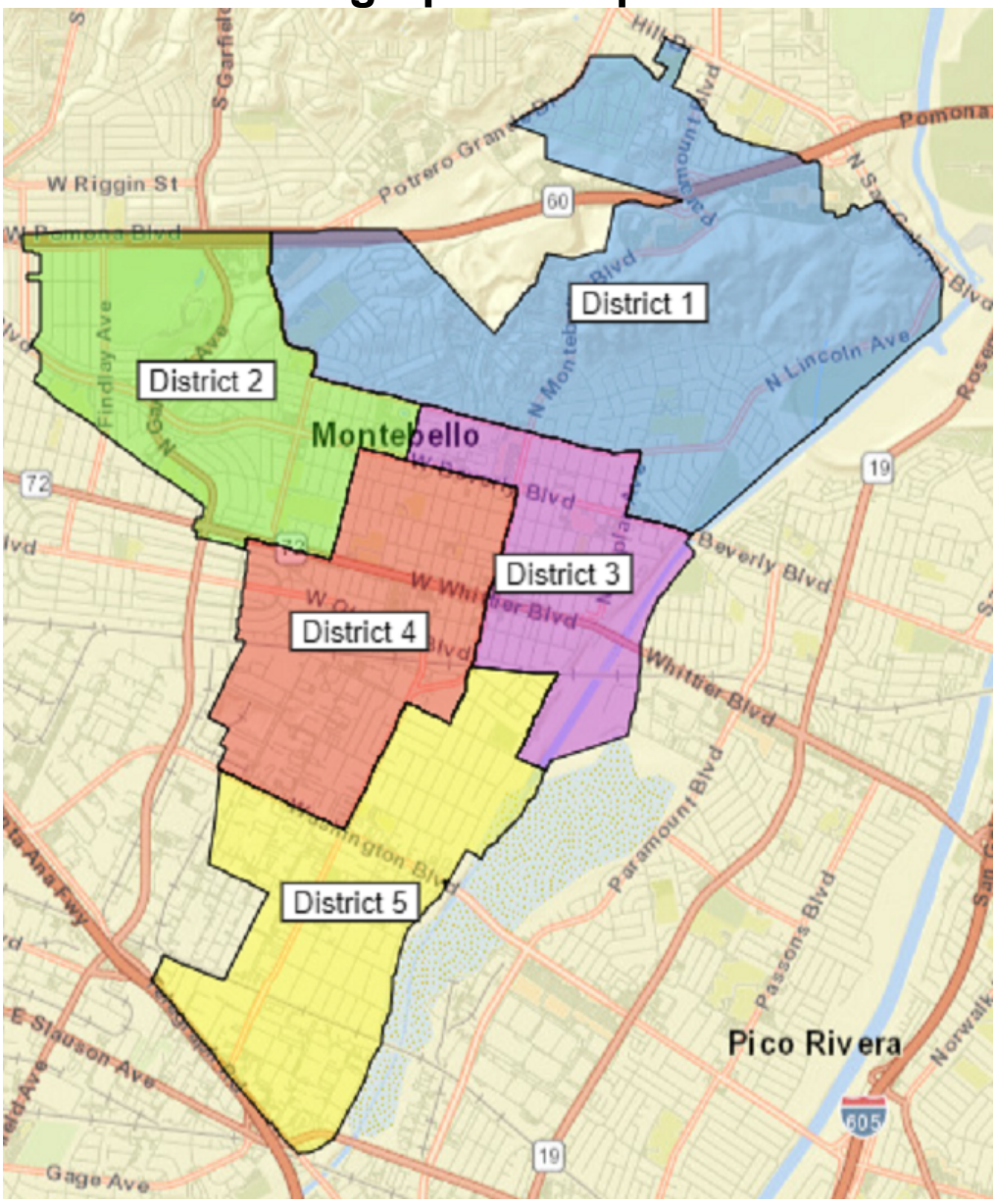
Demographer Proposal 2
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	12,282	1,292 10.52%	6,492 52.61%	119 0.97%	4,188 34.10%	191 1.80%
2	12,244	688 5.62%	10,298 84.11%	83 0.68%	977 7.98%	198 1.61%
3	12,692	1,391 10.96%	9,490 74.77%	113 0.89%	1,481 11.67%	217 1.71%
4	12,635	602 4.76%	11,254 89.07%	112 0.89%	526 4.16%	141 1.12%
5	13,026	500 3.84%	11,673 89.61%	97 0.74%	623 4.78%	133 1.03%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	8,830	1,029 11.65%	4,238 47.99%	124 1.40%	3,408 38.60%	31 0.36%
2	7,480	490 6.55%	6,529 87.29%	10 0.13%	417 5.57%	34 0.46%
3	7,890	1,378 17.46%	5,282 66.95%	299 3.79%	788 9.99%	143 1.81%
4	6,658	537 8.07%	5,744 86.27%	100 1.50%	246 3.69%	31 0.47%
5	7,685	335 4.36%	6,403 83.32%	14 0.18%	915 11.91%	18 0.23%
Total	38,543	3,769	28,196	547	5,774	257

Demographer Proposal 3



TOTAL Population:	62,879
Mean Target Population:	12,576
Largest Positive Deviation:	283
Largest Negative Deviation:	-457
Overall Range in Deviation:	740
Overall Range in Deviation Percentage:	5.88%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	12,119	12,576	-457	-3.63
2	12,859	12,576	283	2.25
3	12,379	12,576	-197	-1.57
4	12,834	12,576	258	2.05
5	12,688	12,576	112	0.89

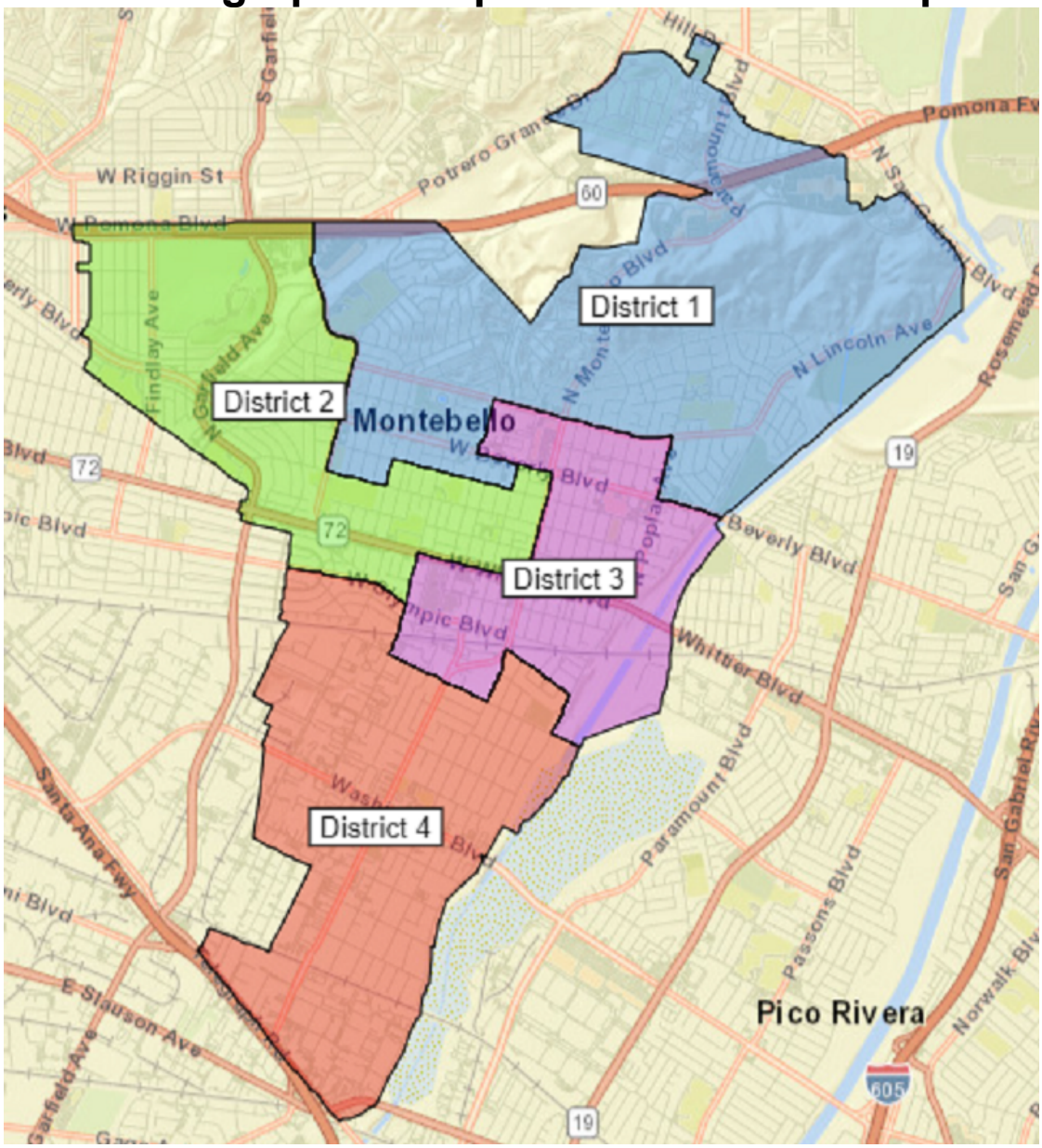
Demographer Proposal 3
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	12,119	1,344 11.09%	6,379 52.64%	92 0.76%	4,090 33.75%	214 1.76%
2	12,859	758 5.89%	10,585 82.32%	103 0.80%	1,183 9.20%	230 1.79%
3	12,379	1,107 8.94%	9,808 79.23%	119 0.96%	1,161 9.38%	184 1.49%
4	12,834	803 6.26%	11,067 86.23%	52 0.41%	778 6.06%	134 1.04%
5	12,688	461 3.63%	11,338 89.36%	158 1.25%	583 4.59%	148 1.17%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	8,829	1,210 13.70%	4,269 48.35%	111 1.26%	3,209 36.35%	30 0.34%
2	7,890	598 7.58%	6,562 83.17%	39 0.49%	658 8.34%	33 0.42%
3	7,243	1,007 13.90%	5,160 71.24%	267 3.69%	658 9.08%	151 2.09%
4	7,207	675 9.36%	6,047 83.90%	41 0.57%	409 5.67%	35 0.50%
5	7,374	279 3.78%	6,158 83.51%	89 1.21%	840 11.39%	8 0.11%
Total	38,543	3,769	28,196	547	5,774	257

Demographer Proposal 4: 4 District Map



TOTAL Population:	62,879
Mean Target Population:	15,720
Largest Positive Deviation:	583
Largest Negative Deviation:	-637
Overall Range in Deviation:	1,220
Overall Range in Deviation Percentage:	7.76%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	15,566	15,720	-154	-0.98
2	15,927	15,720	207	1.32
3	15,083	15,720	-637	-4.05
4	16,303	15,720	583	3.71

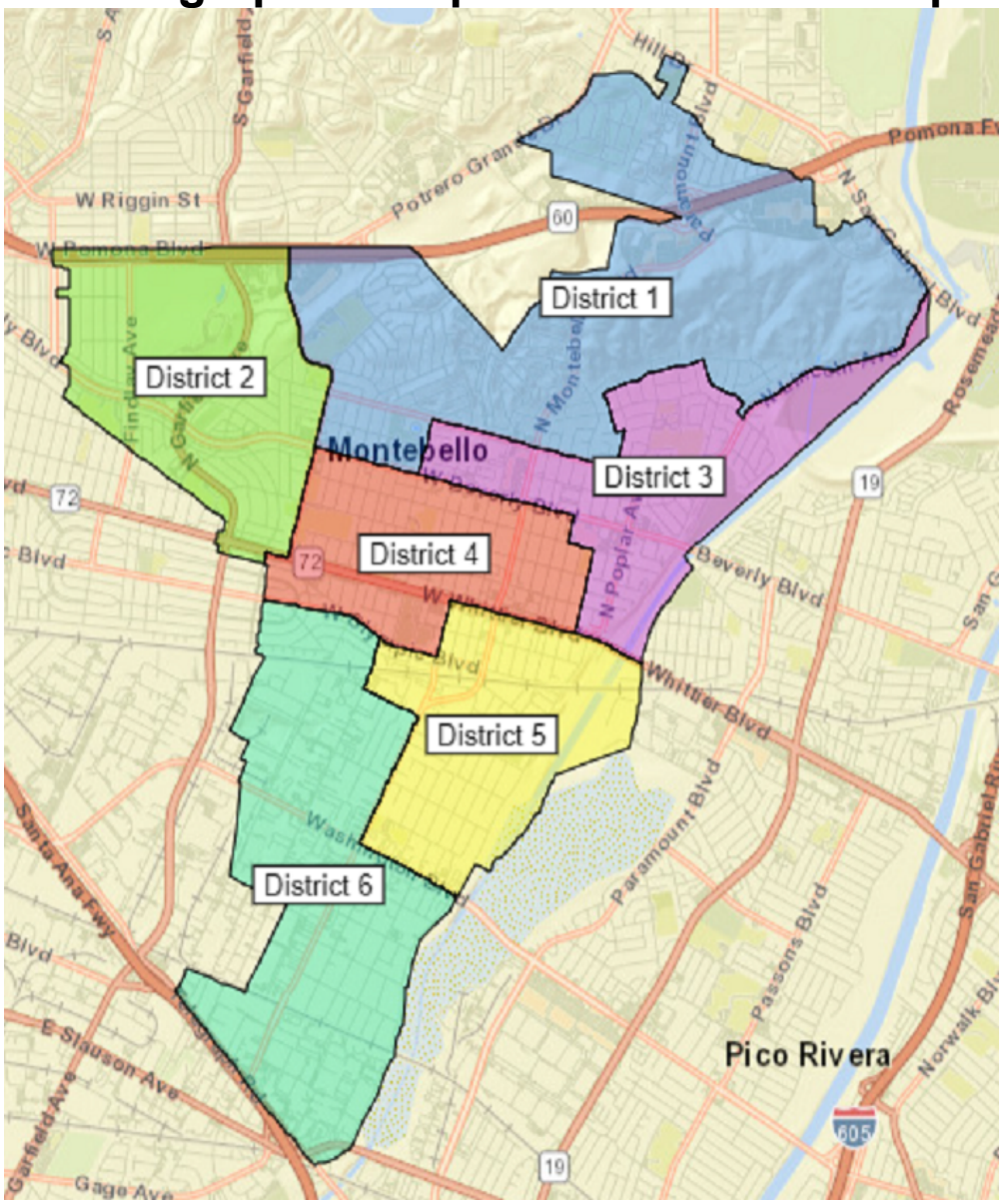
Demographer Proposal 4
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	15,566	1,785 11.47%	8,699 55.88%	130 0.84%	4,677 30.05%	275 1.76%
2	15,927	1,022 6.42%	13,478 84.62%	99 0.62%	1,103 6.93%	225 1.41%
3	15,083	1,091 7.23%	12,361 81.95%	124 0.82%	1,285 8.52%	222 1.48%
4	16,303	575 3.53%	14,639 89.79%	171 1.05%	730 4.48%	188 1.15%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	11,101	1,545 13.92%	5,650 50.90%	157 1.41%	3,699 33.32%	50 0.45%
2	9,898	863 8.72%	8,491 85.79%	35 0.35%	459 4.64%	50 0.50%
3	8,203	966 11.78%	6,190 75.46%	266 3.24%	633 7.72%	148 1.80%
4	9,341	395 4.23%	7,865 84.20%	89 0.95%	983 10.52%	9 0.10%
Total	38,543	3,769	28,196	547	5,774	257

Demographer Proposal 5: 6 District Map



TOTAL Population:	62,879
Mean Target Population:	10,480
Largest Positive Deviation:	498
Largest Negative Deviation:	-495
Overall Range in Deviation:	993
Overall Range in Deviation Percentage:	9.48%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	10,214	10,480	-266	-2.54
2	10,514	10,480	34	0.32
3	10,659	10,480	179	1.71
4	9,985	10,480	-495	-4.72
5	10,978	10,480	498	4.75
6	10,529	10,480	49	0.47

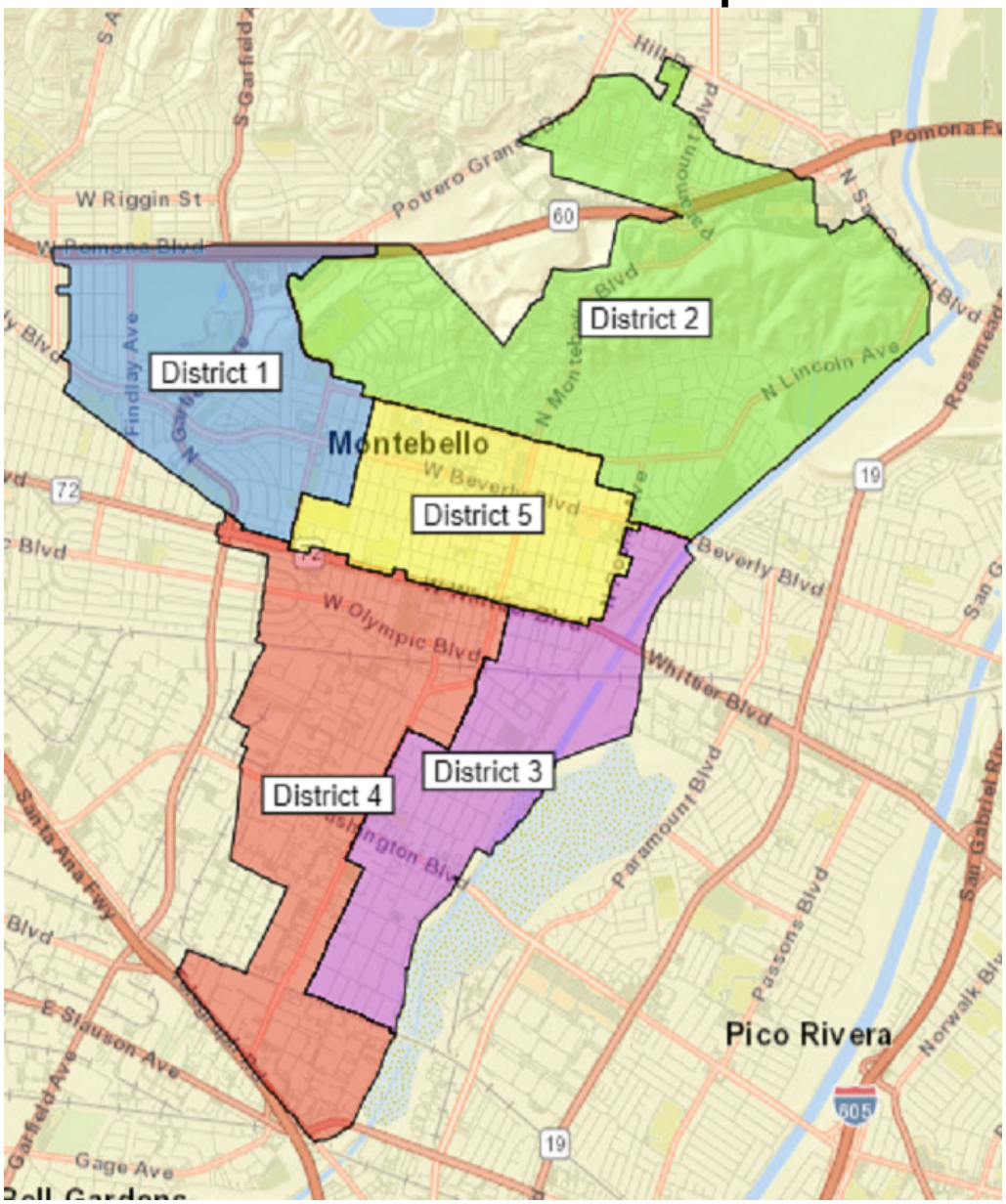
Demographer Proposal 5
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	10,214	1,038 10.16%	5,116 50.09%	100 0.98%	3,764 36.85%	196 1.92%
2	10,514	547 5.20%	8,794 83.64%	79 0.75%	906 8.62%	188 1.79%
3	10,659	1,218 11.43%	7,780 72.99%	101 0.95%	1,375 12.90%	185 1.73%
4	9,985	923 9.24%	8,165 81.77%	53 0.53%	745 7.46%	99 1.00%
5	10,978	417 3.80%	9,738 88.70%	56 0.51%	660 6.01%	107 0.98%
6	10,529	330 3.13%	9,584 91.02%	135 1.28%	345 3.28%	135 1.29%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	7,260	894 12.31%	3,208 44.19%	99 1.36%	3,028 41.71%	31 0.43%
2	6,543	363 5.55%	5,736 87.67%	10 0.15%	400 6.11%	34 0.52%
3	7,085	1,293 18.25%	4,767 67.28%	219 3.09%	718 10.13%	88 1.25%
4	6,386	748 11.71%	4,904 76.79%	130 2.04%	537 8.41%	67 1.05%
5	5,554	166 2.99%	4,871 87.70%	4 0.07%	492 8.86%	21 0.38%
6	5,715	305 5.34%	4,710 82.41%	85 1.49%	599 10.48%	16 0.28%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 1



TOTAL Population:	62,879
Mean Target Population:	12,576
Largest Positive Deviation:	590
Largest Negative Deviation:	-638
Overall Range in Deviation:	1,228
Overall Range in Deviation Percentage:	9.76%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	11,938	12,576	-638	-5.07
2	12,272	12,576	-304	-2.42
3	13,166	12,576	590	4.69
4	12,475	12,576	-101	-0.80
5	13,028	12,576	452	3.59

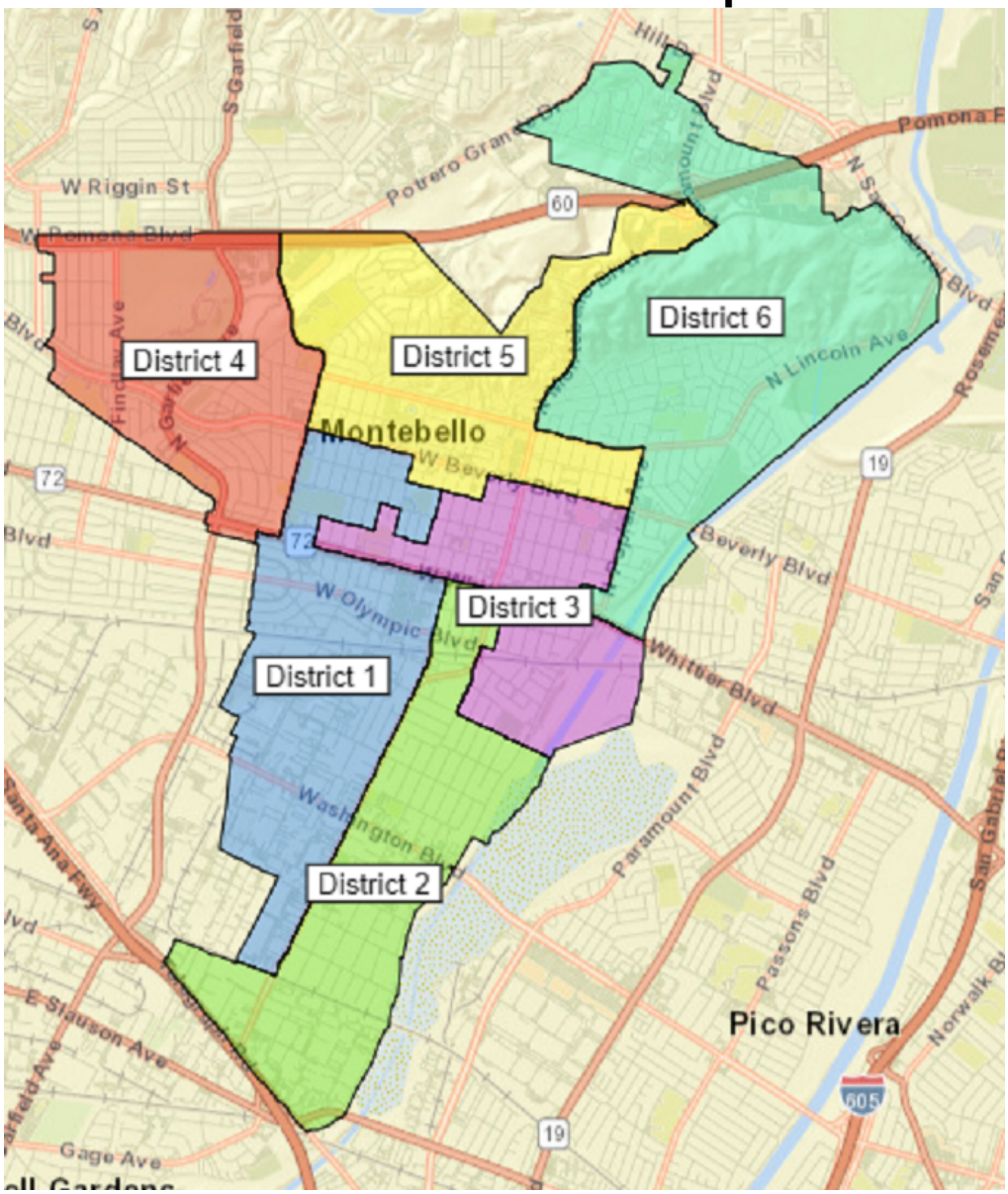
Public Submission 1
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	11,938	670 5.61%	9,847 82.48%	99 0.83%	1,117 9.36%	205 1.72%
2	12,272	1,375 11.20%	6,503 52.99%	91 0.74%	4,091 33.34%	212 1.73%
3	13,166	558 4.24%	11,726 89.06%	118 0.90%	624 4.74%	140 1.06%
4	12,475	436 3.49%	11,281 90.43%	118 0.95%	490 3.93%	150 1.20%
5	13,028	1,434 11.01%	9,820 75.38%	98 0.75%	1,473 11.31%	203 1.55%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	7,372	502 6.81%	6,185 83.90%	35 0.47%	619 8.40%	31 0.42%
2	8,919	1,236 13.86%	4,345 48.72%	118 1.32%	3,169 35.53%	51 0.57%
3	7,575	384 5.07%	6,357 83.92%	37 0.49%	744 9.82%	53 0.70%
4	6,196	300 4.84%	5,390 86.99%	101 1.63%	390 6.29%	15 0.25%
5	8,481	1,347 15.88%	5,919 69.79%	256 3.02%	852 10.04%	107 1.27%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 2



TOTAL Population:	62,879
Mean Target Population:	10,480
Largest Positive Deviation:	517
Largest Negative Deviation:	-487
Overall Range in Deviation:	1,004
Overall Range in Deviation Percentage:	9.58%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	10,418	10,480	-62	-0.59
2	10,997	10,480	517	4.93
3	9,993	10,480	-487	-4.65
4	10,514	10,480	34	0.32
5	10,940	10,480	460	4.39
6	10,017	10,480	-463	-4.42

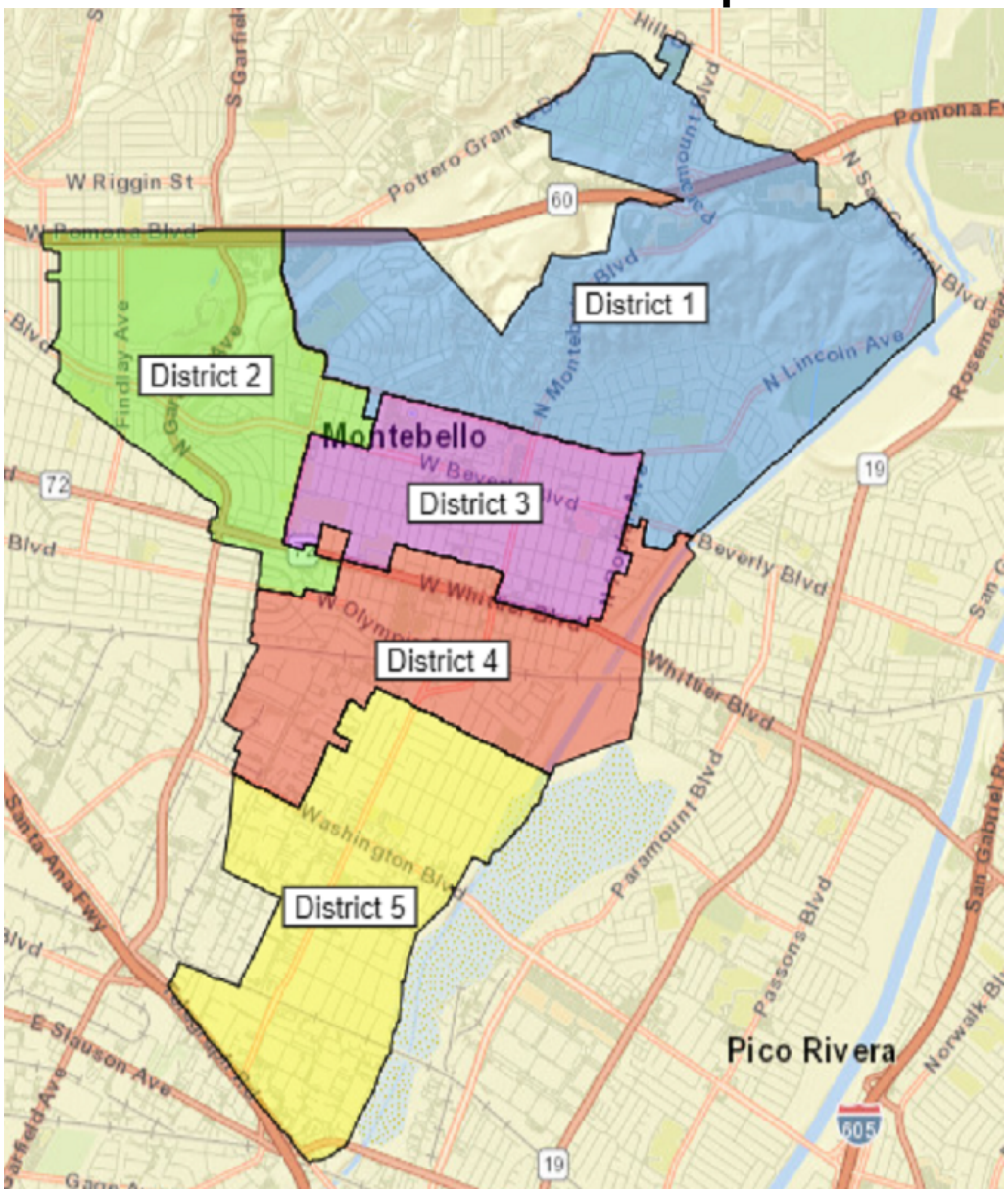
Public Submission 2
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	10,418	502 4.82%	9,266 88.94%	106 1.02%	434 4.17%	110 1.05%
2	10,997	443 4.03%	9,716 88.35%	86 0.78%	607 5.52%	145 1.32%
3	9,993	689 6.89%	8,641 86.47%	52 0.52%	522 5.22%	89 0.90%
4	10,514	547 5.20%	8,794 83.64%	79 0.75%	906 8.62%	188 1.79%
5	10,940	1,211 11.07%	6,176 56.45%	88 0.80%	3,257 29.77%	208 1.91%
6	10,017	1,081 10.79%	6,584 65.73%	113 1.13%	2,069 20.65%	170 1.70%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	5,379	281 5.22%	4,629 86.06%	114 2.12%	336 6.25%	19 0.35%
2	6,495	295 4.54%	5,357 82.48%	14 0.22%	815 12.55%	14 0.21%
3	6,200	740 11.93%	4,848 78.19%	185 2.98%	350 5.65%	77 1.25%
4	6,543	363 5.55%	5,736 87.67%	10 0.15%	400 6.11%	34 0.52%
5	7,337	1,055 14.38%	3,722 50.73%	103 1.40%	2,434 33.17%	23 0.32%
6	6,589	1,035 15.71%	3,904 59.25%	121 1.84%	1,439 21.84%	90 1.36%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 3



TOTAL Population:	62,879
Mean Target Population:	12,576
Largest Positive Deviation:	590
Largest Negative Deviation:	-638
Overall Range in Deviation:	1,228
Overall Range in Deviation Percentage:	9.76%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	11,938	12,576	-638	-5.07
2	12,272	12,576	-304	-2.42
3	13,166	12,576	590	4.69
4	12,475	12,576	-101	-0.80
5	13,028	12,576	452	3.59

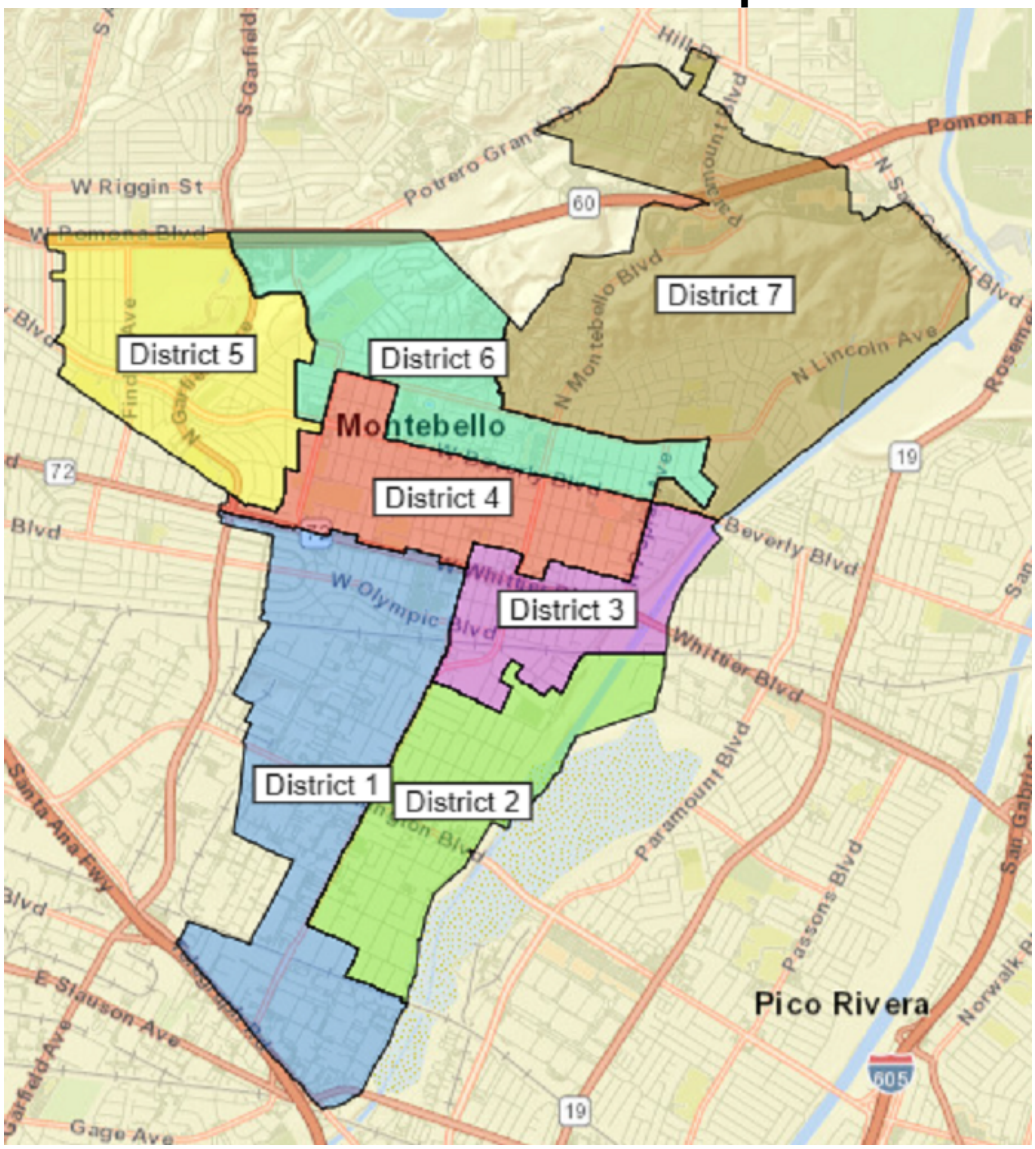
Public Submission 3
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	12,592	1,401 11.13%	6,732 53.46%	114 0.91%	4,124 32.75%	221 1.75%
2	12,548	714 5.69%	10,436 83.17%	97 0.77%	1,078 8.59%	223 1.78%
3	12,561	1,399 11.14%	9,408 74.90%	97 0.77%	1,468 11.69%	189 1.50%
4	12,512	463 3.70%	11,355 90.75%	54 0.43%	513 4.10%	127 1.02%
5	12,666	496 3.92%	11,246 88.79%	162 1.28%	612 4.83%	150 1.18%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	9,066	1,243 13.71%	4,448 49.06%	118 1.30%	3,198 35.27%	59 0.66%
2	7,584	508 6.70%	6,477 85.40%	42 0.55%	529 6.98%	28 0.37%
3	8,158	1,169 14.33%	5,722 70.14%	268 3.28%	891 10.92%	108 1.33%
4	6,230	500 8.03%	5,447 87.43%	30 0.48%	195 3.13%	58 0.93%
5	7,505	349 4.65%	6,102 81.31%	89 1.19%	961 12.80%	4 0.05%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 4



TOTAL Population:	62,879
Mean Target Population:	8,983
Largest Positive Deviation:	14
Largest Negative Deviation:	-10
Overall Range in Deviation:	24
Overall Range in Deviation Percentage:	0.27%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	8,997	8,983	14	0.16
2	8,973	8,983	-10	-0.11
3	8,977	8,983	-6	-0.07
4	8,995	8,983	12	0.13
5	8,982	8,983	-1	-0.01
6	8,979	8,983	-4	-0.04
7	8,976	8,983	-7	-0.08

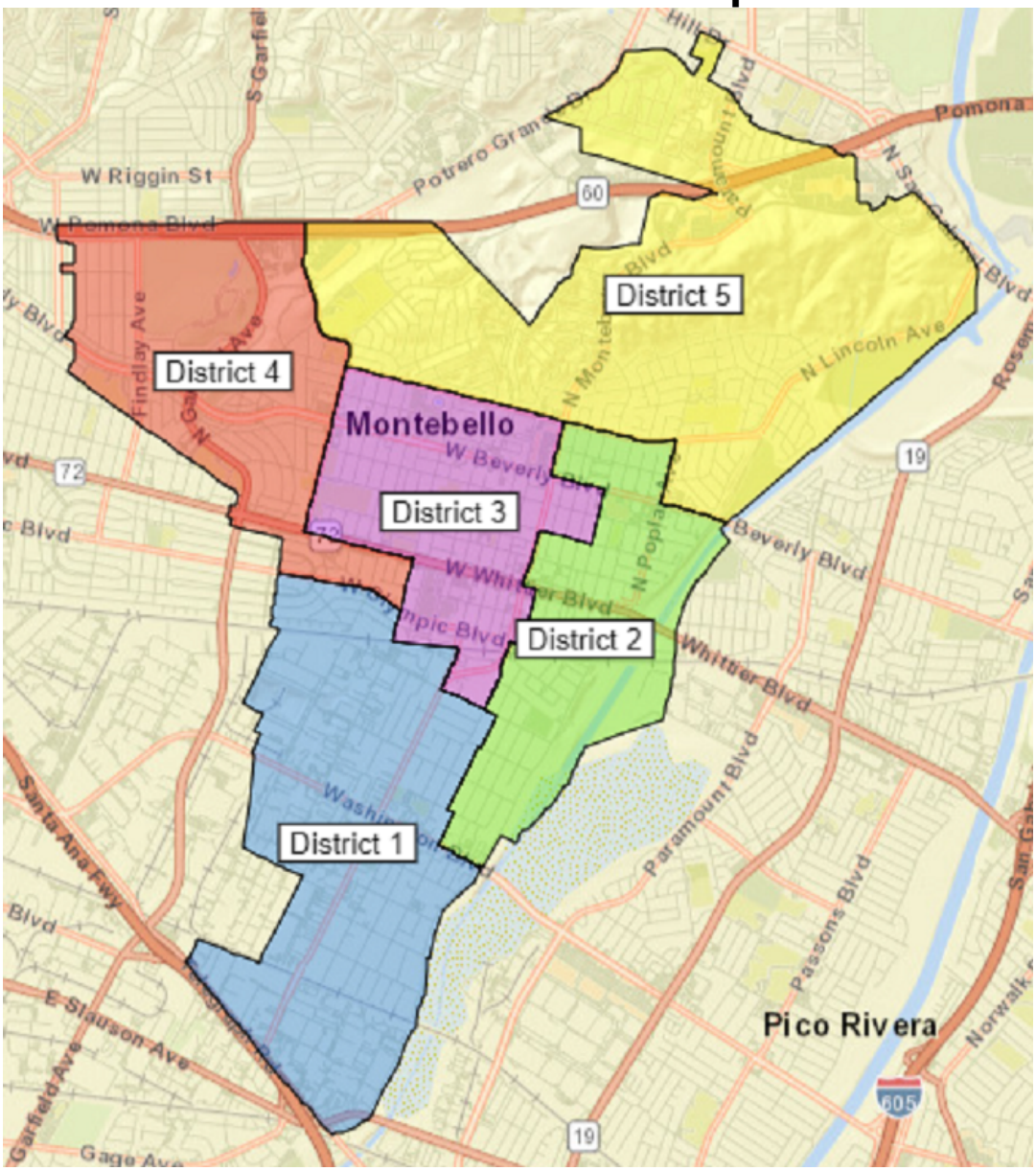
Public Submission 4
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	8,997	372 4.13%	8,102 90.05%	101 1.12%	324 3.60%	98 1.10%
2	8,973	375 4.18%	7,890 87.93%	78 0.87%	520 5.80%	110 1.22%
3	8,977	347 3.87%	8,116 90.41%	72 0.80%	346 3.85%	96 1.07%
4	8,995	856 9.52%	7,133 79.30%	62 0.69%	824 9.16%	120 1.33%
5	8,982	469 5.22%	7,548 84.03%	72 0.80%	759 8.45%	134 1.50%
6	8,979	985 10.97%	5,444 60.63%	55 0.61%	2,313 25.76%	182 2.03%
7	8,976	1,069 11.91%	4,944 55.08%	84 0.94%	2,709 30.18%	170 1.89%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	4,521	238 5.26%	3,920 86.71%	100 2.21%	246 5.44%	17 0.38%
2	5,544	242 4.36%	4,533 81.76%	14 0.25%	740 13.35%	15 0.28%
3	4,448	342 7.69%	3,760 84.53%	59 1.33%	221 4.97%	66 1.48%
4	6,060	817 13.48%	4,398 72.57%	201 3.32%	594 9.80%	50 0.83%
5	5,704	296 5.19%	5,020 88.00%	8 0.14%	352 6.17%	28 0.50%
6	5,955	909 15.26%	3,256 54.68%	73 1.23%	1,674 28.11%	43 0.72%
7	6,311	925 14.66%	3,309 52.43%	92 1.46%	1,947 30.85%	38 0.60%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 5



TOTAL Population:	62,879
Mean Target Population:	12,576
Largest Positive Deviation:	385
Largest Negative Deviation:	-457
Overall Range in Deviation:	842
Overall Range in Deviation Percentage:	6.70%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	12,777	12,576	201	1.60
2	12,720	12,576	144	1.15
3	12,961	12,576	385	3.06
4	12,302	12,576	-274	-2.18
5	12,119	12,576	-457	-3.63

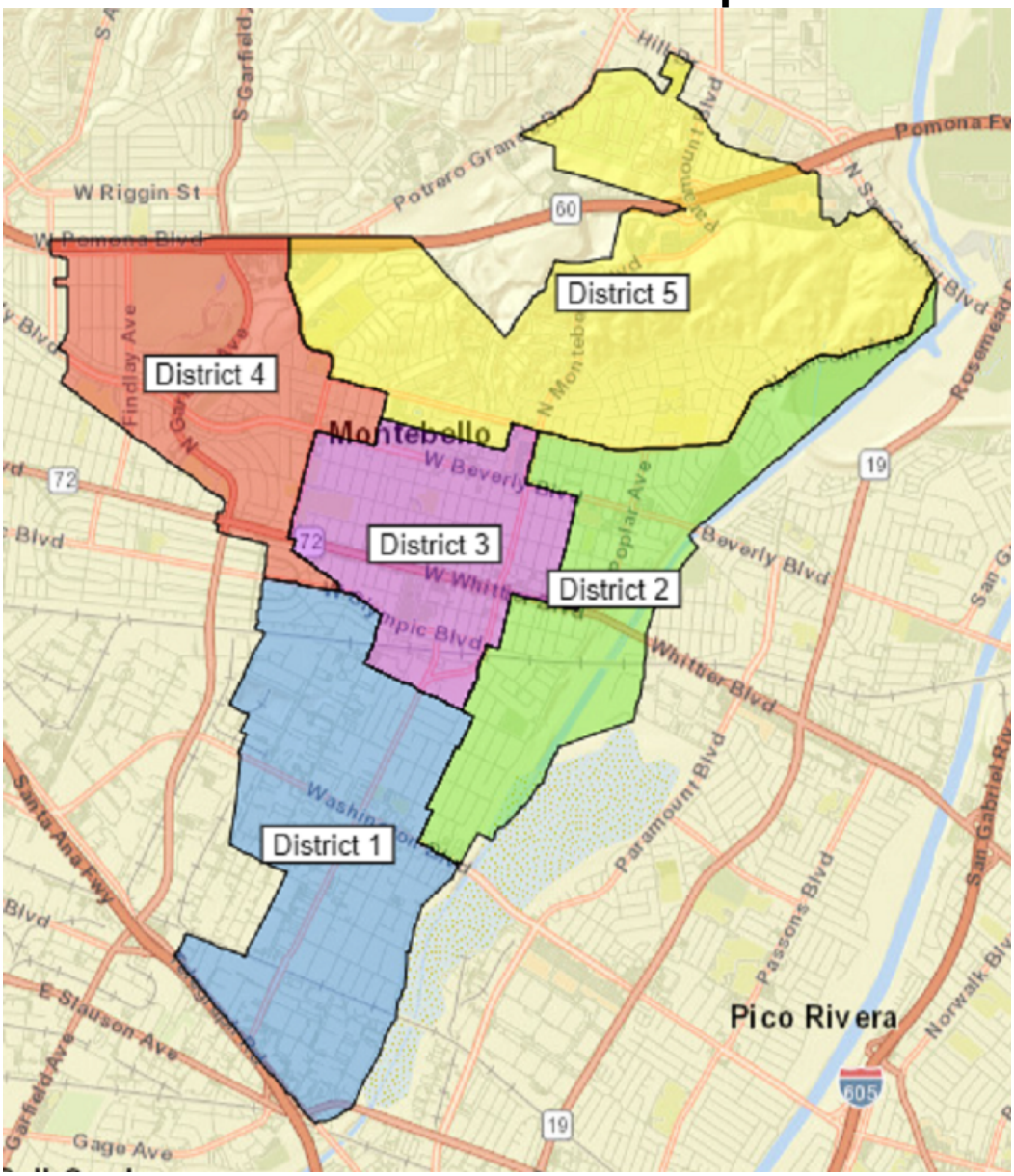
Public Submission 5
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	12,777	439 3.44%	11,460 89.69%	146 1.14%	563 4.41%	169 1.32%
2	12,720	848 6.67%	10,864 85.41%	113 0.89%	774 6.08%	121 0.95%
3	12,961	1,182 9.12%	10,058 77.60%	86 0.66%	1,431 11.04%	204 1.58%
4	12,302	660 5.36%	10,416 84.67%	87 0.71%	937 7.62%	202 1.64%
5	12,119	1,344 11.09%	6,379 52.64%	92 0.76%	4,090 33.75%	214 1.76%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	6,906	370 5.36%	5,571 80.67%	85 1.23%	868 12.57%	12 0.17%
2	7,636	707 9.26%	6,054 79.28%	267 3.50%	467 6.12%	141 1.84%
3	7,694	1,059 13.76%	5,716 74.29%	49 0.64%	850 11.05%	20 0.26%
4	7,478	423 5.66%	6,586 88.07%	35 0.47%	400 5.35%	34 0.45%
5	8,829	1,210 13.70%	4,269 48.35%	111 1.26%	3,189 36.12%	50 0.57%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 6



TOTAL Population:	62,879
Mean Target Population:	12,576
Largest Positive Deviation:	484
Largest Negative Deviation:	-254
Overall Range in Deviation:	738
Overall Range in Deviation Percentage:	5.87%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	12,506	12,576	-70	-0.56
2	13,060	12,576	484	3.85
3	12,653	12,576	77	0.61
4	12,322	12,576	-254	-2.02
5	12,338	12,576	-238	-1.89

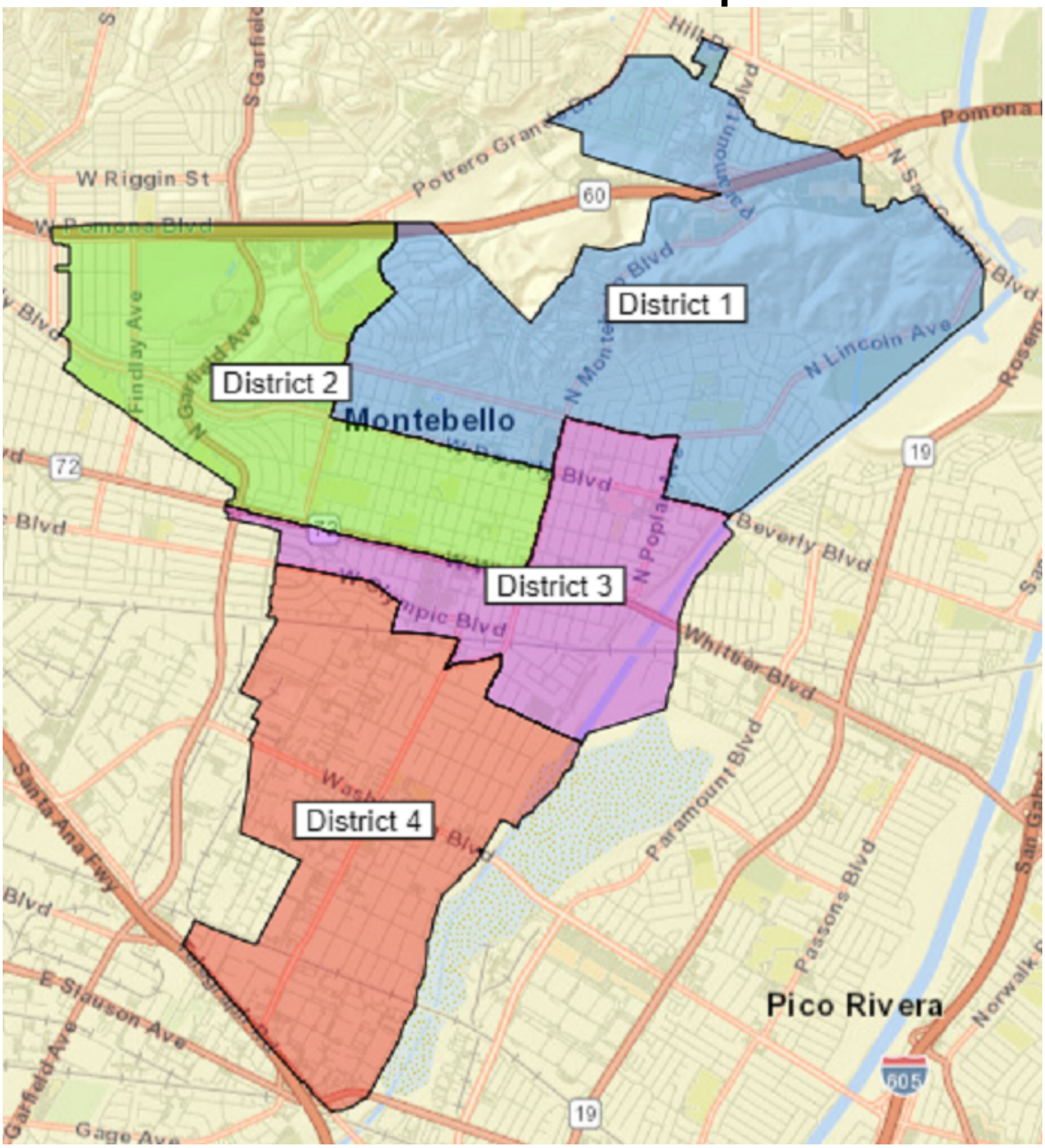
Public Submission 6
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	12,506	408 3.26%	11,290 90.28%	146 1.17%	493 3.94%	169 1.35%
2	13,060	947 7.25%	11,022 84.40%	114 0.87%	852 6.52%	125 0.96%
3	12,653	1,075 8.50%	10,217 80.75%	66 0.52%	1,141 9.02%	154 1.21%
4	12,322	665 5.40%	10,256 83.23%	99 0.80%	1,077 8.74%	225 1.83%
5	12,338	1,378 11.17%	6,392 51.81%	99 0.80%	4,232 34.30%	237 1.92%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	6,855	370 5.40%	5,525 80.60%	85 1.24%	864 12.60%	11 0.16%
2	7,895	785 9.94%	6,348 80.41%	219 2.77%	445 5.64%	98 1.24%
3	7,326	838 11.44%	5,633 76.89%	121 1.65%	660 9.01%	74 1.01%
4	7,485	505 6.75%	6,377 85.20%	39 0.52%	535 7.15%	29 0.38%
5	8,982	1,271 14.15%	4,313 48.02%	83 0.92%	3,270 36.41%	45 0.50%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 7



TOTAL Population:	62,879
Mean Target Population:	15,720
Largest Positive Deviation:	557
Largest Negative Deviation:	-301
Overall Range in Deviation:	858
Overall Range in Deviation Percentage:	5.46%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	16,277	15,720	557	3.54
2	15,622	15,720	-98	-0.62
3	15,419	15,720	-301	-1.91
4	15,561	15,720	-159	-1.01

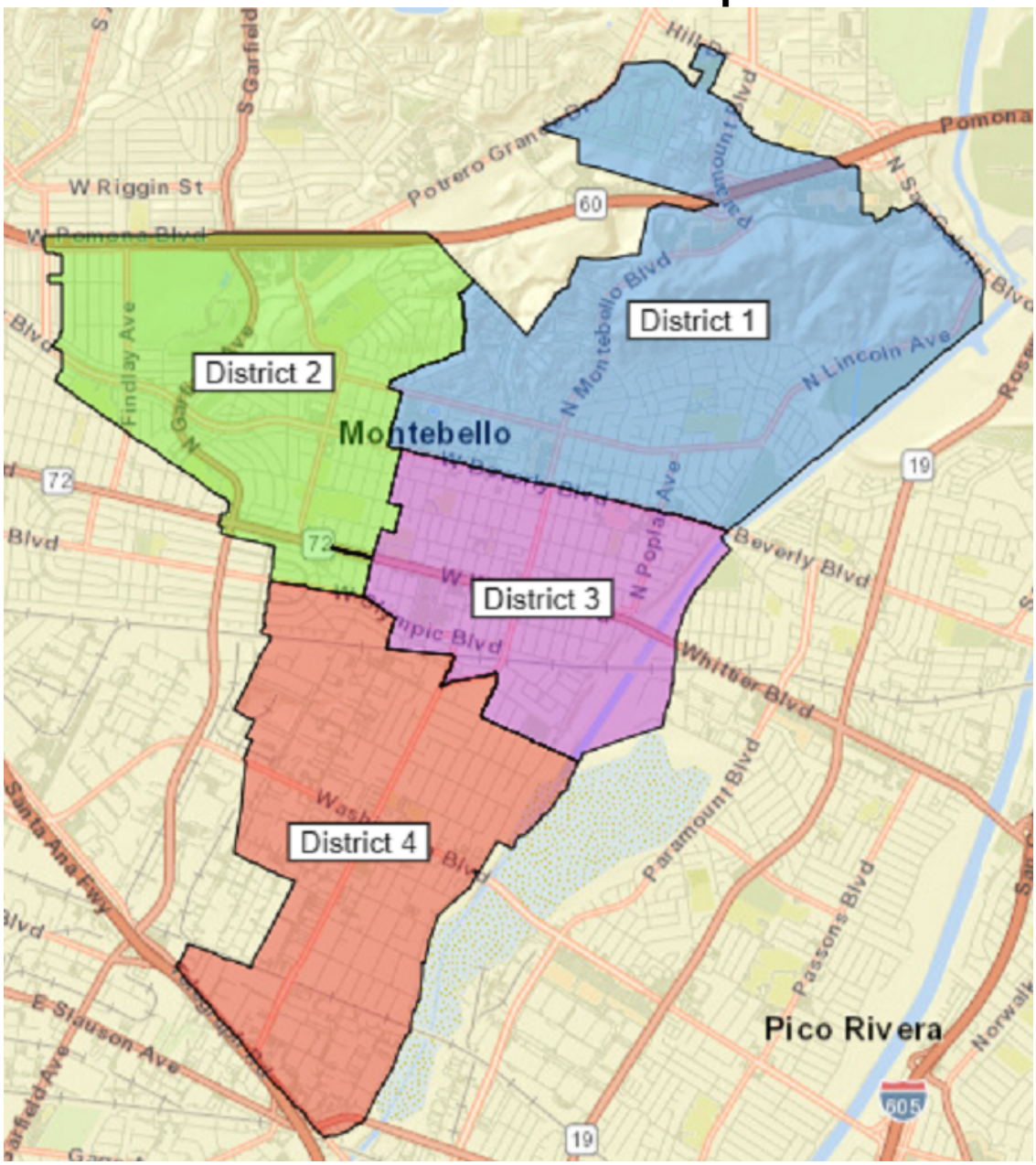
Public Submission 7
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	16,277	1,805 11.09%	9,179 56.39%	136 0.84%	4,843 29.75%	314 1.93%
2	15,622	1,080 6.91%	12,798 81.92%	108 0.69%	1,407 9.01%	229 1.47%
3	15,419	1,004 6.51%	13,314 86.35%	114 0.74%	804 5.21%	183 1.19%
4	15,561	584 3.75%	13,886 89.24%	166 1.07%	741 4.76%	184 1.18%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	11,239	1,658 14.75%	5,787 51.49%	135 1.20%	3,603 32.07%	56 0.49%
2	10,148	925 9.11%	8,342 82.20%	35 0.34%	795 7.83%	51 0.52%
3	8,295	791 9.54%	6,684 80.58%	288 3.47%	393 4.74%	139 1.67%
4	8,861	395 4.46%	7,383 83.32%	89 1.00%	983 11.09%	11 0.13%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 8



TOTAL Population:	62,879
Mean Target Population:	15,720
Largest Positive Deviation:	418
Largest Negative Deviation:	-650
Overall Range in Deviation:	1,068
Overall Range in Deviation Percentage:	6.79%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	15,070	15,720	-650	-4.13
2	16,138	15,720	418	2.66
3	16,110	15,720	390	2.48
4	15,561	15,720	-159	-1.01

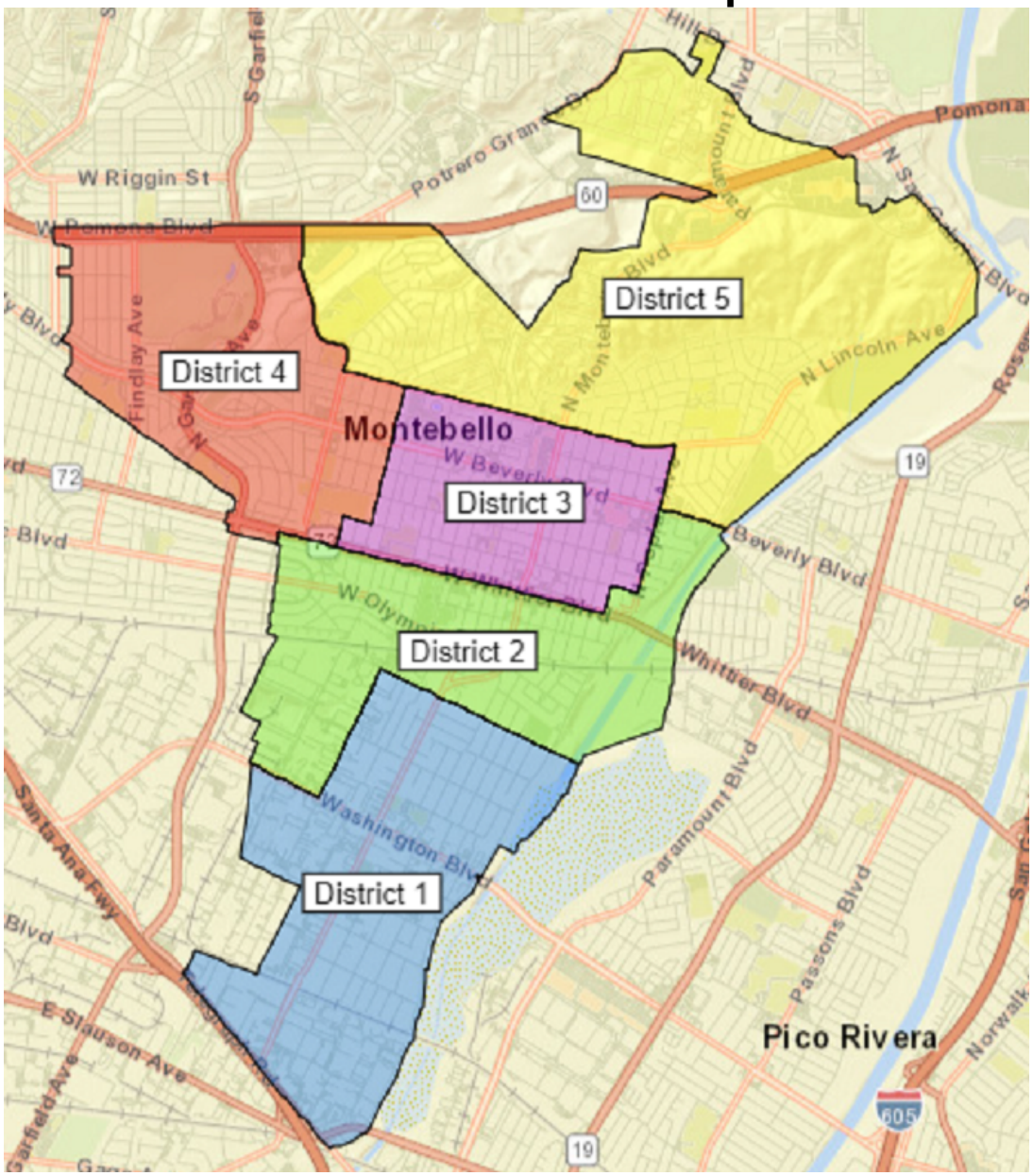
Public Submission 8
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	15,070	1,838 12.20%	8,942 59.34%	129 0.86%	3,871 25.69%	290 1.76%
2	16,138	1,021 6.33%	12,527 77.62%	111 0.69%	2,211 13.70%	268 1.41%
3	16,110	1,030 6.39%	13,822 85.80%	118 0.73%	972 6.03%	168 1.48%
4	15,561	584 3.75%	13,886 89.24%	166 1.07%	741 4.76%	184 1.15%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	10,095	1,602 15.87%	5,605 55.52%	163 1.61%	2,656 26.31%	69 0.69%
2	10,285	815 7.92%	7,788 75.72%	57 0.55%	1,589 15.45%	36 0.36%
3	9,302	957 10.29%	7,420 79.77%	238 2.56%	546 5.87%	141 1.51%
4	8,861	395 4.46%	7,383 83.32%	89 1.00%	983 11.09%	11 0.13%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 9



TOTAL Population:	62,879
Mean Target Population:	12,576
Largest Positive Deviation:	435
Largest Negative Deviation:	-457
Overall Range in Deviation:	892
Overall Range in Deviation Percentage:	7.09%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	12,855	12,576	279	2.22
2	13,011	12,576	435	3.46
3	12,541	12,576	-35	-0.28
4	12,353	12,576	-223	-1.77
5	12,119	12,576	-457	-3.63

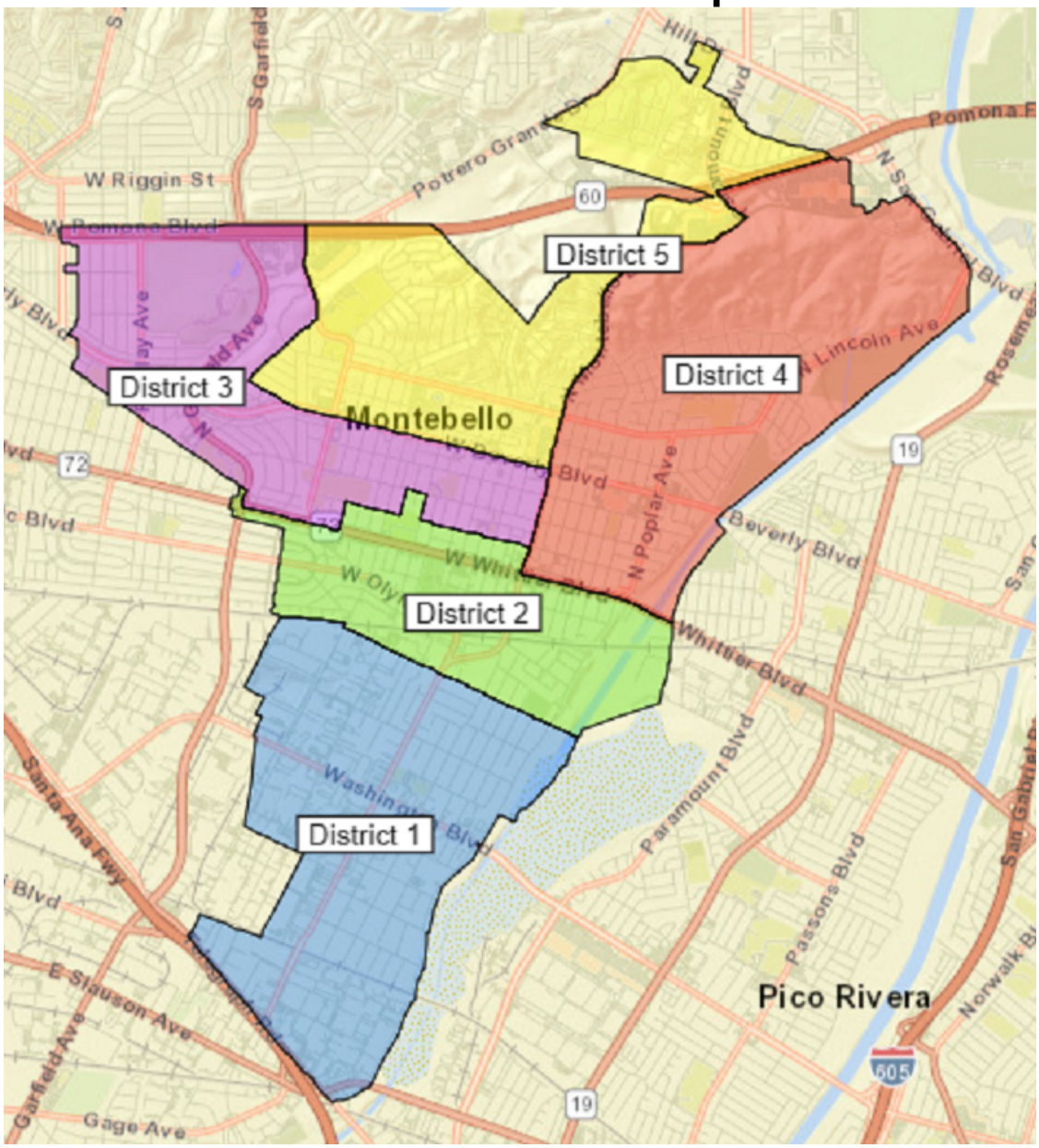
Public Submission 9
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	12,855	512 3.98%	11,412 88.77%	162 1.26%	612 4.76%	157 1.23%
2	13,011	481 3.70%	11,816 90.82%	80 0.61%	507 3.90%	127 0.97%
3	12,541	1,435 11.44%	9,369 74.71%	88 0.70%	1,460 11.64%	189 1.51%
4	12,353	701 5.67%	10,201 82.58%	102 0.83%	1,126 9.12%	223 1.80%
5	12,119	1,344 11.09%	6,379 52.64%	92 0.76%	4,090 33.75%	214 1.76%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	7,605	355 4.67%	6,185 81.33%	89 1.17%	970 12.75%	6 0.08%
2	6,295	344 5.46%	5,660 89.91%	55 0.87%	164 2.61%	72 1.15%
3	8,225	1,336 16.24%	5,711 69.43%	253 3.08%	826 10.04%	99 1.21%
4	7,589	524 6.90%	6,371 83.95%	39 0.51%	625 8.24%	30 0.40%
5	8,829	1,210 13.70%	4,269 48.35%	111 1.26%	3,189 36.12%	50 0.57%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 10



TOTAL Population:	62,879
Mean Target Population:	12,576
Largest Positive Deviation:	597
Largest Negative Deviation:	-542
Overall Range in Deviation:	1,139
Overall Range in Deviation Percentage:	9.06%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	12,889	12,576	313	2.49
2	12,190	12,576	-386	-3.07
3	13,173	12,576	597	4.75
4	12,034	12,576	-542	-4.31
5	12,593	12,576	17	0.14

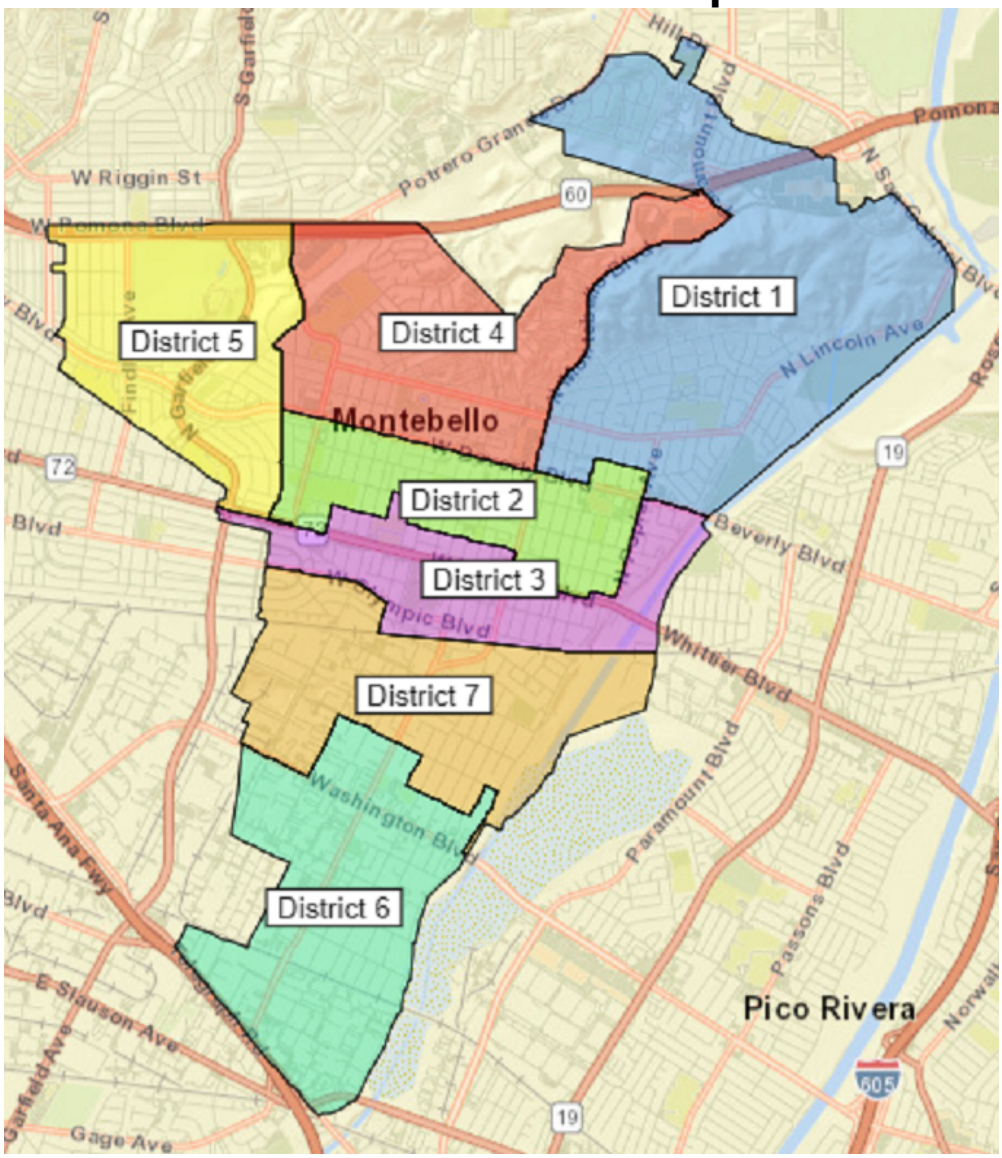
Public Submission 10
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	12,889	514 3.99%	11,438 88.74%	162 1.26%	614 4.76%	161 1.25%
2	12,190	503 4.13%	11,013 90.34%	44 0.36%	514 4.22%	116 0.95%
3	13,173	819 6.22%	10,904 82.78%	97 0.74%	1,171 8.89%	182 1.37%
4	12,034	1,461 12.14%	8,909 74.03%	95 0.79%	1,383 11.49%	186 1.55%
5	12,593	1,176 9.34%	6,913 54.90%	126 1.00%	4,113 32.66%	265 2.10%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	7,623	356 4.67%	6,202 81.36%	89 1.17%	970 12.72%	11 0.08%
2	6,147	498 8.10%	5,414 88.07%	25 0.41%	184 2.99%	26 0.43%
3	8,383	458 5.46%	7,195 85.83%	35 0.42%	659 7.86%	36 0.43%
4	7,898	1,360 17.22%	5,204 65.89%	350 4.43%	845 10.70%	139 1.76%
5	8,492	1,097 12.92%	4,181 49.23%	48 0.56%	3,116 36.69%	50 0.60%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 11



TOTAL Population:	62,879
Mean Target Population:	8,983
Largest Positive Deviation:	247
Largest Negative Deviation:	-370
Overall Range in Deviation:	617
Overall Range in Deviation Percentage:	6.87%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	9,176	8,983	193	2.15
2	8,613	8,983	-370	-4.12
3	9,045	8,983	62	0.69
4	9,142	8,983	159	1.77
5	9,036	8,983	53	0.59
6	9,230	8,983	247	2.75
7	8,637	8,983	-346	-3.85

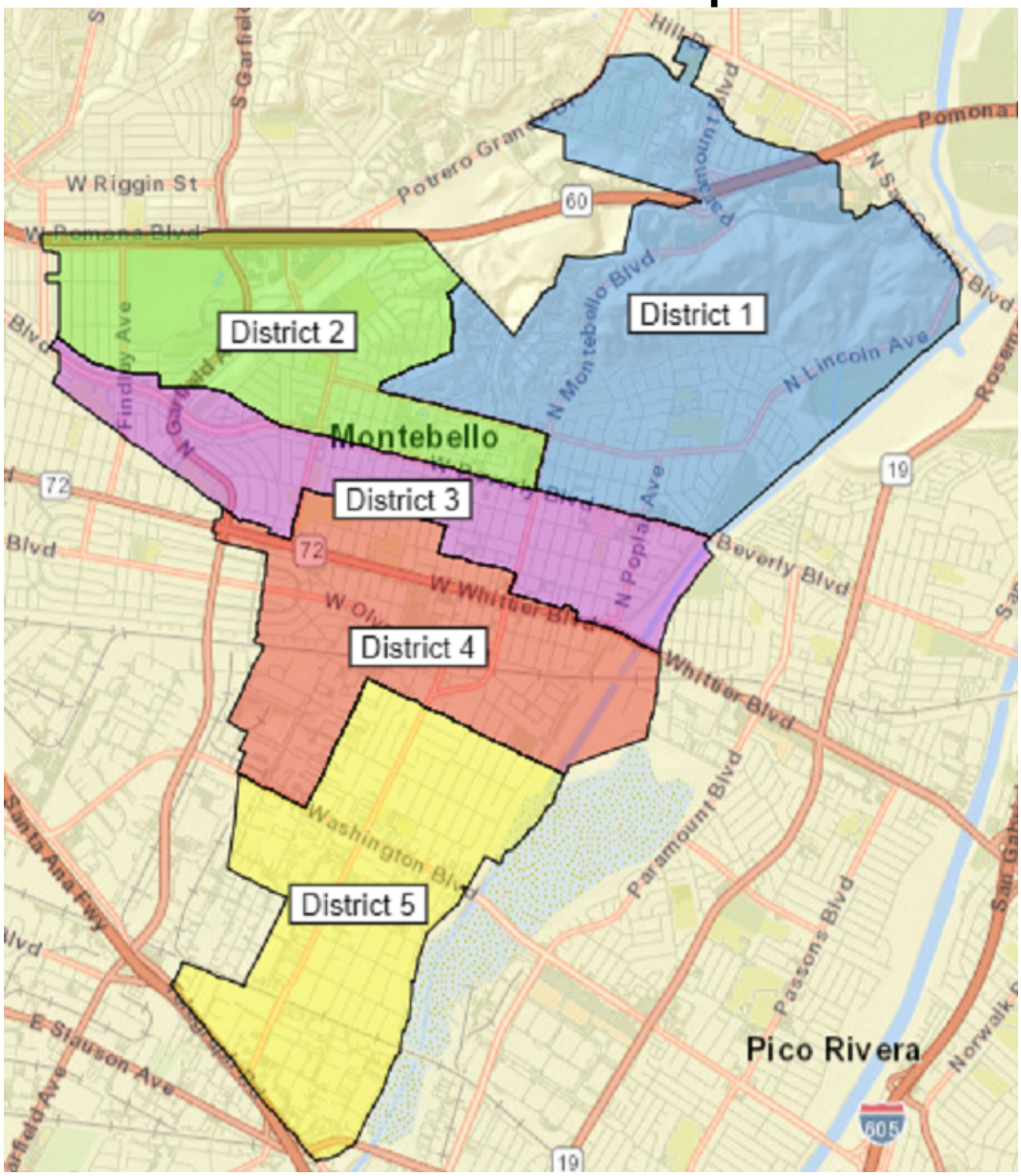
Public Submission 11
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	9,176	1,180 12.86%	5,607 61.11%	77 0.84%	2,145 23.38%	167 1.81%
2	8,613	813 9.44%	6,922 80.37%	65 0.75%	705 8.19%	108 1.25%
3	9,045	479 5.30%	8,024 88.71%	69 0.76%	380 4.20%	93 1.03%
4	9,142	924 10.11%	4,981 54.48%	70 0.77%	2,977 32.56%	190 2.08%
5	9,036	434 4.80%	7,603 84.14%	70 0.77%	780 8.63%	149 1.66%
6	9,230	295 3.20%	8,294 89.86%	148 1.60%	377 4.08%	116 1.26%
7	8,637	348 4.03%	7,746 89.68%	25 0.29%	431 4.99%	87 1.01%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	6,260	1,051 16.79%	3,561 56.88%	124 1.98%	1,470 23.48%	54 0.87%
2	5,859	626 10.68%	4,387 74.88%	229 3.91%	529 9.03%	88 1.50%
3	4,654	573 12.31%	3,802 81.69%	51 1.10%	167 3.59%	61 1.31%
4	6,261	873 13.94%	3,060 48.87%	44 0.70%	2,263 36.14%	21 0.35%
5	5,503	245 4.45%	4,878 88.64%	10 0.18%	345 6.27%	25 0.46%
6	5,223	261 5.00%	4,206 80.53%	87 1.67%	665 12.73%	4 0.07%
7	4,783	140 2.93%	4,302 89.94%	2 0.04%	335 7.00%	4 0.09%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 13



TOTAL Population:	62,879
Mean Target Population:	12,576
Largest Positive Deviation:	578
Largest Negative Deviation:	-650
Overall Range in Deviation:	1,228
Overall Range in Deviation Percentage:	9.76%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	11,926	12,576	-650	-5.17
2	12,212	12,576	-364	-2.89
3	12,732	12,576	156	1.24
4	13,154	12,576	578	4.60
5	12,855	12,576	279	2.22

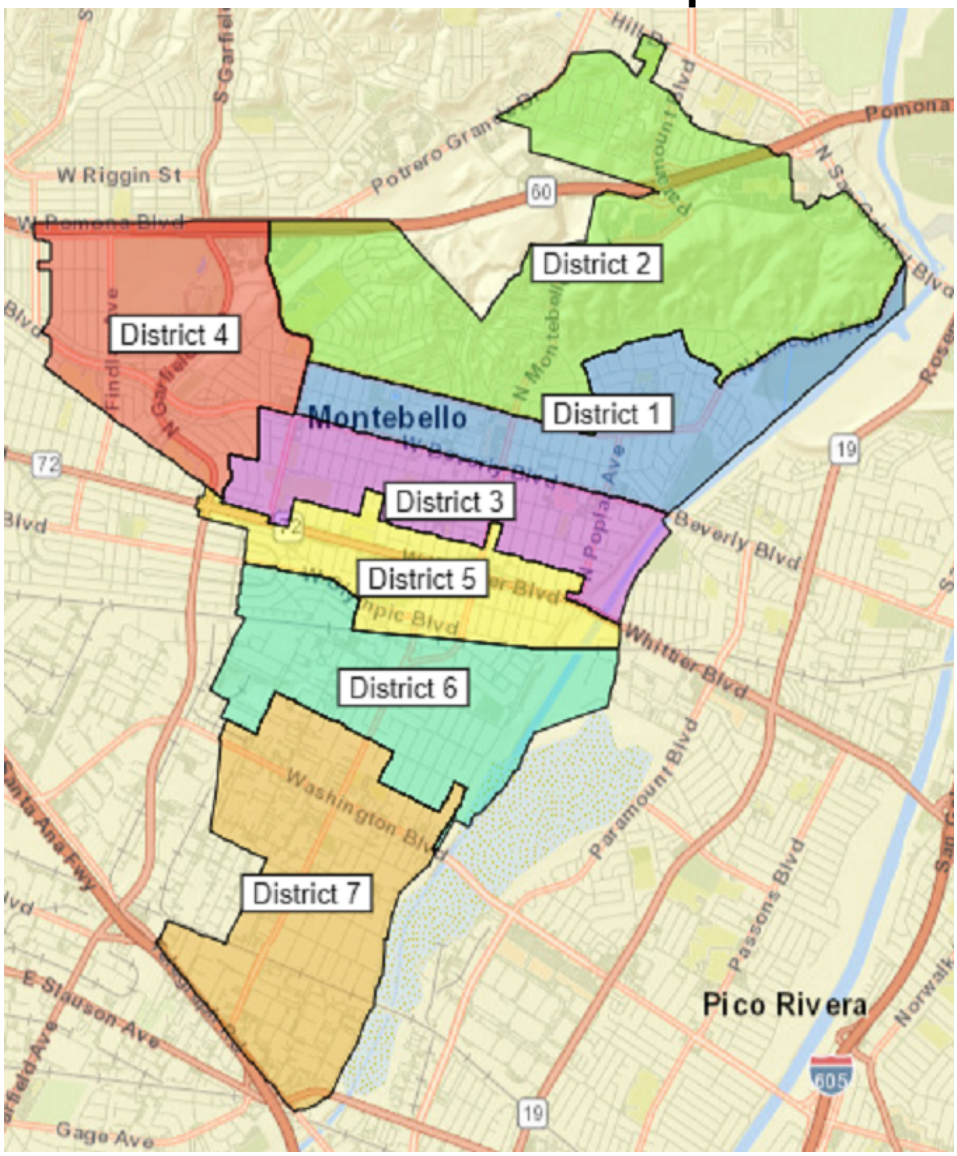
Public Submission 13
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	11,926	1,465 12.28%	6,916 57.99%	101 0.85%	3,228 27.07%	216 1.81%
2	12,212	969 7.93%	8,506 69.65%	78 0.64%	2,435 19.94%	224 1.84%
3	12,732	952 7.48%	10,512 82.56%	136 1.07%	957 7.52%	175 1.37%
4	13,154	575 4.37%	11,831 89.94%	47 0.36%	563 4.28%	138 1.05%
5	12,855	512 3.98%	11,412 88.77%	162 1.26%	612 4.76%	157 1.23%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	8,175	1,262 15.44%	4,380 53.58%	159 1.94%	2,316 28.33%	58 0.71%
2	8,084	946 11.70%	5,392 66.70%	34 0.42%	1,675 20.72%	37 0.46%
3	8,087	691 8.54%	6,415 79.32%	238 2.94%	618 7.64%	125 1.56%
4	6,592	515 7.81%	5,824 88.35%	27 0.41%	195 2.96%	31 0.47%
5	7,605	355 4.67%	6,185 81.33%	89 1.17%	970 12.75%	6 0.08%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 16



TOTAL Population:	62,879
Mean Target Population:	8,983
Largest Positive Deviation:	477
Largest Negative Deviation:	-367
Overall Range in Deviation:	844
Overall Range in Deviation Percentage:	9.40%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	9,460	8,983	477	5.31
2	8,767	8,983	-216	-2.40
3	9,151	8,983	168	1.87
4	8,903	8,983	-80	-0.89
5	8,731	8,983	-252	-2.81
6	8,616	8,983	-367	-4.09
7	9,251	8,983	268	2.98

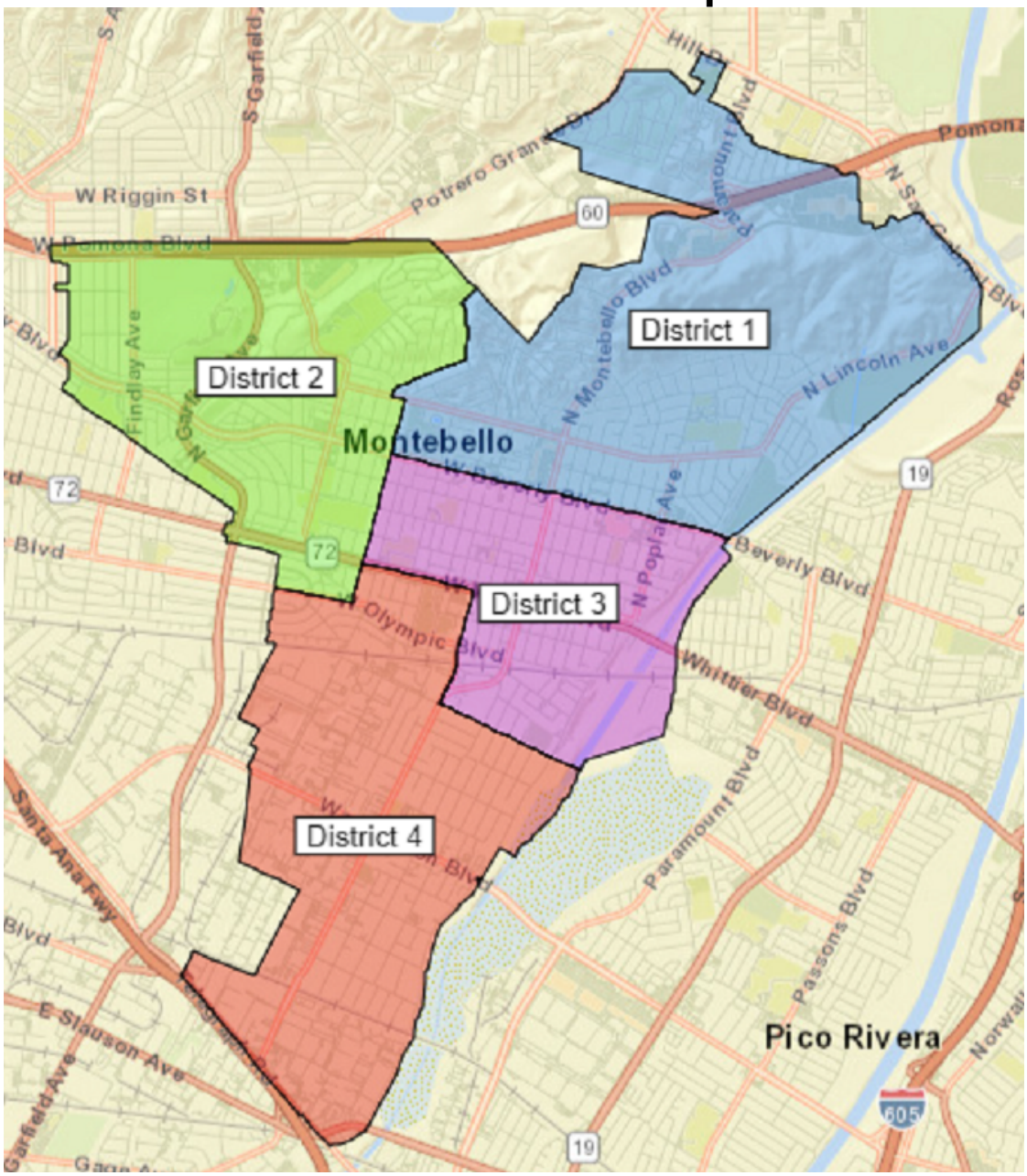
Public Submission 16
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	9,460	1,204 12.73%	6,497 68.68%	68 0.72%	1,503 15.89%	188 1.98%
2	8,767	891 10.16%	4,087 46.62%	82 0.94%	3,547 40.46%	160 1.82%
3	9,151	811 8.86%	7,564 82.66%	87 0.95%	583 6.37%	106 1.16%
4	8,903	470 5.28%	7,389 82.99%	66 0.74%	826 9.28%	152 1.71%
5	8,731	454 5.20%	7,600 87.05%	48 0.55%	528 6.05%	101 1.15%
6	8,616	348 4.04%	7,727 89.68%	25 0.29%	429 4.98%	87 1.01%
7	9,251	295 3.19%	8,313 89.86%	148 1.60%	379 4.10%	116 1.25%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	5,875	1,150 19.57%	3,720 63.32%	104 1.77%	865 14.72%	36 0.62%
2	6,505	747 11.48%	2,780 42.74%	79 1.21%	2,866 44.06%	33 0.51%
3	5,931	591 9.96%	4,651 78.42%	184 3.10%	431 7.27%	74 1.25%
4	5,645	343 6.08%	4,917 87.10%	10 0.18%	340 6.02%	35 0.62%
5	4,581	537 11.72%	3,620 79.02%	81 1.77%	272 5.94%	71 1.55%
6	4,770	139 2.91%	4,290 89.94%	2 0.04%	335 7.02%	4 0.09%
7	5,236	262 5.00%	4,218 80.56%	87 1.66%	665 12.70%	4 0.08%
Total	38,543	3,769	28,196	547	5,774	257

Public Submission Map 18



TOTAL Population:	62,879
Mean Target Population:	15,720
Largest Positive Deviation:	465
Largest Negative Deviation:	-650
Overall Range in Deviation:	1,115
Overall Range in Deviation Percentage:	7.09%

Trustee Area	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	15,070	15,720	-650	-4.13
2	15,591	15,720	-129	-0.82
3	16,185	15,720	465	2.96
4	16,033	15,720	313	1.99

Public Submission 18
Total Population by Race/Ethnicity

Area	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	15,070	1,838 12.20%	8,942 59.34%	129 0.86%	3,871 25.69%	290 1.76%
2	15,591	941 6.04%	12,113 77.69%	110 0.71%	2,164 13.88%	263 1.68%
3	16,185	1,061 6.56%	13,863 85.65%	115 0.71%	981 6.06%	165 1.02%
4	16,033	633 3.95%	14,259 88.94%	170 1.06%	779 4.86%	192 1.19%
Total	62,879	4,473	49,177	524	7,795	910

Citizen Voting Age Population

Area	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	10,095	1,602 15.87%	5,605 55.52%	163 1.61%	2,656 26.31%	69 0.69%
2	9,962	781 7.84%	7,522 75.51%	54 0.54%	1,571 15.77%	34 0.34%
3	9,398	962 10.24%	7,517 79.98%	231 2.46%	548 5.83%	140 1.49%
4	9,088	424 4.66%	7,552 83.10%	99 1.09%	999 10.99%	14 0.16%
Total	38,543	3,769	28,196	547	5,774	257

ITEM # 9

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: Michael Solorza, Director of Finance

SUBJECT: **Receive and File the Fiscal Year 2020-21 Annual Comprehensive Financial Report (ACFR)**

DATE: February 9, 2022

RECOMMENDATION

It is recommended that the City Council receive and file the Fiscal Year 2020-21 Annual Comprehensive Financial Report (ACFR) and presentation.

FISCAL IMPACT

The action of receiving and filing the ACFR for the period ending June 30, 2021 does not have a fiscal impact.

BACKGROUND

The City annually produces an Annual Comprehensive Financial Report (ACFR) that presents audited financial results as of June 30 of the prior fiscal year. Staff is presenting the ACFR for the fiscal year ended June 30, 2021. The City engages a third-party audit firm (Vasquez and Company) to review all financial transactions, produce various statements, ensure compliance with Governmental Accounting Standards Board (GASB) statements, assist staff in compiling the ACFR document, sample transactions, review internal controls, and provide an opinion on the accuracy and validity of the financial statements.

The auditors have provided an “un-qualified” opinion for the Fiscal Year 2020-21 report. In other words, this is a “clean” audit with no significant findings that would cause the auditors to render a “qualified” opinion:

> "In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Montebello, California, as of June 30, 2021, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America."

The ACFR is a document that tells "what has happened" in the prior fiscal year, as opposed to a budget which is a plan for the upcoming fiscal year. There are statements, notes and financial schedules of required information that provide the reader a comprehensive view of revenues, expenses, assets, liabilities, cash and investments, debt, pension liabilities, and other financial data across the entire organization. There are also statistical tables which present a more complete (non-financial) picture of Montebello.

The Transmittal Letter (Attachment A) and Management Discussion and Analysis (MD&A) (Attachment B) provide extensive detail and discussion of the financial statements and are included in the final published ACFR document. They are included as attachments for review and detail. The extensive Notes section of the ACFR is also useful in providing a more complete explanation of the various financial aspects of the City, adding descriptions and explanations to the myriad schedules and tables.

This agenda report provides a summary of the document. It should be noted that Staff is presenting the FY 2020-21 ACFR for the Government Finance Officers Association (GFOA) "Certificate of Achievement for Excellence in Financial Reporting" award program. This program provides a third-party review of the CAFR in an effort to produce a document that meets industry best practice standards.

ANALYSIS

The ACFR presents information by type of fund, with the two most significant "buckets" being Governmental Activities and Business-type Activities. Governmental Activities includes not just the General Fund, but special funds such as Gas Tax, Proposition A, Proposition C, Housing Successor Agency, Retirement Fund, and the various (non-Transit) Grant Funds. Business-type Activities includes Transit, Golf Course, Hilton Garden Inn and the Home2Suites.

Included in the financial statements for both Governmental and Business-type funds is not only revenue and expenditures, but liabilities related to bond debt, pension and retiree medical liabilities, assets such as land, buildings and equipment, and other useful information designed to give the reader a clear picture of the City's overall financial condition. The following pages provide a discussion of major items found in the complete

ACFR document (which can be found on the City's website: www.cityofmontebello.com). In addition, hard copies will be made available to City Council and staff.

Government-wide Overview

Overall, across the entire organization, total revenues (Governmental and Business-type combined) for FY 2020-21 were $136.4 million, compared to $122.2 million in FY 2020-21. The largest increases to revenue were in the "Sales Tax" and "Property Tax" categories: $9.5 million and $2.7 million respectively.

The increase to sales tax was primarily due to the new Measure H Transaction and Use Tax, approved by Montebello voters in March 2020 with collections and remittance beginning July 2020 (i.e., FY 2020-21). The increase to property tax shows the improving real estate market, as overall assessed value increased over five percent in FY 2020-21. The "Property Tax" category includes revenue restricted for payment of retirement obligations and is recorded in the "Retirement Fund" special revenue fund. The debt service on the $153.4 million in pension obligation bonds issued in May, 2020 is entirely funded by this restricted revenue. In addition, "Capital Grants" also saw a significant increase: $9.7 million. The majority of this additional grant revenue (when comparing prior year totals) is found in the "Business-type Activities" and represents funding to Transit operations from the CARES Act approved by Congress in May 2020.

Total expenses across the organization were $127.8 million, compared to $136.9 million in FY 2020-21 (Government and Business-type funds combined). Public Safety and Transit saw the largest increases: $13.8 million and $4.6 million respectively. These increases were offset by lower spending in General Government, Public Works, Housing and Community Development and Parks and Recreation. As a reminder, these are expenses across the organization: all funds, including capital and grant funds.

Business-Type Activities

The City's Transit operation (Montebello Bus Lines) is the largest component of the Business-type Activities group. In addition, there are the Golf Course, Hilton Garden Inn and Home2Suites operations.

The Golf Course continues to improve operations with revenues collected stronger than in prior years. The General Fund still had to make a $471,300 subsidy payment to the Golf Course for FY 2020-21, however that amount is lower than in prior fiscal years. Staff is excited to pursue the renovation of the golf course, with the anticipation of Top Golf opening in the near future. The rehabilitation of the golf course would eliminate the General Fund subsidy, which would be a positive impact on fund balance.

The Hilton Garden Inn saw an operating loss of $1.023 million. This is not a surprising outcome as the pandemic continued to negatively impact travel and leisure. In addition, the hotel was closed for three months of the fiscal year, as renovations were completed. The Home2Suites had an operating surplus of $2.745 million, similar to the surplus of the

prior fiscal year. The City's hotels continue to operate efficiently – even during these trying times dominated by the pandemic – holding more than enough funds necessary to pay ongoing debt service as well as funding day to day operating expenses.

Governmental Activities

General Fund revenues and expenditures also saw variances when compared to FY 2019-20. Overall, General Fund revenue was $14.195 million greater in FY 2020-21 versus the prior fiscal year. "Sales Tax" witnessed the largest increase year over year: $9.452 million. The majority of this increase was from the newly enacted Measure H Transaction and Use Tax, with additional increases due to improvements in the Bradley Burns 1% tax category as the economy improves from the depths of the pandemic in Spring and early Summer 2020.

"License and Permits" revenue was up $979,000 from FY 20219-20 primarily due to improved business license management. Once the City contracted for a professional organization (HdL Companies) to take over business license administration from in-house staff in October 2020, revenue collection improved due to an increased ability to ensure regular renewals as well as improved compliance (i.e., making sure business were abiding by the City's Municipal Code requiring a valid business license to operate).

General Fund expenditures were up $4.369 million over FY 2019-20. The majority of the increase was in Public Works: $3.172 million. It should be noted that numerous categorizations contained in the ACFR were updated for FY 2020-21 to reflect actual operations and improve reporting accuracy.

This has led to the appearance of large increases in specific functional areas when making year-over-year comparisons. For example, prior to this year, the Public Work's Engineering and Street Divisions were mis-categorized in the ACFR (they were placed in Housing and Community Development and Parks and Recreation in prior years). There were Public Works functions erroneously included as General Government, and other divisions in General Government and Public Works that are actually Parks and Recreation.

With the movement of these functions to their proper groupings, expense variances appear larger from one year to the next. Subsequent ACFR presentations will maintain the more accurate groupings, which will allow for better and more consistent comparison of expenses across fiscal years.

The "Capital Outlay" category was $5.454 million higher than FY 2019-20 ($9.014 million vs. $3.560 million). There were three major expense categories responsible for this large increase: "Acquisition," "Building Improvements" and "Outside Contracts."

The City Council approved the purchase of a property at 715 W. Whittier, this accounted for $1.223 million in "Acquisition" expenses. There was $1.677 million in "Building

Improvements," representing the use of excess bond reserves (Series 2009A) to fund repairs and maintenance at City Hall and Police Headquarters. Projects such as finishing Taylor Ranch Park, upgrading office space at City Hall and replacing the HVAC at Police Headquarters were all funded with the Series 2009A proceeds. "Outside Contracts" saw $5.031 million in expenses related to the citywide energy savings/upgrade project with ABM. This project replaced lighting in City facilities and parks, as well as made improvements in other areas to help reduce the City's overall costs of electricity. Additional capital outlay expenses were related to information technology purchases, vehicle purchases in Police and Fire, and emergency equipment for the Fire Department.

Total General Fund reserves as of June 30, 2021 were $7.585 million, slightly less than the ending balance of $9.448 million as of June 30, 2020. As described above, the primary draw on reserves was due to one-time capital outlay expenses: acquisition of property, infrastructure repairs and upgrades, vehicle purchases, information technology hardware upgrades, and life-safety/emergency response equipment for firefighters.

Given the breadth and scope of deferred maintenance, equipment and infrastructure projects in Montebello, it should be expected that subsequent fiscal years will see large "Capital Outlay" totals similar to FY 2020-21. As the City improves its infrastructure to better serve residents, replaces aging vehicles in its fleet (especially for public safety), and makes much needed upgrades to facilities to ensure a safe and proper work environment for its employees, there will be a need for ongoing capital related expenditures. The City's overall revenue standing – focusing on the General Fund – should continue to improve, allowing for future fiscal years to potentially show increases to fund balance.

<u>Economic Overview and Credit Rating</u>

As of the date of this ACFR, the City's S&P underlying credit rating is "A+", which represents an improvement of one-step (from "A") from two years previous. The "A" rating was provided in December 2019 as part of debt issuance for the "Paving the Way Project" (Sales Tax Revenue Bonds, Series 2019ABC) and refinancing of Lease Revenue Bonds of the Montebello Hilton (Hilton Garden Inn).

The upgraded "A+" rating was awarded with the issuance of the Pension Obligation Bonds in May 2020. It should be noted that the "A+" rating was reaffirmed, and the previous "unstable" outlook provided as part of the POB issuance was removed and replaced with "stable" with S&P's annual credit update in July, 2021.

Fiscal Year 2020-21 continued to be influenced by the global coronavirus pandemic and the various economic and social responses to it. Responses to the pandemic varied by country, region, state and even locality. In the United States, the Business Cycle Dating Committee of the National Bureau of Economic Research (NBER) determined that a peak in quarterly economic activity occurred in the fourth quarter of 2019, with a monthly peak

in economic activity of February 2020 marking the beginning of the "COVID-19 recession," and a trough in economic activity occurring just two months later in April 2020.

This short-lived recession – and the concomitant pandemic related responses – continued to impact the economy into FY 2020-21. However, as evidenced by much stronger than anticipated sales tax revenue performance (discussed above and in greater detail in the "Transmittal Letter" [Attachment A] and "MD&A" [Attachment B]) the local Montebello economy fared better than anticipated when the FY 2020-21 budget was being developed. The surge in coronavirus cases in Fall and Winter of 2020 did not negatively impact economic activity to the extent witnessed by the original outbreak in Spring, 2020. However, it should be noted that the impacts from the "Delta Variant" and more recent "Omicron Variant" did not impact FY 2020-21 but could negatively influence the national economy in FY 2021-22 and beyond, with unknown impacts locally.

More generally, Gross Domestic Product (GDP) is forecast to grow by an annualized rate of 5.0% in the fourth quarter of 2021 (October – December), vs 2.0% growth in the third quarter of 2021 (July – September). Overall annual GDP growth for 2021 is forecasted at 5.5%, with a 3.5% growth predicted for 2022 and 2.9% in 2023. There is concern that the resurgence in new COVD-19 cases in the first quarter of 2022 will negatively impact the economy, mimicking a similar pattern seen in early 2021. This concern is coupled with the persistence of high inflation rates. Nevertheless, there are projections of robust economic expansion over the next two years, despite the pall cast over the economy by the pandemic.

The good news is the bulk of economic growth will be associated with continued expansion in consumer spending. Locally, that could equate to a continuation of strong sales tax results as retail businesses in Montebello see improvement in activity. More generally, as online retail activity continues to grow, its importance to local cities will also expand as the City's share from the County sales tax pool grows.

Also portending positive economic activity is the forecasted reduction in the national unemployment rate. Nationally, it was 8.1% in 2020, is forecasted to be 5.4% at the end of 2021, and is expected to drop over the next two years (4.0% and 3.5% in 2022 and 2023 respectively). As the economy moves towards full employment, this should help with overall consumer sentiment.

In general, according to the UCLA Anderson Forecast, California's recovery and expansion will outpace those of the nation. While income inequality will persist throughout the State, forecasters point to the State's better public health outcomes and transition to new ways of working (i.e., remotely) as the main reasons why California's recovery will be better than the United States'. Unemployment in the State – like the nation – will continue to fall from 7.6% in 2021, to 5.6% and 4.4% in 2022 and 2023 respectively.

The focus locally in Montebello continues to be on sales tax, as it comprises more than one-third of all General Fund revenue. Traditional (i.e., Bradley Burns 1%) sales tax revenue for FY 2020-21 was $13.5 million, $1.7 million greater than the adopted budget. In addition, the new, voter approved Measure H Transaction and Use Tax outperformed budget by $1.7 million. These General Fund sources of revenue helped mitigate lower revenue in charges for services and fines and forfeitures. Suspension of street sweeping enforcement and cancellation of all community services' programming resulted in lost revenue when compared to the adopted budget in these two categories in FY 2020-21.

Based on these results for FY 2020-21, total sales tax revenue for FY 2021-22 is expected to be higher than the adopted budget. The City's share of the County sales tax pool has grown significantly since 2018 and 2019. The Supreme Court decision in *Wayfair vs. South Dakota* (2018) and the implementation of Assembly Bill 147 in 2019 have improved collection of sales tax by remote sellers. A recent UCLA Anderson Forecast indicated that *Wayfair* and AB 147 lowered the cost of compliance and enforcement of sales tax remittance, which resulted in more reported taxable sales. More reported taxable sales equates to more sales tax revenue.

Montebello is also benefiting from the additional ¾ cent Transaction and Use Tax implemented in July 2020. The Measure H revenue will contribute an additional $7.7 million plus to General Fund revenue in FY 2021-22, helping to close a twenty plus year history of structural deficits (i.e., adopted expenditures exceeding adopted revenues).

Management will continue to monitor the impacts which the pandemic continues to have on the local and regional economy, especially with the "Omicron Variant." Staff will adjust revenue and expenditure forecasts as more data become available. Montebello remains well positioned to weather the current economic storm, having recently improved organizational efficiencies and effectiveness, continued investing in capital projects and infrastructure improvements, and updated policies and procedures as well as accomplished myriad other projects aimed at improving the City's long-term financial standing.

Summary

The June 30, 2021 ACFR presents a broad range of financial information aimed at providing readers an in-depth picture of Montebello's fiscal standing. The City's auditors have worked closely with Staff to test and sample transactions, review internal policies and financial statements in order to render their "un-qualified" opinion. Management will continue reviewing policies and procedures in order to make improvements where needed. Finance staff will continue to provide regular budget updates to the City Council. It is anticipated that the City will be awarded recognition by GFOA for this June 30, 2021 ACFR.

ATTACHMENTS

A. Attachment A - Transmittal Letter
B. Attachment B - Management Discussion and Analysis (MD&A)

CITY OF MONTEBELLO

DEPARTMENT OF FINANCE

January 26, 2022

Honorable Mayor and Members of the City Council:

The Annual Comprehensive Financial Report (ACFR) of the City of Montebello for the fiscal year ended June 30, 2021 – the beginning of Montebello's second century of incorporation – is submitted as prepared by the City's Finance Department. The report is published to provide the City Council, community and other interested parties detailed financial and operational information about the City for the previous fiscal year. The financial statements are audited by a third-party accounting firm, providing assurance to the public that the City's financial reporting and associated operations meet or exceed generally accepted accounting and auditing standards.

The ACFR is presented in three sections: the **Introductory Section**, the **Financial Section**, and the **Statistical Section.** The Management Discussion and Analysis (MD&A) for Fiscal Year 2020-21 is the most useful for readers of this ACFR to find a general overview of the City's financial condition at year-end.

Responsibility for both the accuracy of the financial report and the completeness and fairness of the presentation rests with the City. To the best of our knowledge, the information presented is accurate in all material aspects and includes all disclosures necessary to enable the reader to gain an understanding of the City's financial activities.

The City prepared the ACFR using the financial reporting requirements outlined in the Governmental Accounting Standards Board (GASB) Statement No. 34. This statement requires that management provide a narrative introduction, overview, and analysis to accompany the basic financial statements in the form of Management's Discussion and Analysis (MD&A). This letter of transmittal is designed to complement the MD&A and should be read in conjunction with it. The City's MD&A can be found immediately following the report of the independent auditors in the financial section of the ACFR.

The City requires that its financial statements be audited by an independent, accredited auditing firm on an annual basis. This requirement has been satisfied, and the auditor's opinion is included in the financial section of this report.

In addition, the City is required to undergo an annual single audit to conform to the provisions of *Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). This requirement has also been satisfied, with the single audit published separately as a stand-alone document.

THE FINANCIAL REPORTING ENTITY

This report includes activity of all funds of the City, with presentation in the ACFR being done on a major vs. other funds basis. All funds have their appropriations approved by the governing body (i.e., City Council) through the annual budget development process. In addition to the General Fund, other governmental and enterprise funds are utilized to record the City's financial activity. Each fund is appropriated annually, and include the General Fund, Proposition A, Proposition C,

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Measure M, Measure R, HOME, Community Development Block Grant (CDBG), Gas Tax, Grants (non-Transit), Asset Forfeiture, Grants (Transit), Debt Service, etc. Revenue and expenditures are appropriated through the budget process, with the FY 2020-21 budget (all funds) adopted at a regular City Council meeting in June, 2020.

The City of Montebello provides a full range of municipal services including police and fire protection, street maintenance, planning and community development, parks and recreation services, financial planning, treasury management, information technology, human resources, engineering and general administration.

Montebello also operates several enterprise funds, which include a municipal golf course, a transportation system (Montebello Bus Lines), water services in certain areas of the City, and two hotels (i.e., Hilton Garden Inn and Home2Suites). Enterprise funds are financed from user charges (e.g., green fees, room charges, bus fares, etc.) and revenue from other governmental agencies (e.g., Los Angeles County Metropolitan Transportation Authority funding for fixed transit lines), as applicable. It should be noted that the City is working to sell its water system, with the sale anticipated to be completed in Fiscal Year 2021-22. Subsequent financial reports and ACFRs will include updates once the sale is completed.

ACCOUNTING SYSTEM

The modified accrual basis of accounting is followed for governmental fund types and the accrual basis of accounting is followed for proprietary and fiduciary fund types. In reviewing and developing the City's accounting system, consideration is given to the adequacy of internal accounting controls. Internal accounting controls are designed to provide reasonable, but not absolute assurance regarding:

- The safeguarding of assets against losses from unauthorized use or disposition and the reliability of financial records for preparing financial statements and maintaining accountability for assets.

- The concept of reasonable assurance recognizes that the cost control procedures should not exceed the benefits likely to be derived and that the evaluation of costs and benefits require estimates and judgment by management.

- All internal control evaluations occur within the above framework.

As discussed more fully below, management has made a concerted effort to improve internal controls by updating the Municipal Code, creating and implementing new procedures and policies, and generally ensuring internal policies and procedures are efficient while not sacrificing requisite safeguards against fraud, waste and abuse.

BUDGETARY CONTROL

In addition to internal accounting controls, the City also maintains budgetary controls. The objective of these budgetary controls is to ensure compliance with the City's budget policy approved by the City Council as incorporated in the budget adoption resolution. Appropriations of the General Fund, special revenue funds, debt service funds, and capital project funds are

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included in the annual approved budget. The City's adopted budget document includes detailed information about the approval process. A budget calendar, various budget schedules and related policies can be found in that document.

Budgetary control is maintained at a functional level by division within the department through the use of object level accounting as actual expenditures are compared to appropriations. As purchase orders are approved, appropriations are encumbered. Encumbrances and expenditures, which would cause an overrun of appropriations, require an approved budget transfer, which is reviewed and approved by the Director of Finance, pursuant to the City's administrative policy, the Annual Budget Resolution and the Municipal Code. The City's Capital Improvement Program (CIP) is adopted at the same time as the operational budget, and includes various street and infrastructure improvement projects. Any action to increase total appropriations requires approval by a majority vote of the City Council.

IMPROVEMENTS TO INTERNAL CONTROLS

The City responded positively and decisively to the 2018 State Auditor's report (published December, 2018) and the 2021 update (published subsequent to this ACFR, in October 2021). These reports – published by the State Auditors "High Risk Agency" group – provided numerous recommendations for improving different areas of management and internal controls. Besides focusing on management turnover, management of the City owned hotels, oversight of the municipal golf course, and other organizational areas, the audit reports looked at ways in which purchasing and procurement could be improved.

Over the span of the last three years, the City has put into place numerous new procedures and policies directly aimed at responding to the audit reports' various recommendations. The City's municipal code chapters dealing with purchasing and procurement were updated in March 2019, and citywide purchasing training has been conducted on numerous occasions since 2019. Several new administrative policies were developed that addressed the areas of weakness identified by the State Auditor (i.e., petty cash, credit cards, hotel financial reporting, etc.), while other existing policies were updated to incorporate recommendations from the audit reports.

As required, management provides status reports to the City Council at regular meetings, which are then forwarded to the State Auditor to show the City's progress towards meeting the audit report recommendations. Staff has been in regular contact with State Auditor staff over the past three years, providing updates on the City's progress in addressing the recommendations and findings.

Management is committed to satisfying all recommendations from the 2021 report in order to formally remove Montebello from the high risk agency category. The improvements made in organizational management and internal controls indicate that Montebello is making positive strides in ensuring future financial stability, as well as putting into place internal controls that ensure public funds are managed and spent wisely.

ADOPTION OF FORMAL RESERVE POLICIES

Besides improvements to internal controls – through the publication and operationalization of updated policies – the City is demonstrating its commitment to fiscal sustainability by the adoption

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of formal General Fund reserve policies. The City's prior policies were lacking in a comprehensive and descriptive treatment of General Fund reserves. The City Council first adopted updated reserve policies in June 2020, as part of the City's operating and capital budget. These policies are incorporated into the adopted budget document, and are presented annually for review and approval by the City Council.

Having such written policies in place indicates to third parties (i.e., credit rating agencies) that Montebello has a clear plan in place for how to manage General Fund reserves – spendable and non-spendable. Fully compliant with GASB 54, the policies establish distinct reserve categories for various uses:

- Economic Uncertainties
- Unfunded Liabilities
- Equipment/Technology Replacement and Upgrade
- Capital Improvement (Unfunded/Un-programmed)
- Deferred Maintenance
- Insurance – Risk Management
- Economic Sustainability

Each reserve category sets aside a specific amount – either a fixed dollar amount or an amount calculated based on a percentage of prior year operating revenues – for one of the uses mentioned above. The policy, per GASB 54, makes "commitments" or "assignments," and describes the method by which each reserves can be utilized. Furthermore, the policy includes the method for replenishing the various reserve buckets, should they be used and fall below the pre-scribed amounts.

The reserve policy is reviewed annually and provided to City Council as part of the budget development process. Changes and updates to the policy will be recommended by Staff as necessary.

GENERAL INFORMATION AND ECONOMIC OUTLOOK

The City of Montebello was incorporated on October 16, 1920 and is proudly celebrating its second century of incorporation – albeit while continuing to maintain social distance during these unprecedented times. The City is a general law city and functions under the City Council-Manager form of government. The City is governed by a legislative body of five City Councilmembers elected at large and serving staggered, four-year terms, with the Mayor and Mayor Pro-Tem selected by fellow Councilmembers. The City Clerk and City Treasurer are also elected to four-year terms. The City Manager and City Attorney are appointed by the City Council.

Montebello is located nine miles east of the Los Angeles Civic Center, with access to three freeways – the Santa Ana 5 Freeway to the south, the Pomona 60 Freeway to the north, and the San Gabriel River 605 Freeway to the east. The City has a population of approximately 64,000 living in an area of 8.2 square miles. The City is a balanced community with industrial, residential, and commercial areas.

Fiscal Year 2020-21 continued to be driven by the coronavirus pandemic and the social and economic impacts related to the public response to containing the virus' spread. Economies around the world were negatively impacted, with a recession in the United States officially beginning in February 2020 and ending two months later in April. The detrimental impacts the pandemic had on the economy were felt in Montebello.

Early in the pandemic (Spring and Summer, 2020), various State and County stay at home orders – implemented to "flatten the curve" and protect the public – negatively impacted sales tax generating retail operations throughout the City for FY 2019-20. With sales tax comprising over one-third of General Fund revenue, the impacts of the coronavirus and the responses aimed at containing it took a toll on FY 2019-20 sales tax receipts. Actual sales tax was $11.616 million, versus a budget of $12.197 million. This drop of almost $600,000 was solely due to the closure of retail stores, restaurants and other sales tax producing outlets.

However, sales tax revenue rebounded positively in FY 2020-21. The prolonged negative impact of the pandemic on general retail activity was not as severe as first anticipated. Autos and transportation and pooled sales tax categories performed remarkably well in FY 2020-21. In addition to general retail activity performing better than originally forecast, the City benefitted from the voter approved additional ¾ cent transaction and use tax. Measure H was approved by over 60% of Montebello voters in the March 2020 special election. The revenue from this additional transaction and use tax began flowing to City coffers July 1, 2020.

Initial sales tax estimates were $11.270 million for Bradley Burns (i.e., traditional 1%) and $6.000 million for Measure H for FY 2020-21. These budget estimates were developed in late Spring 2020, early in the pandemic and completed under dire forecasts of overall revenue performance. Fortunately, traditional 1% sales tax came in at $13.507 million, and Measure H revenue was $7.698 million for FY 2020-21. Early forecasts for FY 2021-22 continue to support this positive upward trend in sales tax – despite the ongoing pandemic and surges caused by the Delta and Omicron variants. While the pandemic continues to impact the economy and society at large, there is reason to believe this area of revenue will not be as severely impacted as originally forecasted almost two years ago.

Other sources of revenue were severely impacted by the pandemic in FY 2020-21: recreation classes, daycamps, and related community services program revenue fell to zero as the City cancelled programs in order to abide by State and County regulations. License and permit revenue (i.e., planning, building, etc.) fared well, with the City doing its best to practice social distancing while still allowing for customers to conduct plan checks and request building permits and apply for or renew business licenses. Fines and Forfeiture revenue was also lower than budgeted amounts due to the suspension of street sweeping enforcement as City officials sought to mitigate pandemic related impacts.

One area of General Fund revenue not negatively impacted by the pandemic in FY 2020-21 was property tax. Property tax accounts for more than one-quarter of General Fund revenue. Due to the timing of property assessments – January 1 of each year – the virus and related responses did not impact FY 2020-21 assessed values. Demand has remained high for residential properties, as supply continues to be constrained. Generationally low interest rates coupled with a demand for housing that would accommodate the "new normal" of working from home has kept demand up.

The FY 2020-21 net taxable assessed value of all property within the City is $6.714 billion and represents a 5.00% increase over the prior year ($6.393 billion, a $321 million increase). Increases in assessed value over the past three years have averaged 5.53%. The median home value for a detached single family residential property in Montebello for the second quarter of 2021 was $650,000, a 3.6% increase from the same quarter in the previous year. Since the start of 2018, median home values in Montebello have averaged a 6.7% annual increase (from $550,000 to $681,500 in the third quarter of 2021).

On the expense side of the ledger, the City acted decisively to reduce its unfunded actuarial liability (UAL) from its retirement commitments with CalPERS. The City issued over $153.4 million in Pension Obligation Bonds (POBs) in May 2020. This amount fully extinguished the UAL from the City's Miscellaneous and Safety defined benefit retirement programs (per the June 30, 2018 actuarial valuation report form PERS, published in July 2019). The debt service for the POBs will be paid using revenue from the City's 1946 voter approved property tax override assessment.

The level debt service of the POBs provides a predictable and stable expense – replacing a variable and unpredictable expense related to annual changes in UAL costs. Projections done by the City's financial advisor when determining the efficacy of issuing POBs demonstrated the potential for future UAL expenses to outpace the growth in property tax override revenue. Any retirement related expenses above and beyond available property tax override revenue is borne directly by the General Fund, reducing resources available for public safety, street and park maintenance, and other important services.

Moreover, the City was able to receive an upgrade in its credit rating as part of the POB issuance process. The City's credit rating, as reported by S&P Credit Ratings, is "A+," up one notch from the "A" rating received in December 2019. This upgrade is an achievement, given the credit rating was given at a point when the full impacts of the pandemic were still being analyzed and uncertainty surrounding local economic impacts remained high. The credit rating upgrade is just another indication of how recent improvements to management and financial controls are manifested in concrete ways, and was reaffirmed in July 2021.

ACCOMPLISHMENTS AND ACHIEVEMENTS

Montebello has made tremendous strides in Fiscal Year 2020-21 to improve its financial standing and operations. In addition to improvements in internal controls, responding to the State Auditor findings, adopting a General Fund budget with a surplus for the second year in a row, extinguishing existing unfunded liability, some of the many positive accomplishments this past year include:

- Completion of a park and facilities needs assessment study and master plan
- Completion of significant facility repair and upgrade projects, eliminating years of deferred maintenance on key City facilities
- Awarding of an energy conservation project contract to provide energy savings through lighting, HVAC and roof repairs and upgrades
- Completion of the Taylor Ranch Park project
- Streamlining invoice approval and payment processes

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- Introduction of improved purchasing and procurement guidelines
- Receiving the Government Finance Officers Association (GFOA) award for budget preparation for the first time in the history of the City
- Significant positive movement on reimagining the Golf Course

These and other accomplishments have helped set Montebello on the right path towards fiscal sustainability and operational stability. The following pages provide technical information related to the City's accounting system, budgetary control, cash and investments, etc. Greater detail is available in the MD&A, the various notes to the financial statements, required supplementary information (RSI) and statistical sections.

ACKNOWLEDGEMENTS

The preparation of the City's Annual Comprehensive Financial Report could not have been accomplished without the dedicated services of the entire Finance Department, as well as assistance from each of the operating departments. I want to specifically thank the lead Accountant in this endeavor, Van Dao for her commitment to ensuring the ACFR was completed accurately and on-time. The City's independent auditor – Vasquez & Company LLP – provided invaluable assistance and expert advice in completing the ACFR.

I also want to thank the City Council, the Executive Management Team and City staff for their interest and support of the financial operations of the City and helping ensure Montebello thrives financially and operationally.

Respectfully submitted,

Michael Solorza
Director of Finance

The following section represents Management's Discussion and Analysis (MD&A). It is intended to provide narrative overview and analysis on the City's financial performance for the fiscal year ended June 30, 2021. Readers are encouraged to consider the information presented here in conjunction with the accompanying letter of transmittal and financial statements.

Overview of the Financial Statements

The City's basic financial statements consist of three components: 1) Government-wide Financial Statements, 2) Fund Financial Statements, and 3) Notes to the Basic Financial Statements. The Statistical section at the end of this report provides supplementary information in addition to the basic financial statements. Government-wide Financial Statements are prepared using accrual accounting method to demonstrate the City's operational accountability, while the Fund Financial Statements are based on modified-accrual accounting method to demonstrate its budgetary accountability. Reconciliations of the Fund Financial Statements to the Government-wide Financial Statements are provided to explain to readers the differences created by this integrated approach.

Government-wide Financial Statements

The Government-wide Financial Statements provide a broad overview of the City's finances, in a manner similar to a private-sector business. The statements present information about the functions of the City principally supported by taxes and intergovernmental revenues *(governmental activities).* The governmental activities of the City include general government (i.e., administration, finance, human resources, elected officials, etc.) public safety, public works, parks and recreation, and housing and community development. Business-type activities of the City include water, golf course, transportation and hotel operations. These statements include all assets of the City as well as all liabilities (including long-term debt). Additionally, certain eliminations have occurred as prescribed by GASB Statement No. 34 in regards to inter-fund activity, payables, and receivables.

The Statement of Net Position and the Statement of Activities report information about the City as a whole and about its activities. These statements include all assets and liabilities of the City using the accrual basis of accounting, which is similar to the accounting used by most private sector companies. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, *regardless of the timing of related cash flows.* Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

The government-wide financial statements can be found immediately following this discussion and analysis.

Fund Financial Statements

The Fund Financial Statements include statements for three categories of activities: Governmental Funds, Proprietary Funds and Fiduciary Funds. The governmental activities are prepared using the current financial resources measurement focus and the modified accrual basis of accounting.

A Fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds. Governmental funds are used to account for essentially the same functions reported as Governmental Activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on *near term inflows and outflows of spendable resources,* as well as on *balances of spendable resources* available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for *governmental funds* with similar information presented for *governmental activities* in the Government-wide Financial Statements. By doing so, readers may better understand the long-term impact of the government's near-term financing decisions. Both the governmental fund Balance Sheet and the governmental fund Statement of Revenues, Expenditures and Changes in Fund Balances provide a reconciliation to facilitate this comparison between *governmental funds and governmental activities.*

The City maintains various individual governmental funds. Information is presented separately in the Governmental Funds Balance Sheet, and in the Governmental Funds Statement of Revenues, Expenditures and Changes in Fund Balances, for the General Fund, the Retirement Special Revenue Fund, Prop C Local Special Revenue Fund, the Public Financing Authority Debt Service Fund, and the Housing Successor Special Revenue Fund, all of which are considered to be major funds. Data from other governmental funds are combined into a single, aggregated presentation. Individual fund data for each of these other governmental funds is provided in the form of combining statements elsewhere in this report. As a result of Assembly Bills 1X26 and 1484, Redevelopment Agency assets and liabilities are no longer a part of the governmental funds of the City and are now reported in the Fiduciary Fund section of the financial statements.

The City adopts an annual appropriated budget for all of its individual funds, including the major funds as listed above. The basic financial statements include a budgetary comparison statement for the General Fund. The budgetary comparison statement has been provided to demonstrate compliance with this budget.

The basic governmental fund financial statements can be found immediately following the government-wide financial statements.

Proprietary Funds. Proprietary funds are generally used to account for services for which the City charges external customers, or other units of the City. Proprietary funds provide the same type of information as shown in the government-wide statements, only in more detail. The City maintains the following two types of proprietary funds.

- **Enterprise** funds are used to report the same functions presented as business-type activities in the government-wide financial statements. The City uses enterprise funds to account for the operations of water, golf course, transit system, Montebello Hilton and Home2suites Hotels.

- **Internal service** funds are used to report activities that provide internal services for the City. The City uses internal service funds to account for workers' compensation and general liability. Because internal service funds predominantly benefit governmental rather than business-type functions, they have been included within governmental activities in the government-wide financial statements. The internal service funds are combined into a single, aggregated presentation in the proprietary fund financial statements. Individual fund data for

the internal service funds is provided in the form of combining statements elsewhere in this report.

Fiduciary Funds. Fiduciary funds are used to account for resources held for the benefit of parties outside the government. Fiduciary funds are not reflected in the government-wide financial statements because the resources of those funds are *not* available to support the City's own programs. The basic fiduciary fund financial statements can be found immediately following the basic proprietary fund financial statements and include the assets and liabilities of the Successor Agency Fiduciary Fund.

Notes to financial statements

The notes to financial statements provide additional information that is essential to a full understanding of the data provided in the Government-wide and Fund Financial Statements. The notes to the basic financial statements can be found before the Required Supplementary Information.

Other information

The combining statements referred to earlier in connection with other governmental funds and internal service funds are presented for all other Special Revenue Funds, all other Debt Service Funds, all other Capital Projects Funds, and all Internal Service Funds. These combining fund statements and schedules of revenues, expenditures and changes in fund balance - budget and actual for individual funds – can be found immediately following the notes to financial statements.

Note: The numbers shown on the MD&A are either expressed in multiples of one thousand or million dollars while percentages are rounded to the nearest tenth or whole number. Hence, there may be slight differences between numbers on the MD&A and the numbers on the Basic Financial Statements.

Financial Highlights

- At June 30, 2021, the City's total net position was approximately negative $9.3 million dollars, an increase (improvement) of $8.7 million in the positive direction compared to the negative $18.0 million in 2020. The City's unrestricted net position, at a negative $169.9 million, decreased by $15.9 million dollars over Fiscal Year 2019-20.

- Total revenues from all sources were $136.4 million while total expenses were $127.8 million. Of the total revenues, program revenues totaled $78.9 million while general revenues totaled $57.5 million, net of transfers.

- The City's General Fund expenditures exceeded revenue and other financing sources by $1.9 million in the Fiscal Year 2020-21. The General Fund unassigned fund balance was $4.9 million at the end of the fiscal year, which was equivalent to approximately one month of the total General Fund expenditures for FY 2021-20.

- General Fund total revenues, including transfers in, for FY 2020-21 was $5.2 million higher than budget. This is due to an overall increase in sales and property tax revenues, offsetting the lower than budgeted other revenue.

- The General Fund expenditures including transfers out were $7.7 million over budget mainly due to lower than budgeted interfund charges.

- The City's Hilton Garden Inn ended the fiscal year with $1.0 million in operating loss before debt service. It should be noted that this hotel was closed entirely between March and September 2020 in order to complete a planned, complete renovation.

- The Home2Suites (which opened in September 2018) ended the fiscal year with $2.7 million in operating income before debt service.

These Financial Highlights, as well as other points, are discussed in greater detail in the body of this discussion and analysis, as well as the Notes to the Financial Statements.

Government-wide Financial Analysis

The government-wide financial statements provide both long-term and short-term information about the City's overall financial position. This analysis addresses the financial statements of the City as a whole. The statement of net position includes all of the City's assets, deferred outflows of resources, liabilities and deferred inflows of resources. The City's net position is a useful measurement of its financial health. Net position can be tracked over time to assess whether the City's financial health is improving or deteriorating. However, readers will need to consider other nonfinancial factors, such as changes in the City's property tax base, the condition of the City's infrastructure, and the level of public safety services to assess the overall health of the City.

City of Montebello
Statements of Net Position
June 30
(in thousands)

	Governmental Activities		Business-type Activities		Total	
	2021	2020	2021	2020	2021	2020
Assets:						
Current and other assets	$ 95,595	$ 93,239	$ 32,885	$ 26,505	$ 128,480	$ 119,744
Capital assets	102,330	81,157	103,685	107,452	206,015	188,609
Total assets	197,925	174,396	136,570	133,957	334,495	308,353
Deferred outflows of resources	12,854	125,438	3,528	45,095	16,383	170,533
Liabilities:						
Long-term liabilities	206,705	317,844	117,941	152,988	324,645	470,832
Other liabilities	21,074	14,372	8,960	7,746	30,034	22,118
Total liabilities	227,779	332,216	126,901	160,734	354,680	492,950
Deferred inflows of resources	3,801	2,657	1,735	1,284	5,536	3,941
Net Position:						
Net investment in capital assets	56,730	37,578	32,670	45,102	89,400	82,680
Restricted	59,934	40,673	11,203	12,617	71,137	53,290
Unrestricted	(137,465)	(113,290)	(32,409)	(40,685)	(169,874)	(153,975)
Total net position	$ (20,801)	$ (35,039)	$ 11,464	$ 17,034	$ (9,337)	$ (18,005)

As mentioned in the financial highlights, the City's total net position was negative $9.3 million as of June 30, 2021, an increase (improvement) of $8.7 million compared to the negative $18.0 million in FY 2019-20. Included in the City's net position is $89.4 million net investment in capital assets (e.g., land, buildings, machinery and equipment, infrastructure, improvements other than buildings, and construction in progress); less any related debt used to acquire those assets that remain outstanding. Capital assets, net of accumulated depreciation, increased by $17.4 million.

The City uses these capital assets to provide services to residents and the community at large; consequently, these assets are *not* available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities. Any remaining amount is restricted to spending agreements originated by law, contract, or other agreements with external parties. Capital assets are discussed in greater details under Capital Assets section of MD&A, and under Note 3 to the Financial Statements.

City of Montebello
Statements of Activities
Years ended June 30
(in thousands)

	Governmental Activities		Business-type Activities		Total	
	2021	2020	2021	2020	2021	2020
Revenues						
Program revenues:						
Charges for services	$ 14,399	$ 13,030	$ 17,365	$ 20,939	$ 31,764	$ 33,969
Operating grants and contributions	10,942	11,106	23,233	29,238	34,174	40,344
Capital grants and contributions	1,207	-	11,802	3,275	13,009	3,275
General revenues:						
Sales taxes	22,270	12,818	-	-	22,270	12,818
Property taxes	21,414	18,662	-	-	21,414	18,662
Other taxes	10,032	9,632	-	-	10,032	9,632
Other revenues	3,289	2,327	-	-	3,289	2,327
Investment earnings	459	762	18	416	477	1,178
Total revenues	84,012	68,337	52,418	53,868	136,430	122,205
Expenses						
General government	2,487	15,829	-	-	2,487	15,829
Public safety	54,765	41,005	-	-	54,765	41,005
Public works	2,723	10,063	-	-	2,723	10,063
Parks, recreation and culture	1,372	5,382	-	-	1,372	5,382
Housing and community development	645	3,402	-	-	645	3,402
Transit	-	-	41,718	37,053	41,718	37,053
Golf course	-	-	2,780	2,378	2,780	2,378
Montebello Hilton	-	-	3,096	4,306	3,096	4,306
Water utility	-	-	2,291	2,359	2,291	2,359
Hotel2Suite	-	-	5,612	6,167	5,612	6,167
Interest on long-term debt	5,252	5,308	4,308	2,983	9,560	8,291
Unallocated infrastructure depreciation	713	701	-	-	713	701
Total expenses	67,956	81,690	59,805	55,246	127,761	136,936
Change in net position before transfers	16,056	(13,353)	(7,387)	(1,378)	8,668	(14,731)
Transfers	(518)	(843)	518	843	-	-
Change in net position after transfers	15,538	(14,196)	(6,870)	(535)	8,668	(14,731)
Net position - beginning of year, as restated	(36,339)	(20,843)	18,333	17,569	(18,005)	(3,274)
Net position - end of year	$ (20,801)	$ (35,039)	$ 11,464	$ 17,034	$ (9,337)	$ (18,005)

See Note 16 Prior Period Adjustments affecting the restatement of Net Position

The key elements impacting the City's net position for the fiscal year ended June 30, 2021 are as follows:

- Governmental activities total revenues before transfers exceeded total expenses by $16.1 million, while total expenses exceeded total revenues by $13.4 in the prior year.

- Business-type activities total expenses before transfers exceeded total revenues by $7.4 million while total expenses exceeded revenues by $1.4 million in the prior year.

- Total Citywide revenues before transfers were $136.4 million, an increase of approximately $14.2 million (11.6%) compared to the preceding fiscal year, while total Citywide expenses before transfers decreased by $9.2 million (6.7%) from $136.9 million in 2020 to $127.8 million in 2021.

- Revenues are classified into program and general revenues. Program revenues of approximately $78.9 million, which are used to offset program expenses under each functional activity, made up 57.9% of total citywide revenues for the current fiscal year. General revenues of approximately $57.5 million, which are used to offset the additional expenses net of program revenues, made up the remaining 42.1% of total revenues.

  The overall increase of 11.6% in total revenues ($14.2 million) for the City was primarily due to increases in sales and property tax. Sales Tax accounted for $9.5 million of the increase, the majority of this coming from the new Measure H Transaction and Use Tax approved by Montebello voters in March 2020. Property Tax increased $2.8 million, as overall assessed value in the City increased by 5.0% from the prior year.

- The largest City-wide revenues came from four sources: charges for services (e.g. business license fees, building permits, hotel charges and bus fares) at $31.8 million (23.3%), operating grants and contributions (e.g. allocations of funds derived from Los Angeles County Metropolitan Transportation Authority Local Return Funds Propositions A and C, and Measures R and M, as well as asset forfeiture funds contributed from the Justice Department and US Treasury) at $34.2 million (25.0%), property taxes at $21.4 million (15.7%), and sales taxes at $22.3 million (16.3%). Property taxes include the property taxes derived from the 1946 voter approved initiative to provide restricted revenue to pay for the retirement benefit costs of City employees, which is recorded in a separate fund from the General Fund.

- Revenue from charges for services decreased by $2.2 million (6.5%), property tax increased by $2.8 million (14.7%) and sales taxes increased by $9.5 million (73.7%). Operating grants and contributions decreased by $6.2 million (15.3%).

- Total citywide expenses decreased by $9.2 million, mainly due to the settlement of unfunded pension liability in the prior year.

- The cost of serving residents for the year includes: $54.8 million for public safety, $41.7 million for transit, $2.5 million for general government, $2.7 million for public works, and $16.5 million for other services such as recreation, community development, the golf course, water utility fund, and two hotels.

Governmental Activities

- As reflected in the Statement of Activities schedule above, Governmental activities increased the City's net position by $16.1 million. Key factors of this change in governmental activities include the following based on the government-wide statement of activities.

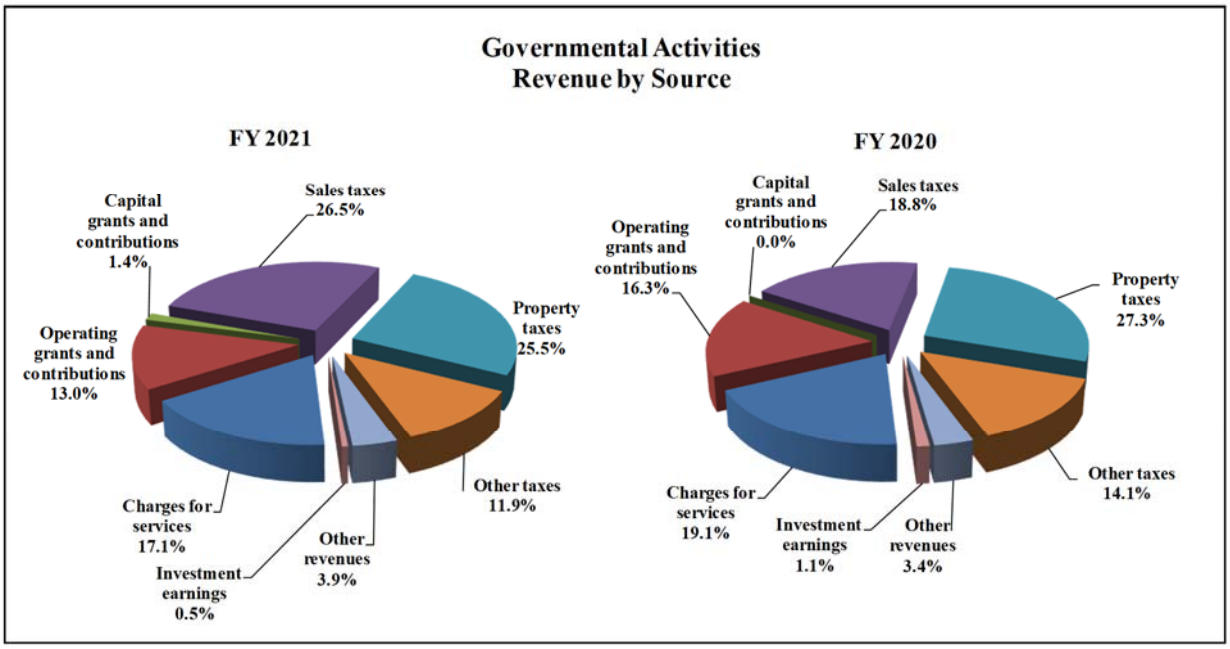
Revenues:

- Total governmental activities revenues increased by $15.7 million (22.9%). This is mainly due to increases in sales tax and property tax revenues. The largest single source of the increase is from the voter approved Measure H Transaction and Use Tax, approved in March 2020.

- Sales tax revenues were the largest portion of total governmental activities revenues (26.5%). Sales tax revenues increased by $9.5 million (73.7%) compared to 2020 (see bullet point above).

- Property tax revenues were the second largest revenue source for governmental activities (25.5%). This includes the 1946 voter-approved retirement portion of property tax (e.g. property tax override). Property tax revenues increased by $2.8 million (14.7%) from 2020, primarily due to the increase in annual assessed valuations (i.e., property values).

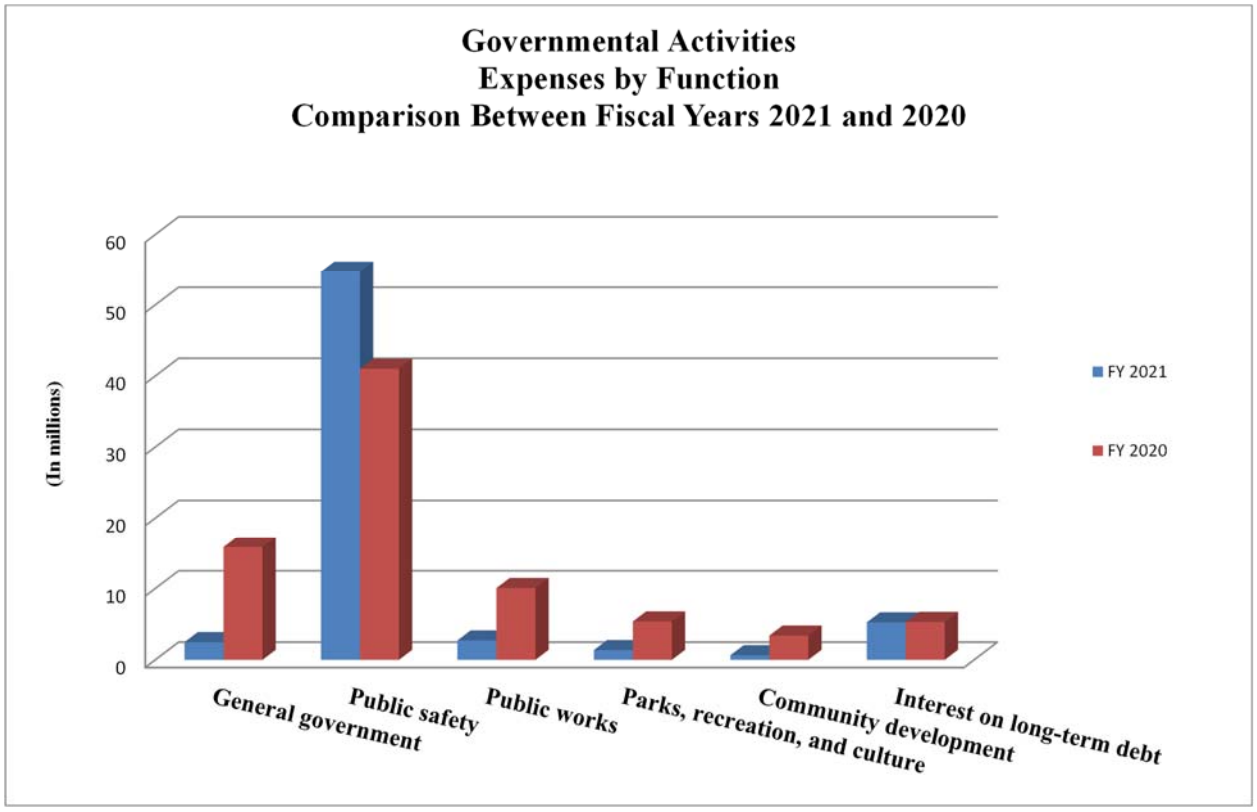
- Charges for services were the third largest source of revenue for governmental activities (17.1%). Charges for services in governmental funds include licenses and permits, fines and forfeitures, waste collection, etc. Compared to the prior fiscal year, this program revenue increased by approximately $1.4 million (10.5%), primarily from cannabis permit related revenue as more non-storefront retail operations began normal operations, contributing revenue based on sales and other factors. This source of revenue offset decreases in fines and forfeitures and community services related program revenue caused by the suspension of street sweeping enforcement and the cancellation of community services programming due to the ongoing impacts of the Coronavirus pandemic.



Expenses:

The cost of providing all governmental activities in 2021 was $68.0 million before applying program revenues of $26.5 million, a decrease of approximately $13.7 million (16.8 %) from 2020. Certain areas such as Public Safety saw increases year over year ($54.8 million vs. $41.0 million) while most other functional areas saw decreases. For example, Public Works had expenses of $2.7 million a $7.3 million decrease, and General Government was $13.3 million lower in FY 2020-21 ($2.5 million vs. $15.8 million).

The remaining $41.5 million of governmental activities expenses is considered "public benefit" portion which was funded by general revenues primarily derived from taxes (i.e, sales, property, transient occupancy, etc.).



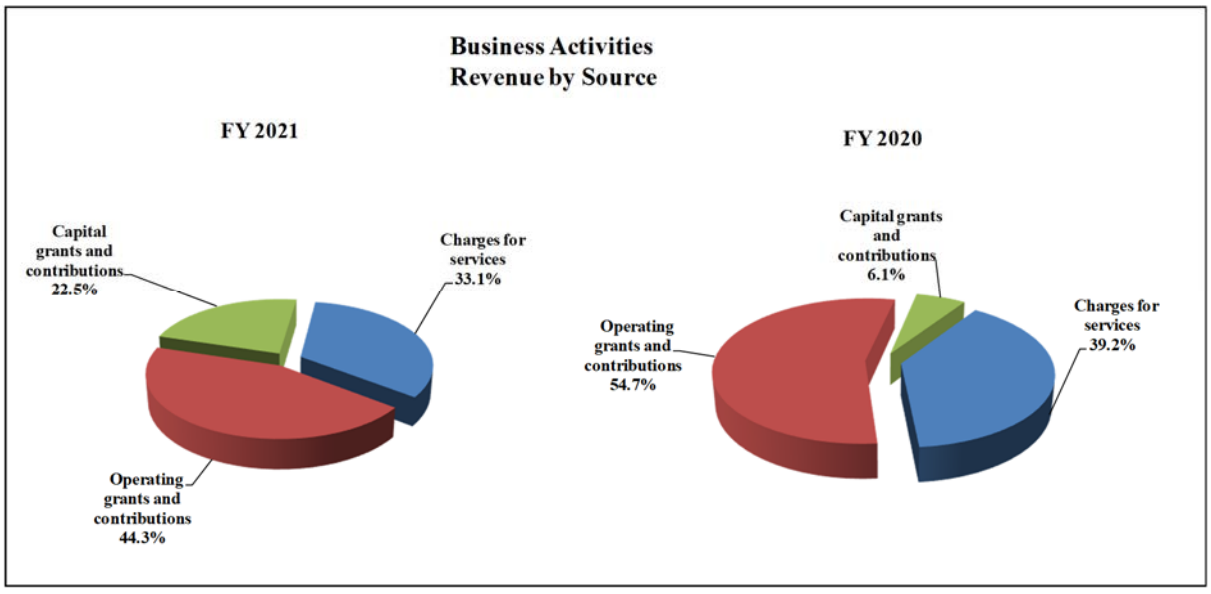
Business-type Activities

The City operates the following business-type activities: Transit System (i.e, Montebello Bus Lines), Golf Course, Hilton Garden Inn, Home2Suites, and Water Utility. In 2019, the Detention fund was transferred from Business-type activities to Governmental activities and is now recorded as a function of the Police Department in the General Fund portion of the budget. The City's Transit System is the largest business-type operation, followed by the Hilton Garden Inn, Home2Suites and the Golf Course.

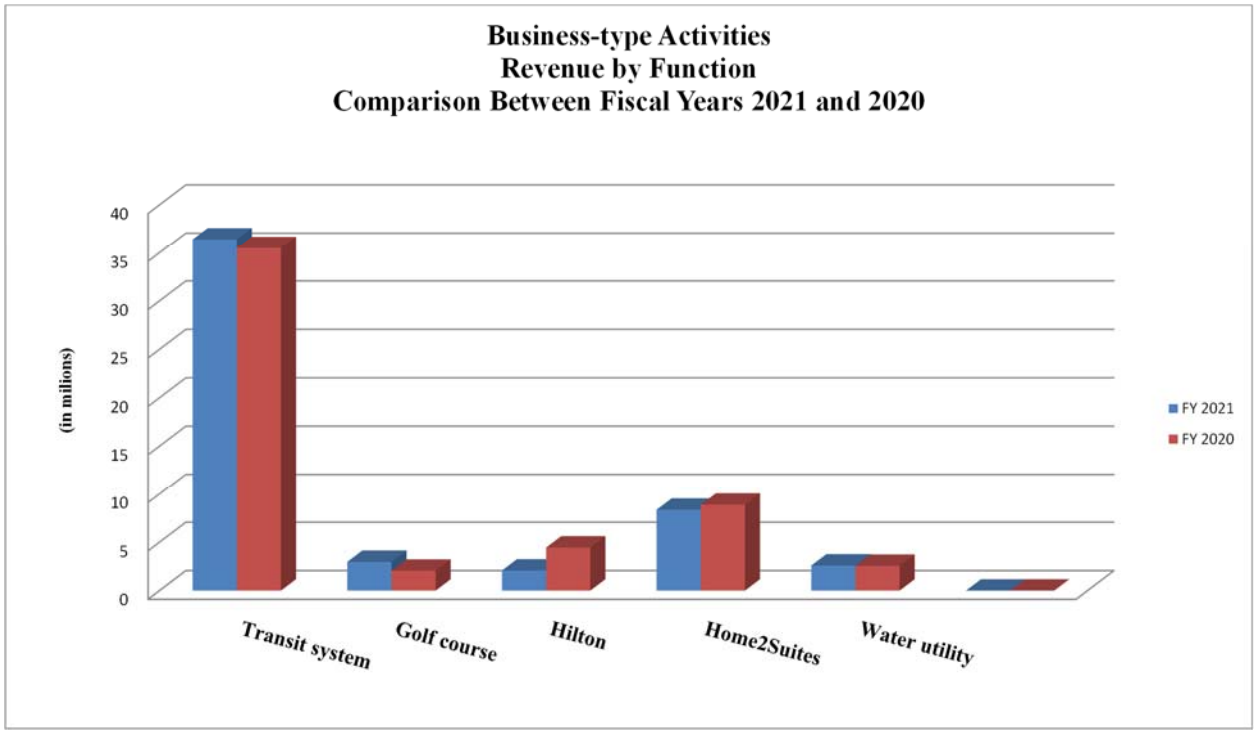
Business-type activities decreased the City's net position before transfers by $7.4 million, a decrease of $6.0 million as compared to the prior year, primarily a result of a decrease in overall revenues and an increase in operating expenses.

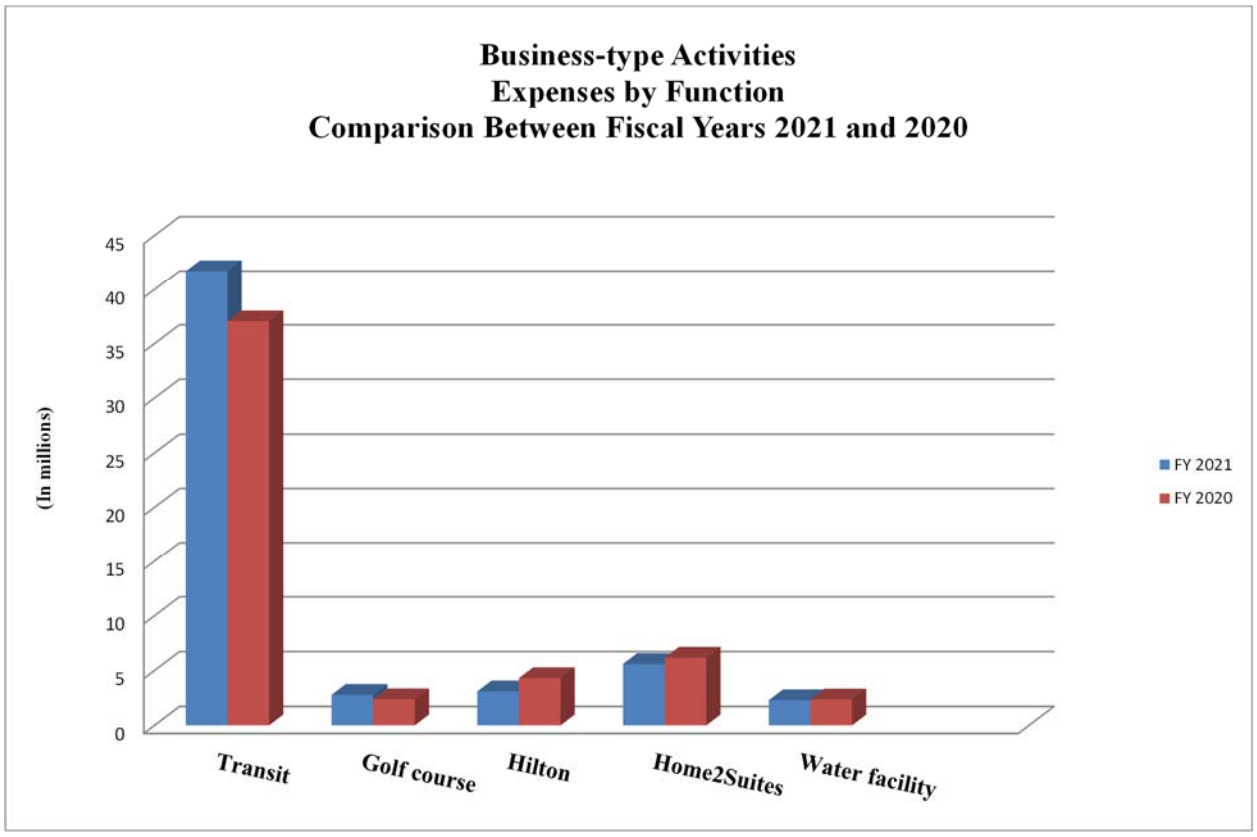
Total revenues for business-type activities were $52.4 million, compared to $53.9 million in the previous fiscal year, constituting a 2.7% decrease. The overall decrease is primarily a result of the lower revenues generated from hotel operations, which is a direct result of the coronavirus pandemic and its impact on hotel occupancy rates. In addition, the Hilton Garden Inn was closed between March and September 2020 in order to undergo a planned, complete renovation. The pandemic has continued to suppress hotel occupancy rates, but there have been improvements in recent months that indicate a slow return to pre-pandemic leisure and business travel activity.

It should be noted that the City's bus operations were impacted by the pandemic, leading to lower bus fare related revenue. Decreased ridership is directly related to changes in bus schedules and routes in an effort to promote social distancing and protect riders and employees.



Approximately 33.1% of revenue came from Charges for Services, which was generated from bus fares, special contracts, revenue from hotel room fees and golf course green fees, while the remaining 66.9% comes from State and Federal subsidies in the form primarily of Transit related grants and related revenue from Federal, State and local (i.e., Los Angeles County Metropolitan Transportation Authority) agencies.


Business-type Activities
Revenue by Function
Comparison Between Fiscal Years 2021 and 2020
(in milions)
40
35
30
25
20
15
10
5
0
Transit system
Golf course
Hilton
Home2Suites
Water utility
FY 2021
FY 2020


Business-type Activities
Expenses by Function
Comparison Between Fiscal Years 2021 and 2020
(In millions)
45
40
35
30
25
20
15
10
5
0
Transit
Golf course
Hilton
Home2Suites
Water facility
FY 2021
FY 2020

- The Transit System reported operating revenues of $1.4 million, $1.6 million (54.1%) lower than in 2020 due to lower ridership. This lower ridership can be directly attributed to the coronavirus pandemic and the suspension of bus operations as part of State orders aimed at reducing the spread of COVID-19. Non-operating revenues and capital grants received in 2021 and 2020 were $35.0 million and $32.5 million, respectively. Operating expenses in 2021 were $41.7 million; approximately $4.7 million higher than in 2020. Net position decreased by $6.8 million in 2021 compared to a decrease in net position of $1.4 million in 2020.

- The City's Golf Course generated slightly higher revenues for FY 2020-21 compared to the prior year due to improvements in operations from a new management company. Operating expenses increased by $402 thousand for the year primarily due to a new landscape contract. As a result, the Golf fund ended the fiscal year with a net income before transfers in of $96 thousand, a $526 thousand improvement over the prior year, reducing the subsidy needed from General fund.

- The Hilton Garden Inn reflected operating net loss before debt service of $1.0 million for FY 2021, a 829.5% decrease compared to last year. This decrease is directly attributable to the negative impact the coronavirus had on occupancy rates, as well as the six-month closure (discussed above) necessary for a complete remodel of the venue. Operating revenues decreased by $2.4 million (53.4%), a combination of reduced operations in line with lower occupancy rates, while operating expenses decreased by 28.1%.

- The Montebello Home2Suites reflected operating net income before debt service of $2.7 million. It had a net income of approximately $368 thousand after bond interest expense paid related to its construction.

Governmental Funds Financial Analysis (Reporting the City's most Significant Funds)

Governmental Funds. The focus of the City's *governmental funds* is to provide information on near-term inflows, outflows, and balances of *spendable* resources. Such information may be useful in assessing the City's financing requirements, in particular, unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

As of the end of the current fiscal year, the City's governmental funds reported total combined ending fund balances of $63.3 million, a decrease of $6.7 million (9.5%) as compared with the prior fiscal year. All governmental fund balances are either non-spendable, restricted, committed, assigned, or unassigned pursuant to GASB 54.

Non-spendable indicates they are fund balances tied to inventories, prepaid expenses and property held for sale. The *restricted* fund balance category includes amounts that can be spent only for the specific purposes stipulated by constitution, external resource providers, or through enabling legislation. These restrictions of fund balance are to indicate that portions of fund balance are not available for new spending, because they have already been committed to: 1) finance Special Revenue Fund expenditures, 2) pay debt service, or 3) finance ongoing capital projects.

Amounts in the *committed* fund balance are constrained for specific purposes that are internally imposed by the government through formal written action of the City Council. Amounts in the *assigned* fund balance classification are intended to be used by the government for specific purposes but do not meet the criteria to be classified as *restricted* or *committed*. The City has not designated committed or assigned fund balances as of June 30, 2021 (see next paragraph for further explanation).

Unassigned fund balance is the residual classification for the government's general fund and includes all spendable amounts not contained in the other classifications.

It should be noted that updated comprehensive reserve policies were originally adopted by the City Council as part of the Fiscal Year 2020-21 budget adoption process. These reserve policies created commitments and assignments in line with GASB 54, detailing specific uses for the commitments or assignments such as "Economic Uncertainty" or "Capital Projects. These new policies, and the assignment of portions of the General Fund's fund balance, will be fully implemented once total fund balance levels have risen to a point where the reserve categories can be fully funded. A complete copy of the reserve policies can be found in the City's adopted budget.

City of Montebello
General Fund
Years Ended June 30
(in thousands)

	2021	2020	Change Amount	Change %
Operating revenues	$ 56,114	$ 41,918	$ 14,196	33.9%
Operating expenditures	66,860	57,149	9,711	17.0%
Excess of revenues over (under) expenditures	(10,746)	(15,231)	4,485	-29.4%
Net operating transfers	3,099	3,659	(560)	-15.3%
Proceeds from capital lease	5,785	815	4,970	100.0%
Surplus (deficit)	(1,862)	(10,757)	8,895	-82.7%
Beginning fund balance	9,447	20,204	(10,757)	-53.2%
Ending fund balance	$ 7,585	$ 9,447	$ (1,862)	-19.7%

General Fund is the City's main operating fund. It is used to account for revenues and expenditures necessary to perform basic government functions that are not accounted for through other special revenue and grant funds. These are the typical services residents see daily: police and fire service, street maintenance, community services programming, etc.

In Fiscal Year 2020-21, the General Fund ended the year with a deficit of $1.9 million compared to a deficit of $10.8 million in the previous fiscal year.

	City of Montebello General Fund Year ended June 30 (in thousands) Budgeted Amounts		2021	Variance with Final Budget Positive	2020	Variance with Prior
	Original	Final	Actual	(Negative)	Actual	Year
Revenues						
Sales taxes	$ 18,241	$ 18,241	$ 22,270	$ 4,029	$ 12,818	$ 9,452
Property taxes	13,026	13,026	13,715	689	5,802	7,913
Other taxes	599	599	477	(122)	533	(56)
Franchise taxes	2,272	2,272	2,316	44	2,200	116
Licenses and permits	4,873	4,873	5,769	896	4,790	979
Fines and forfeitures	2,600	2,600	2,312	(288)	2,186	126
Investment income	150	150	77	(73)	137	(60)
Intergovernmental	6	790	1,096	306	6,910	(5,814)
Charges for services	7,220	7,220	6,317	(903)	6,053	264
Other revenue	384	384	1,763	1,379	490	1,273
Total revenues	$ 49,371	$ 50,155	$ 56,114	$ 5,959	$ 41,919	$ 14,195

The key factors affecting the fund balance of the General Fund for FY 2020-21 are as follows:

- General Fund revenues increased by $14.2 million (33.9%) from the prior year which is primarily due to the overall increase in sales and property tax revenues. The increase in sales tax is attributed to the approval of a new Transaction and Use Tax (Measure H) in March 2020. Montebello residents approved the new ¾ cent transaction tax, which went into effect July 1, 2020. Fiscal Year 2020-21 also saw an increase in retail economic activity due to lesser mandated coronavirus closures of department stores, restaurants, bars, and other sales tax generating operations, when compared to the prior fiscal year.

- The increase is the property tax revenues is primarily due to the increase in annual assessed valuations, which saw a 3.2% increase to the median value of a detached single family home in Montebello when compared to the prior year ($650,000 vs. $627,500), and an overall increase of 5.0% in assessed values of all property in the City

- General Fund expenditures, excluding interfund charges, increased by $9.7 million (17.0%). This is mainly caused by increases from the purchase of two properties on Whittier Boulevard as well as vehicle purchases by the Police Department. Of the total general fund expenses, Public Safety accounted for 48.8%, Public Works was 15.9% and General Government was 12.5%.

Retirement Fund is reserved for the payment of retirement expenses (both Normal Cost and Unfunded Accrued Liability) for all employees of the City. The Retirement Fund is financed by the retirement portion of the property tax revenue (i.e., property tax override) pursuant to a 1946 voter approved initiative to provide for the retirement benefit costs of City employees. The City's Retirement Fund increased its net position by $3.9 million in Fiscal Year 2020-21 to $17.6 million. The total net pension asset excluding the Transit fund was $1.5 million as of the end of FY 2020-21. The City issued $153.4 million in Pension Obligation Bonds (POBs) in May 2020, the proceeds of which were used to completely extinguish the unfunded accrued liability (UAL) per the 2018 actuarial valuation from PERS.

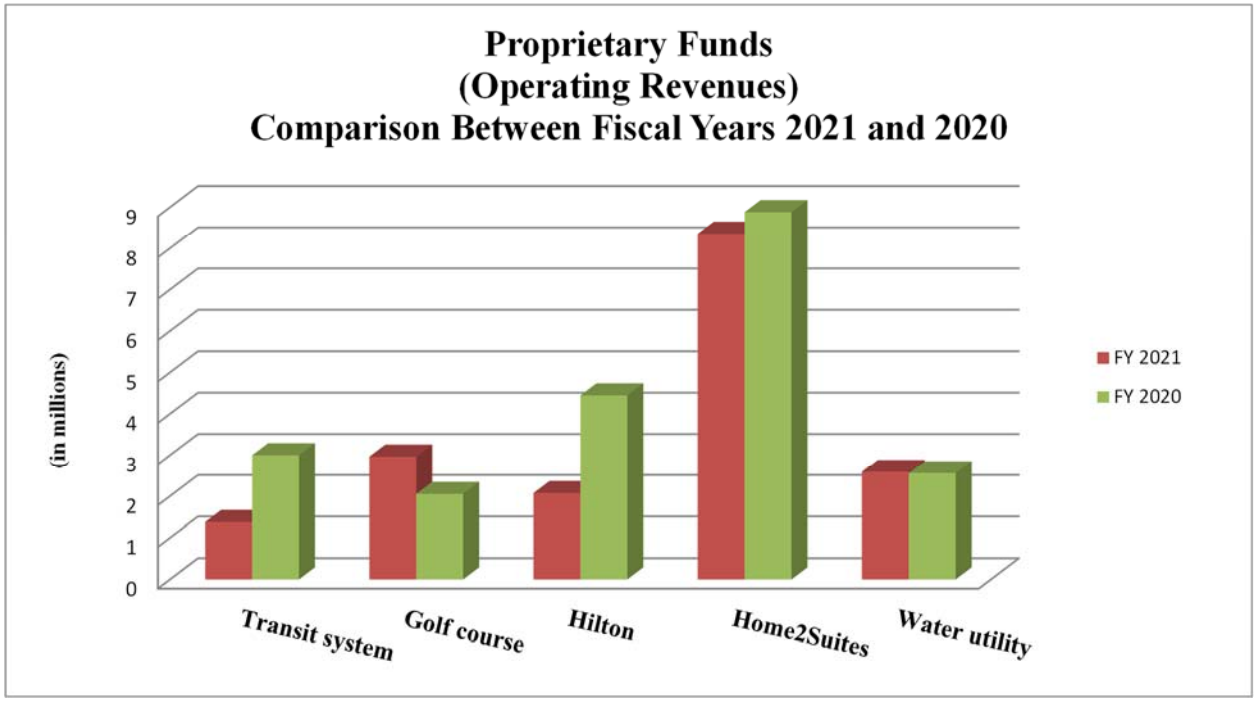
Proposition C Fund- is used to account for the receipt of the half-cent sales tax allocated by Los Angeles County Metropolitan Transportation Authority (LACMTA). During the year ended June 30, 2021, the net position decreased by $876 thousand primarily due to expenditures related to various capital projects citywide focused on road and street repair.

Public Financing Authority Debt Service Fund is used to account for the accumulation of resources required for the payment of interest and principal on all revenue bonds issued by the Public Financing Authority. During the year ended June 30, 2021, the net position decreased slightly.

Self-Insurance Fund is the City's lone Internal Service Fund which is used to set aside funding to cover workers' compensation, liability claims, and potential future claims. The Self Insurance fund ended the year with deficit net position of $13.9 million compared to a deficit net position of $13.4 million in the prior fiscal year. The increase in deficit of $447 thousand was primarily a result of an increase in the costs of claims and premiums. The City has a new third party administrator as of May, 2020 and is focused on reducing its workers compensation and general liability claims costs.

Proprietary Funds

The City's proprietary funds account for the City's business-type activities.



Transit:

The Transit System incurred an operating loss of $40.3 million compared to $34.1 million in the prior fiscal year, an increase in loss of approximately $6.3 million (18.5%).

Operating revenues include bus fares and special contracts which totaled $1.4 million, which was $1.6 million lower than the prior year total of $3.0 million, primarily due to lower ridership. The lower ridership was due to the suspension of bus operations early in the fiscal year in an effort to abide by State and

County orders aimed at minimizing the spread of COVID-19. Operating expenses for Transit amounted to $41.7 million in 2021, an increase of $4.6 million from $37.1 million in 2020. Operating expenses included $5.0 million in depreciation expense reported as required by accounting standards.

The operating loss was offset by approximately $23.2 million in operating subsidies from the Los Angeles County Metropolitan Transportation Authority (LACMTA), and capital contributions of $11.8 million. Total subsidies from various sources was approximately $2.5 million higher than the prior fiscal year, resulting in a net loss of $6.8 million, compared to $1.4 million net loss in the prior year.

Golf:

The Municipal Golf Course incurred operating income of $187 thousand, which was $514 thousand more than the prior year. Its operating revenues for the FY 2020-21 were $3.0 million and operating expenses were $2.8 million. Operating revenues were 44.6% higher than in the prior year. The City engaged a new management company in March 2020, and operations have improved at the Golf Course, especially in the area of revenue collections. Total operating expenses, which included $233 thousand of depreciation expense, increased by $402 thousand (16.9%), primarily due to increased contract costs from a new landscape maintenance provider. As a result, the subsidy needed from the General Fund was decreased when compared to prior years.

Hilton Garden Inn:

The Hilton Garden Inn reflected operating revenues of $2.1 million, $2.4 million (53.4%) lower than the prior fiscal year. This is primarily due to the negative impact the coronavirus pandemic had on occupancy rates, coupled with a six-month closure (March-September, 2020) required for the complete remodel of the property. Operating expenses decreased by 28.1% due to lower administrative expenses directly related to lower occupancy and the renovation related closure

Home2Suites:

Home2Suites generated approximately $8.4 million in revenues and incurred $5.6 million in operating expenses. As a result, the hotel had a net operating income of $2.7 million dollars in its second full year of operations. It has a net income of approximately $368 thousand after bond interest expense paid related to its construction.

Capital Asset and Debt Administration

Capital Assets

The City's capital assets for its governmental and business-type activities as of June 30, 2021 amounted to $206.0 million, net of accumulated depreciation. Capital assets include land, buildings, improvements, machinery and equipment, park facilities, roads, highways, and bridges. The City's capital assets net of accumulated depreciation increased by 9.2% over the prior year primarily due to ongoing construction projects.

City of Montebello
Summary of Capital Assets, Net of Depreciation
As of June 30
(in thousands)

	Governmental Activities		Business-type Activities		Total	
	2021	2020	2021	2020	2021	2020
Land	$ 2,378	$ 1,945	$ 6,307	$ 6,307	$ 8,685	$ 8,252
Rights-of-way	14,392	14,392	-	-	14,392	14,392
Construction in progress	32,503	11,517	5,609	3,118	38,112	14,635
Buildings and improvements, net	30,872	31,209	73,268	76,572	104,140	107,782
Machinery and equipment, net	8,319	8,723	18,502	21,456	26,821	30,179
Infrastructure	13,866	13,370	-	-	13,866	13,370
	$ 102,330	$ 81,157	$ 103,685	$ 107,452	$ 206,015	$ 188,609

The capital asset classes include:

- Sewer system, including sewer pipes, pumping stations, manholes, and laterals;
- Storm drain system, including storm drain pipes, flood control channels, and catch basins;
- Streets, including pavement, curb and gutter, sidewalks, medians, greenways, block walls and traffic signals;
- Buildings, including building remodels, building lighting systems, building equipment, and building roofs; and
- Parks, including associated structures and infrastructure assets.

Major capital asset transactions during the current fiscal year included the following:

- Building and Improvements are the largest categories of capital assets of the City, making up 50.5% of the total capital assets. During the fiscal year, the City purchased a property at 715 W. Whittier Blvd for a total of $1.2 million, $769.9 million attributed to the building and $433.1 million for the value of the land.
- Machinery, Equipment, and Automotive Equipment totaled approximately $26.8 million in 2021 which included: purchases of one (1) new CNG Bus, 13 police and code enforcement vehicles, new air compressors, etc.

Additional information on the City's capital assets can be found in Note 3 to the basic financial statements section of this report.

Long-term Debt

At the end of Fiscal Year 2020-21, the City had total debt outstanding of $324.6 million, a decrease of $146.2 million compared to the prior year. This decrease is directly attributable to the elimination of $144.6 million in net pension liability from the issuance of pension obligation bonds (POBs) at the end of FY 2019-20.

The outstanding debt includes $255.0 million of revenue bonds and $30.4 million of other postemployment benefit obligation. The remaining $39.3 million relates to the claims payable, notes payable, capital leases and compensated absences. Pension liability decreased $144.6 million compared to 2020 due to the settlement of the unfunded accrued liability (UAL) per the 2018 actuarial valuation from PERS using the proceeds of the pension bond issued in May 2020. Total long-term claims payable as of June 30, 2021 was $23.6 million, an increase of $1.5 million compared to prior year based on an actuarial report. Outstanding debt is summarized below.

City of Montebello
Summary of Long-term Debt
As of June 30
(in thousands)

	Governmental Activities		Business-type Activities		Total	
	2021	2020	2021	2020	2021	2020
Revenue bonds, net	$ 143,693	$ 149,785	$ 111,287	$ 114,347	$ 254,980	$ 264,132
Claims payable	23,601	22,121	-	-	23,601	22,121
Notes payable	8,692	3,315	1,099	528	9,790	3,843
Capital lease obligation	1,403	1,993	240	423	1,643	2,416
Compensated absences	2,977	2,630	1,295	1,202	4,272	3,832
Net pension liability (asset)	(1,467)	110,928	(974)	33,639	(2,441)	144,567
Other postemployment benefit obligation	26,339	27,072	4,020	2,849	30,359	29,921
Sub total	205,238	317,844	116,966	152,988	322,204	470,832
Less current portion	16,162	6,808	3,968	3,992	20,130	10,800
Noncurrent portion	$ 189,076	$ 311,036	$ 112,998	$ 148,996	$ 302,075	$ 460,032

Additional information on the City's long-term debt can be found in Note 8 to the basic financial statements section of this report.

Credit Rating

As of the date of this ACFR, the City S&P underlying credit rating is "A+", which represents an improvement of one-step (from "A"). The "A" rating was provided in December 2019 as part of debt issuance for the "Paving the Way Project" (Sales Tax Revenue Bonds, Series 2019ABC) and refinancing of Lease Revenue Bonds of the Montebello Hilton (Hilton Garden Inn). The upgraded "A+" rating was awarded with the issuance of the Pension Obligation Bonds in May 2020. It should be noted that the "A+" rating was reaffirmed, and the previous "unstable" outlook provided as part of the POB issuance was removed and replaced with "stable" with S&P's annual credit update review conducted in July, 2021.

Economic Overview

Fiscal Year 2020-21 continued to be influenced by the global coronavirus pandemic and the various economic and social responses to it. Responses to the pandemic varied by country, region, state and even locality. In the United States, the Business Cycle Dating Committee of the National Bureau of Economic Research (NBER) declared the start of a recession in February 2020, which ended in April 2020, making it the shortest recession on record. The Committee determined that a peak in quarterly economic activity occurred in the fourth quarter of 2019, with a monthly peak in economic activity of February 2020 marking the beginning of the "COVID-19 recession," and a trough in economic activity occurring just two months later in April 2020

This short-lived recession – and the concomitant pandemic related responses – continued to impact the economy into FY 2020-21. However, as evidenced by much stronger than anticipated sales tax revenue performance, the local Montebello economy fared better than anticipated when the FY 2020-21 budget was being developed. The surge in coronavirus cases in Fall and Winter of 2020 did not negatively impact economic activity to the extent witnessed by the original outbreak in Spring, 2020. However, it should be noted that the impacts from the "Delta Variant" and more recent "Omicron Variant" did not impact FY 2020-21 but could negatively influence the national economy in FY 2021-22 and beyond, with unknown impacts locally.

More generally, Gross Domestic Product (GDP) is forecast to grow by an annualized rate of 5.0% in the fourth quarter of 2021 (October – December), vs 2.0% growth in the third quarter of 2021 (July – September). Overall annual GDP growth for 2021 is forecasted at 5.5%, with a 3.5% growth predicted for 2022 and 2.9% in 2023. There is renewed concern that a resurgence in new COVD-19 cases will be seen in the first quarter of 2022, mimicking a similar pattern seen in early 2021. This concern is coupled with the persistence of high inflation rates. Nevertheless, there are projections of robust economic expansion over the next two years, despite the pall cast over the economy by the pandemic.

The good news is the bulk of economic growth will be associated with continued expansion in consumer spending. Locally, that could equate to a continuation of strong sales tax results as retail businesses in Montebello see improvement in activity. More generally, as online retail activity continues to grow, its importance to local cities will also expand as the City's share from the County sales tax pool grows.

Also portending positive economic activity is the forecasted reduction in the national unemployment rate. Nationally, it was 8.1% in 2020, is forecasted to be 5.4% at the end of 2021, and is expected to drop over the next two years (4.0% and 3.5% in 2022 and 2023 respectively). As the economy moves towards full employment, this should help with overall consumer sentiment.

Recently, much attention has been paid to inflation, and whether it is truly transitory or not. Some forecasts indicate inflation peaked in the second quarter of 2021 (April – June). Core CPI (which strips out volatile food and energy prices) is forecasted at 5.1% for 2021 but dropping to 2.7% and 2.5% in 2022 and 2023 (respectively). Another measure of price changes in the market, the Personal Consumption Expenditure (PCE) deflator (the measure preferred by the Federal Reserve), is also expected to slow in 2022 and 2023, returning to the 2.0% Federal Reserve target level.

In general, according to the UCLA Anderson Forecast, California's recovery and expansion will outpace those of the nation. While income inequality will persist throughout the State, forecasters point to the State's better public health outcomes and transition to new ways of working (i.e., remotely) as the main reasons why California's recovery will be better than the United States'. Unemployment in the State – like the nation – will continue to fall from 7.6% in 2021, to 5.6% and 4.4% in 2022 and 2023 respectively.

The focus locally in Montebello continues to be on sales tax, as it comprises more than one-third of all General Fund revenue. Traditional (i.e., Bradley Burns 1%) sales tax revenue for FY 2020-21 was $13.5 million, $1.7 million greater than the adopted budget. In addition, the new, voter approved Measure H Transaction and Use Tax outperformed budget by $1.7 million. These General Fund sources of revenue helped mitigate lower revenue in charges for services and fines and forfeitures. Suspension of street sweeping enforcement and cancellation of all community services' programming resulted in lost revenue when compared to the adopted budget in these two categories.

Based on these results for FY 2020-21, total sales tax revenue for FY 2021-22 is expected to be higher than the adopted budget. The City's share of the County sales tax pool has grown significantly since 2018 and 2019. The Supreme Court decision in *Wayfair vs. South Dakota* (2018) and the implementation of Assembly Bill 147 in 2019 have improved collection of sales tax by remote sellers. A recent UCLA Anderson Forecast indicated that *Wayfair* and AB 147 lowered the cost of compliance and enforcement of sales tax remittance, which resulted in more reported taxable sales. More reported taxable sales equates to more sales tax revenue.

Montebello is also benefiting from the additional ¾ cent Transaction and Use Tax implemented in July 2020. The Measure H revenue is adding an additional $7.7 million plus to General Fund revenue in FY 2021-22, helping to close a twenty plus year history of structural deficits (i.e., adopted expenditures exceeding adopted revenues).

Management will continue to monitor the impacts which the pandemic continues to have on the local and regional economy, especially with the newly identified "Omicron Variant." Staff will adjust revenue and expenditure forecasts as more data become available. Regardless, Montebello remains well positioned to weather the current economic storm, having recently improved organizational efficiencies and effectiveness, continued investing in capital projects and infrastructure improvements, and updated policies and procedures as well as accomplished myriad other projects aimed at improving the City's long-term financial standing.

Requests for Information

This financial report is designed to provide a general overview of the City's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report can be answered by visiting the City's website at www.cityofmontebello.com.

ITEM #10

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: Michael Solorza, Finance Director

SUBJECT: **Fiscal Year 2021-22 Second Quarter Budget Report**

DATE: February 9, 2022

RECOMMENDATIONS:

It is recommended that City Council:

1. Receive and file this agenda report and the presentation on the Fiscal Year 2021-22 Second Quarter Budget report; and,

2. Amend the budget by increasing appropriations by the listed amounts in the various accounts listed on Attachment B; and,

3. Update the Table of Organization/Master Position Control by adding two (2) Deputy Director positions in the Transit Department (Attachment C); and,

4. Take whatever additional actions necessary.

FISCAL IMPACT

The Fiscal Year 2021-22 budget was adopted on June 23, 2021. Since adoption, changes (amendments) to the budget have been made. In addition, there are now six months of revenue and expenditure results that allow trends to be analyzed and an updated budget forecast to be presented. In addition, presentation of quarterly reports on a regular basis show good financial stewardship and promote transparency.

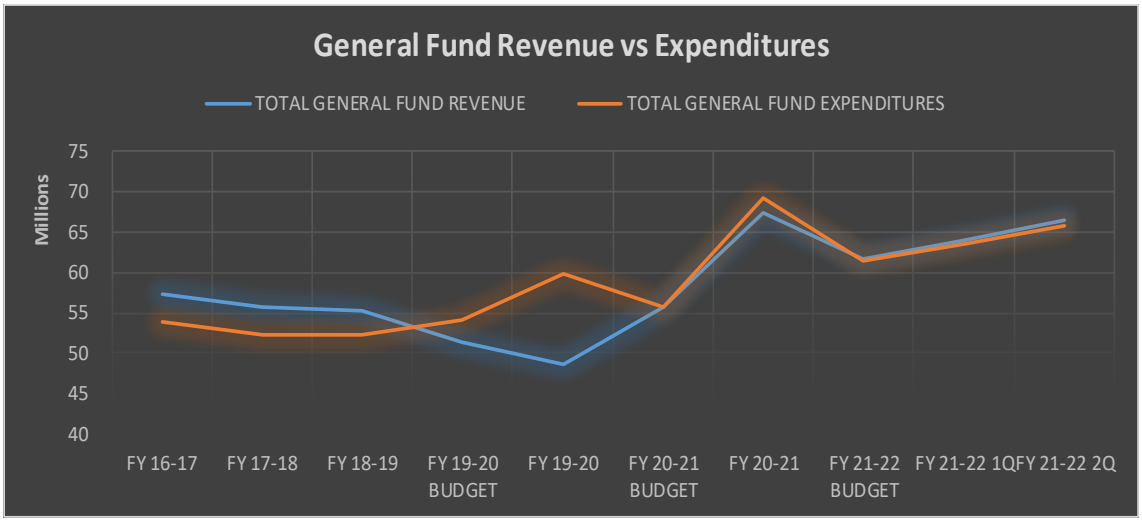
This 2nd Quarter Budget report will focus on the General Fund, and will provide updated expenditure and revenue projections for the fiscal year. There will also be a brief discussion of the Golf Course fund as well as the two enterprise funds which record the activity of the City-owned hotels (Hilton Garden Inn and Home2Suites).

The General Fund budget was adopted with a $310,460 surplus; revenue of $61,719,150 forecasted higher than expenditures of $61,408,690. Since adoption in June, budget amendments have been made to department expenditure appropriations. Updated (unaudited) revenue performance at the June 30, 2021 fiscal year close has provided additional information to update FY 2021-22 revenue projections. Also, six months of actual data provide trends for where expenditures are headed by year-end, allowing for updated estimates vs. the budget adopted seven months prior.

The updated expenditure and revenue projections for the General Fund are presented in the table below, as well as the adopted and amended budgets. In addition, a comparison of the 1st Quarter projections are included, to show changes in revenue and expenditure projections since September. The updated projections indicate a $645,461 surplus for FY 2021-22 (revenue exceeding expenditures). Expenditures are projected to be $2.437 million greater than 1st quarter projections, offset by a growth in revenue estimates since then of $2.554 million.

	FY 2021-222 ADOPTED	FY 2021-22 AMENDED	FY 2021-22 PROJECTED (1st Quarter)	FY 2021-22 PROJECTED (2nd Quarter)	Variance Qtr - Qtr
EXPENDITURES	61,408,690	66,016,861	63,482,985	65,920,239	2,437,254
REVENUE	61,719,150	61,719,150	64,011,850	66,565,700	2,553,850
Surplus / (Deficit)	**310,460**	**(4,297,711)**	**528,865**	**645,461**	

The chart below provides historical context, plotting actual and budgeted General Fund revenues against expenditures:



There were slight surpluses in actuals pre-pandemic (i.e., prior to FY 2019-20). The large gap between revenue and expenditures in FY 2019-20 shows the impact of lower revenue (negatively impacted by the pandemic and its effects on the economy) plus one-time capital expenditures related to infrastructure projects: Taylor Ranch, City Hall roof, Police HVAC, etc. The surplus forecast for the current fiscal continues a positive trend where projected revenue exceeds forecast expenditures.

The paragraphs below present a more detailed discussion of the changes based on 2nd Quarter actuals and their impact on the forecast for fiscal year end. It should be noted that the updated revenue projections do not include recognition of revenue received through the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) program. Further discussion below provide detail of how CSLFRF revenue will be recorded in the General Fund in FY 2021-22.

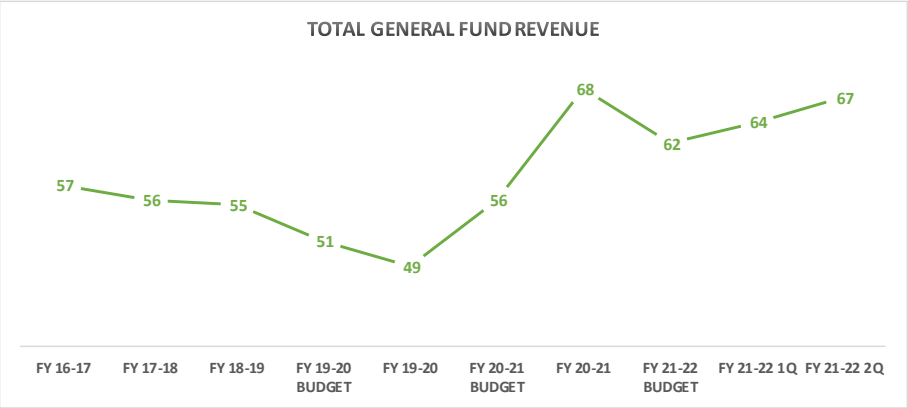
ANALYSIS

At the time the FY 2021-22 budget was adopted on June 23, 2021, revenue and expenditure forecasts were based on April and May information, tempered and informed by prior year and historical data. The closing of the books for FY 2020-21 provided additional insight into revenue and expenditure performance. That information along with additional data (i.e., actuals) from July – December allows an updated forecast for fiscal year-end to be presented. This 2nd Quarter budget update will also serve as a "jumping off" point to begin FY 2022-23 budget preparation discussions.

The paragraphs below present highlights of significant changes to revenue and expenditure projections in the General Fund, followed by a discussion of CSLFRF revenue and an overview of golf course and hotel operations.

Revenue

Overall, General Fund revenue is projected to be $4,846,550 higher than the adopted budget ($66.566 million vs. $61.719 million). This increase represents the net impact of changes to revenue accounts across the General Fund. The chart and table below presents high-level overviews of General Fund revenue – by totals and major revenue category:



	FY 21-22 ADOPTED	FY 21-22 FORECAST (2QTR)	Variance
SALES TAX	20,765,000	24,120,000	3,355,000
PROPERTY TAX	14,293,100	14,379,100	86,000
OTHER TAXES	610,000	625,000	15,000
FRANCHISE TAXES	2,163,000	2,338,000	175,000
LICENSES AND PERMITS	5,942,000	6,620,000	678,000
FINES AND FORFEITURES	2,250,000	2,860,000	610,000
INVESTMENT INCOME	575,000	524,000	(51,000)
INTERGOVERNMENTAL	7,500	19,700	12,200
CHARGES FOR SERVICE	7,291,850	7,326,150	34,300
OTHER REVENUE	882,500	1,114,550	232,050
Sub-total Operating Revenue	**54,779,950**	**59,926,500**	**5,146,550**
TRANSFERS IN	4,100,000	3,800,000	(300,000)
PROCEEDS FROM CAPITAL LEASE	-	-	-
ADMINISTRATIVE OVERHEAD	2,839,200	2,839,200	-
	6,939,200	**6,639,200**	**(300,000)**
	61,719,150	**66,565,700**	**4,846,550**

The largest positive change comes in the Sales Tax category, showing an increase of 16.2%, or $3.355 million over the adopted budget. The pandemic wreaked havoc with the economy and society the past two years. It was prudent to conservatively project sales tax revenue for FY 2021-22, especially not knowing how the final quarters of FY 2020-21 would play out.

In addition, the newly enacted Measure H transaction and use tax had only become active as of July 1, 2020; therefore no prior historical data was available to inform projections. Staff purposely recommended very conservative projections for sales tax performance given the uncertain nature of the pandemic's impact on the local economy.

The table below shows FY 2020-21 budget and actuals and the FY 2021-22 adopted budget and updated 2nd Quarter forecast for all three major sales tax revenue streams:

	2020-21 Adopted Budget	2020-21 Actual	FY 21-22 ADOPTED BUDGET	FY 21-22 UPDATED FORECAST	Variance
Sales Tax	11,270,000	13,507,132	12,470,000	14,225,000	1,755,000
Sales Tax-Monterey Park Martketplace	971,000	1,064,486	1,125,000	1,125,000	0
Sales Tax-Measure H	6,000,000	7,698,629	7,170,000	8,770,000	1,600,000
	18,241,000	**22,270,247**	**20,765,000**	**24,120,000**	**3,355,000**

The Bradley Burns 1% sales tax forecast shows 5.3% growth from FY 2021-22 actuals, while Measure presents a 13.9% growth over prior year actuals. The economy clearly continues to improve – at least locally. Staff has conferred with its sales tax consultant (HdL Companies) and feel confident in these updated estimates. Moreover, HdL has indicated that in the instance of new Transaction and Use Tax, it can take one to two quarters for retailers to fully understand and remit the new amounts. Heading into the second full year of Measure H, current trends appear more accurate than at this point last fiscal year.

The increase of $678,000 in the Licenses and Permits category is due to improved performance in Business License, accounting for $425,000 of that increase. Every approved, legal business operating in Montebello must have a business license. The City contracted for the administration of this program to HDL and Companies in October, 2020. The knowledge and expertise of the HDL staff have increased the number of businesses complying with the City's business license requirement. In addition, HdL staff consistently monitor and send renewal notices, ensuring business remain current with their licenses. With additional businesses added through compliance efforts, and annual renewals properly followed up on, overall revenue has increased. It should also be noted that the full-time City position previously responsible for business license program management has remained vacant since November, 2020. This vacancy provides additional savings on the expense side of the ledger.

This improved revenue performance has occurred despite the fact that business license rates remain frozen at 2010 levels. Staff re-implemented the freeze in spring, 2021 response to the pandemic. However, Staff have reviewed the freeze with the City Attorney's office and its consultant (HDL) and have a proposal for lifting the freeze and updating fees. The update would improve equity amongst business types in the City, as well as improve overall revenue performance. Staff will follow-up with the City Council in subsequent meetings.

The Fines and Forfeitures category is projected to see $610,000 in additional revenue for FY 2021-22. The primary reason is improved collection and remittance of moving violations and parking tickets. The pandemic caused a decrease in the remittance of fine payments – with suspended street-sweeping related parking enforcement and leniency by the Los Angeles County superior court – through 2020 and into 2021. Staff is currently reviewing proposals to improve street sweeping related parking enforcement, which will help the City comply with clean water mandates as well as improve City streets' aesthetics. Currently, part-time Parking Enforcement staff has been hired, as the City looks to improve citywide parking enforcement efforts. The by-product of this improved performance will be additional parking enforcement revenue.

Investment Income is projected to be reduced ($51,000) due to the continued low-interest rate environment. Other Revenue" has some one-time sources combined with prior year and current year reimbursements of public safety training costs. There is also $175,000 estimated for the sale of water rights, assuming the sale of the City's water system is finalized this fiscal year.

The $34,300 increase to Charges for Service is from improved fire inspection collection and additional fire plan check revenue. The newly rejuvenated Fire Department Prevention Bureau – with a full-time, professional Fire Marshall and (currently) one full-time Fire Inspector I – has allowed the City to meet its State Fire Code inspection mandates. This activity in turn means additional inspection revenue, as staff time is recovered through charging approved inspection fees.

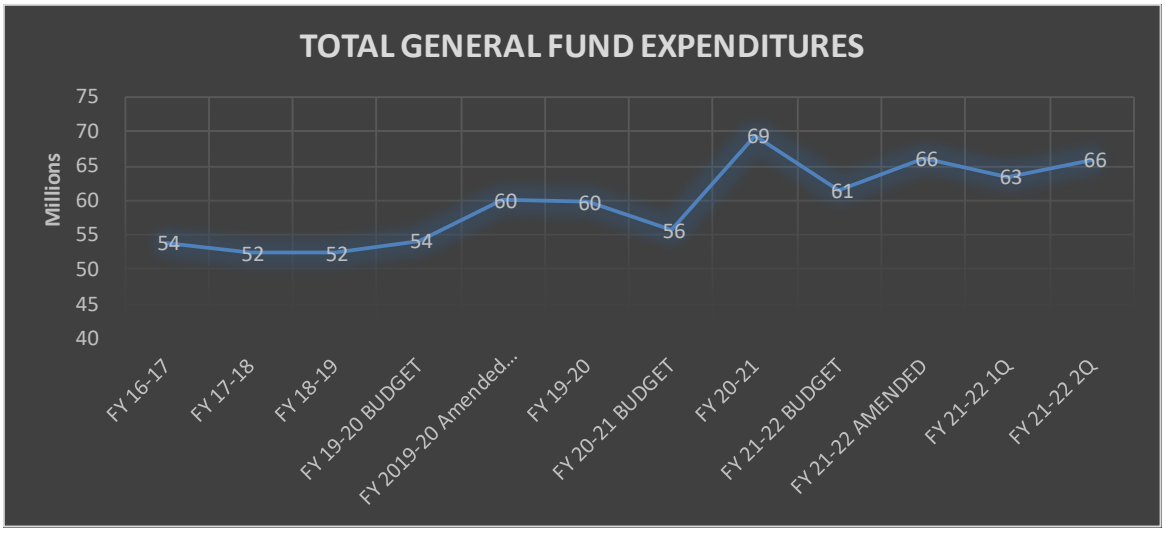
Transfers In (non-operating) revenue will be reduced by $300,000. This reduction is from lower pension (i.e., PERS) costs. This particular Transfer In reimburses the General Fund

for pension related expenses, utilizing revenue from the Property Tax Override. While revenue is reduced, there is a concomitant reduction in pension expenses in operating departments.

The additional $4.847 million in General Fund revenue projected for FY 2021-22 is a positive sign of the recovering economy, improved City operations, and other related changes. Staff will continue monitoring revenue actuals, and will present an updated forecast as part of the FY 2022-23 budget development process. The following paragraphs provide additional analysis on General Fund expenditure projections.

Expenditures
General Fund expenditures are projected to be $65,920,239 for FY 2021-22. This $4.512 million (7.3%) increase over the adopted budget takes into account budget amendments approved by the City Council since July, encumbrance rollovers from the prior year, and updated forecasts for various line-item expense categories. There are budget amendments needed (Attachment B) in order to match budgets with updated projections. Attachment B provides detail on the budget amendments needed, with a description for each amendment.

The chart below provides a historical trend back to FY 2016-17 of General Fund expenditures (actuals and budget):



The table below shows – by Department/operational area – the adopted and amended budgets for FY 2021-22, as well as the updated projections based on actuals through December. The "Variance" column shows whether the 2nd Quarter projected amount is greater than (positive amount) or less than (negative amount) the amended budget:

	FY 2021-222 ADOPTED	FY 2021-22 AMENDED	FY 2021-22 PROJECTED (2nd Quarter)	Variance (Proj vs. Amended)
ADMINISTRATION/ELECTED	2,354,400	2,362,821	2,521,338	158,517
HUMAN RESOURCES/INFO TECH	1,928,000	2,009,987	1,978,497	(31,490)
PUBLIC WORKS	9,512,600	11,331,100	11,926,144	595,044
FINANCE	2,130,300	2,130,511	2,409,610	279,099
COMMUNITY DEVELOPMENT	2,489,820	3,064,790	2,673,808	(390,982)
PARKS AND RECREATION	5,361,550	5,376,521	5,564,356	187,835
POLICE	18,818,950	19,477,674	19,398,154	(79,520)
FIRE	15,814,270	16,206,269	15,034,454	(1,171,815)
NON-DEPARTMENTAL	2,998,800	4,057,188	4,413,878	356,690
	61,408,690	**66,016,861**	**65,920,239**	**(96,622)**

For Administration (which includes the City Manager's office, City Attorney and elected officials), the primary reasons for the projected overage is increased legal costs, and additional advertising and printing expenses. Finance's projected overage is generally due to additional professional services costs. For example, additional contract services expenses related to animal control (SEAACA) and business license administration is causing the overage forecast.

Most of the $595,044 variance in Public Works is from the Montebello Boulevard improvement project. There is a portion of this $7.0 million project ($498,000) that will be reimbursed by the Montebello Hills developer, and which is recorded in the General Fund. Details of the reimbursement are still being discussed, with anticipation of these costs being fully reimbursed. Once that occurs, revenue will be recorded in the General Fund and budget adjustments will be made to reflect the additional expenses and revenue. Currently, out of an abundance of caution, the General Fund revenue forecast does not include any anticipated reimbursement. Should the reimbursement occur in the current fiscal year, that action would increase the $66.566 million revenue forecast by the amount reimbursed.

The overage for Non-Departmental reflects the anticipated spending of remaining 2009A Excess Bond Proceeds, as well as higher than anticipated retiree medical costs. Staff in Public Works is reviewing pending facility and other projects that are 2009A Excess Bond Proceeds eligible. The recommended budget amendments (Attachment B) will address these over budget areas in the Non-Departmental function.

The remaining departments are showing varying degrees of budget savings. In Community Development, there is a reduced use of some professional services in the areas of plan check and cannabis consulting. As the City adds professional staff in various areas – Building Official, Combination Inspector, etc. – the reliance on third party consultants to provide services is reduced. This adjustment to operations improves service, while reducing the dependence on consultants.

Human Resources and Fire are realizing salary and benefit, equipment and supplies related savings. The adopted budget was developed assuming a certain staffing plan – making allowances for existing staff while projecting the cost impacts of additional staff added through the budget process. Offsetting some additional staff related costs are

unexpected vacancies that occur across departments, or recruitments to fill vacancies taking longer than expected. Both of these situations ultimately produce (unanticipated) salary savings in the aggregate.

The Fire Department has so far produced savings in regular salaries and overtime across all divisions, but primarily in the Suppression Division. Overtime is generally trending lower ($425,000 under budget) in Suppression due to the fact that there are fewer vacancies at this point in the fiscal year than in prior fiscal years. Nearing full staffing of Firefighters and Engineers requires less overtime to backfill the vacant positions. Salary savings are being seen in the Prevention and Communication Divisions, with anticipated/budgeted positions taking longer to be filled than anticipated. Fire is also trending lower in some supplies, equipment and contract categories across all divisions.
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Police is showing a slight savings ($79,500) vs. the amended budget, despite the increased need for overtime in some divisions. Overtime in Patrol and Communications is higher than budgeted. There are a variety of reasons for this: full-time vacancies requiring backfill, additional enforcement efforts for car cruising and other nuisances, special events, increased training (offsite) requiring the back fill of positions, etc.

The recommended budget amendments (Attachment B) will add budget where needed, “fixing” various over-budget line items. It must be noted that the projected total General Fund expenditure amount of $65,920,239 includes the line-items in Attachment B. In other words, increasing budget appropriations to align projected expenditures with amended budget will not further increase projected expenses for the General Fund. Staff will continue monitoring the budget and will recommend appropriation increase where and when necessary to ensure amended budget amounts match final expenditures.

In addition, the Table of Organization/Master Position Control will be increased by two (2) full-time equivalent (FTE) positions. The proposal is to add two “Deputy Directors” to the Transit Department. These positions would be funded 100% from the Transit Fund, and would have not fiscal impact to the General Fund. These positions would allow for additional management oversight of a large and complex department.

Golf Course and Hotels (Revenue and Expenditures)
The Golf Course (Fund 610) records revenue and expenditures from golf course operations as well as the Quiet Cannon. The majority of the activity in Fund 610 is from the golf course. The course continues to lose money, costing more to operate than the revenue it brings in to support labor and maintenance costs. While the General Fund subsidy has decreased the last few years ($471,000 for FY 2020-21 vs. $750,000 for FY 2019-20), there is still a projected subsidy for FY 2021-22.

Even with continued improvement in revenue, there is a projected deficit (i.e., expenditures over revenue) of $53,500 by fiscal year end. Labor costs have been reduced vs. prior years, as course management and landscape services have been contracted. In addition, utilities expenses are approximately $400,000 annually (electricity, water, etc.), even with reduced costs for water as the course switched to the use of reclaimed water. Without significant adjustments to green fees or cart rental

charges, revenue will not outperform expenses. In addition, the Golf Course is in need of significant capital investment – repairing and replacing sand traps, improving fairways and making other necessary repairs. There is not capital reserve in order to fund these types of necessary repairs, as the course continues to operate with a deficit.

The City continues to work closely with Top Golf to transform the entire golf course into a new entertainment venue that preserves its nature as a golf course, but makes necessary improvements to increase its profitability. Discussions continue on next steps on transforming the entire 118 acre golf course. The ultimate goal is to re-create the space into a venue that drives people to visit Montebello while also improving overall revenue performance.

The Hilton Garden Inn performed well in FY 2020-21, despite the continuing negative impact of the coronavirus pandemic on leisure and business travel. The hotel finished last fiscal year with $3.243 million in revenue vs. $3.855 million in expenditures, a $611,800 deficit. For the current fiscal year, revenue has picked up markedly from the same point one year ago. Year to date revenues for December 31, 2021 are $2,547,633, compared to $237,998 as of December 31, 2022. Expenditures for the current year are also up versus last year. But this is due to the hotel being open, requiring increased staff, supplies and related expenses. Current trends indicate a surplus of $545,000 for FY 2021-22.

The Home2Suites hotel performed very well last fiscal year, ending with a $378,400 surplus ($8.361 million in revenue against $7.982 million in expenditures). Revenue for the current fiscal year is slightly lower than the prior year: $3,007,794 vs. $3,345,755. However, expenditures are trending lower in the current fiscal year, about $450,000 lower. The continuing economic recovery, especially in the leisure and travel industries as the pandemic is slowly controlled will have a positive impact on the City's hotels, allowing for pre-pandemic travel patterns and an increase in occupancy rates and room revenue. Staff will continue monitoring the City's hotels and reporting their performance on a regular basis.

Coronavirus State and Local Fiscal Relief Funds (CSLFRF)
At the September 1, 2021 Study Session, Staff presented an overview of the American Rescue Plan Act (ARPA) and specifically the use of fiscal relief funds (CSLFRF program). The City will receive a total of $16.59 million in funds from the CSLFRF program, half of which was received in May, 2021, with the other half to be received by May, 2022.

ARPA contained a host of spending guidelines and restrictions on CSLFRF revenue (U.S. Treasury Interim Final Rule published Mary 7, 2021 and Final Rule issued January 6, 2022, with an April 1, 2022 effective date). There are four primary eligible use categories for CSLFRF per the Final Rule (no changes to eligible uses from the Interim to the Final Rule):

A. Responding to the public health emergency by providing assistance to households, businesses or non-profits;
B. Responding to workers performing essential work by providing premium pay

C. Provision of government services to the extent of the reduction in revenue (i.e., revenue loss)
D. Make investments in water, sewer or broadband infrastructure

Category "C" provides the most flexibility – and is the easiest to manage administratively – of the four eligible uses. The City calculated its revenue loss, utilizing Interim Final Rule guidance and workbooks from the League of California Cities / California Society of Municipal Finance Officers. The ensuing calculation produced a revenue loss amount of $20,524,069 for the period of July 1, 2019 through December 31, 2020 (eighteen months).

The revenue loss calculation has recently been updated, as required by mandatory reporting guidelines. As of December 31, 2021, the calculated revenue loss utilizing the calendar year method was $26,541,533. The only significant change impact Montebello was the ability to calculate revenue loss on a fiscal year or calendar year. Given the significant revenue loss using the initial calendar year method, Staff has determined to continue utilizing this method.

Since these revenue loss amounts exceed the City's CSLFRF award ($20.52 million and $26.542 million vs. $16.59 million), Staff recommended at the Study Session that the entire CSLFRF amount be recorded under eligible use Category "C" (revenue loss). Montebello received $8.3 million of funds in May, 2021, and that cash has been deposited for investment/safe keeping. There are accounting rules (Governmental Accounting Standards Board [GASB]) which govern this Federal funding, and the recognition of it as revenue. When first received, the revenue was booked as "unearned revenue," identical treatment applied to the myriad Federal awards the City receives. The "unearned revenue" would then be "recognized" as it is used – per funding guidelines.

The City has now recognized a portion of the first $8.3 million tranche received last year. Using guidance from the Final Rule, $4,191,015 will be recognized as General Fund revenue as of December 31, 2021. The plan is to then recognize the second half of the $8.3 million tranche as of June 30, 2022. The required "Project and Expenditure Report" submitted at the January 31, 2022 deadline through the U.S. Treasury's reporting portal indicated the City's use of the "Revenue Loss" category, and the recognition/expenditure of $4.2 million in CSLFRF revenue.

As mentioned in the paragraphs above, the updated General Fund forecast does not include any CSLFRF revenue. When the City closes its books for FY 2021-22, there will be an additional $8.3 million in General Fund revenue from recognition of ARPA funding. However, it is important that the 2nd Quarter report only show ongoing revenue and expenditure projections, absent any one-time revenues (i.e., CLFRF) in an effort to be accurate and transparent about what the City's true costs of doing business are balanced against ongoing (not one-time) revenue.

The presentation of revenue is done in such a manner so as not to overstate the projected year-end surplus. The $645,461 projected surplus for FY 2021-22 indicates ongoing revenue vs. ongoing operating expenses. The importance of not including CSLFRF revenue is to better reflect in a more transparent manner what the City's true ongoing

income vs. expenses will be.

The recognition of CSLFRF revenue will increase General Fund revenue, and improve reserves by the close of FY 2021-22. The City has until December 31, 2024 to commit all funds ($16.59 million) and Staff will work to recognize revenue accordingly and in line with the Final Rule (and any subsequent guidance issued by the U.S. Treasury).

SUMMARY

This 2nd Quarter Budget Report provides an overview of General Fund revenue and expenditure performance based on the first six months of FY 2021-22 (July – December). A discussion of the handling and recognition of CSLFRF revenue has also been included. The addition of two Deputy Director positions in the Transit Department is being proposed and necessary budget amendments (increases to appropriations) are also being recommended. This preliminary budget "check-in" is an opportunity to update revenue and expenditure forecasts based on prior and current year actuals performance.

The General Fund is projected to have a $645,461 surplus (revenue over expenditures):

	FY 2021-222 ADOPTED	FY 2021-22 AMENDED	FY 2021-22 PROJECTED (1st Quarter)	FY 2021-22 PROJECTED (2nd Quarter)	Variamce Qtr - Qtr
EXPENDITURES	61,408,690	66,016,861	63,482,985	65,920,239	2,437,254
REVENUE	61,719,150	61,719,150	64,011,850	66,565,700	2,553,850
Surplus / (Deficit)	**310,460**	**(4,297,711)**	**528,865**	**645,461**	

Staff will continue monitoring revenue and expenditure trends in the 3rd Quarter, and will utilize the additional data to provide a budget update as part of the Fiscal Year 2022-23 budget development process. This 2nd Quarter budget report also serves as the beginning of budget development for next year, utilizing projections to build next year's budget.

City Council is being asked to receive and file this report and presentation, as well as approve the budget amendments presented in Attachment B in the amounts and to the accounts listed.

ATTACHMENTS:

A. Revenue and Expenditure Summary Tables
B. Budget Amendment Schedule
C. Master Position Control

General Fund Revenue Summary - by Major Category
Fiscal Years 2016-17 - 2021-22
Actuals, Budget and Forecasted

ATTACHMENT A1

	FY 16-17 ACTUAL	FY 17-18 ACTUAL	FY 18-19 ACTUAL	FY 19-20 ADOPTED	FY 19-20 ACTUAL	FY 20-21 ADOPTED	FY 20-21 ACTUAL	FY 21-22 ADOPTED	FY 21-22 1ST QTR FORECAST	FY 21-22 2ND QTR FORECAST	Forecast Variance from Budget	2nd Q Variance from 1st Q
SALES TAX	13,267,373	13,118,981	14,031,972	13,146,732	12,817,884	18,241,000	22,270,247	20,765,000	22,675,000	24,120,000	3,355,000	1,445,000
PROPERTY TAX	11,042,346	11,359,512	12,191,977	12,740,406	12,701,368	13,026,000	13,714,582	14,293,100	14,293,100	14,379,100	86,000	86,000
OTHER TAXES	553,462	585,960	614,485	658,200	533,005	599,000	476,959	610,000	500,000	625,000	15,000	125,000
FRANCHISE TAXES	1,493,956	2,141,450	2,224,087	2,315,185	2,199,916	2,272,000	2,316,221	2,163,000	2,213,000	2,338,000	175,000	125,000
	4,186,912	4,452,210	6,215,378	5,132,840	4,776,531	4,872,800	5,775,694	5,942,000	6,255,000	6,620,000	678,000	365,000
FINES AND FORFEITURES	2,251,384	2,185,022	2,165,922	2,023,694	2,186,401	2,600,000	2,301,787	2,250,000	2,500,000	2,860,000	610,000	360,000
INVESTMENT INCOME	991,127	1,215,614	679,437	402,706	367,133	350,000	420,710	575,000	475,000	524,000	(51,000)	49,000
INTERGOVERNMENTAL	2,239	6,493	11,003	11,762	10,160	5,500	1,096,288	7,500	7,500	19,700	12,200	12,200
	6,569,905	6,451,686	6,662,699	6,919,770	6,066,829	7,020,300	6,105,784	7,291,850	7,571,550	7,326,150	34,300	(245,400)
OTHER REVENUE	(2,317)	(10,760)	211,746	-	259,247	384,000	1,640,198	882,500	882,500	1,114,550	232,050	232,050
Sub-total Operating Revenue	**40,356,387**	**41,506,168**	**45,008,706**	**43,351,295**	**41,918,474**	**49,370,600**	**56,118,470**	**54,779,950**	**57,372,650**	**59,926,500**	**5,146,550**	**2,553,850**
	-	-	-	-	-	-	-	-	-	-	-	-
TRANSFERS IN	14,645,170	12,257,328	6,758,437	5,888,806	3,987,540	4,300,000	3,570,002	4,100,000	3,800,000	3,800,000	(300,000)	-
PROCEEDS FROM CAPITAL LEASE	591,423	9,725	1,547,962	-	815,153	-	5,785,000	-	-	-	-	-
ADMINISTRATIVE OVERHEAD	1,700,004	1,887,113	1,886,402	2,106,117	1,883,090	2,030,500	2,054,000	2,839,200	2,839,200	2,839,200	-	-
Sub-total NON-Operating Revenue	**16,936,597**	**14,154,166**	**10,192,801**	**7,994,923**	**6,685,783**	**6,330,500**	**11,409,002**	**6,939,200**	**6,639,200**	**6,639,200**	**(300,000)**	**-**
TOTAL GENERAL FUND REVENUE	57,292,984	55,660,334	55,201,507	51,346,218	48,604,257	55,701,100	67,527,472	61,719,150	64,011,850	66,565,700	4,846,550	2,553,850

General Fund Expenditure Summary - by Department
Fiscal Years 2016-17 - 2021-22
Actuals, Budget and Forecasted

ATTACHMENT A2

	FY 2016-17 Actuals	FY 2017-18 Actuals	FY 2018-19 Actuals	FY 2019-20 Adopted Budget	FY 2019-20 Actuals	FY 2020-21 Adopted Budget	FY 2020-21 Actuals	FY 2021-22 ADOPTED	FY 2021-22 AMENDED	FY 2021-22 PROJECTED (1st Quarter)	FY 2021-22 PROJECTED (2nd Quarter)	Variance (Proj vs. Amended)	Amend Increase	Variance 1stQ v. 2ndQ
ADMINISTRATION/ELECTED	1,443,318	1,696,595	2,609,361	1,824,440	2,392,931	2,184,400	2,473,142	2,354,400	2,362,821	2,434,078	2,521,338	158,517	8,421	87,261
HUMAN RESOURCES/INFORMATION TECH	1,087,205	803,431	866,145	1,234,518	1,239,180	1,312,200	1,742,605	1,928,000	2,009,987	1,928,219	1,978,497	(31,490)	81,987	50,278
PUBLIC WORKS	8,054,815	8,160,100	8,056,232	8,946,743	8,865,983	8,329,500	9,956,283	9,512,600	11,331,100	10,915,249	11,926,144	595,044	1,818,500	1,010,895
FINANCE	2,057,687	2,126,820	2,025,854	2,364,003	2,227,568	2,158,800	2,201,293	2,130,300	2,130,511	2,274,796	2,409,610	279,099	211	134,815
COMMUNITY DEVELOPMENT	1,770,851	1,637,830	2,029,591	1,784,896	1,612,140	2,140,800	1,752,271	2,489,820	3,064,790	2,750,616	2,673,808	(390,982)	574,970	(76,808)
PARKS AND RECREATION	3,137,144	3,212,671	3,322,872	4,741,300	4,472,874	4,467,100	5,078,367	5,361,550	5,376,521	5,306,265	5,564,356	187,835	14,971	258,091
POLICE	19,518,540	19,217,922	18,214,825	18,905,963	19,223,841	18,989,500	18,916,432	18,818,950	19,477,674	18,722,861	19,398,154	(79,520)	658,724	675,293
FIRE	12,542,175	12,472,672	12,901,041	11,908,253	15,114,996	13,690,200	15,310,305	15,814,270	16,206,269	15,171,837	15,034,454	(1,171,815)	391,999	(137,383)
NON-DEPARTMENTAL	4,294,775	3,037,386	2,309,200	2,476,595	4,625,043	2,409,000	11,912,013	2,998,800	4,057,188	3,979,066	4,413,878	356,690	1,058,388	434,812
TOTAL GENERAL FUND EXPENDITURES	**53,906,510**	**52,365,427**	**52,335,121**	**54,186,711**	**59,774,556**	**55,681,500**	**69,342,711**	**61,408,690**	**66,016,861**	**63,482,985**	**65,920,239**	**(96,622)**	**4,608,171**	**2,437,254**

Budget Amendments
2nd Quarter Budget Report
City Council Meeting, 02/09/2022

ATTACHMENT B

Account	Account Description		Appropriation Increase Amount	Reason/Notes
100-40-400-6040.10	Finance, Administration	Other Contract Services	$ 400,000	Higher than budgeted SEAACA costs, additional contract costs related to business license program administration (HdL and Companies), offset by higher revenue collection
100-70-510-5000.20	Parks and Recreation, Facilities	Part-Time Salaries	$ 100,000	Additional part-time wages for reitred annuitant (960) assisting with various facilities projects/maiintenance
100-70-710-5000.30	Parks and Recreation, Facilities	Part-Time Salaries	$ 185,000	Additional part-time wages related to
100-80-805-5010.10	Police, Patrol	Overtime	$ 380,000	Additional overtime due to increased training (POST) from promotions (required training for new Sergeants, etc.), weekend enforcement of car cruising, Street Festival, Parade, etc.
100-80-805-5300.20	Police, Patrol	PERS Retirement	$ 125,000	Retirement costs projecting higher, additional positions filled vs. when budget developed
100-80-820-5010.10	Police, Communications	Overtime	$ 120,000	Vacancies in dispatch required additional overtime to cover shifts
100-99-5300.10	Non-Departmental	Retiree Medical	$ 200,000	Retiree medical benefits, projecting higher (full impact of additional retirees in effect)
100-99-6040.10	Non-Departmental	Other Contract Services	$ 90,000	Contract services related to utility savings review, additional costs offset by electrical, telephone and water utility savings
100-99-7060	Non-Departmental	Acquisition	$ 541,000	Purchase of property at 715 W. Whitter recognized in current fiscal year (purchase approved prior fiscal year)
			2,141,000	

ATTACHMENT C

City of Montebello

Fiscal Year 2021-22 Budget

Master Position Control, by Department

2nd Quarter Update

	FY 2019-20	FY 2020-21	FY 2021-22 ADOPTED	FY 2021-22 AMENDED	Variance
Elected					
City Councilmember	5.0	5.0	5.0	5.0	0.0
City Clerk	1.0	1.0	1.0	1.0	0.0
City Treasurer	1.0	1.0	1.0	1.0	0.0
	7.0	**7.0**	**7.0**	**7.0**	**0.0**
Administration					
City Manager	1.0	1.0	1.0	1.0	0.0
Assistant City Manager	1.0	1.0	1.0	1.0	0.0
Deputy Director	0.0	1.0	1.0	1.0	0.0
Public Information Officer	1.0	1.0	1.0	1.0	0.0
Deputy City Clerk	1.0	1.0	1.0	1.0	0.0
Assistant to the Deputy City Clerk	0.0	1.0	1.0	1.0	0.0
Records Coordinator	0.0	0.0	1.0	1.0	0.0
Office Manager	1.0	1.0	1.0	1.0	0.0
Administrative Secretary	1.0	1.0	0.0	0.0	0.0
	6.0	**8.0**	**8.0**	**8.0**	**0.0**
Finance					
Director of Finance	1.0	1.0	1.0	1.0	0.0
Deputy Director	0.0	1.0	1.0	1.0	0.0
Accounting Manager	1.0	1.0	1.0	1.0	0.0
Accounting Supervisor	1.0	1.0	1.0	1.0	0.0
Sr. Management Analyst	1.0	1.0	1.0	1.0	0.0
Management Analyst (Payroll)	0.0	0.0	1.0	1.0	0.0
Accountant	4.0	4.0	4.0	4.0	0.0
Finance Technician	5.0	5.0	5.0	5.0	0.0
Account Clerk II	5.0	5.0	5.0	5.0	0.0
Administrative Secretary	1.0	1.0	1.0	1.0	0.0
	19.0	**20.0**	**21.0**	**21.0**	**0.0**
Fire					
Fire Chief	1.0	1.0	1.0	1.0	0.0
Assistant Fire Chief	0.0	0.0	0.0	1.0	1.0
Deputy Fire Chief	0.0	1.0	1.0	1.0	0.0
Fire Battalion Chief	3.0	3.0	3.0	3.0	0.0
Fire Captain	12.0	13.0	13.0	14.0	1.0
Fire Engineer	12.0	12.0	12.0	12.0	0.0
Firefighter	24.0	24.0	24.0	24.0	0.0
Firefighter/Paramedic Trainee	0.0	4.0	4.0	4.0	0.0
Fire Marshal	1.0	1.0	1.0	1.0	0.0
Deputy Fire Marshal	1.0	1.0	1.0	1.0	0.0
Community Risk Reduction and Education Coordinator	0.0	0.0	1.0	1.0	0.0
Senior Fire Inspector	0.0	0.0	1.0	1.0	0.0
Fire Inspector I	1.0	2.0	2.0	2.0	0.0
Deputy Director	1.0	1.0	1.0	1.0	0.0
Grants and Project Administrator	0.0	0.0	1.0	1.0	0.0
Sr. Management Analyst	2.0	2.0	2.0	2.0	0.0
Telecommunications Manager	0.0	1.0	0.0	0.0	0.0
Telecommunications Supervisor	0.0	1.0	1.0	1.0	0.0
Telecommunications Technician	0.0	0.0	1.0	1.0	0.0
Social Work Supervisor	0.0	1.0	1.0	1.0	0.0
Field Response Case Coordinator	0.0	1.0	1.0	1.0	0.0
Administrative Secretary	1.0	1.0	1.0	2.0	1.0
	59.0	**70.0**	**73.0**	**76.0**	**3.0**

ATTACHMENT C

City of Montebello

Fiscal Year 2021-22 Budget

Master Position Control, by Department

2nd Quarter Update

	FY 2019-20	FY 2020-21	FY 2021-22 ADOPTED	FY 2021-22 AMENDED	Variance
Human Resources and Information Technology					
Director of Human Resources and Risk Management	1.0	1.0	1.0	1.0	0.0
Human Resources Manager	0.0	0.0	1.0	1.0	0.0
Risk Manager	1.0	1.0	1.0	1.0	0.0
Sr. Human Resources Analyst	2.0	2.0	2.0	2.0	0.0
Human Resources Analyst	1.0	1.0	1.0	1.0	0.0
Human Resources Technician	1.0	1.0	1.0	1.0	0.0
Administrative Secretary	1.0	1.0	1.0	1.0	0.0
Information Systems Manager	1.0	1.0	2.0	2.0	0.0
Information Systems Supervisor	1.0	1.0	1.0	1.0	0.0
Information Systems Analyst	3.0	3.0	3.0	3.0	0.0
	12.0	**12.0**	**14.0**	**14.0**	**0.0**
Planning and Community Development					
Director of Planning and Community Development	1.0	1.0	1.0	1.0	0.0
Deputy Director	1.0	1.0	1.0	1.0	0.0
Building Official	1.0	1.0	1.0	1.0	0.0
Housing Manager	0.0	0.0	1.0	1.0	0.0
Planning Manager	1.0	1.0	1.0	1.0	0.0
Associate Planner	1.0	1.0	1.0	1.0	0.0
Assistant Planner	0.0	2.0	2.0	2.0	0.0
Code Enforcement Manager	0.0	1.0	1.0	1.0	0.0
Code Enforcement Coordinator	1.0	1.0	1.0	1.0	0.0
Code Enforcement Officer	3.0	4.0	4.0	4.0	0.0
Combination Builidng Inspector	0.0	1.0	1.0	1.0	0.0
Buiding Permit Technician	1.0	1.0	2.0	2.0	0.0
Sr. Management Analyst	1.0	1.0	1.0	1.0	0.0
Management Analyst	0.0	2.0	2.0	2.0	0.0
Administrative Secretary	1.0	1.0	1.0	1.0	0.0
	12.0	**19.0**	**21.0**	**21.0**	**0.0**
Police					
Police Chief	1.0	1.0	1.0	1.0	0.0
Police Captain	2.0	2.0	2.0	2.0	0.0
Police Lieutenant	5.0	5.0	6.0	6.0	0.0
Police Sergeant	10.0	10.0	10.0	10.0	0.0
Police Corporal	23.0	23.0	23.0	23.0	0.0
Police Officer	33.0	33.0	32.0	32.0	0.0
Grants and Project Administrator	1.0	1.0	1.0	1.0	0.0
Records Supervisor	1.0	1.0	1.0	1.0	0.0
Communications Supervisor	1.0	1.0	1.0	1.0	0.0
Police Dispatcher II	5.0	5.0	5.0	5.0	0.0
Police Dispatcher I	5.0	5.0	5.0	5.0	0.0
Police Records Technician	9.0	9.0	9.0	9.0	0.0
Property and Evidence Technician	2.0	2.0	2.0	2.0	0.0
Court Liaison	1.0	1.0	1.0	1.0	0.0
Parking Control Officer	1.0	1.0	1.0	1.0	0.0
Senior Management Analyst	0.0	1.0	1.0	1.0	0.0
Administrative Secretary	1.0	1.0	1.0	1.0	0.0
	101.0	**102.0**	**102.0**	**102.0**	**0.0**

ATTACHMENT C

City of Montebello

Fiscal Year 2021-22 Budget

Master Position Control, by Department

2nd Quarter Update

	FY 2019-20	FY 2020-21	FY 2021-22 ADOPTED	FY 2021-22 AMENDED	Variance
Public Works					
Director of Public Works	1.0	1.0	1.0	1.0	0.0
Assistant Director	1.0	1.0	1.0	1.0	0.0
Assistant Engineer	0.0	0.0	1.0	2.0	1.0
Public Works Inspector	0.0	0.0	1.0	1.0	0.0
Recreation & Community Services Superintendent	0.0	1.0	1.0	1.0	0.0
Street Maintenance Supervisor	1.0	1.0	1.0	1.0	0.0
Assistant Tree Maintenance Supervisor	1.0	1.0	1.0	1.0	0.0
Senior Management Analyst	0.0	1.0	1.0	1.0	0.0
Management Analyst	0.0	0.0	0.0	1.0	1.0
Administrative Secretary	1.0	1.0	1.0	1.0	0.0
Maintenance Worker*	7.0	14.0	14.0	14.0	0.0
	12.0	**21.0**	**23.0**	**25.0**	**2.0**

**Transfer 7.0 FTE from Parks and Recreation - Golf Course Operations, October, 2020*

Recreation and Community Services					
Director of Recreation and Community Services	1.0	1.0	1.0	1.0	0.0
Deputy Director	1.0	1.0	1.0	1.0	0.0
Recreation & Community Services Superintendent**	0.0	1.0	1.0	1.0	0.0
Park Maintenance Supervisor	1.0	1.0	1.0	1.0	0.0
Building Maintenance Tradeworker II	2.0	2.0	2.0	2.0	0.0
Maintenance Worker	8.0	8.0	8.0	8.0	0.0
Recreation Manager	0.0	0.0	1.0	1.0	0.0
Community Services Coordinator	3.0	4.0	4.0	4.0	0.0
Management Analyst	1.0	1.0	1.0	1.0	0.0
Administrative Secretary	1.0	1.0	1.0	1.0	0.0
Golf Course Superintendent / Facility Manager**	1.0	0.0	0.0	0.0	0.0
Golf Cart Mechanic*	1.0	0.0	0.0	0.0	0.0
Golf Course Equipment Mechanic*	1.0	0.0	0.0	0.0	0.0
	21.0	**20.0**	**21.0**	**21.0**	**0.0**

**Golf Course personnel transferred to Public Works as "Maintenance Worker" classification*

***Golf Course Superintendent to be reclassified as Recreation & Comm Services Superintendent*

City of Montebello

ATTACHMENT C

Fiscal Year 2021-22 Budget

Master Position Control, by Department

2nd Quarter Update

	FY 2019-20	FY 2020-21	FY 2021-22 ADOPTED	FY 2021-22 AMENDED	Variance
Transportation					
Director of Transportation	1.0	1.0	1.0	1.0	0.0
Assistant Director	1.0	1.0	1.0	1.0	0.0
Deputy Director	***0.0***	***0.0***	***0.0***	***2.0***	***2.0***
Public Information Officer	0.0	1.0	1.0	1.0	0.0
Transit Administration Manager	1.0	2.0	2.0	2.0	0.0
Transit Operations Manager	1.0	1.0	1.0	1.0	0.0
Vehicle Maintenance Manager	0.0	1.0	1.0	1.0	0.0
Maintenance Manager	0.0	0.0	1.0	1.0	0.0
Shop Maintenance Supervisor	4.0	4.0	4.0	4.0	0.0
Transit Dispatch Supervisor	10.0	12.0	12.0	12.0	0.0
Transit Operations Supervisor	3.0	3.0	3.0	3.0	0.0
Transit Stores and Facility Supervisor	1.0	1.0	1.0	1.0	0.0
Maintenance Service Supervisor	1.0	1.0	1.0	1.0	0.0
Transit Grants and Project Administrator	1.0	1.0	1.0	1.0	0.0
Sr. Procurement Analyst	0.0	1.0	1.0	1.0	0.0
Management Analyst	1.0	3.0	3.0	3.0	0.0
Associate Planner	0.0	0.0	1.0	1.0	0.0
Account Clerk I	0.0	1.0	1.0	1.0	0.0
Account Clerk II	2.0	3.0	3.0	3.0	0.0
Administative Secretary	0.0	1.0	1.0	1.0	0.0
Bus Operator	105.0	105.0	120.0	120.0	0.0
Equipment Mechanic A	15.0	15.0	15.0	15.0	0.0
Equipment Serviceworker	13.0	13.0	13.0	13.0	0.0
Body Shop Mechanic	1.0	1.0	1.0	1.0	0.0
Building Maintenance Tradeworker II	1.0	1.0	1.0	1.0	0.0
Maintenance Worker	1.0	1.0	1.0	1.0	0.0
Storekeeper	3.0	3.0	3.0	3.0	0.0
Clerk Typist	4.0	5.0	5.0	5.0	0.0
	170.0	**182.0**	**199.0**	**201.0**	**2.0**
Total Full-Time Employees	**419.0**	**461.0**	**489.0**	**496.0**	**7.0**
Total Full-Time Employees Net Elected	**412.0**	**454.0**	**482.0**	**489.0**	**7.0**

	FY 2019-20	FY 2020-21	FY 2021-22 ADOPTED	FY 202-22 AMENDED	Variance
Administration	6.0	8.0	8.0	8.0	0.0
Community Development	12.0	19.0	21.0	21.0	0.0
Finance	19.0	20.0	21.0	21.0	0.0
Fire	59.0	70.0	73.0	76.0	3.0
Human Resources - Information Technology	12.0	12.0	14.0	14.0	0.0
Parks and Recreation	21.0	20.0	21.0	21.0	0.0
Police	101.0	102.0	102.0	102.0	0.0
Public Works	12.0	21.0	23.0	25.0	2.0
Transit	170.0	182.0	199.0	201.0	2.0
	412.0	**454.0**	**482.0**	**489.0**	**7.0**

ITEM # 11

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: James Enriquez, Director of Public Works / City Engineer

SUBJECT: **Updated Report of Emergency Repair and Replacement of the Beach Street Storm Drain**

DATE: February 9, 2022

RECOMMENDATION (S):

It is recommended that the City Council:

1) Receive and file the City Manager's updated report of the emergency repair of the Beach Street Storm Drain pursuant to Montebello Municipal Code Section 3.20.140 and Public Contracts Code Section 22035; and

2) Take such additional, related, action that may be desirable.

FISCAL IMPACT

There is no new information to report regarding fiscal impacts.

BACKGROUND

On December 14, 2021, the Director of Public Works received an email from Los Angeles County Department of Public Works (LACDPW) Stormwater Maintenance staff notifying the City of damage to the dirt slope at the outlet of the Beach Street Storm Drain near the intersection of Beach Street and Bluff Road. LACDPW requested the City's immediate attention to this matter.

In response to this email, Public Works contacted LACDPW staff and met them at the site on December 16th to inform them that an underground contractor (Mike Bubalo Construction Co.) was on standby to complete emergency repairs prior to the storms forecasted for the following week. LACDPW issued a permit for temporary repairs and

agreed to meet at the site on Monday (December 20th) once the contractor had completed exploratory excavation and the City had developed a plan of action for repairs that could be completed before the rain forecasted to begin on Thursday (December 23rd). The meeting occurred in the afternoon on Monday (December 20th) and the County agreed to the proposed temporary repairs.

The contractor completed the temporary emergency repairs on January 3rd.

On January 12, 2022, the City Council authorized the City Manager to finalize an agreement with Mike Bubalo Construction Co. for the replacement of the storm drain within Beach Street for an amount not-to-exceed $390,000. The work commenced on January 26, 2022. Staff went door-to-door to notify the residents immediately adjacent to the work. The work is anticipated to be completed in three to four weeks.

SUMMARY

Staff will continue to coordinate the completion of this emergency work and updated reports will be included at each regularly scheduled City Council Meeting until the work is completed.

ITEM # 12

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: David Sosnowski, Director of Recreation and Community Services

SUBJECT: **Community Garden at Grant Rea Park**

DATE: February 9, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Approve an Agreement No. 3955 with the Los Angeles Community Garden Council ("LACGC") for a three -year term to manage a community garden at Grant Rea Park; and

2) Amend the Fiscal Year 2021-22 budget by increasing appropriations in Account Nos. 221-70-720-6040.10 by $41,000; 221-70-720-6040.96 by $25,000 and 221-70-720-7116 by $75,000 (Measure A, Parks and Recreation, Parks Maintenance, Outside Contracts; Engineering Design Services; Improvements Other Than Building; and

3) Take such additional, related, action that may be desirable.

FISCAL IMPACT

The LACGC will be responsible for assisting the City with the initial design and build of the garden, as well as managing and overseeing the community garden located on City property at Grant Rea Park. The total annual cost for garden management services is $21,000. The Agreement will be managed by the Recreation and Community Services Department and funding for the annual cost of the Agreement will be by Los Angeles County Measure A (Fund 221) Annual Allocation grant funds.

Additionally, start-up costs are estimated to be $120,000, which includes assistance from LACGC at an estimated cost of $20,000. The start-up costs includes community outreach, design and construction of the community garden, fencing, lighting, and potable

water connections. This cost is a one-time capital investment and will be funded by Los Angeles County Measure A Annual Allocation grant funds.

Measure A funding is allocated annually to Los Angeles County Study Areas for park improvements. At the February 12, 2020 City Council meeting, City Council approved Resolution 20-14 authorizing blanket authority to file applications from the Los Angeles County Regional Open Space District for Measure A funding for projects and programs.

A budget amendment is needed for the start-up capital costs, to increase FY 2021-22 appropriations by a total of $141,000 in the following accounts in the Measure A fund (Fund 221):

- 221-70-720-6040.10: $41,000
- 221-70-720-6040.96: $25,000
- 221-70-720-7116: $75,000

The cost of services for the additional two years of the agreement will be included in the Measure A Fund's Fiscal Year 2022-23 and Fiscal Year 2023-24 budgets.

BACKGROUND

LACGC is a non-profit organization that aims to strengthen communities by building and supporting community gardens where every person in Los Angeles County can grow healthy food in their neighborhood. LACGC currently manages 42 community gardens and offers advice, workshops, and community organizing assistance to more than 125 community gardens in Los Angeles County.

The community garden's proposed location is Grant Rea Park. Grant Rea Park has been identified as a suitable location based on outreach efforts and site specific plans developed within the City's Parks Master Plan. The Parks Master Plan includes a Site Specific Plan for Grant Rea Park which proposes the construction of a community garden to provide educational elements to the community and to provide a space that promotes urban agriculture and sustainable communities.

As a part of the outreach efforts completed during the development of the Parks Master Plan, several surveys were made available to the public to gather input from the community regarding future park amenities and programs. This included a general parks survey and a survey specific to Grant Rea Park. Through these efforts, the community expressed interest in the addition of a community garden within Montebello. The Grant Rea Site Specific Plan which includes a community garden was developed based off of the input received.

ANALYSIS

The proposed community garden will be located on the eastern side of Grant Rea Park near the Rio Hondo Bike Path. This location of the park is ideal due to the area currently

being underutilized, its a safe distance from baseball fields, the ability to install fencing, and access to potable water. Additionally, the area is included in the City's current landscape maintenance contract and would not require any additional funding to maintain the area.

Under the proposed Agreement terms, LACGC will be responsible for day-to-day management and operation of the community garden. Duties will include the development of operational guidelines that establish garden rules, the creation of volunteer roles, identification of a master gardener, accepting and reviewing garden applications, assigning plots, collecting garden dues, member assistance, and facilitating educational workshops available to the public.

LACGC will assist the City with community engagement prior to the construction of the garden to gauge interest and determine the final design of the garden. Plot rental fees and membership dues will be established by LACGC and plots will be made available to Montebello residents. The project aims to promote healthy and sustainable lifestyles, make fresh produce available locally, provide educational opportunities, and provide a space for Montebello community members to connect.

SUMMARY

Staff is recommending that the City Council approve an Agreement with the Los Angeles Community Garden Council ("LACGC") for a three -year term to manage a community garden at Grant Rea Park and amend the FY 2021-22 budget by increasing appropriations by $141,000 in the following Measure A (Fund 221) accounts:

- 221-70-720-6040.10: $41,000
- 221-70-720-6040.96: $25,000
- 221-70-720-7116: $75,000

ATTACHMENTS:

A. Attachment A – Los Angeles Community Garden Council Agreement in Substantial Form
B. Attachment B – Site Map

ATTACHMENT A

CITY OF MONTEBELLO

PROFESSIONAL SERVICES AGREEMENT NO. 3955 WITH LOS ANGELES COMMUNITY GARDEN COUNCIL

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into on **February 9, 2022** ("Effective Date"), by and between the CITY OF MONTEBELLO, a California municipal corporation (the "CITY") and LOS ANGELES COMMUNITY GARDEN COUNCIL (the "CONSULTANT"). The CITY and the CONSULTANT are sometimes referred to herein individual as the "Party," and jointly as the "Parties."

RECITALS

WHEREAS, the CITY desires to retain a qualified professional consultant to provide community garden management services in the CITY; and

WHEREAS, the CONSULTANT represents that it is fully qualified to perform such services by virtue of its experience and the training, education and expertise of its principals and employees.

NOW THEREFORE, in consideration of performance by the Parties of the covenants and conditions herein contained, the Parties hereto agree as follows:

SECTION 1. INCORPORATION OF RECITALS AND OTHER CONTRACT DOCUMENTS

a. The above-referenced Recitals constitute a material part hereof and shall hereby be incorporated by reference. Moreover, this Agreement consists of the following documents, in order of precedence, all of which are incorporated herein and made part of this Agreement, as though fully set forth herein:

1. This Agreement and its Exhibits, including scope of work, fee schedules, and any and all addenda or supplemental agreements.
2. All other documents, including but not limited to all applicable bonds, insurance certificates, permits, notices, schedules, forms, certifications, and affidavits.

b. These documents shall be collectively referred to herein as the "Contract Documents." In the event of a conflict among the Contract Documents, the order of precedence list above shall apply.

SECTION 2. SERVICES / COMPENSATION.

a. To the extent of a conflict between the terms of this Agreement and that set forth in any exhibits or attachments hereto, the terms of this Agreement shall govern.

b. The CONSULTANT shall provide to the CITY all labor, equipment, materials and incidental necessary to provide community garden management services as set forth fully in the scope of work, as such is set forth fully in **Exhibit "A**" attached hereto and incorporated fully herein by this reference (hereinafter "Professional Services").

c. The CONSULTANT shall be compensated for performance of the Professional Services as set forth in the Schedule of Compensation attached hereto as **Exhibit "B"** and incorporated fully herein by this reference ("Compensation"). The CONSULTANT shall provide an itemized billing statement to the CITY each month for Professional Services performed. The CONSULTANT shall no incur fees or costs which exceed the Compensation without the prior written consent of the CITY.

SECTION 3. TERM.

a. This Agreement shall commence upon issuance of a written "Notice to Proceed" (as further defined below) by the CITY and shall expire three (3) years from the Effective Date, unless terminated earlier as hereinafter provided. This Agreement may be extended for up to two (2), one-year extensions upon such terms and conditions mutually agreed upon by the Parties in writing.

b. Notice to Proceed. Any work or service contemplated under this Agreement shall not commence until the CITY has issued a written Notice to Proceed issued by CITY's applicable, department head.

SECTION 4. PERFORMANCE.

a. The CONSULTANT shall at all times, faithfully, competently, and to the best of its ability, experience, and talent, perform all tasks described herein.

b. The CONSULTANT shall employ, at a minimum, generally accepted standards and practices utilized by companies engaged in providing similar services, as are required of Consultant hereunder, in meeting its obligations under this Agreement.

c. The CONSULTANT shall be knowledgeable of and subject to all CITY ordinances, rules and regulations, standard operating procedures, and the supervisory chain of command.

d. The CONSULTANT shall have the right to retain, subject to the CITY's approval, additional individuals, consultants or subconsultants to assist in the completion of services as herein defined. Compensation for additional individuals, consultants or subconsultants shall be the sole and exclusive responsibility of the CONSULTANT.

e. The CONSULTANT shall retain all original reports, field and office notes, correspondence, calculations, maps, and other documents specifically related to the services provided by the CONSULTANT pursuant to this Agreement, other than documents which are exempt from disclosure pursuant to the attorney-client privilege or any other law. Said documents shall be made available for inspection by the CITY upon request.

SECTION 5. WORK PRODUCT.

a. The CONSULTANT hereby agrees that all work product produced pursuant to this Agreement, and provided to the CITY during and upon completion of this Agreement, shall be the property of the CITY, and ownership of said work product

shall be retained by the CITY. The CONSULTANT may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by the CONSULTANT.

b. All data, documents, discussion, or other information developed or received by the CONSULTANT or provided for performance of this Agreement are deemed confidential and shall not be disclosed by the CONSULTANT without prior written consent by the CITY. The CITY shall grant such consent if disclosure is legally required. All such written products shall be returned to the CITY upon the termination or expiration of this Agreement. The CONSULTANT agrees that the covenants contained in this Section shall survive the expiration or termination of this Agreement.

SECTION 6. EXTRA SERVICES.

No extra services over and above the Compensation shall be rendered by the CONSULTANT under this Agreement unless such extra services first shall have been duly authorized in writing by the CITY's City Manager (the "City Manager").

SECTION 7. CITY SUPERVISION.

The City Manager shall have the right of general supervision of all work performed by the CONSULTANT and shall be the CITY's agent with respect to obtaining the CONSULTANT's compliance hereunder. No payment for services rendered under this Agreement shall be made without the prior approval of the City Manager.

SECTION 8. TERMINATION.

In the event that either Party hereto fails or refuses to perform any of the provisions of this Agreement at the time and in the manner required, the non-defaulting party shall give the defaulting party written notice of the default, the nature of the default, and of the steps necessary to cure the default.

a. Termination for Cause. In the event that any of the provisions of the Agreement are violated by either party, the non-defaulting Party may terminate the Agreement by serving written notice upon the other Party, listing the violation(s) and its intent to terminate such Agreement unless within ten (10) days after the serving of such notice, such violation shall cease or be rectified, the contract shall upon the expiration of an additional thirty (30) days cease and terminate. Violations by the CONSULTANT which cannot be corrected within ten (10) days, said contract shall at the option of the CITY cease and terminate upon the giving of like notice. In the event of any such termination for default by the CONSULTANT, the CITY may take over the work and prosecute the same to completion by contract or otherwise for the account and at the expense of the CONSULTANT. The CONSULTANT and his sureties shall be liable to the CITY for any excess cost occasioned in the event of any such termination. This change shall not be construed to prevent the termination, for other causes authorized by law or other provisions of this contract. In the event of a termination for cause, the CONSULTANT shall only be entitled to the Compensation for those Professional Services satisfactory performed on or before the effective date of termination.

b. Termination for Convenience. The CITY shall have the option, at its sole discretion and without cause, to terminate this Agreement in whole, or in part, by

giving ten (30) business days' written notice to the CONSULTANT. Upon the termination of this Agreement as provided herein, the CITY shall provide to the CONSULTANT the part of Compensation which would otherwise be payable to the CONSULTANT for services the CONSULTANT had completed as of the date of termination, less the amount of all previous payment with respect to the Compensation. Further, upon such a termination for convenience by the CITY, the Parties agree that the CONSULTANT shall be reimbursed for any "non-refundable" costs that the CONSULTANT has incurred for its services under this Agreement, provided that: (1) such "non- refundable" costs were incurred by the CONSULTANT prior to the date of termination, and (2) that the CONSULTANT provides the CITY with adequate proof that the CONSULTANT incurred the costs, and is unable to be seek a refund for such costs. Such "non-refundable" costs may include, but are not limited to, travel reservations incurred by the CONSULTANT for its performance of services under this Agreement. The CONSULTANT agrees to cease all work under this Agreement on or before the effective date of any notice of termination.

SECTION 9. EMPLOYMENT OF CITY EMPLOYEES.

No regular employee of the CITY shall be employed by the CONSULTANT during the term of this Agreement.

SECTION 10. NON-LIABILITY OF CITY OFFICIALS AND EMPLOYEES.

No official or employee of the CITY shall be personally liable to the CONSULTANT in the event of any default or breach by the CITY, or for any amount which may become due to the CONSULTANT.

SECTION 11. INDEPENDENT CONSULTANT.

a. The CONSULTANT is and shall, at all times, remain as to the CITY a wholly independent consultant. Neither the CITY nor any of its elected officials, officers, employees, or agents shall have control over the conduct of the CONSULTANT except as expressly set forth in this Agreement. The CONSULTANT shall not at any time or in any manner represent that he or she is in any manner an elected official, officer, employee, or agent of the CITY. No employee benefits shall be available to the CONSULTANT in connection with the performance of this Agreement. Except as provided in this Agreement, the CITY shall not pay salary, wages, or other compensation to the CONSULTANT for performance hereunder for the CITY, the CITY shall not be liable for compensation to the CONSULTANT, the CONSULTANT's employees or the CONSULTANT's subconsultants for injury or sickness arising out of performing services hereunder.

b. The parties further acknowledge and agree that nothing in this Agreement shall create or be construed to create a partnership, joint venture, employment relationship or any other relationship except as set forth in this Agreement.

c. The CITY shall not deduct from the Compensation paid to the CONSULTANT any sums required for Social Security, withholding taxes, FICA, state disability insurance or any other federal, state or local tax or charge which may or may not be in effect or hereinafter enacted or required as a charge or withholding on the compensation paid to the CONSULTANT. The CITY shall have no responsibility to provide the CONSULTANT, its employees or subconsultants

with workers' compensation insurance or any other insurance.

SECTION 12. CALPERS ANNUITANTS AND ELIGIBILITY INDEMNITY.

a. If the CONSULTANT is a California Public Employees' Retirement System ("CalPERS") annuitant, the CONSULTANT must provide the City with written notification of such fact a minimum of 14 calendar days prior to commencement of services under this Agreement. Failure to provide such notification may result in termination of the Agreement, and any penalties or other costs relating thereto shall be borne by the CONSULTANT. If this Agreement remains in place, the CONSULTANT shall execute any amendment(s) to this Agreement requested by the City in order to comply with all laws and regulations applicable to CalPERS annuitants.

b. In the event that the CONSULTANT or any employee, agent, or subconsultant of the CONSULTANT providing services under this Agreement claims or is determined by a court of competent jurisdiction or CalPERS to be eligible for enrollment in CalPERS as an employee of the CITY, the CONSULTANT shall indemnify, defend, and hold harmless the CITY for the payment of any employee and/or employer contributions for CalPERS benefits on behalf of the CONSULTANT or its employees, agents, or subconsultants, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of the CITY.

c. Notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary, the CONSULTANT and any of its employees, agents, and subconsultants providing service under this Agreement shall not qualify for or become entitled to, and hereby agree to waive any claims to, any compensation, benefit, or any incident of employment by the CITY, including but not limited to eligibility to enroll in PERS as an employee of the CITY and entitlement to any contribution to be paid by the CITY for employer contribution and/or employee contributions for PERS benefits.

SECTION 13. LEGAL RESPONSIBILITIES.

The CONSULTANT shall at all times observe and comply with all applicable laws, ordinances, codes, and regulations of the federal, state, and local governments including, but not limited to the Montebello Municipal Code. The CITY, and its appointed or elected officers, employees, or agents, shall not be liable at law or in equity occasioned by failure of the CONSULTANT to comply with this section.

SECTION 14. INDEMNIFICATION.

The CONSULTANT agrees to, and shall defend, indemnify, protect and hold harmless, the CITY, its elected and appointed boards, officers, officials, employees, agents and volunteers from and against any and all claims, demands, lawsuits, defense costs, civil, penalties, expenses, causes of action, and judgments at law or in equity, or liability of any kind or nature which the CITY, its elected and appointed boards, officers, officials, employees, agents and volunteers may sustain or incur or which may be imposed upon them for injuries or deaths of persons, or damage to property arising out of the CONSULTANT's negligent or wrongful act, or omission under the terms of this Agreement, except only liability arising out of the sole negligence of the CITY.

SECTION 15. INSURANCE COVERAGE.

a. During the term of this Agreement, the CONSULTANT shall carry, maintain, and keep in full force and effect insurance against claims for death or injuries to persons or damages to property that may arise from or in connection with CONSULTANT's performance of this Agreement. Such insurance shall be of the types and in the amounts as set forth below:

- **Commercial General Liability (CGL)**: Insurance Services Office Form CG 00 01 covering CGL on an "occurrence" basis for bodily injury and property damage, including products-completed operations, personal injury, and advertising injury, with limits no less than $2,000,000 per occurrence. If a general aggregate limit applies, the limit shall be twice the required occurrence limit.

- **Automobile Liability Insurance:** Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if CONSULTANT has no owned autos, Code 8 (hired) and 9 (non-owned), with limit no less than $1,000,000 per accident for bodily injury and property damage.

- **Worker's Compensation** insurance as required by the laws of the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than $1,000,000 per accident for bodily injury or disease.

- **Professional Liability** insurance appropriate to the CONSULTANT'S profession, with limit no less than $1,000,000 per occurrence or claim, $2,000,000 aggregate.

b. If the CONSULTANT maintains higher limits than the minimums shown above, the CITY requires and shall be entitled to coverage for the higher limits maintained by the CONSULTANT.

c. The CONTACTOR shall require each of its subconsultants, if any, to maintain insurance coverage that meets all of the requirements of this Agreement.

d. The policy or policies required by this Agreement shall be issued by an insurer admitted in the State of California and with a current rating of at least A:VII in the latest edition of Best's Insurance Guide.

e. Each insurance policy required above shall state that coverage shall not be canceled, except after thirty (30) days' prior written notice (ten [10] days for non-payment) has been given to the CITY. The CONSULTANT agrees that if it does not keep the aforesaid insurance in full force and effect the CITY may either (i) immediately terminate this Agreement for Cause; or (ii) take out the necessary insurance and pay, at the CONSULTANT's expense, the premium thereon.

f. **Evidence of Insurance prior to commencement**. The Contractor shall provide to the CITY Certificate(s) of Insurance evidencing such coverage together with copies of the required policy endorsements no later than five (5) business days prior to commencement of service and at least fifteen (15) business days prior to

the expiration of any policy. Unreasonable failure to provide such evidence may be cause for termination of the Agreement as provided herein or delay the services' commencement date. The evidence of insurance shall be U.S. mail or email to:

City of Montebello
Attn: Risk Manager
1600 West Beverly Boulevard
Montebello, CA 90640
Email: GSkibar@cityofmontebello.com

Coverage shall not be suspended, voided, cancelled, reduced in coverage or in limits, non-renewed, or materially changed for any reason, without thirty (30) days prior written notice thereof given by the insurer to the CITY by U.S. mail, or by personal delivery, except for nonpayment of premiums, in which case ten (10) days prior notice shall be provided.

g. **Evidence of Insurance during the entire term of the Agreement**. At all times during the term of this Agreement, the CONSULTANT shall maintain on file with the CITY's Risk Manager a certificate or certificates of insurance showing that the aforesaid policies are in effect in the required amounts and naming the CITY as an additional insured. The CONSULTANT shall, prior to commencement of work under this Agreement, file with the CITY's Risk Manager such certificate(s).

h. The CONSULTANT shall provide proof that policies of insurance required herein expiring during the term of this Agreement have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two (2) weeks prior to the expiration of the coverages.

i. The general liability and automobile policies of insurance required by this Agreement shall contain an endorsement naming the CITY, its officers, employees, agents and volunteers as additional insureds. All of the policies required under this Agreement shall contain an endorsement providing that the policies cannot be canceled or reduced except on thirty days' prior written notice to the CITY. The CONSULTANT agrees to require its insurer to modify the certificates of insurance to delete any exculpatory wording stating that failure of the insurer to mail written notice of cancellation imposes no obligation, and to delete the word "endeavor" with regard to any notice provisions.

j. The insurance provided by the CONSULTANT shall be primary to any coverage available to the CITY. Any insurance or self-insurance maintained by the CITY, its officers, employees, agents, or volunteers, shall be in excess of CONSULTANT's insurance and shall not contribute with it.

k. All insurance coverage provided pursuant to this Agreement shall not prohibit the CONSULTANT, and CONSULTANT's employees, agents or subconsultants, from waiving the right of subrogation prior to a loss. The CONSULTANT hereby waives all rights of subrogation against the CITY.

l. Any deductibles or self-insured retentions must be declared to and approved by the CITY. At the option of the CITY, the CONSULTANT shall either reduce or eliminate the deductibles or self-insured retentions with respect to the CITY, or the CONSULTANT shall procure a bond guaranteeing payment of losses and

expenses.

m. Procurement of insurance by the CONSULTANT shall not be construed as a limitation of the CONSULTANT'S liability or as full performance of CONSULTANT's duties to indemnify, hold harmless and defend under the indemnity covenants of this Agreement.

SECTION 16. SUBCONTRACT, ASSIGNMENT OR DELEGATION.

The CONSULTANT shall not subcontract, delegate, or assign its duties or rights hereunder, either in whole or in part, without the prior written consent of the CITY. Any proposed subcontract, delegation, or assignment shall provide a description of the services to be covered, identification of the proposed sub-consultant, delegee, or assignee, and an explanation of why and how the same was selected, including the degree of competition involved.

Any subcontract, delegation or assignment shall be made in the name of the CONSULTANT and shall not bind or purport to bind the CITY and shall not release the CONSULTANT from any obligations under this Agreement including, but not limited to, the duty to properly supervise and coordinate the work of employees, assignees, delegees or sub-consultants. No such subcontract, delegation or assignment shall result in any increase in the amount of total compensation payable to the CONSULTANT under the Agreement.

SECTION 17. NO WAIVER.

Waiver by any party hereto of any term, condition or covenant of this Agreement shall not constitute the waiver of any other term, condition, or covenant hereof.

SECTION 18. DISPUTE RESOLUTION; GOVERNING LAW.

Disputes regarding the interpretation or application of any provision(s) of this Agreement shall, to the extent reasonably feasible, be resolved through good faith negotiations between the Parties. If any action at law or in equity is brought to enforce this Agreement or because of alleged dispute, breach, default or misrepresentation in connection with the provisions of this Agreement, the prevailing party in such action shall be entitled to reasonable attorney's fees, expert fees, costs and necessary disbursements incurred in that action or proceeding, in addition to such other relief as may be sought and awarded. The venue for any litigation shall be County of Los Angeles, California. The Parties agree that the covenants contained in this Section shall survive the expiration or termination of this Agreement.

SECTION 19. ATTORNEY'S FEES AND COSTS.

If litigation is reasonably required to enforce or interpret the provisions of this Agreement, the prevailing party in such litigation shall be entitled to an award of reasonable attorney's fees and costs in addition to any other relief to which it may be entitled.

SECTION 20. WARRANTIES.

Each of the parties represents and warrants to one another as follows:

a. It has received independent legal advice from its attorneys with respect to the advisability of entering into and executing this Agreement;

b. In executing this Agreement, it has carefully read this Agreement, knows the contents thereof, and has relied solely on the statements expressly set forth herein and has placed no reliance whatsoever on any statement, representation, or promise of any other party, or any other person or entity, not expressly set forth herein, nor upon the failure of any other party or any other person or entity to make any statement, representation or disclosure of any matter whatsoever; and

c. It is agreed that each party has the full right and authority to enter into this Agreement, and that the person executing this Agreement on behalf of either party has the full right and authority to fully commit and bind such party to the provisions of this Agreement.

SECTION 21. MISCELLANEOUS.

a. The descriptive paragraph headings of this Agreement are included for purposes of convenience only and shall not control or affect the construction of interpretation of any of its provisions.

b. Whenever the context hereof shall so require, the singular shall include the plural, the male gender shall include the female gender, and the neuter and vice versa.

c. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provisions had never been contained herein.

d. The representations and warranties made by the parties to this Agreement shall survive the consummation of the transaction herein described.

e. This Agreement may be signed in any one or more counterparts all of which taken together shall be but one and the same Agreement. Any signed copy of this Agreement or of any other document or agreement referred to herein, or copy or counterpart thereof, delivered by facsimile transmission, shall for all purposes be treated as if it were delivered containing an original manual signature of the party whose signature appears in the facsimile and shall be binding upon such party in the same manner as though an originally signed copy had been delivered.

f. Each of the parties acknowledges that it has been represented by independent counsel of its own choosing, or if it has not been so represented, it has been admonished to obtain independent counsel and has freely and voluntarily waived and relinquished the right to counsel. Each party who has not obtained independent counsel acknowledges that the failure to have independent legal counsel will not excuse such party's failure to perform under this Agreement or any agreement referred to in this Agreement.

SECTION 22. NOTICE.

All notices, demands, requests or approvals to be given under this Agreement shall be given in writing and conclusively shall be deemed served when delivered via e-mail (an "Electronic Notice" as further defined below), personally or on the second (2nd) business day after the deposit thereof in the United States mail, postage prepaid, registered or certified, addressed as hereinafter provided. All notices, demands, requests, or approvals hereunder shall be given to the following addresses or such other addresses as the Parties may designate by written notice:

If to CITY:
City of Montebello
Attn: René Bobadilla, City Manager
1600 West Beverly Boulevard
Montebello, CA 90640
(323) 887-1200
Email: rbobadilla@cityofmontebello.com

With a copy to:
City of Montebello – Recreation & Community Services
Attn: David Sosnowski, Director
1600 West Beverly Boulevard
Montebello, CA 90640
(323) 887-4540
Email: dsosnowski@cityofmontebello.com

If to Consultant:
Los Angeles Community Garden Council
Attn: Glen Dake, Board Chair
4470 W. Sunset Blvd. #381
Los Angeles, CA 90027
(323) 902-7167
dcampos@lacgc@gmail.com

An electronic communication ("**Electronic Notice**") shall be deemed written notice for purposes of this section if sent to the electronic mail address specified above. Electronic Notice shall be deemed received at the time the party sending Electronic Notice receives verification of receipt by the receiving party. Any party receiving Electronic Notice may request and shall be entitled to receive the notice on paper, in a nonelectronic form.

SECTION 23. NON-DISCRIMINATION AND EQUAL OPPORTUNITY EMPLOYER.

In the performance of this Agreement, the CONSULTANT shall not discriminate against any employee, sub-consultant, or applicant for employment because of race, color, creed, religion, sex, marital status, national origin, ancestry, age, physical or mental handicap, mental condition or sexual orientation. The CONSULTANT will take affirmative action to ensure that sub-consultant and applicants are employed, and that employees are treated during employment, without regard to their race, color, creed, religion, sex, marital status, national origin, ancestry, age, physical or mental handicap, medical condition or sexual orientation.

SECTION 24. CONFLICT OF INTEREST.

The CONSULTANT covenants that it presently has no interest and shall not

acquire any interest, direct or indirect, which may be affected by the services to be performed by the CONSULTANT under this Agreement, or which would conflict in any manner with the performance of its services hereunder. The CONSULTANT further covenants that, in performance of this Agreement, no person having any such interest shall be employed by it. Furthermore, the CONSULTANT shall avoid the appearance of having any interest that would conflict in any manner with the performance of its services pursuant to this Agreement.

The CONSULTANT covenants not to give or receive any compensation, monetary or otherwise, to or from the ultimate vendor(s) of services to the CITY as a result of the performance of this Agreement, or the services that may be procured by the CITY as a result of the recommendations made by the CONSULTANT. The CONSULTANT's covenant under this section shall survive the termination of this Agreement.

SECTION 25. ENTIRE AGREEMENT.

This Agreement contains the entire understanding between the CITY and the CONSULTANT. Any prior agreements, promises, negotiations or representations not expressly set forth herein are of no force or effect. Subsequent modifications to this Agreement shall be effective only if in writing and signed by each party. If any term, condition, or covenant of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall be valid and binding.

[**SIGNATURE PAGE TO FOLLOW**]

IN WITNESS WHEREOF, the parties, through their respective authorized representatives, have executed this Agreement as of the date first written above.

("CITY")

CITY OF MONTEBELLO

René Bobadilla, City Manager

("CONSULTANT")

LOS ANGELES COMMUNITY GARDEN COUNCIL

Glen Dake, Board Chair

ATTEST:

Christopher Jimenez, City Clerk

APPROVED AS TO FORM:

Arnold M. Alvarez-Glasman, City Attorney

EXHIBITS:

- Exhibit A – Scope of Work
- Exhibit B – Schedule of Compensation

EXHIBIT "A"

Scope of Work

The LACGC will assist the City with various phases of the project to construct a community garden at Grant Rea Park including the following:

- Design of the community garden
- Construction assistance
- Community outreach/engagement
- Garden management
- Volunteer recruitment
- Accepting/reviewing garden applications
- Collection of member dues
- Facilitation of educational workshops

EXHIBIT “B”

Schedule of Compensation

YEAR 1 TOTAL COST - $31,350

Design/Construction Phase

120 hours x $50/hr = $6,000
Expenses = $250
Total = $6,250

Community Engagement

240 hours x $50/hour = $12,000
Expenses = $500
Total = $12,500

Garden Management

240 hours x $50/hour = $12,000
Expense = $600
Total = $12,600

YEAR 2 TOTAL COST - $25,200

Garden Management

480 hours x $50 = $24,000
Expenses = $1,200
Total = $25,200

YEAR 3 TOTAL COST - $25,200

Garden Management

480 hours x $50 = $24,000
Expenses = $1,200
Total = $25,200

TOTAL 3 YEAR COST – NOT-TO-EXCEED $81,750

ATTACHMENT B
Rea Dr
Rio Del Sol
41 ft
208 ft
Rio Hondo Bike Path
Grant Rea Park
Recreation
Building
Montebello Batting Cages
Bike Path
Google

ITEM # 13

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: David Sosnowski, Director of Recreation and Community Services

SUBJECT: **Approve Blanket Purchase Order with PDQ Rental Center for Purchase or Rentals of Citywide Equipment**

DATE: February 9, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Approve a blanket purchase order with PDQ Rental Center in a total not-to-exceed amount of $75,000, for the purchase or rental of citywide equipment rentals; and

2) Take such additional, related, action that may be desirable.

FISCAL IMPACT

PDQ Rental Center is utilized by various City departments for as-needed individual projects that require the rental or purchase of specialized equipment. Adequate appropriations have been included in each department's adopted budget for Fiscal Year 2021-22. Therefore, no budget amendments are necessary.

BACKGROUND

PDQ Rental Center provides the City of Montebello with a variety of equipment rentals such as generators, light towers, scissor lifts, and other mechanical equipment. Services are utilized on an as-needed basis for different projects depending on each Department's need. In FY 2021-22, equipment has been rented or purchased by the Recreation and Community Services Department, Public Works Department, and Transit Department. Each department obtains necessary quotes and places orders on their own. All purchases to date have been made in accordance with the Montebello Municipal Code procurement policies and PDQ Rental Center has consistently provided the most competitive quotes.

ANALYSIS

The total amount of citywide purchases for FY 2021-22 from PDQ Rental Center is anticipated to exceed $50,000. Montebello Municipal Code Section 3.20 et al requires City Council approval for purchases of $50,000 or greater. To continue making future rentals or purchases in FY 2021-22, City Council approval is required. Rentals or purchases for the remainder of FY 2021-22 are not expected to exceed $75,000 citywide. The approval of additional funds allow for departments to rent or purchase necessary rentals for the remainder of the Fiscal Year.

Staff continue to review and analyze the use of services such as this, and will present blanket purchase orders for City Council approvals as necessary. The ultimate goal is to bring these types of items at the beginning of each fiscal year to assist in budget and overall procurement management.

SUMMARY

Staff is recommending that the City Council approve a Blanket Purchase Order with PDQ Rental Center in a total not-to-exceed amount of $75,000 for the purchase of citywide rental equipment or purchase in FY 2021-22.

ATTACHMENT:

None

ITEM # 14

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: Michael Solorza, Director of Finance

SUBJECT: **Waive Second Reading and adopt Ordinance No. 2447 Amending Montebello Municipal Code Chapters 3.16 "City Funds," 3.20 "Purchasing System," and 3.21 "Contracts for Professional and Special Services" to Incorporate Revisions and Recommendations Made in the State Auditors Report of 2021**

DATE: February 9, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Waive Second Reading and adopt Ordinance No. 2447 Amending Chapters 3.16 "City Funds," 3.20 "Purchasing System," and 3.21 "Contracts for Professional and Special Services" of the Montebello Municipal Code Relating; and

2) Take such additional, related, action that may be desirable.

FISCAL IMPACT

There is no direct fiscal impact related to the approval of the suggested municipal code updates. Some of the recommended updates to Chapters 3.16 et al, 3.20 et al and 3.21 et al may lead to improved procurement efficiencies, which would conceivably reduce administrative costs.

BACKGROUND

The City of Montebello last updated the section of municipal code governing procurement in February 2019. That update was a comprehensive overhaul of the (then) existing code, making necessary changes to modernize language while improving control over procurement and purchasing processes, and removing contradictory guidance found in multiple policies and in the code itself.

The 2019 update was a direct result of recommendations and findings from the December 2018 State Auditors report (Report No. 2018-802). As stated in the February 13, 2019 agenda report "[t]he Statue Audit requires [the purchasing] policies and procedures be updated to reflect best practices in purchasing and procurement, and to resolve ambiguities and inefficiencies."

Moreover, the 2019 update revealed five different governing documents/policies that each contained varying and conflicting formal and informal bid dollar thresholds (ranging from less than $5,000 to $100,000), differing City Council approval threshold dollar amounts ($50,000 vs. $20,000) and even varying dollar amounts for when a purchase order was required ($500 vs. $25,000). Each of these documents – ranging from resolutions to standard operating procedures to administrative policies – were active and applied to procurements in 2019.

The confusing nature of the City's procurement program prior to 2019 led to understandable lapses in following the rules. It was difficult for Staff to know what was precedent at the time, making it next to impossible to establish a standardized and coherent procurement program across the City. The 2019 update eliminated much of this confusion by amending Chapters 3.20 and 3.21 of the municipal code. From these chapters, new administrative policies could be adopted – all internally consistent with each other in an effort to promote the ability to "play by the rules."

In the three years since this comprehensive and much needed update, Staff have found additional areas of the code which must be amended in order to resolve lingering ambiguities and provide the maximum level of efficiency in procurement without sacrificing proper controls. In addition to the Staff identified changes, the audit review published in October 2021 by the State Auditor (Report No. 2021-807) contained recommendations that also require updating the existing municipal code. Put together, the recommended amendments (Attachment A) will further improve the code and increase the ability to properly manage all procurements.

Specifically, the City's corrective action plan (required by State Auditor Report No. 2021-807) that was presented to and approved by the City Council on November 10, 2021 identified the following recommendations that would be satisfied with approval of the ordinance amending Chapters 3.16, 3.20 and 3.21 (Attachment A):

- "The City should revise its municipal code to prohibit the purchases of employee gifts with public funds"

- "The City should create a policy by January 2022 requiring staff to formally document situations when a valid reason exists for deviating from procurement requirements in its municipal code, when the code allows it to do so."

- "Establish a policy by January 2022 that requires contracts to include a maximum value when feasible. The policy should require the City Council to review and approve any agreement that binds the City financially and that does not include a maximum value."

In addition to addressing these specific State Auditor recommendations, Staff is recommending language changes to improve the management of:

- Sole/Single source goods and/or services
- Standardization of Goods and/or services
- Cooperative purchases (i.e., piggybacking of contracts)
- Posting of bids, requests for proposals, etc. using electronic methods (i.e., PlanetBids)

Municipal code language is also being amended to allow staff to better manage purchase orders, making it more clear as to when one is needed vs. not (based on the type of good/service being procured). In addition, an error in the municipal code that stated purchase orders are needed for any purchase of $3,000 or more is being corrected – the intent and practice since 2019 has been $2,000 (the agenda report from February 2019 states the $2,000 purchase order limit in numerous places). Moreover, explicit language prohibiting the splitting of purchases to circumvent dollar limits in the code has been added. While the practice of splitting purchases has always been forbidden, the existing municipal code language was not clear enough.

The recommended updates remove ambiguity from the municipal code – making it easier for operating department staff to understand the purchasing rules as well as improving the ease by which Finance manages the entire procurement process. The "redlined" version of the existing Chapters 3.20 and 3.21 is attached (Attachment A), clearly showing <u>added</u> and ~~removed~~ language.

A committee of Finance staff worked closely with the City Attorney's office to ensure all the proposed changes coincide with current Government Code and other governing rules and regulations. Moreover, Finance Staff, in conducting purchasing trainings with key personnel in each department, has incorporated suggestions from these sessions into the proposed language updates. The end goal are amended municipal code chapters that improve efficiency and clarity, while ensuring the proper level of control over all purchasing and procurement processes and practices.

If approved, the amended chapters go into effect after City Council approval after the second reading. Once in effect, Finance Staff will provide trainings to departments on the updates to ensure compliance with the new municipal code language. The proposed recommendations satisfy recommendations from the State Auditor as well as provide necessary updates to ensure compliance that have been identified by Staff.

On January 26, 2022 the proposed Ordinance was presented before City Council, and the City Council approved the amendments for Chapters 3.16 "City Funds," 3.20 "Purchasing System," and 3.21 "Contracts for Professional and Special Services" of the Montebello Municipal Code.

SUMMARY

It is recommended that the City Council waive the second reading and approve an Ordinance Amending Chapters 3.16 "City Funds," 3.20 "Purchasing System," and 3.21 "Contracts for Professional and Special Services" of the Montebello Municipal Code, with the amendments being effective thirty (30) days from City Council approval.

ATTACHMENT

A. Attachment A - Ordinance Amending Montebello Municipal Code Chapters 3.16, 3.20 and 3.21

ATTACHMENT A

ORDINANCE NO. 2447

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, AMENDING CHAPTER 3.16 "CITY FUNDS," CHAPTER 3.20 "PURCHASING SYSTEM" AND CHAPTER 3.21 "CONTRACTS FOR PROFESSIONAL AND SPECIAL SERVICES" OF THE MONTEBELLO MUNICIPAL CODE UPDATING THE CITY'S REVENUE AND FINANCE PROVISIONS

RECITALS

WHEREAS, California law requires the State Auditor to issue an audit report at least once every three (3) years with recommendations for improvement when a city is designated as high-risk; and

WHEREAS, State Auditor Audit Report 2021-807 ("Report") was issued to the City of Montebello ("City") in October 2021, requiring the City to provide a corrective action plan by December 13, 2021, responding to all recommendations made in the Report; and

WHEREAS, the State Auditor Required Corrective Action Plan was created by staff and presented to the City Council on November 10, 2022; and

WHEREAS, the Report states the following relevant recommendations:

A. The City should revise its municipal code to prohibit the purchase of employee gifts with public funds; and

B. The City should create a policy requiring staff to formally document situations when a valid reason exists for deviating from procurement requirements in its municipal code, when the code allows it to do so; and

C. The City should establish a policy that requires contracts to include a maximum value when feasible and should require the City Council to review and approve any agreement that binds the City financially and that does not include a maximum value; and

WHEREAS, this Ordinance to amend and update the City's revenue and finance provisions is in response to the recommendations made by the State Auditor.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO HEREBY ORDAINS AS FOLLOWS:

SECTION 1. The above recitals are true and correct and made part of this Ordinance.

SECTION 2. AMENDMENTS; ADDITIONS. Chapter 3.16 “City Funds” of the Montebello Municipal Code is amended and will read as follows ((deletions in ~~strikethrough~~ and additions in double underline):

CHAPTER 3.16
CITY FUNDS

3.16.140 Use of Public Funds

The use of public funds for the purchase of employee gifts shall be prohibited and any use of public funds shall be in conformance with Section 6, Article XVI of the California Constitution.

SECTION 3. AMENDMENTS; ADDITIONS. Chapter 3.20 “Purchasing System” of the Montebello Municipal Code is amended and will read as follows ((deletions in ~~strikethrough~~ and additions in double underline):

CHAPTER 3.20
PURCHASING SYSTEM

3.20.010 Adoption – Purpose.

In order to establish efficient procedures for the purchase of supplies and equipment, to secure the city supplies and equipment at the lowest possible cost commensurate with quality needed, to exercise positive financial control over purchases, to clearly define authority for the purchasing function and to assure the quality of purchases, a purchasing system is adopted.

This chapter also establishes efficient procedures for the adoption and implementation of the provisions of the California Uniform Construction Cost Accounting Act [Section 22000, et seq. of the Public Contract Code]) as they relate to public works defined under Public Contract Code 22002.

3.20.020 Purchasing officer.

The director of finance shall be ex officio purchasing officer under the direction of the city manager and the words "purchasing officer" as used in this chapter shall be deemed to refer to the director of finance or his or her duly authorized designee. The purchasing officer shall have the duty and authority to:

A. Purchase or contract for supplies and equipment required by any using agency in accordance with purchasing procedures prescribed by this chapter, such administrative regulations as the purchasing officer shall adopt and such other rules and regulations as shall be prescribed by the city council;
B. Negotiate and recommend execution of contracts for the purchase of supplies and equipment;
C. Act to procure for the city the needed quality in supplies and equipment at least expense to the city;
D. Discourage uniform bidding and endeavor to obtain as full and open competition as possible on all purchases;
E. Prepare and recommend to the city council rules governing the purchase of supplies and equipment for the city;
F. Prepare and recommend to the city council revisions and amendments to the purchasing rules;
G. Keep informed of current developments in the field of purchasing, prices, market conditions and new products;
H. Prescribe and maintain such forms as are reasonably necessary to the operation of this chapter and other rules and regulations;
I. Supervise the inspection of all supplies and equipment purchased to ensure uniform conformance with specifications;
J. Recommend the transfer of surplus and unused supplies and equipment between departments as needed and the sale of all supplies and equipment which cannot be used by any agency or which have become unsuitable for city use;
K. Maintain a bidders' list, vendors' catalog file and records needed for the efficient operation of the purchasing ~~department~~ function.
L. Maintain a list of duly authorized designees and the authorization limits, which shall be less than fifty thousand dollars ($50,000) for each designee.

3.20.030 Exemptions from centralized purchasing.

The purchasing officer, with approval of the city council, may authorize, in writing, any agency to purchase or contract for specified supplies and equipment independently of the purchasing ~~department~~ function, but he shall require that such purchases or contracts shall be made in conformity with the procedures established by this chapter and shall further require periodic reports from the agency on the purchases and contracts made under such written authorization.

3.20.040 Requisitions.

Using agencies shall submit requests for services, supplies and equipment to the purchasing officer by standard requisition forms.

3.20.050 Conformance with bidding procedures.

Purchases of supplies and equipment for city use shall be made and accomplished in conformity with Section 3.20.080 or Section 3.20.090 except:

A. Emergency Procurement: When an emergency, as determined by the purchasing agent with the approval of the city manager in writing, is deemed to require that an order be placed with the nearest available source of supply;

B. Sole/Single Source Goods and/or Services: When the supplies and equipment needed can be obtained from one source only, such that written declaration of such will be required and noted by standard forms;

C. Standardization of Goods and/or Services: When goods and/or services are required to maintain consistent operation or function to an existing technology or public safety system or program already in use by the City. Examples of items lending themselves to standardization are computer equipment, computer hardware and software products, public safety equipment such as ammunition, ballistic vests, light bars, mobile radios, camera systems, and fire apparatus. The purchasing officer shall have discretion in determining what goods and/or services fall within this category;

D~~C~~. City Council Authorization: When the city council by a four-fifths vote determines to dispense with such bidding and other procedures required by the above-mentioned sections in every individual instance upon a finding by the city council that it would be impractical, useless, or uneconomical in such instance to follow the procedures, and that the welfare of the public would be promoted by dispensing with the same; ~~or~~

E~~D~~. Less than Two Thousand Dollars: When the amount of the purchase involved is less than two thousand dollars ($1,999 or less) and cumulative citywide purchases from a single vendor/consultant/firm/etc. have not exceeded this amount during the fiscal year (July 1 – June 30);

F. Cooperative Purchase - Purchases for goods and/or services that are identical or nearly identical in scope to the goods and/or services listed in any valid, current and competitively bid cooperative governmental purchase program. Pricing shall be the same or better than the pricing contained in the cooperative purchase agreement. For the purposes of this Section, the term “cooperative governmental purchase program” means any combination between the City and any other public agency or public agencies for the joint purchase of goods and/or services.

G. Piggyback Purchase - If the Purchasing Officer determines it to be in the best interest of the City, the Purchasing Officer is authorized to "piggyback" onto or join into an existing written purchase contract obtained through a competitive bidding process prepared by and awarded by another local, state or federal government agency.

H. Professional Services - Nothing shall be construed to preclude the city from awarding a written contract for professional type services, as defined by case or statutory law, without complying with the provisions of this Article. The term "professional services" means services entailing a high degree of specialized technical or mental skill, in a recognized field of expertise. Such services include attorneys, physicians, architects, engineers, appraisers, accountants, collection agency, detective agency, draftsman, mortuary, hospitals, escrow agency, travel agency, insurance broker, employment agency, advertising agency, real estate, chiropractic and optometry.

I. Solicitation of Bids with No Response: Where competitive bids or proposals have been solicited and no bid or proposal has been received. In such a situation the Purchasing Manager may proceed to have the services performed or the goods procured without further competitive bidding;

J~~H~~. Compliance: Compliance with the requirements set forth in the provisions of this chapter shall apply to all contracts awarded after the effective date of this subsection, as may be amended.

K~~I~~. Maximum Contract Term: Notwithstanding the exceptions under this section, no commitment or contract with a definitive term may exceed five years.

Any use or application of the bidding procedure exceptions listed herein for the purchase of supplies and equipment for city use shall require the making of a written record of such use or application, including the existence of a valid reason for such use or application. This written record shall be kept for at least five (5) years.

3.20.060 Use of purchase orders.

A. The purchase of goods and/or services including contracts and/or professional services agreements totaling ~~three~~ two thousand dollars ($2,000) or more shall be made by purchase order. Exceptions may be processed by request for warrant and shall be limited to dues and subscriptions,~~;~~ travel, ~~and~~ registration costs for training, conferences and meeting expenses, postal services, courier services, telephone, gas, electricity, water, internet, cable, cellular and other utility~~y~~ies, ~~and postal services,;~~ and payments that are not good and/or service items such as, pay for elected officials, commissions, police reserve and auxiliary firefighters,~~;~~ stipends, honorariums, pass-through payments, donations, legal fees, legal settlements, claims and expenses, reimbursements, refunds, replenishment of petty cash funds, contracts, debt service, letter of credit fees, payments to other government agencies, FICA, PERS, employee group insurance, workers' compensation premiums, ~~claims and expenses;~~ insurance premiums, and any other required payroll function/personnel related payments. ~~claims and expenses; reimbursements, refunds and replenishment of petty cash funds; contracts; debt payments; and payments to other government agencies.~~

B. Also exempted is the purchase of inventory stock replenishment for all stores materials. ~~Such purchases shall be transacted with a purchase requisition form.~~
C. The finance director may authorize any variance up to ten percent of the original purchase order price, in addition to sales tax and shipping.
D. No commitment or contract with a definitive term may exceed five years.

3.20.070 Unencumbered funds required for purchase order issuance.

Except in cases of emergency, the purchasing officer shall not issue any purchase order for services, supplies or equipment unless there exists an unencumbered appropriation in the fund account against which the purchase is to be charged.

3.20.080 Formal contract procedure.

Except as otherwise provided herein, purchases and contracts for supplies and equipment of an estimated value of fifty thousand dollars ($50,000) or more for contracts which do not constitute a public project as defined by Section 22002 of the Public Contract Code, shall be by written contract with the lowest responsible bidder pursuant to the procedure prescribed herein.

A. Notice Inviting Bids. Notices inviting bids shall include a general description of the articles to be purchased, shall state where bid blanks and specifications may be secured and the time and place for opening bids.
    1. Published Notice. Notices inviting bids shall be published at least ten (10) days before the date of opening of the bids. Notice shall be published at least once via the City's website or in a newspaper of general circulation, printed and published in the city, or if there is none, it shall be posted in at least three public places in the city that have been designated by ordinance as the places for posting public notices.
    2. Bidders' List. The purchasing officer shall also solicit sealed bids from all responsible prospective suppliers whose names are on the bidders' list or who have requested their name be added thereto.
    ~~3. Bulletin Board. The purchasing officer shall also advertise pending purchases by a notice posted on a public bulletin board in the city hall.~~
B. Bidders' Security. When deemed necessary by the purchasing officer, bidders' security may be prescribed in the public notices inviting bids. Bidders shall be entitled to return of bid security; provided that a successful bidder shall forfeit his bid security upon refusal or failure to execute the contract within ten (10) days after the notice of award of contract has been ~~mailed~~ made, unless the city is responsible for the delay. The city council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder. If the city council awards the contract to the next lowest bidder, the amount of the lowest bidders' security shall be applied by the city to the

difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.

C. Bid Opening Procedure. Sealed bids shall be submitted to the purchasing officer and shall be identified as bids on the envelope or via electronic method. Bids shall be opened in public at the time and place stated in the public notices. A tabulation of all bids received shall be open for public inspection via the City's website or posted during regular business hours for a period of not less than thirty calendar days after the bid closing.

D. Rejection of Bids. In its discretion, the city council may reject any and all bids presented and re-advertise for bids.

E. Award of Contracts. Contracts shall be awarded by the city council to the lowest responsible bidder except as otherwise provided herein.

F. Tie Bids. If two or more bids received are for the same total amount or unit price, quality and service being equal, and if the public interest will not permit the delay or re-advertising for bids, the city council may accept the one it chooses or accept the lowest bid made by negotiation with the tie bidders at the time of bid opening.

G. Performance Bonds. The city council shall have authority to require a performance bond before entering a contract in such amount as it shall find reasonably necessary to protect the best interests of the city. If the city council requires a performance bond, the form and amount of the bond shall be described in the notice inviting bids.

H. No commitment or contract with a definitive term may exceed five years unless determined to be in the public's best interest by the city council.

3.20.090 Open market procedure.

Purchases of supplies and equipment of an estimated value in the amount of less than fifty thousand dollars ($50,000) for contracts which are not for a public project as defined by Section 22002 of the Public Contract Code, may be made by the purchasing officer in the open market without observing the procedure prescribed by Section 3.20.080.

A. Minimum Number of Bids. Open market purchases shall, wherever possible, be based on at least three bids, and shall be awarded to the lowest responsible bidder.

B. Notice Inviting Bids. The purchasing officer shall solicit bids by written requests to prospective vendors or by telephone or by electronic mail (email) or by public notice posted on a public bulletin board in the city hall.

C. Written Bids. Written bids or quotations shall be submitted to the purchasing officer or designee who shall open them and keep a record of all open market orders and bids for a period of one year after the submission of bids or the

placing of orders, or as long as directed by a city council adopted records retention schedule. This record, while so kept, shall be open to public inspection.

D. No commitment or contract with a definitive term may exceed five years.

3.20.100 Inspection and testing.

The purchasing officer shall inspect supplies and equipment delivered to determine their conformance with the specifications set forth in the order or contract. The purchasing officer shall have authority to require chemical and physical tests of samples submitted with bids and samples of deliveries which are necessary to determine their quality and conformance with specifications.

3.20.110 Bidding procedure prescribed.

Whenever bids are required by law or by this code for the letting of contracts, the doing of work or the furnishing of supplies, equipment or materials, all of the steps, acts and proceedings required by law or by this code shall be fully complied with, and in particular and supplementary to the acts, steps and procedures, the procedure hereinafter set forth in this section regulating the notices inviting bids, the publication and posting of the notices, and the opening of the bids shall be followed:

A. Notice—Contents. The notice inviting bids shall set a date for the opening of bids. All such notices, whether mailed, published, or posted, shall state the date, the hour, and the place at which the bids called for are to be opened, and shall also state the date, the hour, and the place of the city council meeting at which the city council intends to take action on the bids.

B. Bids—Opening. All bids shall be returnable to the purchasing officer or to the office of the city clerk, and at the hour and date stated in the notice, all bids shall be publicly opened at the office of the city clerk in the presence of the city clerk, purchasing officer, a representative of the department, or departments, to which the purchase or contract is to be charged, and all other interested parties who wish to attend and witness the opening of the bids. As each bid is opened, it shall be read aloud so that all persons interested in the bidding may hear the contents thereof, although no more of the bid need be read or announced than would ordinarily be announced in an open city council meeting for the same purpose. From and after the time of their opening, the city clerk shall, upon request of any interested party, read or give such further information from the bid as may be requested.

C. Bids—Compiling. After they have been opened, all bids shall be examined and studied by the city clerk, purchasing officer and any other officials necessary for the proper analysis of the bids to see if they comply with the notice inviting bids and are in all other respects in good order. A report shall then be made by the appropriate department to the city council announcing the results of the

investigation and particularly designate which bid is found to be the lowest bid, the next lowest bid, and all of the other bids in ascending order of the figure or figures quoted.

D. Bids—Report—Awarding.
   1. At the meeting of the city council at which the bids are acted upon, the report shall be read publicly and the bid of the lowest bidder shall be publicly announced.
   2. After having complied with the foregoing procedure, the city council shall proceed in accordance with applicable provisions of law or this code either to award the bid and to let the contract therein referred to, or to take such other action as may be authorized by law.

E. Officer—Deputies. In the absence of the city clerk or purchasing officer, a duly authorized assistant or deputy may act in his place.

3.20.120 Joint purchasing agreements.

A. Whenever the city council finds that the public interest and convenience require, it may enter into joint purchasing agreements for the acquisition of ~~city~~ services, supplies and/or equipment, with any other public agency; provided, that such agreements are authorized by the laws of the state.

B. The provisions of this chapter shall not apply to purchases made under such an agreement: provided, that the city council shall, by resolution, prior to the execution of such an agreement, establish rules for administrative practices to be followed by the purchasing agent with respect to such joint purchasing agreements.

3.20.125 Piggybacking purchasing agreements.

A. The purchasing officer may arrange for the city and enter into purchase contracts with a vendor(s) for the purchase of supplies, equipment, services, including but not limited to materials, vehicles and apparatus, the pricing and terms of which have been previously established by another local, county, state, federal or other public entity, school district, League of California Cities, California Communities Program, or other nonprofit association or group consisting of governmental entities, provided that:
   1. The purchase contract with the vendor(s) is the result of competitive bidding or negotiation and is made in compliance with the competitive bid or proposal requirements of any participating entity or organization;
   2. ~~The purchase is made within two years of the competitive bid or negotiation;~~ The agreement or purchase order must be valid/not expired and the vendor/consultant has provided written authorization for the city to make purchases using the same (or lower) pricing.
   3. The purchase conforms to the city's specifications for the item or service; and

4. The estimated price of the purchase is lower than that estimated for the purchase if made directly by the city pursuant to this chapter.

B. Notwithstanding subsection 3.20.125(A), approval of a "piggyback" purchasing agreement pursuant to this section shall be obtained from city council for an award of a purchase in an amount ~~exceeding~~ of fifty thousand dollars ($50,000) or more.

3.20.130 Local vendor preference.

A. Whenever practical, the purchasing officer shall first ascertain the availability of goods and services from responsible local sources within city limits before considering outside sources and, if available, shall (as provided for in Section 3.20.050) solicit formal and/or informal bids from responsible local sources seeking the best price, quality, and delivery possible that best serves the interests of the city.

B. The purchasing officer may seek competitive pricing outside the city when it is determined that the best interests of the city related to price, quality and delivery will not be served by local sources.

C. The purchasing officer may establish competitively priced purchase agreements, open purchase, and blanket purchase orders with responsible local vendors via written quotes or negotiated agreement as provided for in Section 3.20.050.

D. For purposes of determining final cost, City of Montebello vendors may be allowed a one percent allowance in determination of low bid based upon estimated sales and business tax return and local service convenience, except when such an allowance is prohibited by the grantor of funds to purchase such goods and services. All requests for sealed bids must include notification of local vendor allowance.

3.20.135 Splitting purchases – financial interest prohibited.

A. No officer or employee of the city or its agencies shall split or separate a purchase/procurement of services, supplies and/or equipment for the purpose of evading the dollar amount bid threshold provisions of this chapter. The acquisition of services, supplies and/or equipment shall be made with a single contract covering all services to be provided.

B. No city employee who participates in the selection or approval of a vendor supplying services, supplies and/or equipment to the city, nor any person who has supervisory responsibility for any such employee, shall have a direct financial interest in any business entity under consideration.

3.20.140 Public works projects (uniform public construction cost accounting act).

A. Adoption of Uniform Public Construction Cost Accounting Act. The city has elected to be subject to the Uniform Public Construction Cost Accounting Act (hereinafter referred to as the "UPCCA" or the "Act"). City contracts for public projects and maintenance work shall be governed by applicable state laws including the Act, Public Contract Code Section 22000 et seq, and the California Uniform Construction

Cost Accounting Commission's (hereinafter, "UPCCA Commission") policies and procedures manual and cost accounting review procedures, as amended from time to time.

The term "public works" shall mean the same as the term "public project," as defined by the Act, which means any of the following: (1) construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair work involving any publicly owned, leased, or operated facility; (2) painting or repainting of any publicly owned, leased, or operated facility; and (3) in the case of a publicly owned utility system, "public project" shall include only the construction, erection, improvement, or repair of dams, reservoirs, power plants, and electrical transmission lines of two hundred thirty thousand volts and higher.

The term "maintenance work," as defined by the Act, includes: (1) routine, recurring, and usual work for the preservation or protection of any publicly owned or publicly operated facility for its intended purposes; (2) minor repainting; (3) resurfacing of streets and highways at less than one inch; (4) landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants, and servicing of irrigation and sprinkler systems; and (5) work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems, including, but not limited to, dams, reservoirs, power plants, and electrical transmission lines of two hundred thirty thousand volts and higher.

Public projects and maintenance work shall be procured through the procedures and at the monetary thresholds set forth in the Act and as further described in this chapter.

B. Pre-Bid Contractors List for Public Projects and Maintenance Work. The city shall develop and maintain a list of qualified contractors, identified according to categories of work for all projects and any scheduled projects, on an annual basis in accordance with the Act (Public Contract Code Section 22034(a)).

C. Contracts for Public Projects and Maintenance Work of Sixty Thousand Dollars or Less. Public projects and maintenance work of sixty thousand dollars or less (or the current amount specified in the Act) may be performed by city employees, by force account, by negotiated contract or by purchase order. Where it is anticipated that a project may be conducted and finished at a cost of sixty thousand dollars (or the amount as specified the Act) or less, the city manager or his/her designee is authorized to approve the project, provided the expenditure is within the approved budget.

D. Contracts for Public Projects and Maintenance Work of Two Hundred Thousand Dollars or Less. Public projects and maintenance work estimated to cost two hundred thousand dollars (or the amount as specified in the Act) or less may be procured through the following informal procedures prescribed by the Act:

1. Notice Inviting Informal Bids. The city manager or his/her designee shall send a notice inviting informal bids not less than ten calendar days before bids are due to: (a) all contractors on the list of qualified contractors developed by the UPCCA

Commission; or (b) all contractors on the list of qualified contractors and to the designated construction trade journals specified in Section 22036 of the Public Contract Code. The notice inviting informal bids shall describe the project, how to obtain more detailed information about the project, and the time, date and place for the submission of bids. Additional contractors and/or construction trade journals may be notified at the discretion of the department soliciting bids, provided however:

a. If there is no list of qualified contractors maintained by the city for the particular category of work performed, the notice inviting bids shall be sent only to the construction trade journals specified by the commission.
b. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

2. Distribution of Bid Documents. Bid documents may be transmitted and/or received via mail, facsimile, or email notice inviting informal bids to all construction trade journals specified in Section 22036 of the Public Contract Code.
3. Award of Contracts. The city manager or his/her designee is authorized to award such informal Public projects and maintenance work, provided the expenditure is within the approved budget and in a form approved by the city attorney. The city manager or his/her designee may, at his/her sole discretion, reject any or all bids presented and waive any minor irregularity or informality in such bids. The contract shall be awarded to the lowest responsive, responsible bidder. If two or more bids are the same and the lowest, the city manager may accept the one he/she chooses. If no bids are received through the informal procedure, the project may be performed by city employees, by force account or negotiated contract without further complying with this section.
4. Informal Bids Between Two Hundred Thousand Dollars and Two Hundred and Twelve Thousand Five Hundred Dollars. If all bids received are in excess of the amount specified in this section, the city council may, by adoption of a resolution by a four-fifths vote, award the contract, at two hundred and twelve thousand five hundred dollars or less, to the lowest responsible bidder, if it determines the cost of the estimate of the city was reasonable.

E. Contracts for Public Projects and Maintenance Work Greater Than Two Hundred Thousand Dollars. Public Projects and Maintenance Work of more than two hundred thousand dollars (or the current amount as specified in the Act) shall be procured through the following formal bidding procedures prescribed by the Act:

1. Notice Inviting Formal Bids. The city manager or his/her designee shall publish a notice inviting formal bids for public projects and maintenance work at least fourteen calendar days before the bid opening date in a newspaper of general circulation in the city. Additionally, the city manager or his/her designee shall

send a notice inviting formal bids to all contractors on the list of qualified contractors and to the designated construction trade journals specified in Section 22036 at least fifteen calendar days before bids are due. The notice shall describe the project, how to obtain more detailed information about the project, and the time and place for submission of bids.

2. Bidder's Security. All bids presented in connection with the public project shall be accompanied by bidder's security in the form and amount prescribed by Public Contract Code Section 20170, which security shall be dealt with as prescribed therein. In all cases bidders shall be entitled to return of bid security provided that a successful bidder shall forfeit its bid security upon refusal or failure to execute the contract within ten days after the notice of award of contract has been mailed, unless the city is responsible for the delay. The city council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder. If the city council awards the contract to the next lowest bidder, the amount of the lowest bidder's security shall be applied by the city to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder.
3. Bid Opening Procedure. Sealed bids shall be submitted to the department identified in the invitation for bid documents and shall be identified as bids on the envelope. Bids shall be opened in public at the time and place stated in the public notice. A tabulation of all bids received shall be open for public inspection during regular business hours for a period of not less than thirty calendar days after the bid opening.
4. Award of Contracts. Contracts shall be awarded by the city council to the lowest responsible bidder. The city council may, in its sole discretion, waive minor irregularities in the bids or in the bidding procedures. The city council may reject all bids presented, and re-advertise for bids.
5. Tie Bids and No Bids. If two or more bids are the same and the lowest, the city council may accept the one it chooses. If no bids are received through the formal procedure, the project may be performed by city employees, by force account or negotiated contract without complying with this section.
6. Rejecting Bids and Performing Project through City Employees. In its discretion, the city council may reject any bids presented, if the city, prior to rejecting all bids and declaring that the project can be more economically performed by employees of the city, furnishes a written notice to an apparent low bidder. The notice shall inform the bidder of the city's intention to reject the bid and shall be mailed at least two business days prior to the hearing at which the city intends to reject the bid. If after the first invitation of bids, all bids are rejected, the city shall reevaluate its cost estimates of the project and either:
   a. Abandon the project or re-advertise for bids in the manner described by this section; or

b. May have the project completed by force account without further complying with this section, if it passes a resolution by a four-fifths vote of the city council declaring that the project can be performed more economically by the employees of the city.

7. Performance Bonds. The department head shall have authority to require a performance bond before entering a contract in such amount as he or she finds reasonably necessary to protect the best interests of the city. If the city manager requires a performance bond, the form and amount of the bond shall be described in the notice inviting bids.

F. Emergencies.

1. In cases of emergency when repair or replacements are necessary, the city council, pursuant to a four-fifths vote, may proceed at once to replace or repair any public facility without adopting plans, specifications, strain sheets, or working details, or giving notice for bids to let contracts. The work may be done by day labor under the direction of the city council, by contractor, or by a combination of the two. The city council's authority under this section may be exercised pursuant to Public Contract Code Section 22035.
2. In case of emergency, if notice for bids to let contracts will not be given, the city shall comply with Chapter 2.5 of Part 3 of Division 2 of the Public Contracting Code (commencing with Section 22050).
3. City council delegates to the city manager, the authority to order any direct and immediate action necessary to repair or replace a public facility, procure the necessary equipment, services and supplies for the purposes of addressing an emergency, without giving notice for bids to let contracts per Paragraph 2 of this section. If the city manager orders any action specified under this section, the city manager shall report to city council at its next meeting as required under Section 22050 of the Public Contract Code.

SECTION 4. AMENDMENTS; ADDITIONS. Chapter 3.21 “Contracts for Professional and Special Services” of the Montebello Municipal Code is amended and will read as follows ((deletions in ~~strikethrough~~ and additions in <u>double underline</u>):

CHAPTER 3.21
CONTRACTS FOR PROFESSIONAL AND SPECIAL SERVICES

3.21.010 Definitions.

For purposes of this chapter, the following words shall have the following meanings:

"Professional/special services" means services which require special performance criteria; special or specific equipment; specific experience, knowledge, training, personal judgment, quality of work or factors other than simply obtaining the service at the lowest cost to the city. Such services include, but are not limited to, those provided by attorneys,

architects, engineers, land surveyors, construction managers, appraisers, experts, accounting firms, security firms, computer consultants/programmers and/or other specialized consultants. Professional/special services do not include services rendered by city officers or employees.

3.21.020 Experience and qualifications of professional/special service providers.

A. In contracting for professional/special services, such contracts shall only be awarded to firms or persons who have demonstrated adequate levels of experience, competence, resources/equipment, staffing and other professional qualifications necessary for more than a satisfactory performance of the services required in the time period needed.
B. Once the department requesting the professional/special service has determined a firm has an adequate level of competence, the cost of the service may be considered, however, price may not be the sole factor in determining to whom a contract shall be awarded. The city's best interests may be served by awarding the contract to a higher priced contractor based on the scope of services available, unique skills, staffing levels, timing, prior experience, past working relationship, and other factors required by the department or proposed by the contractor.
C. No commitment or contract with a definitive term may exceed five years.

3.21.025 Conformance with bidding procedures.

The acquiring of professional/special services shall be made and accomplished in conformity with Section 3.21.050 or Section 3.21.060 except:

A. When an emergency, as determined by the purchasing agent with the written approval of the city manager, is deemed to require that an order be placed with the nearest available source;
B. When the professional/special services needed can be obtained from one source only;
C. When the city council by a four-fifths vote determines to dispense with such bidding and other procedures required by the above-mentioned sections in every individual instance upon a finding by the city council that it would be impractical, useless, or uneconomical in such instance to follow the procedures, and that the welfare of the public would be promoted by dispensing with the same; or
D. When the amount of the professional/special services involved is less than two thousand dollars ($1,999 or less).
E. Compliance with the requirements set forth in the provisions of this chapter shall apply to all contracts awarded after the effective date of this subsection, as may be amended.

F. Notwithstanding the exceptions under this section, no commitment or contract with a definitive term may exceed five years.

G. Nothing shall be construed to preclude the city from awarding a written contract for professional type services, as defined by case or statutory law, without complying with the provisions of this Article. The term “professional services” means services entailing a high degree of specialized technical or mental skill, in a recognized field of expertise. Such services include attorneys, physicians, architects, engineers, appraisers, accountants, collection agency, detective agency, draftsman, mortuary, hospitals, escrow agency, travel agency, insurance broker, employment agency, advertising agency, real estate, chiropractic and optometry.

Any use or application of the bidding procedure exceptions listed herein for the acquisition of professional/special services shall require the making of a written record of such use or application, including the existence of a valid reason for such use or application. This written record shall be kept for at least five (5) years.

3.21.030 Request for proposals.

The acquiring of professional/special services shall be procured through a negotiated contract and should include a request for proposals ("RFP"), unless Section 3.21.025 or Section 3.21.050 applies.

3.21.040 Decentralized bid solicitation.

Soliciting bids for professional/special services is decentralized and shall be the responsibility of the department director requesting the service; however, the city manager may be contacted to assist with bids requiring the formal sealed RFP process set forth in Section 3.21.060.

3.21.050 Contracts for less than fifty thousand dollars ($50,000).

The following procedure shall be used when seeking professional/special services estimated to have an annual cost of less than fifty thousand dollars ($49,999 or less).

A. In nonemergency situations, the requesting department shall contact a minimum of three consultants or firms.

B. Unless the city council authorized the entering into or the award of a specific contract for professional/special services, the city manager shall approve in writing the award of all such contracts, taking into consideration the recommendation of the department director requesting the professional/special services at issue.

C. The city manager or his or her duly authorized designee is authorized to approve in writing professional/special service contracts with an annual estimated cost of less than fifty thousand dollars ($49,999 or less).

3.21.060 Contracts of fifty thousand dollars ($50,000) or more.

The following procedure shall be used when seeking professional/special services estimated to have an annual cost of fifty thousand dollars ($50,000) or more.

A. In nonemergency situations, departments shall utilize the following formal sealed RFP process:
   1. A formal sealed RFP template shall be developed for solicitation of professional services contracts of fifty thousand dollars ($50,000) or more.
   2. The department shall advertise in appropriate publications, electronic purchasing databases and/or use the professional services listings, as available, during the solicitation process.
   3. Notice inviting RFP's shall be posted at city hall, an appropriate and recognized electronic purchasing database and on the city's website at least fourteen (14) calendar days before the due date of submission of the RFP, when reasonably possible.
   4. The notice shall at least describe the general type of service needed, how the RFP minimum scope of work can be obtained, the requirement of a written sealed proposal, state the closing date, place, and time for submission of the RFP.
   5. Sealed request for proposals shall be submitted ~~directly to the requesting department~~ through an approved process, as designed and determined by the purchasing officer and need not be opened publicly.
   6. Departments shall analyze proposals for compliance with RFP requirements, value of the total scope of services and make a recommendation to city council for selection or for follow up interviews with those consultants/firms submitting proposals.

B. Contracts for professional/special services of fifty thousand dollars ($50,000) or more require the approval of the city council and the signature of the mayor, or in his or her absence, the mayor pro tempore, pursuant to the provisions of Gov. Code Sections 40601 and 40602 unless specifically delegated as part of the city council approval action.

C. Contracts for professional/special services shall be on the city's standard form and shall be reviewed and approved as to form by the city attorney.

D. No commitment or contract with a definitive term may exceed five years.

3.21.070 City manager authority to execute certain contracts.

The city manager or his or her duly authorized designee shall be authorized to sign on behalf of the city all contracts for professional/special services, which are less than a total contract amount of fifty thousand dollars ($50,000) in any one fiscal year period.

3.21.080 Splitting purchases or contracts – financial interest prohibited.

A. No officer or employee of the city or its agencies shall split or separate a purchase/procurement of professional/special for the purpose of evading the dollar amount bid threshold provisions of this chapter. The acquisition of professional/special services should be made with a single contract covering all services to be provided.

B. No city employee who participates in the selection or approval of a professional/special service provider, nor any person who has supervisory responsibility for any such employee, shall have a financial interest in any professional/special service provider business entity under consideration.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after approval by the Council.

SECTION 6. PUBLICATION. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published or posted according to law.

APPROVED AND ADOPTED this 9th day of February 2022.

_____
Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:

_____
Christopher Jimenez, City Clerk

APPROVED AS TO FORM:

_____
Arnold M. Alvarez-Glasman, City Attorney

I HEREBY CERTIFY that the foregoing Ordinance was introduced at the regular meeting of the City Council on the 26th day of January 2022 and was adopted by the City Council of the City of Montebello at its meeting held on the 9th day of February 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Christopher Jimenez, City Clerk

ITEM # 15

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: Fernando Pelaez, Fire Chief

SUBJECT: **Approve Replacement and Purchase of the Fire Command Vehicle**

DATE: February 9, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Authorize the purchase and replacement of the Fire Command Vehicle using pre-bid Sourcewell Contract #0011620-NCL awarded to NCL Government Capital; and

2) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $220,728 in Account No. 100-80-815-XXXX (General Fund, Fire, Support Services, Vehicle Purchases); and

3) Take such additional, related actions necessary to actions to effectively and efficiently procure the Fire Command Vehicle.

FISCAL IMPACT

The total amount necessary to procure the Fire Command Vehicle is $220,728, which includes the cost of the required emergency fire upfitting for specialty command vehicles, such as mobile radios, antennas, vehicular repeaters, Bluetooth, Intelligent internet equipment, intercom sensors, emergency lights and sirens, rugged computing, mobile data computer (MDC), Rugged LTE Modems & Mobile Data/Wi-Fi Gateways and all required installation services that meet the industry requirements for Fire Command Vehicles.

The Department is requesting for City Council to amend the Fire Departments Fiscal Year 2021-22 Budget by increasing appropriations by $220,728.00 from the General Funds for the purchase of the fire vehicles. This fire safety vehicle has been identified as a high

priority due to the need to replace the current outdated Fire Command Vehicle, and the need for the Battalion Chief's to be able to fully function as incident commanders in the field, and therefore, it is necessary to procure it, utilizing the General Funds.

BACKGROUND

The Montebello Fire Department operates three (3) fire stations, with Suppression activities that account for the vast majority of emergencies, resulting in approximately 22 emergency calls per day, for a total of 8,000 calls for service each year. Part of those emergency operations is to have the on-duty Battalion Chief safely, effectively and efficiently respond to an incident and deploy an incident command. The Battalion Chief utilizes a Fire Command Support Vehicle to respond to incidents, these command vehicles are fully equipped with authorized 911 emergency equipment and up-to-date wireless data technology when providing incident command to the scene of an incident.

Currently, the Montebello Fire Department only counts with one Fire Command Vehicle a 2013 Chevrolet Suburban 2500 that is close to 10 years old and has approximately 40k miles. This is the only vehicle of its kind in the fleet, and there is no back up command vehicle. The current command vehicle has been out of service due to repairs, creating a serious potential risk if not able to respond in a timely manner to an incident and provide incident command support. It is important for continuity of operations and services that the Montebello Fire Department maintain a reserve vehicle to ensure the Department to increase the operating capabilities and remain compliant with the National Fire Protection Association (NFPA) 1901 Standard for Automotive Fire Apparatus and Vehicles.

ANALYSIS

The Montebello Fire Department staff have conducted a vehicle resource assessment identifying the need for replacements and additional purchases to meet the growing demand in the Department, and ensuring full compliancy in our ability to increase vehicle and apparatus resources that will meet the industry standards and operating capabilities to minimize risks, and ensure safety. Any fire apparatus is an emergency vehicle that must be relied on to transport fire personnel safely to and from an incident and to operate reliably and properly to support the mission of the Fire Department.

By only having one (1) Fire Command Vehicle that breaks down at any time during an emergency operation not only compromises the success of the operation but might jeopardize the safety of the fire personnel relying on that vehicle to support their role in the operation. An outdated, and highly utilized fire vehicle cannot be considered the primary and sole vehicle in providing emergency services to a community. Rather, it meets the standards for a Reserve (back-up) Fire Command Vehicle, this will ensure that emergency operations are fully maintained during an incident or more than one incident.

The Fire Department staff has explored various procurement procedures that are cost effective and meets the required standard specifications. Staff have reviewed the NFPA Guidelines and Standards, conducted a cost-benefit analysis of repairs versus purchase of new vehicles, including a research of the most cost-efficient method to procure vehicles through the pre-bid contracts such as Sourcewell (Attachment B), HGAC, NCL Government Capital, and sole source vendors. The Montebello Fire Department identified the 2022 Ram 3500 (D28H91) Big Horn 4X4 Crew Cab (Attachment A) similar to the current Fire Command Vehicle. The newly purchased Command Vehicle will be required to have the emergency fire upfitting vital for specialty command vehicles, such as mobile radios, antennas, vehicular repeaters, Bluetooth, Intelligent internet equipment, intercom sensors, emergency lights and sirens, rugged computing, mobile data computer (MDC), Rugged LTE Modems & Mobile Data/Wi-Fi Gateways and all required installation services that meet the industry fire apparatus standards. The existing Command Vehicle will be placed in reserve status.

SUMMARY

Staff is recommending the City Council approve the procurement of the Fire Command Vehicle in order to maintain fire service operations and ensure required equipment necessary for incident command operations. The total purchase price is estimated at $220,728.00. Staff further recommends authorizing the City Manager to approve all related documents necessary to acquire the proposed Fire Command Vehicle.

ATTACHMENTS:

A. Attachment A – National Auto Fleet Group Vehicle Quote
B. Attachment B – Sourcewell Contract #091521-NAF; #120716-NAF; #0011620-NCL

Attachment A

National Auto Fleet Group

A Division of Chevrolet of Watsonville
490 Auto Center Drive, Watsonville, CA 95076
(855) 289-6572 • (855) BUY-NJPA • (831) 480-8497 Fax
Fleet@NationalAutoFleetGroup.com

January 19, 2022

BC Craig Barker
City of Montebello Fire Department
600 N Montebello Blvd
Montebello, Ca 90640
Delivery Via Email

Dear BC Barker,

In response to your inquiry, we are pleased to submit the following for your consideration:

National Auto Fleet Group will sell, service and deliver at Montebello, new/unused 2022 Ram 3500 (D28H91) Big Horn 4X4 Crew Cab 6.4' Box responding to your requirement with the attached specifications for $54,793.00 plus Upfit State Sales Tax, and $8.75 tire tax (non-taxable). These vehicles are available under the Sourcewell (Formerly Known as NJPA) master vehicle contract# 091521-NAFG.

	One Unit MSRP	One Unit	Total Savings	Total Savings
2022 Ram 3500 Crew Cab Big Horn 4WD	69,805.00	54,793.00	21.51%	15,012.00
Shell & Amp Baords		6,094.03		
911 Upfit		138,685.00		
Two Extra Keys		400.00		
Sub Total		199,972.03		
Sales Tax		20,497.13		
Transportation		250.00		
Tire Tax		8.75		
Total		220,727.91		

Terms are net 30 days.
Delivery 220-280 Days ARO
National Auto Fleet Group welcomes the opportunity to assist you in your vehicle requirements.

Kevin Buzzard
National Law Enforcement Sales Manager
National Auto Fleet Group
Wondries Fleet Group
626-457-5590 O / 714-264-1867 C / 626-457-5593 F

DocuSign Envelope ID: CF25B13B-7B09-48BC-B85D-F1A7A7104FDA

Solicitation Number: RFP #091521

CONTRACT

This Contract is between Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 (Sourcewell) and 72 Hour LLC dba: National Auto Fleet Group, 490 Auto Center Drive, Watsonville, CA 95076 (Supplier).

Sourcewell is a State of Minnesota local government unit and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21) that offers cooperative procurement solutions to government entities. Participation is open to eligible federal, state/province, and municipal governmental entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States and Canada. Sourcewell issued a public solicitation for Automobiles, SUVs, Vans, and Light Trucks with Related Equipment and Accessories from which Supplier was awarded a contract.

Supplier desires to contract with Sourcewell to provide equipment, products, or services to Sourcewell and the entities that access Sourcewell's cooperative purchasing contracts (Participating Entities).

1. TERM OF CONTRACT

A. EFFECTIVE DATE. This Contract is effective upon the date of the final signature below.

B. EXPIRATION DATE AND EXTENSION. This Contract expires November 8, 2025, unless it is cancelled sooner pursuant to Article 22. This Contract may be extended one additional year upon the request of Sourcewell and written agreement by Supplier.

C. SURVIVAL OF TERMS. Notwithstanding any expiration or termination of this Contract, all payment obligations incurred prior to expiration or termination will survive, as will the following: Articles 11 through 14 survive the expiration or cancellation of this Contract. All rights will cease upon expiration or termination of this Contract.

2. EQUIPMENT, PRODUCTS, OR SERVICES

A. EQUIPMENT, PRODUCTS, OR SERVICES. Supplier will provide the Equipment, Products, or Services as stated in its Proposal submitted under the Solicitation Number listed above.

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Supplier's Equipment, Products, or Services Proposal (Proposal) is attached and incorporated into this Contract.

All Equipment and Products provided under this Contract must be new and the current model. Supplier may offer close-out or refurbished Equipment or Products if they are clearly indicated in Supplier's product and pricing list. Unless agreed to by the Participating Entities in advance, Equipment or Products must be delivered as operational to the Participating Entity's site.

This Contract offers an indefinite quantity of sales, and while substantial volume is anticipated, sales and sales volume are not guaranteed.

B. WARRANTY. Supplier warrants that all Equipment, Products, and Services furnished are free from liens and encumbrances, and are free from defects in design, materials, and workmanship. In addition, Supplier warrants the Equipment, Products, and Services are suitable for and will perform in accordance with the ordinary use for which they are intended. Supplier's dealers and distributors must agree to assist the Participating Entity in reaching a resolution in any dispute over warranty terms with the manufacturer. Any manufacturer's warranty that extends beyond the expiration of the Supplier's warranty will be passed on to the Participating Entity.

C. DEALERS, DISTRIBUTORS, AND/OR RESELLERS. Upon Contract execution and throughout the Contract term, Supplier must provide to Sourcewell a current means to validate or authenticate Supplier's authorized dealers, distributors, or resellers relative to the Equipment, Products, and Services offered under this Contract, which will be incorporated into this Contract by reference. It is the Supplier's responsibility to ensure Sourcewell receives the most current information.

3. PRICING

All Equipment, Products, or Services under this Contract will be priced at or below the price stated in Supplier's Proposal.

When providing pricing quotes to Participating Entities, all pricing quoted must reflect a Participating Entity's total cost of acquisition. This means that the quoted cost is for delivered Equipment, Products, and Services that are operational for their intended purpose, and includes all costs to the Participating Entity's requested delivery location.

Regardless of the payment method chosen by the Participating Entity, the total cost associated with any purchase option of the Equipment, Products, or Services must always be disclosed in the pricing quote to the applicable Participating Entity at the time of purchase.

A. SHIPPING AND SHIPPING COSTS. All delivered Equipment and Products must be properly packaged. Damaged Equipment and Products may be rejected. If the damage is not readily apparent at the time of delivery, Supplier must permit the Equipment and Products to be

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returned within a reasonable time at no cost to Sourcewell or its Participating Entities. Participating Entities reserve the right to inspect the Equipment and Products at a reasonable time after delivery where circumstances or conditions prevent effective inspection of the Equipment and Products at the time of delivery. In the event of the delivery of nonconforming Equipment and Products, the Participating Entity will notify the Supplier as soon as possible and the Supplier will replace nonconforming Equipment and Products with conforming Equipment and Products that are acceptable to the Participating Entity.

Supplier must arrange for and pay for the return shipment on Equipment and Products that arrive in a defective or inoperable condition.

Sourcewell may declare the Supplier in breach of this Contract if the Supplier intentionally delivers substandard or inferior Equipment or Products.

B. SALES TAX. Each Participating Entity is responsible for supplying the Supplier with valid tax-exemption certification(s). When ordering, a Participating Entity must indicate if it is a tax-exempt entity.

C. HOT LIST PRICING. At any time during this Contract, Supplier may offer a specific selection of Equipment, Products, or Services at discounts greater than those listed in the Contract. When Supplier determines it will offer Hot List Pricing, it must be submitted electronically to Sourcewell in a line-item format. Equipment, Products, or Services may be added or removed from the Hot List at any time through a Sourcewell Price and Product Change Form as defined in Article 4 below.

Hot List program and pricing may also be used to discount and liquidate close-out and discontinued Equipment and Products as long as those close-out and discontinued items are clearly identified as such. Current ordering process and administrative fees apply. Hot List Pricing must be published and made available to all Participating Entities.

4. PRODUCT AND PRICING CHANGE REQUESTS

Supplier may request Equipment, Product, or Service changes, additions, or deletions at any time. All requests must be made in writing by submitting a signed Sourcewell Price and Product Change Request Form to the assigned Sourcewell Supplier Development Administrator. This approved form is available from the assigned Sourcewell Supplier Development Administrator. At a minimum, the request must:

- Identify the applicable Sourcewell contract number;
- Clearly specify the requested change;
- Provide sufficient detail to justify the requested change;

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- Individually list all Equipment, Products, or Services affected by the requested change, along with the requested change (e.g., addition, deletion, price change); and
- Include a complete restatement of pricing documentation in Microsoft Excel with the effective date of the modified pricing, or product addition or deletion. The new pricing restatement must include all Equipment, Products, and Services offered, even for those items where pricing remains unchanged.

A fully executed Sourcewell Price and Product Change Request Form will become an amendment to this Contract and will be incorporated by reference.

5. PARTICIPATION, CONTRACT ACCESS, AND PARTICIPATING ENTITY REQUIREMENTS

A. PARTICIPATION. Sourcewell's cooperative contracts are available and open to public and nonprofit entities across the United States and Canada; such as federal, state/province, municipal, K-12 and higher education, tribal government, and other public entities.

The benefits of this Contract should be available to all Participating Entities that can legally access the Equipment, Products, or Services under this Contract. A Participating Entity's authority to access this Contract is determined through its cooperative purchasing, interlocal, or joint powers laws. Any entity accessing benefits of this Contract will be considered a Service Member of Sourcewell during such time of access. Supplier understands that a Participating Entity's use of this Contract is at the Participating Entity's sole convenience and Participating Entities reserve the right to obtain like Equipment, Products, or Services from any other source.

Supplier is responsible for familiarizing its sales and service forces with Sourcewell contract use eligibility requirements and documentation and will encourage potential participating entities to join Sourcewell. Sourcewell reserves the right to add and remove Participating Entities to its roster during the term of this Contract.

B. PUBLIC FACILITIES. Supplier's employees may be required to perform work at government-owned facilities, including schools. Supplier's employees and agents must conduct themselves in a professional manner while on the premises, and in accordance with Participating Entity policies and procedures, and all applicable laws.

6. PARTICIPATING ENTITY USE AND PURCHASING

A. ORDERS AND PAYMENT. To access the contracted Equipment, Products, or Services under this Contract, a Participating Entity must clearly indicate to Supplier that it intends to access this Contract; however, order flow and procedure will be developed jointly between Sourcewell and Supplier. Typically, a Participating Entity will issue an order directly to Supplier or its authorized subsidiary, distributor, dealer, or reseller. If a Participating Entity issues a purchase order, it may use its own forms, but the purchase order should clearly note the applicable Sourcewell

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contract number. All Participating Entity orders under this Contract must be issued prior to expiration or cancellation of this Contract; however, Supplier performance, Participating Entity payment obligations, and any applicable warranty periods or other Supplier or Participating Entity obligations may extend beyond the term of this Contract.

Supplier's acceptable forms of payment are included in its attached Proposal. Participating Entities will be solely responsible for payment and Sourcewell will have no liability for any unpaid invoice of any Participating Entity.

B. ADDITIONAL TERMS AND CONDITIONS/PARTICIPATING ADDENDUM. Additional terms and conditions to a purchase order, or other required transaction documentation, may be negotiated between a Participating Entity and Supplier, such as job or industry-specific requirements, legal requirements (e.g., affirmative action or immigration status requirements), or specific local policy requirements. Some Participating Entities may require the use of a Participating Addendum; the terms of which will be negotiated directly between the Participating Entity and the Supplier. Any negotiated additional terms and conditions must never be less favorable to the Participating Entity than what is contained in this Contract.

C. SPECIALIZED SERVICE REQUIREMENTS. In the event that the Participating Entity requires service or specialized performance requirements not addressed in this Contract (such as e-commerce specifications, specialized delivery requirements, or other specifications and requirements), the Participating Entity and the Supplier may enter into a separate, standalone agreement, apart from this Contract. Sourcewell, including its agents and employees, will not be made a party to a claim for breach of such agreement.

D. TERMINATION OF ORDERS. Participating Entities may terminate an order, in whole or in part, immediately upon notice to Supplier in the event of any of the following events:

1. The Participating Entity fails to receive funding or appropriation from its governing body at levels sufficient to pay for the equipment, products, or services to be purchased; or
2. Federal, state, or provincial laws or regulations prohibit the purchase or change the Participating Entity's requirements.

E. GOVERNING LAW AND VENUE. The governing law and venue for any action related to a Participating Entity's order will be determined by the Participating Entity making the purchase.

7. CUSTOMER SERVICE

A. PRIMARY ACCOUNT REPRESENTATIVE. Supplier will assign an Account Representative to Sourcewell for this Contract and must provide prompt notice to Sourcewell if that person is changed. The Account Representative will be responsible for:

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- Maintenance and management of this Contract;
- Timely response to all Sourcewell and Participating Entity inquiries; and
- Business reviews to Sourcewell and Participating Entities, if applicable.

B. BUSINESS REVIEWS. Supplier must perform a minimum of one business review with Sourcewell per contract year. The business review will cover sales to Participating Entities, pricing and contract terms, administrative fees, sales data reports, supply issues, customer issues, and any other necessary information.

8. REPORT ON CONTRACT SALES ACTIVITY AND ADMINISTRATIVE FEE PAYMENT

A. CONTRACT SALES ACTIVITY REPORT. Each calendar quarter, Supplier must provide a contract sales activity report (Report) to the Sourcewell Supplier Development Administrator assigned to this Contract. Reports are due no later than 45 days after the end of each calendar quarter. A Report must be provided regardless of the number or amount of sales during that quarter (i.e., if there are no sales, Supplier must submit a report indicating no sales were made).

The Report must contain the following fields:

- Participating Entity Name (e.g., City of Staples Highway Department);
- Participating Entity Physical Street Address;
- Participating Entity City;
- Participating Entity State/Province;
- Participating Entity Zip/Postal Code;
- Participating Entity Contact Name;
- Participating Entity Contact Email Address;
- Participating Entity Contact Telephone Number;
- Sourcewell Assigned Entity/Participating Entity Number;
- Item Purchased Description;
- Item Purchased Price;
- Sourcewell Administrative Fee Applied; and
- Date Purchase was invoiced/sale was recognized as revenue by Supplier.

B. ADMINISTRATIVE FEE. In consideration for the support and services provided by Sourcewell, the Supplier will pay an administrative fee to Sourcewell on all Equipment, Products, and Services provided to Participating Entities. The Administrative Fee must be included in, and not added to, the pricing. Supplier may not charge Participating Entities more than the contracted price to offset the Administrative Fee.

The Supplier will submit payment to Sourcewell for the percentage of administrative fee stated in the Proposal multiplied by the total sales of all Equipment, Products, and Services purchased

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by Participating Entities under this Contract during each calendar quarter. Payments should note the Supplier's name and Sourcewell-assigned contract number in the memo; and must be mailed to the address above "Attn: Accounts Receivable" or remitted electronically to Sourcewell's banking institution per Sourcewell's Finance department instructions. Payments must be received no later than 45 calendar days after the end of each calendar quarter.

Supplier agrees to cooperate with Sourcewell in auditing transactions under this Contract to ensure that the administrative fee is paid on all items purchased under this Contract.

In the event the Supplier is delinquent in any undisputed administrative fees, Sourcewell reserves the right to cancel this Contract and reject any proposal submitted by the Supplier in any subsequent solicitation. In the event this Contract is cancelled by either party prior to the Contract's expiration date, the administrative fee payment will be due no more than 30 days from the cancellation date.

9. AUTHORIZED REPRESENTATIVE

Sourcewell's Authorized Representative is its Chief Procurement Officer.

Supplier's Authorized Representative is the person named in the Supplier's Proposal. If Supplier's Authorized Representative changes at any time during this Contract, Supplier must promptly notify Sourcewell in writing.

10. AUDIT, ASSIGNMENT, AMENDMENTS, WAIVER, AND CONTRACT COMPLETE

A. AUDIT. Pursuant to Minnesota Statutes Section 16C.05, subdivision 5, the books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by Sourcewell or the Minnesota State Auditor for a minimum of six years from the end of this Contract. This clause extends to Participating Entities as it relates to business conducted by that Participating Entity under this Contract.

B. ASSIGNMENT. Neither party may assign or otherwise transfer its rights or obligations under this Contract without the prior written consent of the other party and a fully executed assignment agreement. Such consent will not be unreasonably withheld. Any prohibited assignment will be invalid.

C. AMENDMENTS. Any amendment to this Contract must be in writing and will not be effective until it has been duly executed by the parties.

D. WAIVER. Failure by either party to take action or assert any right under this Contract will not be deemed a waiver of such right in the event of the continuation or repetition of the circumstances giving rise to such right. Any such waiver must be in writing and signed by the parties.

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E. CONTRACT COMPLETE. This Contract represents the complete agreement between the parties. No other understanding regarding this Contract, whether written or oral, may be used to bind either party.For any conflict between the attached Proposal and the terms set out in Articles 1-22 of this Contract, the terms of Articles 1-22 will govern.

F. RELATIONSHIP OF THE PARTIES. The relationship of the parties is one of independent contractors, each free to exercise judgment and discretion with regard to the conduct of their respective businesses. This Contract does not create a partnership, joint venture, or any other relationship such as master-servant, or principal-agent.

11. INDEMNITY AND HOLD HARMLESS

Supplier must indemnify, defend, save, and hold Sourcewell and its Participating Entities, including their agents and employees, harmless from any claims or causes of action, including attorneys' fees incurred by Sourcewell or its Participating Entities, arising out of any act or omission in the performance of this Contract by the Supplier or its agents or employees; this indemnification includes injury or death to person(s) or property alleged to have been caused by some defect in the Equipment, Products, or Services under this Contract to the extent the Equipment, Product, or Service has been used according to its specifications. Sourcewell's responsibility will be governed by the State of Minnesota's Tort Liability Act (Minnesota Statutes Chapter 466) and other applicable law.

12. GOVERNMENT DATA PRACTICES

Supplier and Sourcewell must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by or provided to Sourcewell under this Contract and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Supplier under this Contract.

13. INTELLECTUAL PROPERTY, PUBLICITY, MARKETING, AND ENDORSEMENT

A. INTELLECTUAL PROPERTY

1. *Grant of License.* During the term of this Contract:
   a. Sourcewell grants to Supplier a royalty-free, worldwide, non-exclusive right and license to use thetrademark(s) provided to Supplier by Sourcewell in advertising and promotional materials for the purpose of marketing Sourcewell's relationship with Supplier.
   b. Supplier grants to Sourcewell a royalty-free, worldwide, non-exclusive right and license to use Supplier's trademarks in advertising and promotional materials for the purpose of marketing Supplier's relationship with Sourcewell.
2. *Limited Right of Sublicense*. The right and license granted herein includes a limited right of each party to grant sublicenses to their respective subsidiaries, distributors, dealers,

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resellers, marketing representatives, and agents (collectively "Permitted Sublicensees") in advertising and promotional materials for the purpose of marketing the Parties' relationship to Participating Entities. Any sublicense granted will be subject to the terms and conditions of this Article. Each party will be responsible for any breach of this Article by any of their respective sublicensees.

3. *Use; Quality Control.*

a. Neither party may alter the other party's trademarks from the form provided and must comply with removal requests as to specific uses of its trademarks or logos.

b. Each party agrees to use, and to cause its Permitted Sublicensees to use, the other party's trademarks only in good faith and in a dignified manner consistent with such party's use of the trademarks. Upon written notice to the breaching party, the breaching party has 30 days of the date of the written notice to cure the breach or the license will be terminated.

4. As applicable, Supplier agrees to indemnify and hold harmless Sourcewell and its Participating Entities against any and all suits, claims, judgments, and costs instituted or recovered against Sourcewell or Participating Entities by any person on account of the use of any Equipment or Products by Sourcewell or its Participating Entities supplied by Supplier in violation of applicable patent or copyright laws.

5. Termination. Upon the termination of this Contract for any reason, each party, including Permitted Sublicensees, will have 30 days to remove all Trademarks from signage, websites, and the like bearing the other party's name or logo (excepting Sourcewell's pre-printed catalog of suppliers which may be used until the next printing). Supplier must return all marketing and promotional materials, including signage, provided by Sourcewell, or dispose of it according to Sourcewell's written directions.

B. PUBLICITY. Any publicity regarding the subject matter of this Contract must not be released without prior written approval from the Authorized Representatives. Publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Supplier individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Contract.

C. MARKETING. Any direct advertising, marketing, or offers with Participating Entities must be approved by Sourcewell. Send all approval requests to the Sourcewell Supplier Development Administrator assigned to this Contract.

D. ENDORSEMENT. The Supplier must not claim that Sourcewell endorses its Equipment, Products, or Services.

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14. GOVERNING LAW, JURISDICTION, AND VENUE

The substantive and procedural laws of the State of Minnesota will govern this Contract. Venue for all legal proceedings arising out of this Contract, or its breach, must be in the appropriate state court in Todd County, Minnesota or federal court in Fergus Falls, Minnesota.

15. FORCE MAJEURE

Neither party to this Contract will be held responsible for delay or default caused by acts of God or other conditions that are beyond that party's reasonable control. A party defaulting under this provision must provide the other party prompt written notice of the default.

16. SEVERABILITY

If any provision of this Contract is found by a court of competent jurisdiction to be illegal, unenforceable, or void then both parties will be relieved from all obligations arising from that provision. If the remainder of this Contract is capable of being performed, it will not be affected by such determination or finding and must be fully performed.

17. PERFORMANCE, DEFAULT, AND REMEDIES

A. PERFORMANCE. During the term of this Contract, the parties will monitor performance and address unresolved contract issues as follows:

1. *Notification.* The parties must promptly notify each other of any known dispute and work in good faith to resolve such dispute within a reasonable period of time. If necessary, Sourcewell and the Supplier will jointly develop a short briefing document that describes the issue(s), relevant impact, and positions of both parties.
2. *Escalation.* If parties are unable to resolve the issue in a timely manner, as specified above, either Sourcewell or Supplier may escalate the resolution of the issue to a higher level of management. The Supplier will have 30 calendar days to cure an outstanding issue.
3. *Performance while Dispute is Pending*. Notwithstanding the existence of a dispute, the Supplier must continue without delay to carry out all of its responsibilities under the Contract that are not affected by the dispute. If the Supplier fails to continue without delay to perform its responsibilities under the Contract, in the accomplishment of all undisputed work, the Supplier will bear any additional costs incurred by Sourcewell and/or its Participating Entities as a result of such failure to proceed.

B. DEFAULT AND REMEDIES. Either of the following constitutes cause to declare this Contract, or any Participating Entity order under this Contract, in default:

1. Nonperformance of contractual requirements, or
2. A material breach of any term or condition of this Contract.

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The party claiming default must provide written notice of the default, with 30 calendar days to cure the default. Time allowed for cure will not diminish or eliminate any liability for liquidated or other damages. If the default remains after the opportunity for cure, the non-defaulting party may:

- Exercise any remedy provided by law or equity, or
- Terminate the Contract or any portion thereof, including any orders issued against the Contract.

18. INSURANCE

A. REQUIREMENTS. At its own expense, Supplier must maintain insurance policy(ies) in effect at all times during the performance of this Contract with insurance company(ies) licensed or authorized to do business in the State of Minnesota having an "AM BEST" rating of A- or better, with coverage and limits of insurance not less than the following:

1. *Workers' Compensation and Employer's Liability.*
Workers' Compensation: As required by any applicable law or regulation.
Employer's Liability Insurance: must be provided in amounts not less than listed below:
Minimum limits:
$500,000 each accident for bodily injury by accident
$500,000 policy limit for bodily injury by disease
$500,000 each employee for bodily injury by disease

2. *Commercial General Liability Insurance.* Supplier will maintain insurance covering its operations, with coverage on an occurrence basis, and must be subject to terms no less broad than the Insurance Services Office ("ISO") Commercial General Liability Form CG0001 (2001 or newer edition), or equivalent. At a minimum, coverage must include liability arising from premises, operations, bodily injury and property damage, independent contractors, products-completed operations including construction defect, contractual liability, blanket contractual liability, and personal injury and advertising injury. All required limits, terms and conditions of coverage must be maintained during the term of this Contract.
Minimum Limits:
$1,000,000 each occurrence Bodily Injury and Property Damage
$1,000,000 Personal and Advertising Injury
$2,000,000 aggregate for Products-Completed operations
$2,000,000 general aggregate

3. *Commercial Automobile Liability Insurance.* During the term of this Contract, Supplier will maintain insurance covering all owned, hired, and non-owned automobiles in limits of liability not less than indicated below. The coverage must be subject to terms

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no less broad than ISO Business Auto Coverage Form CA 0001 (2010 edition or newer), or equivalent.

Minimum Limits:
$1,000,000 each accident, combined single limit

4. *Umbrella Insurance*. During the term of this Contract, Supplier will maintain umbrella coverage over Employer's Liability, Commercial General Liability, and Commercial Automobile.

Minimum Limits:
$2,000,000

5. *Network Security and Privacy Liability Insurance*. During the term of this Contract, Supplier will maintain coverage for network security and privacy liability. The coverage may be endorsed on another form of liability coverage or written on a standalone policy. The insurance must cover claims which may arise from failure of Supplier's security resulting in, but not limited to, computer attacks, unauthorized access, disclosure of not public data – including but not limited to, confidential or private information, transmission of a computer virus, or denial of service.

Minimum limits:
$2,000,000 per occurrence
$2,000,000 annual aggregate

Failure of Supplier to maintain the required insurance will constitute a material breach entitling Sourcewell to immediately terminate this Contract for default.

B. CERTIFICATES OF INSURANCE. Prior to commencing under this Contract, Supplier must furnish to Sourcewell a certificate of insurance, as evidence of the insurance required under this Contract. Prior to expiration of the policy(ies), renewal certificates must be mailed to Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 or sent to the Sourcewell Supplier Development Administrator assigned to this Contract. The certificates must be signed by a person authorized by the insurer(s) to bind coverage on their behalf.

Failure to request certificates of insurance by Sourcewell, or failure of Supplier to provide certificates of insurance, in no way limits or relieves Supplier of its duties and responsibilities in this Contract.

C. ADDITIONAL INSURED ENDORSEMENT AND PRIMARY AND NON-CONTRIBUTORY INSURANCE CLAUSE. Supplier agrees to list Sourcewell and its Participating Entities, including their officers, agents, and employees, as an additional insured under the Supplier's commercial general liability insurance policy with respect to liability arising out of activities, "operations," or "work" performed by or on behalf of Supplier, and products and completed operations of Supplier. The policy provision(s) or endorsement(s) must further provide that coverage is

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primary and not excess over or contributory with any other valid, applicable, and collectible insurance or self-insurance in force for the additional insureds.

D. WAIVER OF SUBROGATION. Supplier waives and must require (by endorsement or otherwise) all its insurers to waive subrogation rights against Sourcewell and other additional insureds for losses paid under the insurance policies required by this Contract or other insurance applicable to the Supplier or its subcontractors. The waiver must apply to all deductibles and/or self-insured retentions applicable to the required or any other insurance maintained by the Supplier or its subcontractors. Where permitted by law, Supplier must require similar written express waivers of subrogation and insurance clauses from each of its subcontractors.

E. UMBRELLA/EXCESS LIABILITY/SELF-INSURED RETENTION. The limits required by this Contract can be met by either providing a primary policy or in combination with umbrella/excess liability policy(ies), or self-insured retention.

19. COMPLIANCE

A. LAWS AND REGULATIONS. All Equipment, Products, or Services provided under this Contract must comply fully with applicable federal laws and regulations, and with the laws in the states and provinces in which the Equipment, Products, or Services are sold.

B. LICENSES. Supplier must maintain a valid and current status on all required federal, state/provincial, and local licenses, bonds, and permits required for the operation of the business that the Supplier conducts with Sourcewell and Participating Entities.

20. BANKRUPTCY, DEBARMENT, OR SUSPENSION CERTIFICATION

Supplier certifies and warrants that it is not in bankruptcy or that it has previously disclosed in writing certain information to Sourcewell related to bankruptcy actions. If at any time during this Contract Supplier declares bankruptcy, Supplier must immediately notify Sourcewell in writing.

Supplier certifies and warrants that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Supplier certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this Contract. Supplier further warrants that it will provide immediate written notice to Sourcewell if this certification changes at any time.

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21. PROVISIONS FOR NON-UNITED STATES FEDERAL ENTITY PROCUREMENTS UNDER UNITED STATES FEDERAL AWARDS OR OTHER AWARDS

Participating Entities that use United States federal grant or FEMA funds to purchase goods or services from this Contract may be subject to additional requirements including the procurement standards of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. § 200. Participating Entities may have additional requirements based on specific funding source terms or conditions. Within this Article, all references to "federal" should be interpreted to mean the United States federal government. The following list only applies when a Participating Entity accesses Supplier's Equipment, Products, or Services with United States federal funds.

A. EQUAL EMPLOYMENT OPPORTUNITY. Except as otherwise provided under 41 C.F.R. § 60, all contracts that meet the definition of "federally assisted construction contract" in 41 C.F.R. § 60-1.3 must include the equal opportunity clause provided under 41 C.F.R. §60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 C.F.R. §, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 C.F.R. § 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor." The equal opportunity clause is incorporated herein by reference.

B. DAVIS-BACON ACT, AS AMENDED (40 U.S.C. § 3141-3148). When required by federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. § 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 C.F.R. § 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-federal entity must report all suspected or reported violations to the federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. § 3145), as supplemented by Department of Labor regulations (29 C.F.R. § 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-federal entity must report all suspected or reported violations to the federal awarding agency. Supplier must be in compliance with all applicable Davis-Bacon Act provisions.

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C. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. § 3701-3708). Where applicable, all contracts awarded by the non-federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. § 5). Under 40 U.S.C. § 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence. This provision is hereby incorporated by reference into this Contract. Supplier certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Supplier must comply with applicable requirements as referenced above.

D. RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT. If the federal award meets the definition of “funding agreement” under 37 C.F.R. § 401.2(a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 C.F.R. § 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency. Supplier certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Supplier must comply with applicable requirements as referenced above.

E. CLEAN AIR ACT (42 U.S.C. § 7401-7671Q.) AND THE FEDERAL WATER POLLUTION CONTROL ACT (33 U.S.C. § 1251-1387). Contracts and subgrants of amounts in excess of $150,000 require the non-federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. § 7401- 7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. § 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). Supplier certifies that during the term of this Contract will comply with applicable requirements as referenced above.

F. DEBARMENT AND SUSPENSION (EXECUTIVE ORDERS 12549 AND 12689). A contract award (see 2 C.F.R. § 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 C.F.R. §180 that implement Executive Orders 12549 (3 C.F.R. § 1986 Comp., p. 189) and 12689 (3 C.F.R. § 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names

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of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. Supplier certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

G. BYRD ANTI-LOBBYING AMENDMENT, AS AMENDED (31 U.S.C. § 1352). Suppliers must file any required certifications. Suppliers must not have used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Suppliers must disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the non-federal award. Suppliers must file all certifications and disclosures required by, and otherwise comply with, the Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352).

H. RECORD RETENTION REQUIREMENTS. To the extent applicable, Supplier must comply with the record retention requirements detailed in 2 C.F.R. § 200.333. The Supplier further certifies that it will retain all records as required by 2 C.F.R. § 200.333 for a period of 3 years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

I. ENERGY POLICY AND CONSERVATION ACT COMPLIANCE. To the extent applicable, Supplier must comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

J. BUY AMERICAN PROVISIONS COMPLIANCE. To the extent applicable, Supplier must comply with all applicable provisions of the Buy American Act. Purchases made in accordance with the Buy American Act must follow the applicable procurement rules calling for free and open competition.

K. ACCESS TO RECORDS (2 C.F.R. § 200.336). Supplier agrees that duly authorized representatives of a federal agency must have access to any books, documents, papers and records of Supplier that are directly pertinent to Supplier's discharge of its obligations under this Contract for the purpose of making audits, examinations, excerpts, and transcriptions. The right also includes timely and reasonable access to Supplier's personnel for the purpose of interview and discussion relating to such documents.

L. PROCUREMENT OF RECOVERED MATERIALS (2 C.F.R. § 200.322). A non-federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation

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and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. § 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds $10,000 or the value of the quantity acquired during the preceding fiscal year exceeded $10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

M. FEDERAL SEAL(S), LOGOS, AND FLAGS. The Supplier not use the seal(s), logos, crests, or reproductions of flags or likenesses of Federal agency officials without specific pre-approval.

N. NO OBLIGATION BY FEDERAL GOVERNMENT. The U.S. federal government is not a party to this Contract or any purchase by an Participating Entity and is not subject to any obligations or liabilities to the Participating Entity, Supplier, or any other party pertaining to any matter resulting from the Contract or any purchase by an authorized user.

O. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS OR RELATED ACTS. The Contractor acknowledges that 31 U.S.C. 38 (Administrative Remedies for False Claims and Statements) applies to the Supplier's actions pertaining to this Contract or any purchase by a Participating Entity.

P. FEDERAL DEBT. The Supplier certifies that it is non-delinquent in its repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowance, and benefit overpayments.

Q. CONFLICTS OF INTEREST. The Supplier must notify the U.S. Office of General Services, Sourcewell, and Participating Entity as soon as possible if this Contract or any aspect related to the anticipated work under this Contract raises an actual or potential conflict of interest (as described in 2 C.F.R. Part 200). The Supplier must explain the actual or potential conflict in writing in sufficient detail so that the U.S. Office of General Services, Sourcewell, and Participating Entity are able to assess the actual or potential conflict; and provide any additional information as necessary or requested.

R. U.S. EXECUTIVE ORDER 13224. The Supplier, and its subcontractors, must comply with U.S. Executive Order 13224 and U.S. Laws that prohibit transactions with and provision of resources and support to individuals and organizations associated with terrorism.

S. PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT. To the extent applicable, Supplier certifies that during the term of this Contract it will comply with applicable requirements of 2 C.F.R. § 200.216.

T. DOMESTIC PREFERENCES FOR PROCUREMENTS. To the extent applicable, Supplier certifies that during the term of this Contract will comply with applicable requirements of 2 C.F.R. § 200.322.

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22. CANCELLATION

Sourcewell or Supplier may cancel this Contract at any time, with or without cause, upon 60 days' written notice to the other party. However, Sourcewell may cancel this Contract immediately upon discovery of a material defect in any certification made in Supplier's Proposal. Cancellation of this Contract does not relieve either party of financial, product, or service obligations incurred or accrued prior to cancellation.

Sourcewell

DocuSigned by:
By: Jeremy Schwartz
C0FD2A139D06489...

Jeremy Schwartz
Title: Chief Procurement Officer
Date: 11/4/2021 | 1:28 PM CDT

72 Hour LLC dba: National Auto Fleet Group

DocuSigned by:
By: Jesse Cooper
FACBB5730C1E467...

Jesse Cooper
Title: Fleet Manager
Date: 11/4/2021 | 10:46 AM CDT

Approved:

DocuSigned by:
By: Chad Coauette
7E42B8F817A64CC...

Chad Coauette
Title: Executive Director/CEO
Date: 11/4/2021 | 1:34 PM CDT

DocuSign Envelope ID: CF25B13B-7B09-48BC-B85D-F1A7A7104FDA

RFP 091521 - Automobiles, SUVs, Vans, and Light Trucks with Related Equipment and Accessories

Vendor Details

Company Name:	72 HOUR LLC
Does your company conduct business under any other name? If yes, please state:	National Auto Fleet Group
Address:	490 Auto Center Drive Watsonville, CA 95076
Contact:	Jesse Cooper
Email:	Jcooper@nationalautofleetgroup.com
Phone:	951-440-0585
Fax:	831-840-8497
HST#:	263297677

Submission Details

Created On:	Tuesday August 24, 2021 16:34:10
Submitted On:	Tuesday September 14, 2021 14:10:21
Submitted By:	Jesse Cooper
Email:	Jcooper@nationalautofleetgroup.com
Transaction #:	d2e890de-e761-4f47-9b23-bef3d512bd76
Submitter's IP Address:	76.81.241.2

Specifications

Table 1: Proposer Identity & Authorized Representatives

General Instructions (applies to all Tables) Sourcewell prefers a brief but thorough response to each question. Do not merely attach additional documents to your response without also providing a substantive response. Do not leave answers blank; respond "N/A" if the question does not apply to you (preferably with an explanation).

Line Item	Question	Response *	
1	Proposer Legal Name (one legal entity only): (In the event of award, will execute the resulting contract as "Supplier")	72 Hour LLC	*
2	Identify all subsidiary entities of the Proposer whose equipment, products, or services are included in the Proposal.	WCAF, LLC WCDJR, LLC Alan Jay Automotive Inc	*
3	Identify all applicable assumed names or DBA names of the Proposer or Proposer's subsidiaries in Line 1 or Line 2 above.	NAFG has numerous subsidiaries and DBA's including but not limited to: National Auto Fleet Group, Chevrolet of Watsonville, Watsonville Ford Watsonville CDJR Watsonville Fleet Group Alan Jay Chrysler Jeep Inc Alan Jay Chevrolet, Cadillac Alan Jay Buick, GMC Alan Jay Auto Outlet Clewiston Motor Company, Inc Alan Jay Chrysler Dodge Ram Jeep Alan Jay Lincoln Alan Jay Ford Alan Jay Nissan Alan Jay Toyota	*
4	Proposer Physical Address:	490 Auto Center Drive Watsonville, CA 95076	*
5	Proposer website address (or addresses):	www.NationalAutoFleetGroup.com	*
6	Proposer's Authorized Representative (name, title, address, email address & phone) (The representative must have authority to sign the "Proposer's Assurance of Compliance" on behalf of the Proposer and, in the event of award, will be expected to execute the resulting contract):	Jesse Cooper Fleet Manager 1-855-289-6572 490 Auto Center Drive Watsonville, CA 95076 Jcooper@nationalautofleetgroup.com	*
7	Proposer's primary contact for this proposal (name, title, address, email address & phone):	Jesse Cooper Fleet Manager 1-855-289-6572 490 Auto Center Drive Watsonville, CA 95076 Jcooper@nationalautofleetgroup.com	*
8	Proposer's other contacts for this proposal, if any (name, title, address, email address & phone):	Clarke Cooper Fleet Manger 1-855-289-6572 490 Auto Center Drive Watsonville, CA 95076 ClarkeCooper@watsonvillefleetgroup.com	

Table 2: Company Information and Financial Strength

Line Item	Question	Response *	

9	Provide a brief history of your company, including your company's core values, business philosophy, and industry longevity related to the requested equipment, products or services.	National Auto Fleet Group started as a new division of 72 Hour LLC, in the summer of 2010 in the heart of Southern California. We began our network with a single automobile dealership and have now grown our network to encompass numerous dealerships located in and outside of California. We stand by providing opportunities for advancement by hiring and promoting from within our organization. Many of the Fleet Managers who started with us in 2010 are still with us today. Through the years, we have evolved and adapted to the new technology driven trends that are revolutionizing the automotive industry today. However, our brand's fundamental core values have remained unchanged – We are committed to do right for the members. If we take care of them, they will in return take care of us. National Auto Fleet Group's operational blueprint and business philosophy has always been the "4 RIGHT's" for every member: We deliver the RIGHT vehicle, at the RIGHT time, to the RIGHT place at the RIGHT price. The integrity of our business stems on our deep family roots in the automotive industry. We are and always will be family owned and operated with our future generations already in their infant stages today. We are committed to pioneering our industry for decades to come.
10	What are your company's expectations in the event of an award?	If awarded, this would be our 5th Sourcewell Contract and we would execute as such. We will continue to serve your members and provide them with excellent customer service while continuing to advance customer satisfaction. Along with implementing new business growth strategies that will ultimately launch us into new heights once again. Furthermore, we will launch our Partner Program detailed in the attached "marketing Plan Compressed" Zip file. This next generation application will give members the power to select upfitters they would like NAFG to partner with in providing satisfactory quotes and service. We see tremendous value in building out these mutually beneficial partnerships, so we can provide 100% satisfactory turnkey solutions to the members.
11	Demonstrate your financial strength and stability with meaningful data. This could include such items as financial statements, SEC filings, credit and bond ratings, letters of credit, and detailed reference letters. Upload supporting documents (as applicable) in the document upload section of your response.	To demonstrate NAFG's financial strength and stability, we have uploaded Bank Commitment letters under the Financial Strength Section of the online application. We have a direct line of credit of $52,000,00.00 that we are currently utilizing with our current and past Sourcewell Contracts. However, this number is not capped as we have the freedom to extend the cap to accommodate the revolving needs of the members. Referenced below is a short register of some of our market success from awarded government contracts that encompass over $140,000,000.00 worth of products and goods under our current Sourcewell Contract. A. City of San Diego, CA $ 72,000,000 contract under our Sourcewell Contract 120716-NAF. B. City of San Diego, CA $ 55,400,000 contract under our Sourcewell Contract 081716-NAF. C. Government Fleet Article Highlighting our transaction with the City of San Diego, CA procuring over 100 Police vehicles through NAFG Sourcewell Contract 120716-NAF. D. City of Los Angeles World Airports, CA Contract for $ 24,003,500 under Sourcewell Contract 120716-NAF for the procurement of 400 vehicles. E. City of Los Angeles Harbor, CA Contract Extension to $ 4,500,000 contract under Sourcewell Contract 120716-NAF. F. City of Los Angeles Harbor, CA Contract for $1,500,000 under our Sourcewell Contract 120716-NAF. G. City of Los Angeles Harbor, CA Renewal for another $ 1,500,000 under Sourcewell Contract Class 6, 7 and 8 Contract 081716-NAF. H. City of Costa Mesa, CA Contract $1,023,220 under our Sourcewell Contract 120716-NAF. I. Blanket Contracts with the State of Maryland, MD off our current Class 6, 7 and 8 Chassis Contract 081716-NAF. J. Blanket Contracts with the State of Maryland, MD off our Current Sourcewell Contract 120716-NAF. We have also attached our Commitment Letter's for unparallel support from leading nationally recognized upfit suppliers such The Knapheide Manufacturing Company. Along with regional suppliers such as Brand FX and Phenix Truck Body located in Southern California serve as regional support locations, whom we often work alongside to fulfill all member needs with past, present, and future orders with NAFG. Included are also Upfitter Recommendation letters to illustrate how National Auto Fleet Group has taken a proactive interest in building mutually beneficial relationship with our upfitters. Mutuality and reciprocity relationships between body companies and our dealer's are two of the key components that help members receive what they need in a smooth and efficient fashion. In addition, the adoption of our Class 6, 7, and 8 Contract from Anne Arundel County in the state of Maryland is as an example of how National Auto Fleet Group attracts and retains new clients by demonstrating to them there's a better and more efficient way of finding turnkey solutions. Lastly, we have attached supporting documents that help emphasize and exemplify our growth since our first awarded Sourcewell Contract in 2012. We sincerely hope it helps portray our commitment to building lifelong rapport and trust with our partner upfitters and members.
12	What is your US market share for the solutions that you are proposing?	. Of our respective brands and OEM's we represent, the US market share is estimated to be 60 – 75%.
13	What is your Canadian market share for the solutions that you are proposing?	It is difficult to estimate the market share for the brands and OEM's we represent, however we estimate that it should be the same 60 -75 % of the US share.
14	Has your business ever petitioned for bankruptcy protection? If so, explain in detail.	No.

15	How is your organization best described: is it a manufacturer, a distributor/dealer/reseller, or a service provider? Answer whichever question (either a) or b) just below) best applies to your organization. a) If your company is best described as a distributor/dealer/reseller (or similar entity), provide your written authorization to act as a distributor/dealer/reseller for the manufacturer of the products proposed in this RFP. If applicable, is your dealer network independent or company owned? b) If your company is best described as a manufacturer or service provider, describe your relationship with your sales and service force and with your dealer network in delivering the products and services proposed in this RFP. Are these individuals your employees, or the employees of a third party?	National Auto Fleet Group is a dealer network best categorized as "A" - Distributer/Dealer/Reseller and Dealer Partner for (15) OEM Manufacturers including Ford Motor Company, Chevrolet, RAM, GMC, Buick, Chrysler, Dodge, Jeep, Toyota, Nissan, KIA, BMW, Honda, Cadillac and Volkswagen, All orders are placed with the franchised dealer and ultimately titled directly to the member. All appropriate certification certificates and authorized DMV/Factory licenses may be found in the "Related Certification" section uploaded to this RFP. It should be noted we do not sell used equipment to members.	*
16	If applicable, provide a detailed explanation outlining the licenses and certifications that are both required to be held, and actually held, by your organization (including third parties and subcontractors that you use) in pursuit of the business contemplated by this RFP.	Required licenses include a Dealer's License, a Franchise issued by the Manufacture, a Department of Motor Vehicles License, as well as a Reseller's permit license. All which NAFG and Dealer Partner's hold. Please review our attachment documents in section "Related Certification" for licenses that we either solely own or are jointly owned by our partner dealers that pertain to this RFP. A list of all our licenses are below, some of which may not pertain to class 1-3 but to class 4-8. CA Certificate of Good Standing 200824810190 State of Florida License Certificates: VF/1000974/4 VF/1000950/1 VF/1046516/1 VF/1024619/2 VF/1024619/1 VF/1018615/1 VF/1021891/1 VF/1000974/3 VF/1105916/1 VF/1020705/1 VF/1000969/1 CA State Seller's Permit 101-135239 CA State Seller's Permit 245364864-00001 Department of Motor Vehicle, Vehicle Dealer/ License Number 97772 Department of Motor Vehicle, Vehicle Dealer License Number 97771 Department of Motor Vehicle, Vehicle Dealer License Number 43609 Bureau of Automotive repair Registration # ARD00296319 123120 CA State Seller's Permit 232781952-00001 City of Watsonville Business License Number 1792 City of Watsonville Business License Number 4358 Fictitious Business Names from Santa Cruz County for National Auto Fleet Group FBN: 2017-0000138 California General Resale Certificate Dun & Bradstreet Number: 023680653 Government of The District of Columbia Certificate Government of the District of Columbia Tax Registration # 7815888160711 City of Los Angeles Tax Registration Government of The District of Columbia CLEAN HANDS CERTIFICATION San Diego Freightliner Seller's Permit Commonwealth of Virginia State Corporation Commission Certificate State of Maryland Good Standing Certificate Kansas Department of Revenue for Kansas City Peterbilt New Jersey Department of Treasury Registration Certificate New Jersey Business Registration Notice of Compliance of the Canton City Codified Ordinance Employee Information Report for the State of New Jersey State of Maryland New Sales and Use tax License CA State Seller's Permit 98-037902 00006 South Carolina Department of Motor Vehicles License Number 36133 State of South Carolina Retail License Commonwealth of Kentucky Vehicle Dealer License 1583 20 100 State of West Virginia Dealer License Commonwealth of Kentucky Vehicle Dealer License 1581 20 036 State of Tennessee Vehicle Dealer License	*
17	Provide all "Suspension or Debarment" information that has applied to your organization during the past ten years.	Not Applicable, none.	*

Table 3: Industry Recognition & Marketplace Success

Line Item	Question	Response *	
18	Describe any relevant industry awards or recognition that your company has received in the past five years	National Auto Fleet Group's received its most prestigious award for Top Placement within Ford Motor Company as the leading dealership in Government Sales. In addition, our Chevrolet brand was highly ranked and honored 4/5 consecutive years by General Motors.	*
19	What percentage of your sales are to the governmental sector in the past three years	Within our fleet division, 90% of our contracts within the past three years have been with government accounts.	*
20	What percentage of your sales are to the education sector in the past three years	Within the past 3 years 90% of our sales have been to government accounts, 20% of which are within the education sector.	*
21	List any state, provincial, or cooperative purchasing contracts that you hold. What is the annual sales volume for each of these contracts over the past three years?	We hold the State of California contract with volumes from 200 to 500 units a year over the past three years. In addition, our Sourcewell Contract's 091219, 081716 and 120716 that we have maintained over the past three years has sold combined north of 400 million of Combined Quarterly Sales.	*
22	List any GSA contracts or Standing Offers and Supply Arrangements (SOSA) that you hold. What is the annual sales volume for each of these contracts over the past three years?	National Auto Fleet Group's focus lies on the Sourcewell Contract. NAFG holds no other GSA contract, Standing Offers, or Supply Arrangements other than the State of California contract. Our annual sales volume is estimated to be north of $200 million.	*

Table 4: References/Testimonials

Line Item 23. Supply reference information from three customers who are eligible to be Sourcewell participating entities.

Entity Name *	Contact Name *	Phone Number *	
Port of Los Angeles, CA	Mr. Dave Comer	310-72-3794	*
County of Venture, CA	Mr. Jorge Bnilla	805-672-2044	*
City of Austin, TX	Mr. Matt Sager	512-978-2637	*
County of San Joaquin, CA	Mr. David Myers	209-468-9745	
City of Palo Alto, CA	Ms. Danitra Bahlman	650-496-5920	

Table 5: Top Five Government or Education Customers

Line Item 24. Provide a list of your top five government, education, or non-profit customers (entity name is optional), including entity type, the state or province the entity is located in, scope of the project(s), size of transaction(s), and dollar volumes from the past three years.

Entity Name	Entity Type *	State / Province *	Scope of Work *	Size of Transactions *	Dollar Volume Past Three Years *	
City of Austin	Government	Texas - TX	Purchaser	10-15 Vehicles at once, Vans and SUVs	Over 1M	*
Los Angeles Department of Water and Power	Government	California - CA	Purchaser	Over 120 Vehicles, Vans and SUVs	Over 3M	*
Port of Los Angeles	Government	California - CA	Purchaser	Over 80 Trucks, Vans and SUVs	Over 2M	*
Anne Arundel County	Government	Maryland - MD	Purchaser	Over 40 Trucks, Vans and SUVs	Over 1M	*
City of San Diego	Government	California - CA	Purchaser	Over 500 Trucks, Vans, SUV'	Over 15M	*

Table 6: Ability to Sell and Deliver Service

Describe your company's capability to meet the needs of Sourcewell participating entities across the US and Canada, as applicable. Your response should address in detail at least the following areas: locations of your network of sales and service providers, the number of workers (full-time equivalents) involved in each sector, whether these workers are your direct employees (or employees of a third party), and any overlap between the sales and service functions.

Line Item	Question	Response *	
25	Sales force.	Our sales force consists of direct and an indirect sales force. Our direct sales force consists of direct employees and partner dealers, which exceeds an employee count of 300 personnel both full time and part time. Many of our sales force are spread across the US and we leverage our relationships with our larger class dealerships to service the members lower class vehicle needs as well. A cross sales force. These individuals help support our dealerships and NAFG Fleet Division directly. On the other hand, our indirect sales force made up of upfitters and partner suppliers consists of over 100 personnel with our partner network and sales force growing annually. With both direct and indirect sales force staff working together, NAFG has been able to successfully grow, maintain and service the demand of the members. As the number of your members grow, we will continuously welcome more staff to not only meet customer demand, but also to exceed customer expectations.	*

26	Dealer network or other distribution methods.	Our franchise network in Canada and the U.S. is fortunately second to none. Our 15 proposed OEMS previously mentioned, all of which have established a presence nationwide with factory stores strategically placed where all members can receive service and complete warranty repairs with their respective products. Simple put the North American and Canadian automobile supply chain network is one of the best in the world. Of the 15 brands we represent, the OEMs have put in place a dealer network across all 50 states that will allow us to best serve all members.	*
27	Service force.	The 15 manufactures we represent have thousands of service locations that would be easily accessible to all your members. Service centers and warranty repair facilities for all 15 OEMs are ample and ready to help service our members and their needs. However, Alaska and Hawaii may be exceptions as they may have farther distances between franchises where members can utilize the repair services.	*
28	Describe the ordering process. If orders will be handled by distributors, dealers or others, explain the respective roles of the Proposer and others.	The member may order their vehicles by navigating to our website, www.NationalAutoFleetGroup.com and going through the step-by-step process to generate an online quote or by calling one of our representatives at 855-289-6572 or by sending NAFG an email at Fleet@NationalAutoFleetGroup.com. Orders are then processed directly to the manufacturer who will work to supply the vehicle to the ship-to location for upfittinig or end user desired delivery location.	*
29	Describe in detail the process and procedure of your customer service program, if applicable. Include your response-time capabilities and commitments, as well as any incentives that help your providers meet your stated service goals or promises.	To best demonstrate our Customer Service program, kindly reference the ZIP file “Member Walk Through” that is attached in the Additional Documents folder. Please begin with and review in order that is explained below: How Members Can Get Quotes Online: A member can obtain most quotes by visiting our website www.NationalAutoFleetGroup.com where a simple one step form is needed for registration. This is to protect the price information from nonmembers. Once a member registers they will receive an automated welcome email with a demo video on how to use our site. Members will gain access to there very own dashboard which will house all there quotes in one safe secure login. Member’s can select which brand they are looking for and model year. Our site shows all the categories the brand offers such as: Cars, Vans, SUV’s Trucks and Chassis Cabs. Members will then be able to drill down for the right selection by picking from the filter menu of what cab there looking for (Regular, Extended or Crew) to 2 wheel or 4 wheel drive down to the bed length there looking for. All factory options are then presented for the member to select from, this will show all current factory orderable options, taking the guess work out for the member. Once a member selects a desire build, they will see there Sourcewell Price report showing the MSRP, there contract price, the saving in real dollars and as a percentage. In the PDF example you can see a saving of $ 9,175.96 of 22.345% to the member showing a significant savings. Members then can chose to add extra’s to there order like extra keys’ service manuals, sales tax and even request an upfit to be added to there quote. Lastly they will be given a complete turn key quote package to print which will include there customized Quote ID, Description and Specifications of what they built. How Members and Upfitters can Partner with NAFG: Our dedicated website www.NAFGPartner.com was built to accommodate the member who would like a certain upfitter to upfit there vehicles. It was also built for upfitters to have a place to go where they can find information on how to partner with NAFG to better serve there local members. Example of A Member with Upfit Quote: This is an example of how we use our Cab Chassis and combine them with an upfit to provide a turnkey solution for the member in a simple to follow format. ETA System for Members Walk Through: This is where members can easily come to our website, the same website they built there chassis on and track there order like they would a UPS package. We have a very simple display on our homepage “Track your order” where members can enter one of the following: Purchase Order Number, Quote ID, Upfit Quote ID or vin to easily see there in the process there particular order is in. Courtesy Confirmation Explained: After NAFG receives an order from a Member, we always like to send them a Courtesy Confirmation. This is were the member will double check some particulars on there order like, Color, Quantity, Upfit and Specification’s are all correct before order placement. We also like to ask for title information at this point so we can help process the paperwork at delivery promptly. Factory Order Cut Off Notices: Here is were we like to highlight were members can access any upcoming factory order cut off dates. We walk them through the process step by step to ensure everyone knows the upcoming order cut off date, we even print this information (if known at the time) right on the cover page of there quotes. Validation Walk Through Example: To demonstrate a price validation, we show what a member would see when they build a truck on our site. At check out the member would see the Total Configured MSRP of $ 35,730.00, A Sourcewell Price of $ 27,331.68, Total Saving of $ 8,398.32 or 23.505% for a 2020 F-250 followed by the pricing page which shows the Minimum Discount of at least 18.50%. As you see we provided an additional 5% discount on top of the 18.50% contract discount. This would be the case in most instances.	*
30	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in the United States.	Our willingness and ability to service members nationwide is unparalleled. We have dedicated staff 5 days a week, from 7am to 7pm standing by ready to assist any member help find the best solution for there needs even if helping assist them to the best Sourcewell Contract that could be a solution. We have a dedicated live chat feature on our online quote generating website in case any member has any trouble at all in building there quotes. NAFG has established a chain of suppliers who are at the ready to serve if called upon by any member. We are here to help.	*
31	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in Canada.	We are willing and eager to soon extend our business model and network into Canada. We believe partnering with local Canadian based dealer groups is key to success in the Canadian market. NAFG’s competitive pricing as well as a simple US Dollar to Canadian conversation will help NAFG expand into the Canadian market for participating Sourcewell members.	*
32	Identify any geographic areas of the United States or Canada that you will NOT be fully serving through the proposed contract.	National Auto Fleet Group will handle servicing 100% of all geographic areas located in the United States. Although it is unclear what unseen obstacles we may face in Canada, NAFG is committed to building the same model to service Canada and providing the same level of customer satisfaction, service, and care as in the United States.	*

33	Identify any Sourcewell participating entity sectors (i.e., government, education, not-for-profit) that you will NOT be fully serving through the proposed contract. Explain in detail. For example, does your company have only a regional presence, or do other cooperative purchasing contracts limit your ability to promote another contract?	NAFG will continue to service all Sourcewell Members through our 24 hour a day, 7 days a week online portal with the exclusion of Non-Profits. Unfortunately, Non-Profits are often not eligible for the same discount's government entities are qualified for. However, Non-Profits are subject to a different pricing program and will be evaluated on a case to case basis.	*
34	Define any specific contract requirements or restrictions that would apply to our participating entities in Hawaii and Alaska and in US Territories.	The only possible logistical constraints we may face is the shipping constraints for shipments arriving in Alaska, Hawaii and US Territories. For example, we often provide members in Alaska or Hawaii with vehicles that often have upfits. To circumvent this potential issue, members allow us to add these extra shipping and port costs to their quotes.	*

Table 7: Marketing Plan

Line Item	Question	Response *	
35	Describe your marketing strategy for promoting this contract opportunity. Upload representative samples of your marketing materials (if applicable) in the document upload section of your response.	National Auto Fleet Group encompasses a variety of marketing strategies to promote our products and services to streamline the vehicle purchasing process for government entities. Below are a few strategies used to serve as the gateway between our business and public agencies. Website and Inbound Marketing: The creation of a professional customer-focused website is one of our main features to market our products and services. The NAFG website encourages our members to interact and browse through products offered along with pricing and information about National Auto Fleet Group. Inbound marketing is created when potential members are directed to the company website. With this method, we are able to not only connect with members but to put the purchasing ability into the hands of each member. Our inbound marketing strategy attracts members by creating valuable content and experiences tailored to the needs of each individual. Examples include email campaign flyers on our products, informative and how-to videos, social media and engaging members with top-notched customer service to build brand awareness. Email Marketing: One of the main strategies used to engage current and potential members is Email Marketing. Our emails include different types of flyers that consist of information of the Sourcewell contract, promoting manufacturer brands, holiday themed flyers, discounts offered to first time buyers, important cutoff date reminders and upcoming products and events. The use of marketing campaigns plays a major role in enhancing the growth of our client database. Emails are a big part of our daily lives due to government agency employees utilizing emails as their main source of communication. We use campaigner.com as the emailing platform to reach our target members. Videos and descriptive images are used on all flyers and are compatible with a desktop or mobile device. Messages are short and to the point with links leading to the Sourcewell and NAFG homepage. The Campaigner email system allows the ability to track email activity based on open rate, unsubscribes and link clicks which is beneficial to understanding email effectiveness. Once potential members are directed to our website, they are welcomed with a wide range of options to explore an array of our products and services. They are able to register to become a member, view pricing, explore available in-stock vehicles, view how-to-videos, build a vehicle online to request an immediate quote or use our live chat assistant or call/email for live support. Face to Face Marketing Strategies: This strategy has proven to be successful in generating leads and creating lasting relationships by developing genuine connections with prospective members. National Auto Fleet Group attends several trades shows per year to engage members and put a face to the company. This in person meeting aids to build the brand by nurturing relationships between members and other vendors associated through the process. Trade shows attended include GFX, IAPPO, NIGP, ACT, CAPPO, and CASBO throughout the United States. NAFG has many opportunities to make in person presentations to propose products, services offered and to answer any questions potential members may have. These PowerPoint Presentations include topics on NAFG/Sourcewell process, how to facilitate the vehicle purchasing without bidding, informational videos, and the brands and services we provide. These meetings have been held at local cities, counties, school districts, water districts and ports. Relationship Marketing is a vital strategy used in building and maintaining long-term relationships practiced by National Auto Fleet Group on a daily basis. NAFG strives to create a positive and supportive connection with members by providing personalized and responsive customer service practices. The sales team has worked tirelessly to focus on providing outstanding customer support to create a powerful rapport with existing and new members. By going above and beyond, they have enhanced existing relationships and executed customer loyalty with repeat businesses. They strive to deviate from the "Car Salesperson" mentality which is 100% sales driven to a more product and customer service approach by instilling a sense of confidence in our clients. The goal is to regularly assist clients and address any needs and concerns even after the purchase has occurred. The strive to focus on solution selling vs. product selling develops into a mutually beneficial agreement for members and the business. Below are a few examples on successful relationship marketing from our Fleet Department: We had a member call in to request financing/lease options for a truck needed through our National Auto Fleet Group/Sourcewell vehicle contract. I contacted another Sourcewell vendor, Matt Geiselhart from NCL Gov Capital and he was happy to assist with a financing quote. The member also requested to trade in a current vehicle in their fleet and was directed to Govdeals for assistance in removing the outdated unit through an auction. The member was able to utilize three Sourcewell contracts to complete his transaction which simplified the entire process. The member was very satisfied with the amount of care and ease through his experience and became a repeat customer. By utilizing a cross-selling strategy, National Auto Fleet Group became his one stop shop to fulfill all fleet vehicle purchasing needs. "I had a member call in desperate to obtain a new truck because an employee had gotten into a serious accident and had the truck totaled. Due to covid restrictions, most manufacturers are currently experiencing microchip shortages which relays to production delays at the factory. We were able to direct buyer to our in-stock inventory on the NAFG website and member was ecstatic to locate truck to meet their needs. Instead of having to wait 30 weeks to receive the new vehicle, member was able to obtain the new truck within 3 weeks."	*

"I once had a member contact us two years after purchasing a vehicle from us. They had a malfunction with the liftgate on the box truck which caused a logistical nightmare. I was able to contact one of our body vendors that upfitted the lift gate installation and a service technician was able to go onsite to resolve the liftgate issue at no additional cost. The member was very impressed with the quality of our customer service even after purchase. "

"I had a member request a ¾ ton truck pricing but was unsure about their budget at the time. I took the time to go through each option with the client to provide a Sourcewell pricing quote through multiple manufacturers from Ram, Chevrolet and Ford. This empowered the member to have multiple pricing options for review to align with their budget as well as eliminating the need to shop anywhere else. "

"We work with many body companies to assist customers with the body upfitting process. One of our members called in a request to expedite a particular vehicle that was held up at one of their local body upfitters. I contacted the body company representative and put in a request to expedite the upfitting per request of the member. The body company was able to comply with the request and delivery was made sooner than expected."

Word-of-Mouth Marketing: The positive quality of service has led to more sales based on previous customers' impressions on their experience. NAFG's goal is to provide exemplary customer service throughout the entire purchasing process to encourage repeat business and advocate services to other members. NAFG has been fortunate to experience multiple instances of leads generated based solely on word-of-mouth marketing though our existing customers.

Cross-promotion: National Auto Fleet Group is currently collaborating with another Sourcewell Vendor, NCL Government Capital to promote each other's products and services. NCL Government Capital specializes in providing competitive equipment financing programs for municipalities and public education entities across the United States. As a team, NCL and NAFG produced a variety of marketing materials such as videos, flyers and info graphs to promote purchasing and leasing opportunities.

Hoglund Bus Company is another cross-promotion vendor NAFG had the opportunity to create a partnership with. Flyers were created to advertise Chassis from NAFG along with a variety of bus bodies from Hoglund Bus Company.

With cross-promotion, companies exchange knowledge and provide endorsements on websites, social media, and email campaigns. This strategy creates an influx of new leads, brand awareness, increased sales and recurrence of customers. National Auto Fleet Group will continue to create new partnerships and facilitate more cross-promotion opportunities in the near future to provide turnkey solutions for a variety of vehicle purchasing needs.

Coming in 2022, National Auto Fleet Group will be launching a NAFG Partner Website to further increase business growth. The website www.nafgpartner.com is expected to launch next year in 2022. The site encourages body upfitting companies throughout the United States to partner up with NAFG to become a preferred member. The benefits of becoming a preferred member include endorsements on website and social media avenues along with word-of-mouth referral for clients with upfitting needs. Our dedicated public relations representative will conduct phone and in person meetings to discuss the advantages of partnering up with NAFG, therefore generating more cross-promotion opportunities.

Members from government agencies are encouraged to go on the site to search for local body upfitting companies they are interested in working with. As a prerequisite in becoming a preferred vendor, they are required to advertise NAFG and the Sourcewell contract on their business website and refer their clients to purchase their cab/chassis needs through NAFG. This establishes a partnership that will generate increased sales all around. We are still currently building the website and interacting with body companies across the United States that would be interested in partnering up with NAFG.

36	Describe your use of technology and digital data (e.g., social media, metadata usage) to enhance marketing effectiveness.	Social media plays a crucial element in the way people communicate and connect with each other. LinkedIn is the go-to platform used by NAFG as it offers a variety of ways to expand our network by locating and connecting with relevant professionals in the industry. National Auto Fleet Group has utilized LinkedIn to engage current and potential members through personalized messages and posts. Personalized messages include thanking them for registering on site as well as directing them to on our link to the website, LinkedIn, YouTube, Facebook and Instagram company pages. The goal is to unite with people already on our database as well as people that would benefit from our products and services. Current flyers or messages about our company are also posted on the LinkedIn site to generate and attract more business. Time is also spent on reading posts from connections and observe any needs that National Auto Fleet Group may assist with. National Auto Fleet Group has begun utilizing video marketing strategies to further promote and market products by engaging on social media channels and email flyers. Programs such as Vimeo, Video Scribe, Cartoon Animator, Adobe Animate, Illustrate, Captive, Photoshop and Movavi Video Editor Plus are employed to edit and create videos to assist in endorsing our company. The following videos were recently created by our marketing department along with outside video production companies: Explainer Video: The first video created was a 90 second explainer video about National Auto Fleet Group that used animated characters to visualize our products and services along with information on the Sourcewell awarded contract. The video has been incorporated into all our weekly email flyers and social media platforms as an informative video on our products and how to purchase vehicles off Sourcewell Government Contract. How To Videos: National Auto Fleet Group has also created step-by-step How-To videos on the process to purchase both Light Duty and Heavy-Duty vehicles off the contract. In Stock Vehicles: This video showcases our in-stock vehicles available and the process of requesting a quote. ETA Tracking System: This video was created to not only introduce but to encourage clients to self-track their vehicle status. Holiday Themed Videos: These amusing videos were created to celebrate the holidays and add humor and lightness to our company and products sold. Cross Promotion Video: This video markets our relationship with NCL Government Capital and Sourcewell to endorse EV vehicles. Videos for social media: Mini videos were created to advertise new vehicles available, pricing and cutoff date reminders. NAFG has recently introduced a newly built live chat feature on our website for customer convenience as well as improving customer service. Visitors have access to chat with a live sales representative 24 hours a day, 7 days a week. With this feature potential customers are provided with another avenue for assistance in addition to emailing and phone calls. The benefits of a live chat option include quicker response time to assist buyers in reaching a purchasing decision and answer their questions. Improving customer service will also lead to increased sales, customer loyalty and engagement. Many studies have shown a strong correlation between live chat and increase in conversion rates. Potential clients appreciate having their questions answered in real-time when trying to build a vehicle quote online and allowing the user to multi-task different projects.
37	In your view, what is Sourcewell's role in promoting contracts arising out of this RFP? How will you integrate a Sourcewell-awarded contract into your sales process?	Sourcewell's mission states: "Our commitment to service and exceeding client expectations." This statement integrates with our relationship marketing strategy with our commitment to go above and beyond for all our members. Sourcewell is a trusted brand that government entities can rely on to access a wide variety of products and services for their everyday needs. With over 40 years of partnerships and relationship building, they are the glue that connects government, education, and nonprofit agencies to companies of all sizes to offer turnkey solutions to their needs. Sourcewell is also a reliable resource for vendors by not only connecting with potential prospects but by providing valuable marketing materials readily available for download on their website. Resources and tools provided include flyers, vendor training videos along with compliance information. The Sourcewell brand integrates a thorough documentation review of all vendors prior to awarding their cooperative contracts to ensure products and services are from reputable vendors. The brand provides a sense of legitimacy of our company name and members recognize that products and services are from reliable sources that will meet their needs. Sourcewell's aim is to simplify the purchasing and procurement process of government entities by eliminating the costly bidding procedure. The process of researching the right vendor is not only stressful and time-consuming but can be expensive as well. Sourcewell has completed the bidding for government entities which simplifies the overall purchasing process by providing access to competitively bid contracts procured by a government agency. Sourcewell has provided NAFG with overwhelming opportunities to work with government agencies across the United States. The Sourcewell name represents a high standard of integrity and ethics which is a dynamic National Auto Fleet Group is proud to be part of. Sourcewell members have access to a contract that is more flexible than the standard bidding process. Sourcewell is an organization that aids government entities to stay competitive without the frustrations and issues involved with the traditional bidding process. This contract can be customized to meet the unique needs of each client. The sales team has incorporated not only this standard of integrity in their sales practice ensuring clients' purchasing needs will always be met. The cost savings and stress-free nature of the cooperative contracts favors that of the traditional bidding process. It enables vendors to work with qualifying government entities in a more efficient manner. We vow to maintain these levels of standards across the board throughout all departments within the company.

38	Are your products or services available through an e-procurement ordering process? If so, describe your e-procurement system and how governmental and educational customers have used it.	Our website provides a hands-on empowering approach to ordering vehicles online. Clients can search through many vehicles makes and models with the ability to customize a vehicle tailored to their specific needs of their agency. A personalized quote with pricing can be available in as little as 5 minutes depending on the complexity of the vehicle. If upfitting is needed, the buyer can list the details of the up-fit while building their vehicle on our website to receive a complete quote or a sales representative can be reached through phone, email or our new live chat feature built on our website. We have recently created and uploaded a “How-To Videos” section on the homepage of our website which highlights a step-by-step process on how to build an online quote. This informative video demonstrates how to navigate the website in how to generate a vehicle quote with or without upfitting options. It begins by explaining how to register on our website as a member and then details on how to select vehicle model and type and the factory options needed. Once a customized quote is built, clients have the option to finalize the sales transaction by submitting a purchase order to our sales team via email. This gives complete autonomy to the client to purchase vehicles without the need to speak to a sales rep. If assistance is needed, they can contact sales through email, live chat or phone. If assistance is required to build a quote, our sales rep is also available to walk a client through the e-procurement process step by step. This ensures someone is available to answer any questions if needed and empowering the client to make any future purchases on their own. Clients may also call or email the needs of the company and receive a customized vehicle quote.	*

Table 8: Value-Added Attributes

Line Item	Question	Response *	
39	Describe any product, equipment, maintenance, or operator training programs that you offer to Sourcewell participating entities. Include details, such as whether training is standard or optional, who provides training, and any costs that apply.	National Auto Fleet Group extends any and all product, equipment, maintenance and operating programs provided by the Manufacturer directly to Sourcewell participating entities during the quoting process. The manufacturer will provide quotes to the member based on the vehicles class and size, and geographic location. NAFG will always pass these quotes onto members and treat them like an upfit to the vehicle.	*
40	Describe any technological advances that your proposed products or services offer.	Technological accomplishments by Manufactures like Ford Motor Company and General Motors serve members by keeping many models available for members to choose from. Additionally, NAFG allows members the ability to choose to electrify their vehicle by opting into the Motive Power Systems we can still help supply this kind of an upfit. For more information, we have attached the product and pricing information within the “Upfits Available” and “All 15 Manufactures” ZIP files under the supporting documents portion of the application.	*
41	Describe any “green” initiatives that relate to your company or to your products or services, and include a list of the certifying agency for each.	. National Auto Fleet Group helped create the Climate Mayor Purchasing Collaborative by partnering with over 400 Mayors nationwide. This initiative was created for the benefit of members who wanted to create and sustain an all-electric fleet. We offer 100% purely electric vehicles your members to choose from. Some popular models include the Chevrolet Bolt, Ford Fusion, Ford Mustang Mach-E, as well as Ford’s all electric F-150. We are confident that as more OEM’s continue to manufacture new electric vehicles, we will provide them for members to select from. More information about this initiative can be found at www.Driveevfleet.org	*
42	Identify any third-party issued eco-labels, ratings or certifications that your company has received for the equipment or products included in your Proposal related to energy efficiency or conservation, life-cycle design (cradle-to-cradle), or other green/sustainability factors.	NAFG has the California Air Resource Board (CARB) Certificate as well as the Ford Qualified Vehicle Modifier Certificate on file with some of our partner suppliers and upfitters hold these certifications and these certifications help illustrate how each vehicle conserves energy and remains energy efficient.	*
43	Describe any Women or Minority Business Entity (WMBE), Small Business Entity (SBE), or veteran owned business certifications that your company or hub partners have obtained. Upload documentation of certification (as applicable) in the document upload section of your response.	NAFG holds a current partnership with many suppliers some of which are veteran owed such as Pacific Truck Body located in CA. Our Ford, Chevrolet and Ram,Jeep,Dodge,Chrysler stores are jointly owned and operated by Minorities.	*
44	What unique attributes does your company, your products, or your services offer to Sourcewell participating entities? What makes your proposed solutions unique in your industry as it applies to Sourcewell participating entities?	. National Auto Fleet Group was not only built on dedication and hard work, but also through quantifiable metrics that directly measure the results of our efforts to ensure real goals are being measured and met. Through measuring results, NAFG takes responsibility in ensuring we deliver only the best customer care to your members. NAFG offers members 24 hour website access to customer support to personably walk members through any questions they may have. No matter what the issue may be, we always think outside the box to help members find a solution.	*

Table 9A: Warranty

Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may upload representative samples of your warranty materials (if applicable) in the document upload section of your response in addition to responding to the questions below.

Line Item	Question	Response *	
45	Do your warranties cover all products, parts, and labor?	Each of the 15 manufactures we represent cover their own products, parts, and labor. All warranty information may be found in our attachments under the ZIP File "All 15 Manufactures".	*
46	Do your warranties impose usage restrictions or other limitations that adversely affect coverage?	Prior to purchase, members should be aware of each manufacturer's restrictions. Such as improper use of the vehicle may result in disqualification of coverage under the OEM's warranty. An example of this may be an F-350 being used for a police related pursuit, which may void certain warranties. Although, we always welcome and encourage members to contact us for their particular warranty coverage.	*
47	Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?	In some cases, manufacturers will tow a member's vehicle to the nearest warranty repair facility in case of a breakdown and cover expenses, but prior approval is required.	*
48	Are there any geographic regions of the United States or Canada (as applicable) for which you cannot provide a certified technician to perform warranty repairs? How will Sourcewell participating entities in these regions be provided service for warranty repair?	This may vary from manufacturer to manufacturer. Thus, we encourage members to call in prior to purchase and inquire about their specific region and how their warranty repairs will be covered with their manufacturer.	*
49	Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?	All warranties are typically passed on to the original equipment manufacturer and any upfit warranty will be passed on to the upfitter to perform.	*
50	What are your proposed exchange and return programs and policies?	If a member changes their mind, NAFG will quickly make every effort to change or cancel the order with the factory. However, once the manufacturer begins producing the vehicle, there are no changes, exchanges, or refunds available. The order is then deemed non-cancellable. This includes any upfit equipment an upfitter has ordered for the unit.	*
51	Describe any service contract options for the items included in your proposal.	NAFG offers any and all manufacturer service contracts for all members. There are several parameters in which a service contract may be customizable. These customized service contracts will be treated as add factory options and following the same discount schedule provided in the pricing file.	*

Table 9B: Performance Standards or Guarantees

Describe in detail your performance standards or guarantees, including conditions and requirements to qualify, claims procedure, and overall structure. You may upload representative samples of your performance materials (if applicable) in the document upload section of your response in addition to responding to the questions below.

Line Item	Question	Response *	
52	Describe any performance standards or guarantees that apply to your services	The only guarantee we can ever provide is the guarantee that we will treat and help every member that contacts with respect, integrity and professionalism.	*
53	Describe any service standards or guarantees that apply to your services (policies, metrics, KPIs, etc.)	NAFG and staff uphold high standards with how we provide service to the members, not only holding each other accountable but by embracing member feedback of how we can improve. Then we act upon it and implement improvements.	*

Table 10: Payment Terms and Financing Options

Line Item	Question	Response *	
54	Describe your payment terms and accepted payment methods?	Standard payment terms are Net 20, with a 10 – day grace period.	*
55	Describe any leasing or financing options available for use by educational or governmental entities.	. In order to provide leasing or financing options, NAFG has partnered with National Cooperative Leasing to offer leasing terms for Sourcewell members for all NAFG quotes under the Sourcewell contract. For further review, we have attached a PDF called "NCL Sample Lease" in the "Member Walk Through" Zip file.	*
56	Describe any standard transaction documents that you propose to use in connection with an awarded contract (order forms, terms and conditions, service level agreements, etc.). Upload a sample of each (as applicable) in the document upload section of your response.	National Auto Fleet Group's transaction process (Purchase Order) is closely tracked, well documented, and neatly organized to monitor each transaction performed through our Sourcewell Contract. This way, NAFG may produce swift and accurate quarterly reporting.	*
57	Do you accept the P-card procurement and payment process? If so, is there any additional cost to Sourcewell participating entities for using this process?	Yes, NAFG accepts up to $2,500 per vehicle. However, any dollar amount higher than $2,500 will require a P-card/ Credit Card transactional fee that would be passed onto the member	*

Table 11: Pricing and Delivery

Provide detailed pricing information in the questions that follow below. Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract as described in the RFP, the template Contract, and the Sourcewell Price and Product Change Request Form.

Line Item	Question	Response *	
58	Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the Sourcewell discounted price) on all of the items that you want Sourcewell to consider as part of your RFP response. If applicable, provide a SKU for each item in your proposal. Upload your pricing materials (if applicable) in the document upload section of your response.	National Auto Fleet Group is offering Line-Item Discounts Off Manufacture Suggested Retail Price for 15 manufacturers that is detailed in the Price File. NAFG will also offer any Upfits to be added to any and all vehicles' that members wish to add. Details are located on the Price Summary Page in the Price File.	*
59	Quantify the pricing discount represented by the pricing proposal in this response. For example, if the pricing in your response represents a percentage discount from MSRP or list, state the percentage or percentage range.	NAFG has an provided offerings from 15 Brands/OEMS and there respective percentage off vary and are detailed in the "Price File" zip Each Manufacture Range is detailed in the tabs below, here is an overview Chevrolet from -.077 to 24.45 % Ford Motor Company from -5.19 to 23.31 % GMC from 6.14 to 22.45 % Ram from 4.99 to 14.23 % Dodge from 3.09 to 9.96 % Jeep from 1.38 to 4.17 % Chrysler from 1.65 to 4.55 % Toyota from .03 to 8.98 % Honda from 1.34 to 4.9 % Nissan from -.085 to 14.61 % Buick from 2.36 to6.08 Kia from .69 to 8.39 % BMW from 3.8 to 4.77 % Cadillac from 4.22 to 6.77 % Volkswagen from 2.17 to 2.46 %	*
60	Describe any quantity or volume discounts or rebate programs that you offer.	If clients are considering an order of 150 or more units, we encourage members to contact us for any additional discounted quotes.	*
61	Propose a method of facilitating "sourced" products or related services, which may be referred to as "open market" items or "nonstandard options". For example, you may supply such items "at cost" or "at cost plus a percentage," or you may supply a quote for each such request.	"Open Market" products or "Sourced Goods" will be considered and treated as regular upfits. However, they may be quoted up to a 10% mark up, if applicable.	*
62	Identify any element of the total cost of acquisition that is NOT included in the pricing submitted with your response. This includes all additional charges associated with a purchase that are not directly identified as freight or shipping charges. For example, list costs for items like pre-delivery inspection, installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer.	All considerations have already been taken into account in its entirely. The Price Summary Page and Price Table contained in the price file includes all considered costs. Although if a member requested a specialized quote for a unique situation that requires special training, direction, or installation, the additional costs would be added as a part of the upfit and then included inside the member's quote.	*
63	If freight, delivery, or shipping is an additional cost to the Sourcewell participating entity, describe in detail the complete freight, shipping, and delivery program.	All manufactures charge a standard "Factory Destination Charge". However, that is separate from the freight/destination cost that members may incur to ship a vehicle to and from an installer, if applicable. These subsequent locational movements may bare additional freight costs that will be outlined within the members quote for their review prior to purchase.	*
64	Specifically describe freight, shipping, and delivery terms or programs available for Alaska, Hawaii, Canada, or any offshore delivery.	Freight, shipping, and delivery terms among these regions sometimes carry additional logistical charges for added ferry, port and driver costs from both to and from the mainland. These added costs will be disclosed on the quote for members to review and approve prior to purchase.	*
65	Describe any unique distribution and/or delivery methods or options offered in your proposal.	National Auto Fleet Group already has a well-established Automobile Franchise Distribution Network that allows for swift and relatively seamless delivery to members and their end users.	*

Table 12: Pricing Offered

Line Item	The Pricing Offered in this Proposal is: *	Comments
66	c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.	NAFG Strives to offer the best overall value to the member with each and every quote.

Table 13: Audit and Administrative Fee

Line Item	Question	Response *	
67	Specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with Sourcewell. This process includes ensuring that Sourcewell participating entities obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to Sourcewell. Provide sufficient detail to support your ability to report quarterly sales to Sourcewell as described in the Contract template.	Sourcewell participating members are able to obtain proper pricing directly from our website, where they are able to use our user-friendly design to build and price their vehicles. The NAFG is updated daily to reflect updated manufacturer MSRP information. Our system will provide members with an accurate quote 99.99% of the time. In addition, NAFG has a stream line and organized process hat calculates administrative fees and allows NAFG to give a turnaround time of 15 – 30 days for quarterly reports.	*
68	If you are awarded a contract, provide a few examples of internal metrics that will be tracked to measure whether you are having success with the contract.	One of the internal metrics NAFG uses to track and measure success with the Sourcewell Contract is maintained through our website. Our website keeps a detailed log of quotes that members are generating. We oversee and keep track of how many quotes are being generated and which quotes are met with a purchase order. Every month we evaluate our sales indicators and closely monitor the volume and frequency of sales. One example is by evaluating which members are purchasing from our platform – new members or frequent members to ensure we are growing our member base. We use these metrics to measure our projected growth rate and work to exceed our expectations.	*
69	Identify a proposed administrative fee that you will pay to Sourcewell for facilitating, managing, and promoting the Sourcewell Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See the RFP and template Contract for additional details.)	NAFG will submit $ 300 per vehicle purchased through NAFG and $ 200 per vehicle purchased though our partner dealer Alan Jay Automotive. For the purpose of an admin fee there are no other partner dealer groups considered.	*

Table 14A: Depth and Breadth of Offered Equipment Products and Services

Line Item	Question	Response *	
70	Provide a detailed description of the equipment, products, and services that you are offering in your proposal.	NAFG has provided a "Model Roll Out" Charts in the "Price File" zip, but of the 15 manufacturers we represent, they have over 100 makes and models for members to choose from that range from Class 1-3 and supporting Class 4 Cab and Chassis trucks. NAFG's platforms can add any upfit of their choosing, ranging from toolboxes to Line Mechanic Bodies. Any and all upfits can be added to any one of our vehicles through one of our upfit partner suppliers or by an upfit supplier of the members choosing. NAFG and the supplier will work together to supply members with turnkey quotes.	*
71	Within this RFP category there may be subcategories of solutions. List subcategory titles that best describe your products and services.	National Auto Fleet Group lists the makes and models of all 15 manufacturers we represent under the ZIP File "All 15 Manufactures". These 15 OEMs make up over 100 combined makes, models, and engine combinations for members to select from along with several subtitle "Upfits" detailed for members in the price file.	*

Table 14B: Depth and Breadth of Offered Equipment Products and Services

Indicate below if the listed types or classes of equipment, products, and services are offered within your proposal. Provide additional comments in the text box provided, as necessary.

Line Item	Category or Type	Offered *	Comments
72	Automobiles	(•) Yes ( ) No	15 Manufacturers totaling well above 700 makes and models
73	Sport Utility Vehicles	(•) Yes ( ) No	15 Manufacturers totaling well above 700 makes and models
74	Vans	(•) Yes ( ) No	15 Manufacturers totaling well above 700 makes and models
75	Trucks	(•) Yes ( ) No	15 Manufacturers totaling well above 700 makes and models
76	Vehicles described in Lines 72-75 above for Public Safety applications	(•) Yes ( ) No	15 Manufacturers totaling well above 700 makes and models
77	Conventional internal combustion models	(•) Yes ( ) No	15 Manufacturers totaling well above 700 makes and models
78	Natural gas or propane autogas, hybrid, or alternative fuel models	(•) Yes ( ) No	15 Manufacturers totaling well above 700 makes and models
79	Electric powered models	(•) Yes ( ) No	15 Manufacturers totaling well above 700 makes and models

Table 15: Exceptions to Terms, Conditions, or Specifications Form

Line Item 80. **NOTICE**: To identify any exception, or to request any modification, to the Sourcewell template Contract terms, conditions, or specifications, a Proposer must submit the exception or requested modification on the **Exceptions to Terms, Conditions, or Specifications Form** immediately below. The contract section, the specific text addressed by the exception or requested modification, and the proposed modification must be identified in detail. Proposer's exceptions and proposed modifications are subject to review and approval of Sourcewell and will not automatically be included in the contract.

Contract Section	Term, Condition, or Specification	Exception or Proposed Modification

Documents

Ensure your submission document(s) conforms to the following:

1. Documents in PDF format are preferred. Documents in Word, Excel, or compatible formats may also be provided.

2. Documents should NOT have a security password, as Sourcewell may not be able to open the file. It is your sole responsibility to ensure that the uploaded document(s) are not either defective, corrupted or blank and that the documents can be opened and viewed by Sourcewell.

3. Sourcewell may reject any response where any document(s) cannot be opened and viewed by Sourcewell.

4. If you need to upload more than one (1) document for a single item, you should combine the documents into one zipped file. If the zipped file contains more than one (1) document, ensure each document is named, in relation to the submission format item responding to. For example, if responding to the Marketing Plan category save the document as “Marketing Plan.”

- Pricing - NAFG Price File for Bid 091521.zip - Monday September 13, 2021 19:29:27
- Financial Strength and Stability - Market Success and Financial Stability.zip - Monday September 13, 2021 19:30:12
- Marketing Plan/Samples - Marketing Plan Compressed.zip - Tuesday September 14, 2021 11:38:30
- WMBE/MBE/SBE or Related Certificates - Insurance and Related Documents.zip - Tuesday September 14, 2021 11:40:18
- Warranty Information - Warranties RFP 091521.zip - Tuesday September 14, 2021 11:40:36
- Standard Transaction Document Samples - Standard Transaction.zip - Monday September 13, 2021 19:54:48
- Upload Additional Document - ALL 15 Makes and Upfits.zip - Tuesday September 14, 2021 11:35:54

Addenda, Terms and Conditions

PROPOSER AFFIDAVIT AND ASSURANCE OF COMPLIANCE

I certify that I am the authorized representative of the Proposer submitting the foregoing Proposal with the legal authority to bind the Proposer to this Affidavit and Assurance of Compliance:

1. The Proposer is submitting this Proposal under its full and complete legal name, and the Proposer legally exists in good standing in the jurisdiction of its residence.

2. The Proposer warrants that the information provided in this Proposal is true, correct, and reliable for purposes of evaluation for contract award.

3. The Proposer, including any person assisting with the creation of this Proposal, has arrived at this Proposal independently and the Proposal has been created without colluding with any other person, company, or parties that have or will submit a proposal under this solicitation; and the Proposal has in all respects been created fairly without any fraud or dishonesty. The Proposer has not directly or indirectly entered into any agreement or arrangement with any person or business in an effort to influence any part of this solicitation or operations of a resulting contract; and the Proposer has not taken any action in restraint of free trade or competitiveness in connection with this solicitation. Additionally, if Proposer has worked with a consultant on the Proposal, the consultant (an individual or a company) has not assisted any other entity that has submitted or will submit a proposal for this solicitation.

4. To the best of its knowledge and belief, and except as otherwise disclosed in the Proposal, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest. An organizational conflict of interest exists when a vendor has an unfair competitive advantage or the vendor's objectivity in performing the contract is, or might be, impaired.

5. The contents of the Proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or legally authorized agent of the Proposer and will not be communicated to any such persons prior to Due Date of this solicitation.

6. If awarded a contract, the Proposer will provide to Sourcewell Participating Entities the equipment, products, and services in accordance with the terms, conditions, and scope of a resulting contract.

7. The Proposer possesses, or will possess before delivering any equipment, products, or services, all applicable licenses or certifications necessary to deliver such equipment, products, or services under any resulting contract.

8. The Proposer agrees to deliver equipment, products, and services through valid contracts, purchase orders, or means that are acceptable to Sourcewell Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to Sourcewell Members under an awarded Contract.

9. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.

10. The Proposer understands that Sourcewell will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statutes Section 13.591, subdivision 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals become public data. Minnesota Statutes Section 13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.

11. Proposer its employees, agents, and subcontractors are not:

    1. Included on the "Specially Designated Nationals and Blocked Persons" list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury found at: https://www.treasury.gov/ofac/downloads/sdnlist.pdf;

    2. Included on the government-wide exclusions lists in the United States System for Award Management found at: https://sam.gov/SAM/; or

    3. Presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Vendor certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this solicitation.

☑ By checking this box I acknowledge that I am bound by the terms of the Proposer's Affidavit, have the legal authority to submit this Proposal on behalf of the Proposer, and that this electronic acknowledgment has the same legal effect, validity, and enforceability as if I had hand signed the Proposal. This signature will not be denied such legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation. - Jesse Cooper, Fleet Manager, 72 Hour LLC

The Proposer declares that there is an actual or potential Conflict of Interest relating to the preparation of its submission, and/or the Proposer foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the bid.

○ **Yes** ◉ **No**

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document.

Check the box in the column "**I have reviewed this addendum"** below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
Addendum_6_ Autos_SUVs_Vans_Trucks_RFP_091521 Wed September 8 2021 06:27 PM	☑	1
Addendum_5_ Autos_SUVs_Vans_Trucks_RFP_091521 Tue September 7 2021 07:28 PM	☑	2
Addendum_4_ Autos_SUVs_Vans_Trucks_RFP_091521 Thu August 26 2021 05:55 PM	☑	1
Addendum_3_ Autos_SUVs_Vans_Trucks_RFP_091521 Mon August 23 2021 09:47 AM	☑	1
Addendum_2_ Autos_SUVs_Vans_Trucks_RFP_091521 Sun August 8 2021 09:02 PM	☑	1
Addendum_1_ Autos_SUVs_Vans_Trucks_RFP_091521 Thu August 5 2021 03:58 PM	☑	1

ITEM # 16

RESOLUTION NO. 22-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:

SECTION 1. That the reference is hereby made to that certain Register of Audited Demand No.1524, consisting of 6 pages, and including:

Warrant No.

General: Checks No.595253 through 595364;
ACH No. 1512 through 1590;

On file in the office of the City Clerk, the same having been audited and approved by the Deputy Director of Finance as required by law.

SECTION 2. That the said City Council having examined each such demand does hereby approve and direct the payment of same, as set forth in said Register, except the following Warrant No.

_____

_____

_____

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution and that the same shall be in full force and effect.

APPROVED AND ADOPTED this 9th day of February 2022.

_____
Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:

_____
Christopher Jimenez, City Clerk

APPROVED AS TO FORM:

_____
Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF MONTEBELLO)

I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 22-08 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 9th day of February 2022 and that said Resolution was adopted by the following vote, to-wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

The undersigned, City Clerk of the City of Montebello, does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said City which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: _____

_____
Christopher Jimenez, City Clerk

City of Montebello

Register of Demands No. 1524

From Payment Date: 01/20/22 - To Payment Date:01/27/22

	WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
4331		- General Account				
	1512	01/20/2022	$69,766.40	CONTRACT SERVICES	37720	ADVANCED APPLIED ENGINEERING INC
	1513	01/20/2022	$2,507.78	SUPPLIES	2586	AMAZON CAPITAL SERVICES INC
	1514	01/20/2022	$1,654.35	VEHICLE MAINTENANCE/EXPENSES	47980	AMERICAN MOVING PARTS
	1515	01/20/2022	$511.56	SUPPLIES	35980	SAEED RADMEHR
	1516	01/20/2022	$40.00	CARPOOL INCENTIVE	17880	ANI CHUKHURYAN
	1517	01/20/2022	$1,979.75	SUPPLIES	10000	CLEAN SWEEP SUPPLY CO INC
	1518	01/20/2022	$543.35	SUPPLIES	2455	THE ILLINI COMPANIES INC
	1519	01/20/2022	$23,560.00	CONTRACT SERVICES	3025	COMPLETE LANDSCAPE CARE INC
	1520	01/20/2022	$6,333.10	LEASE PAYMENT	74920	EXECUTIVE CAR LEASING COMPANY
	1521	01/20/2022	$25,217.71	CONTRACT SERVICES	75950	FIESTA TAXI COOPERATIVE INC
	1522	01/20/2022	$60.00	CONTRACT SERVICES	23660	DAIOHS USA
	1523	01/20/2022	$40.00	CARPOOL INCENTIVE	2572	MARLENE GIL
	1524	01/20/2022	$40.00	CARPOOL INCENTIVE	3123	NEIRA YESSIE GRANADOS
	1525	01/20/2022	$1,610.00	CONTRACT SERVICES	1175	GRAPHIC ELECTRIC INC
	1526	01/20/2022	$12,417.19	COPIER REPAIR/SERVICES	2793	IBE DIGITAL
	1527	01/20/2022	$40.00	CARPOOL INCENTIVE	71590	LUZ MARIA
	1528	01/20/2022	$138,979.28	CONTRACT SERVICES	35250	NATIONWIDE ENVIRONMENTAL SERVICES
	1529	01/20/2022	$40.00	CARPOOL INCENTIVE	2203	SAMANTHA NEVAREZ
	1530	01/20/2022	$80.00	CARPOOL INCENTIVE	138	BRIANNON PADILLA
	1531	01/20/2022	$30.00	CARPOOL INCENTIVE	59960	JO ANN PANOSIAN
	1532	01/20/2022	$40,408.20	CONTRACT SERVICES	42180	PCAM LLC
	1533	01/20/2022	$2,398.50	CONTRACT SERVICES	3147	PMC PLUMBING INC
	1534	01/20/2022	$150.00	CONTRACT SERVICES	3285	DIANA E RAMIREZ
	1535	01/20/2022	$40.00	CARPOOL INCENTIVE	3089	NATALIE RAMIREZ
	1536	01/20/2022	$69.56	SUPPLIES	1120	BLUETRITON BRANDS INC
	1537	01/20/2022	$487.66	EDUCATION REIMBURSEMENT	2637	ARLENE SALAZAR
	1538	01/20/2022	$8,433.38	IMPROVEMENTS OTHER THAN BUILDING	3369	SALLY SWANSON ARCHITECTS INC
	1539	01/20/2022	$40.00	CARPOOL INCENTIVE	69960	NICOLE I SAUCEDO
	1540	01/20/2022	$542.66	CONTRACT SERVICES	51850	SECURITY SIGNAL DEVICES INC
	1541	01/20/2022	$40.00	CARPOOL INCENTIVE	3432	JOSEPHINE SERRANO

City of Montebello

Register of Demands No. 1524

From Payment Date: 01/20/22 - To Payment Date:01/27/22

1542	01/20/2022	$431.84	SUPPLIES	2686	THE SHERWIN-WILLIAMS CO
1543	01/20/2022	$40.00	CARPOOL INCENTIVE	24280	MARTIN SOLANO
1544	01/20/2022	$1,979.76	MACHINERY & EQUIPMENTS	1933	STRICTLY TECHNOLOGY LLC
1545	01/20/2022	$30,000.00	CONTRACT SERVICES	3133	ULTIMATE MAINTENANCE SERVICE
1546	01/20/2022	$1,116.50	CONTRACT SERVICES	183	WECK LABORATORIES ENVIRONMENTAL SERVICES INC
1547	01/20/2022	$5,100.00	IMPROVEMENTS OTHER THAN BUILDING	3021	WEST & ASSOCIATES ENGINEERING INC
1548	01/20/2022	$126.10	CONTRACT SERVICES	3140	WEX HEALTH INC
1549	01/20/2022	$2,650.00	CONTRACT SERVICES	8160	WINCAL TECHNOLOGY CORPORATION
1550	01/20/2022	$1,052.10	VEHICLE MAINTENANCE/EXPENSES	1657	ARTURO ZAVALAS
1551	01/20/2022	$7,988.86	VEHICLE MAINTENANCE/EXPENSES	288	ZEMARC CORPORATION
1552	01/20/2022	$23.68	SUPPLIES	3163	BANK OF AMERICA
1553	01/20/2022	$246.69	SUPPLIES	3163	BANK OF AMERICA
1554	01/20/2022	$352.32	SUPPLIES	3163	BANK OF AMERICA
1555	01/20/2022	$310.20	TRAVEL & MEETINGS	3163	BANK OF AMERICA
1556	01/20/2022	$829.70	TRAINING	3163	BANK OF AMERICA
1557	01/20/2022	$87.95	ADVERTISING/PRINTING SERVICES	3163	BANK OF AMERICA
1558	01/20/2022	$27.10	MAIL/ POSTAL EXPENSE	3163	BANK OF AMERICA
1559	01/20/2022	$91.49	SUPPLIES	3163	BANK OF AMERICA
1560	01/20/2022	$1,588.95	SUPPLIES	3163	BANK OF AMERICA
1561	01/20/2022	$155.99	SUPPLIES	3163	BANK OF AMERICA
1562	01/20/2022	$186.08	SUPPLIES	3163	BANK OF AMERICA
1563	01/20/2022	$461,791.95	PERS GROUP INSURANCE PAYABLE	17	CAL PERS
1564	01/27/2022	$2,538.59	ADVERTISING/PRINTING SERVICES	2689	ACRO PRINTING INC
1565	01/27/2022	$3,134.21	UNIFORM EXPENSE	20350	ALLSTAR FIRE EQUIPMENT INC
1566	01/27/2022	$73,754.71	CONTRACT SERVICES	16120	ALVAREZ-GLASMAN & COLVIN
1567	01/27/2022	$8,060.92	SUPPLIES	2586	AMAZON CAPITAL SERVICES INC
1568	01/27/2022	$5,863.21	VEHICLE MAINTENANCE/EXPENSES	47980	AMERICAN MOVING PARTS
1569	01/27/2022	$120.00	CARPOOL INCENTIVE	289	ANDREA ANDRADE
1570	01/27/2022	$120.00	CARPOOL INCENTIVE	61470	ERIKA L ANDRADE
1571	01/27/2022	$634.59	ADVERTISING/PRINTING SERVICES	35980	SAEED RADMEHR
1572	01/27/2022	$49,057.15	WATER PURCHASE RESALE	19120	CENTRAL BASIN MUNICIPAL WATER DISTRICT
1573	01/27/2022	$2,000.00	CDBG-CV	3169	FOOTHOLD TECHNOLOGY INC
1574	01/27/2022	$3,891.61	VEHICLE MAINTENANCE/EXPENSES	270	HARBOR DIESEL AND EQUIPMENT INC

City of Montebello

Register of Demands No. 1524

From Payment Date: 01/20/22 - To Payment Date:01/27/22

1575	01/27/2022	$120.00	CARPOOL INCENTIVE	4280	NADINE HERNANDEZ
1576	01/27/2022	$7,422.31	MACHINERY & EQUIPMENTS	2793	IBE DIGITAL
1577	01/27/2022	$6,491.67	CONTRACT SERVICES	2152	JOHNSON CONTROLS INC
1578	01/27/2022	$694.16	SUPPLIES	26670	LIFE-ASSIST INC
1579	01/27/2022	$637.00	CONTRACT SERVICES	3276	MARK ROBERT LOPEZ
1580	01/27/2022	$80.00	CARPOOL INCENTIVE	11280	MICHAEL LOPEZ
1581	01/27/2022	$1,500.00	EDUCATION REIMBURSEMENT	2978	KIANA LOUIE
1582	01/27/2022	$7,159.56	CONTRACT SERVICES	2940	OCEAN BLUE ENVIRONMENTAL SERVICES INC
1583	01/27/2022	$600.59	SUPPLIES	1938	P & R PAPER SUPPLY COMPANY INC
1584	01/27/2022	$31.91	MISCELLANEOUS EXPENSE	3164	ANNA-MARIE QUON
1585	01/27/2022	$467.65	SUPPLIES	1120	BLUETRITON BRANDS INC
1586	01/27/2022	$370.20	CONTRACT SERVICES	952	RELIANT IMMEDIATE CARE MEDICAL GROUP INC
1587	01/27/2022	$13,811.60	CONTRACT SERVICES	2787	S & S LABARGE GOLF INCORPORATED
1588	01/27/2022	$24,558.30	SUPPLIES	2594	THE SAUCE CREATIVE SERVICES CORP
1589	01/27/2022	$31,286.85	FUEL INVENTORY	1059	AMBER RESOURCES LLC
1590	01/27/2022	$115.76	VEHICLE MAINTENANCE/EXPENSES	288	ZEMARC CORPORATION
	ACH TOTAL	**$1,098,760.24**			
595253	01/20/2022	$4,102.21	VEHICLE MAINTENANCE/EXPENSES	3333	A & A FLEET PAINTING INC
595254	01/20/2022	$682.35	CONTRACT SERVICES	3465	ALHAMBRA GLASS CO
595255	01/20/2022	$1,727.25	CONTRACT SERVICES	40670	ALL CITY MANAGEMENT SERVICES
595256	01/20/2022	$338.59	UTILITY SERVICES	39550	AT&T
595257	01/20/2022	$2,883.00	UTILITY SERVICES	39550	AT&T
595258	01/20/2022	$40.95	UTILITY SERVICES	73760	AT&T TELECONFERENCE SERVICES
595259	01/20/2022	$1,960.00	BUILDING IMPROVEMENTS	2735	BOB MARDIGIAN FLOOR COVERING
595260	01/20/2022	$2,200.00	CONTRACT SERVICES	71570	BUREAU VERITAS TECHNICAL ASSESSMENTS LLC
595261	01/20/2022	$4,100.00	CONTRACT SERVICES	3104	CALIFORNIA ADVOCACY LLC
595262	01/20/2022	$130.00	PUBLIC SAFETY	58240	STATE OF CALIFORNIA-DEPARTMENT OF JUSTICE
595263	01/20/2022	$103.38	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY
595264	01/20/2022	$125.40	TRAVEL & MEETINGS	59	MANUEL CARRERA
595265	01/20/2022	$1,045.00	CONTRACT SERVICES	3204	COASTAL OCCUPATIONAL MEDICAL GROUP
595266	01/20/2022	$568.43	SUPPLIES	7610	EWING IRRIGATION PRODUCTS
595267	01/20/2022	$41.23	SUPPLIES	1979	GLASS DOCTOR OF MONTEBELLO
595268	01/20/2022	$7,500.00	BUILDING IMPROVEMENTS	3019	GRIFFIN STRUCTURES INC

City of Montebello

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From Payment Date: 01/20/22 - To Payment Date:01/27/22

595269	01/20/2022	$1,500.00	EDUCATION REIMBURSEMENT	3454	KIMBERLY GUILLEN
595270	01/20/2022	$2,932.24	IMPROVEMENTS OTHER THAN BUILDING	2728	H & V CUSTOM OFFICE CUBICLES CORP
595271	01/20/2022	$1,124.48	VEHICLE MAINTENANCE/EXPENSES	30190	IB AUTO PARTS INC
595272	01/20/2022	$1,034.26	ADVERTISING/PRINTING SERVICES	3307	HASHTAG PROMOTIONS LLC
595273	01/20/2022	$421.92	EDUCATION REIMBURSEMENT	568	JUAN M HERNANDEZ
595274	01/20/2022	$28,937.55	CONTRACT SERVICES	48120	HINDERLITER DE LLAMAS & ASSOCIATES
595275	01/20/2022	$1,871.56	SUPPLIES	59300	HODGE PRODUCTS INC
595276	01/20/2022	$1,797.89	LEASE PAYMENT	2405	JCB FINANCE
595277	01/20/2022	$100.00	PARKS AND RECREATION	3467	RAYMOND JIMENEZ
595278	01/20/2022	$125.00	PARKS AND RECREATION	3466	JORGE LOPEZ
595279	01/20/2022	$2,055.79	CONTRACT SERVICES	1244	LOS ANGELES COUNTY AGRICULTURAL
595280	01/20/2022	$5,292.00	CONTRACT SERVICES	1585	DR ANGELICA LOZA-GOMEZ MD PC
595281	01/20/2022	$1,500.00	EDUCATION REIMBURSEMENT	2379	ABIGAIL MARIN
595282	01/20/2022	$12,580.77	CONTRACT SERVICES	34750	MBN SERVICES INC
595283	01/20/2022	$32,472.38	IMPROVEMENTS OTHER THAN BUILDING	3399	NCM ENGINEERING CORP.
595284	01/20/2022	$200.00	TRAINING	202	POLICE EXECUTIVE RESEARCH FORUM
595285	01/20/2022	$2,133.98	CONTRACT SERVICES	3279	PROCURE AMERICA INC
595286	01/20/2022	$62.29	CONTRACT SERVICES	3443	ALVARO REYES
595287	01/20/2022	$21,226.94	FUEL	45630	SOUTHERN CALIFORNIA EDISON
595288	01/20/2022	$828.00	SUPPLIES	3145	SUPERIOR GROCERS
595289	01/20/2022	$281.23	CONTRACT SERVICES	131	UNITED SITE SERVICES INC
595290	01/20/2022	$7,458.90	CONTRACT SERVICES	3406	UNIVERSAL PROTECTION SERVICE LP
595291	01/20/2022	$12,449.60	CONTRACT SERVICES	37	US SECURITY ASSOCIATES INC
595292	01/20/2022	$15,610.07	OTHER GROUP INSURANCE PAYABLE	58990	VISION SERVICE PLAN
595293	01/20/2022	$16.20	SUPPLIES	9470	W W GRAINGER INC
595294	01/20/2022	$61,332.00	CONTRACT SERVICES	40860	WEST COAST ARBORISTS INC
595295	01/20/2022	$2,275.00	CONTRACT SERVICES	3308	WOLVERINE FENCE AND SUPPLY INC
595296	01/20/2022	$2,949.00	BUILDING IMPROVEMENTS	2996	XCLUSIVE DOOR AND GLAZING
595297	01/20/2022	$270.01	UTILITY SERVICES	39550	AT&T
595298	01/20/2022	$68.58	UTILITY SERVICES	39550	AT&T
595299	01/27/2022	$1,273.08	UTILITY SERVICES	1732	AT&T CORP
595300	01/27/2022	$75,870.05	MACHINERY & EQUIPMENTS	2273	AIR & LUBE SYSTEMS INC
595301	01/27/2022	$396.00	CONTRACT SERVICES	1287	ALTA LANGUAGE SERVICES INC

City of Montebello

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From Payment Date: 01/20/22 - To Payment Date:01/27/22

595302	01/27/2022	$6,392.00	DUES & SUBSCRIPTIONS	48790	AREA E CIVIL DEFENSE & DISASTER BOARD
595303	01/27/2022	$2,373.16	UTILITY SERVICES	38380	AT&T
595304	01/27/2022	$1,093.97	UTILITY SERVICES	39550	AT&T
595305	01/27/2022	$56.47	UTILITY SERVICES	39550	AT&T
595306	01/27/2022	$1,095.66	CONTRACT SERVICES	27170	BEVERLY HOSPITAL
595307	01/27/2022	$1,890.00	CONTRACT SERVICES	370	BK SIGNS INC
595308	01/27/2022	$100.00	VEHICLE MAINTENANCE/EXPENSES	1101	BLACK AND WHITE EMERGENCY VEHICLES LLC
595309	01/27/2022	$9,157.50	CONTRACT SERVICES	3130	BLAIS & ASSOCIATES LLC
595310	01/27/2022	$3,670.00	BUILDING IMPROVEMENTS	2735	BOB MARDIGIAN FLOOR COVERING
595311	01/27/2022	$4,780.62	CONTRACT SERVICES	3024	BP CABINETS INC
595312	01/27/2022	$6,000.00	CONTRACT SERVICES	3270	JANET MARTINEZ
595313	01/27/2022	$2,250.00	PERMITS AND FEES	28120	STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS
595314	01/27/2022	$90.45	CONTRACT SERVICES	954	CALIFORNIA EMERGENCY PHYSC MED GRP
595315	01/27/2022	$52.67	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY
595316	01/27/2022	$661.50	CONTRACT SERVICES	40850	MARIA E CASAS
595317	01/27/2022	$267.25	CONTRACT SERVICES	36870	CINTAS CORPORATION
595318	01/27/2022	$8,912.81	CONTRACT SERVICES	52710	CLEAN ENERGY FUELS
595319	01/27/2022	$1,001.15	ADVERTISING/PRINTING SERVICES	1354	DAILY JOURNAL CORPORATION
595320	01/27/2022	$41,244.53	CONTRACT SERVICES	1855	DARKTRACE LIMITED
595321	01/27/2022	$6,371.53	CONTRACT SERVICES	3334	EAGLE PORTABLES SANITATION LLC
595322	01/27/2022	$3,969.00	CONTRACT SERVICES	3405	ELECTRIC CAR SALES AND SERVICES, INC
595323	01/27/2022	$407.02	SUPPLIES	5390	THE FLAG SHOP
595324	01/27/2022	$7,131.84	VEHICLE MAINTENANCE/EXPENSES	29160	FORD OF MONTEBELLO
595325	01/27/2022	$1,990.23	UNIFORM EXPENSE	55650	GALLS LLC
595326	01/27/2022	$226,789.50	CONTRACT SERVICES	13750	CITY OF GLENDALE
595327	01/27/2022	$123.60	CONTRACT SERVICES	1650	GOLDEN STATE ELEVATOR SERVICE INC
595328	01/27/2022	$116.98	VEHICLE MAINTENANCE/EXPENSES	455	GOLDEN STATE FASTENERS & SUPPLY INC
595329	01/27/2022	$400.10	VEHICLE MAINTENANCE/EXPENSES	30190	IB AUTO PARTS INC
595330	01/27/2022	$324.12	VEHICLE MAINTENANCE/EXPENSES	582	HYDRAULIC ELECTRIC INC
595331	01/27/2022	$5,547.75	SUPPLIES	782	INTOXIMETERS INC
595332	01/27/2022	$698.00	GENERAL GOVERNMENT	3468	LA SPEAKEASY
595333	01/27/2022	$616.56	CONTRACT SERVICES	37280	LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
595334	01/27/2022	$60.00	PARKS AND RECREATION	3469	STEVE MARTEL

City of Montebello

Register of Demands No. 1524

From Payment Date: 01/20/22 - To Payment Date:01/27/22

595335	01/27/2022	$9,954.32	CDBG-CV	3301	MATER MONTEBELLO LTD PARTNERSHIP
595336	01/27/2022	$2,741.93	SUPPLIES	2072	MICROMED DIAMOND SEAL SYSTEMS LLC
595337	01/27/2022	$173.00	CONTRACT SERVICES	41130	MIHM INC
595338	01/27/2022	$1,944.53	CONTRACT SERVICES	74640	MISSION LINEN SUPPLY
595339	01/27/2022	$5,766.58	VEHICLE MAINTENANCE/EXPENSES	11490	MONTEBELLO AUTOCRAFT
595340	01/27/2022	$450.00	CONTRACT SERVICES	26370	NAVARROS TOWING SERVICE
595341	01/27/2022	$598.50	CONTRACT SERVICES	41180	MANUEL NUNEZ
595342	01/27/2022	$182.55	SUPPLIES	15620	OFFICE DEPOT INC
595343	01/27/2022	$37.76	UTILITY SERVICES	36610	CITY OF PICO RIVERA
595344	01/27/2022	$925.95	CONTRACT SERVICES	3279	PROCURE AMERICA INC
595345	01/27/2022	$306.88	SUPPLIES	56260	PRUDENTIAL OVERALL SUPPLY
595346	01/27/2022	$17,662.00	INSURANCE	10730	PUBLIC RISK INNOVATION SOLUTIONS AND MANAGEMENT
595347	01/27/2022	$14,781.22	SUPPLIES	43510	QUIET CANNON MONTEBELLO INC
595348	01/27/2022	$1,404.07	UTILITY SERVICES	14730	SAN GABRIEL VALLEY WATER CO
595349	01/27/2022	$931.70	CONTRACT SERVICES	36350	SHRED-IT USA
595350	01/27/2022	$44,500.00	CONTRACT SERVICES	2976	JEREMY P SOMMERS
595351	01/27/2022	$22,428.84	UTILITY SERVICES	45630	SOUTHERN CALIFORNIA EDISON
595352	01/27/2022	$11,924.62	UTILITY SERVICES	40520	SOUTHERN CALIFORNIA GAS CO
595353	01/27/2022	$5,742.24	ADVERTISING/PRINTING SERVICES	3461	STUBBIES PROMOTIONS, INC.
595354	01/27/2022	$409.50	CONTRACT SERVICES	3030	HENRY S DAVID
595355	01/27/2022	$187.00	DUES & SUBSCRIPTIONS	41430	THOMSON REUTERS - WEST
595356	01/27/2022	$250.00	CONTRACT SERVICES	2365	LETICIA TORRES
595357	01/27/2022	$2,388.39	UTILITY SERVICES	72570	US TELEPACIFIC CORP
595358	01/27/2022	$8,120.67	CONTRACT SERVICES	3406	UNIVERSAL PROTECTION SERVICE LP
595359	01/27/2022	$2,419.20	CONTRACT SERVICES	37	US SECURITY ASSOCIATES INC
595360	01/27/2022	$7,907.30	CONTRACT SERVICES	47600	VORTEX INDUSTRIES
595361	01/27/2022	$1,510.38	SUPPLIES	9470	W W GRAINGER INC
595362	01/27/2022	$10,942.98	VEHICLE MAINTENANCE/EXPENSES	25860	WAYNE HARMEIER INC
595363	01/27/2022	$4,000.00	CONTRACT SERVICES	51770	WILLDAN FINANCIAL SERVICES
595364	01/27/2022	$7,949.24	ADVERTISING/PRINTING SERVICES	61850	X-IGENT PRINTING INC
	CHECK TOTAL	**$860,171.88**			
	GRAND TOTAL	**$1,958,932.12**			

CITY OF MONTEBELLO CITY COUNCIL
SPECIAL MEETING AGENDA

MINUTES

SATURDAY, MAY 1, 2021 AT 9:00 A.M.

QUIET CANNON
SKY VIEW ROOM
901 VIA SAN CLEMENTE
MONTEBELLO, CALIFORNIA 90640

OPENING CEREMONIES

CALL MEETING TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 9:07 a.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, Councilmember Peralta, Councilmember Jimenez, and Councilmember Melendez.

STAFF PRESENT - City Manager Bobadilla, City Attorney Alvarez-Glasman, Assistant City Manager Arlene Salazar, Deputy City Clerk Alicia Fernandez, Assistant to Deputy City Clerk Kimberly Guillen, City Clerk Jimenez, Treasurer Gutierrez, all Directors were present, and Patrick Ibarra from Mejorando Group.

CLOSED SESSION – NONE

PUBLIC COMMENTS ON AGENDA ITEMS (30 MINUTES) – NONE

REGULAR SESSION

1. CITY COUNCIL AND CITY MANAGEMENT STRATEGIC PLANNING, GOALS, AND OBJECTIVES WORKSHOP

Mr. Ibarra, Mejorando Group, facilitated the meeting in and lead a group discussion with City Council (Council) about the benefits of good government; identified ways to make a long-lasting impact in the City of Montebello (City); provided helpful pointers from other elected officials; reviewed the seven factors which comprise a credible governing body; reviewed and discussed the various dimensions essential to ensure sufficient credibility by residents

in a governing body; and discussed the various roles for Elected Officials, City Manager, Department Directors, City Staff, and Community Members.

City Manager Bobadilla provided an update to Council on the City accomplishments realized in 2020 and major initiatives planned for 2021.

Mayor Cobos-Cawthorne recessed the meeting for lunch at 12:00 p.m.; the meeting reconvened at 12:30 p.m.

Mr. Ibarra continued the group discussion by completing a Social, Technology, Economic, Environment and Political Analysis to explore trends and their potential impacts to the community and City. Potential strategic objectives in the areas of: Economic Development, Infrastructure; Beautification, The Arts, Affordable Housing, Programming for Parks and Recreation; and Workforce Development were discussed with Council. Based on the discussions led, Staff will prepare a draft Strategic Plan and present to Council for their consideration and adoption at a future meeting.

ADJOURNMENT

Mayor Pro Tem Torres motioned to adjourn the meeting, seconded by Councilmember Peralta. Motion carried unanimously and the meeting was adjourned at 2:55 p.m.

THE MINUTES OF MAY 1, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 9TH DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

CITY OF MONTEBELLO CITY COUNCIL/SUCCESSOR AGENCY
REGULAR MEETING AGENDA

MINUTES

WEDNESDAY, MAY 12, 2021 AT 5:30 P.M.

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA

OPENING CEREMONIES

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 5:33 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, Councilmember Jimenez, Councilmember Melendez, and Councilmember Peralta. Treasurer Rafael Gutierrez and City Clerk Christopher Jimenez were also present.

STAFF PRESENT – City Attorney Arnold Alvarez-Glasman, City Manager René Bobadilla, Assistant City Manager Arlene Salazar, Deputy City Clerk Alicia Fernandez, Assistant to Deputy City Clerk Kimberly Guillen.

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS
No public comments for Closed Session.

CLOSED SESSION – 5:30 P.M.
Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:35 p.m. to consider the following closed session items:

1. **THREAT TO PUBLIC SERVICES OR FACILITIES**
   Government Code Section 54957
   Consultation with City Manager, Police Chief, City Attorney and other related City officials.

2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
   Government Code Section 54956.9(d)(2)
   Three matters – facts and circumstances need not be disclosed or will be announced pursuant to Government Code Section 54956.9(e)(1) or (e)(2)

Mayor Cobos-Cawthorne reconvened the meeting at 6:31 p.m. During Closed Session the City Council (Council) received a briefing on Items 1 and 2, and there was no direction or action taken.

REGULAR SESSION – 6:30 P.M.

INVOCATION – City Clerk Jimenez

FLAG SALUTE – Nicholas Razo, Director of Human Resources

CORRECTIONS TO THE AGENDA – CITY MANAGER – None

PRESENTATIONS

3. **PRESENTATION: RECOGNITION OF CITIZEN OF THE MONTH – ALICE CHENG** – Presented by Mayor Cobos-Cawthorne

4. **RECOGNITION OF HEARTS OF COMPASSION AND PARTICIPANTS** – Presented by Mayor Cobos-Cawthorne

5. **RECOGNITION OF ASIAN PACIFIC HERITAGE MONTH** – Presented by Mayor Cobos-Cawthorne

6. **RECOGNITION OF MENTAL HEALTH MONTH** – Presented by Mayor Cobos-Cawthorne

7. **RECOGNITION OF NATIONAL PET MONTH** – Presented by Mayor Cobos-Cawthorne

8. **RECOGNITION OF MOTORCYCLE SAFETY AWARENESS MONTH –** Presented by Cobos-Cawthorne

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

The City Clerk's office called five (5) members of the public wishing to address the City Council. Speakers were provided three minutes to address the City Council and said speaker cards are on file at the City Clerk's office.

The City Clerk's office acknowledged fifty-six (56) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

Director of Recreation & Community Services provided Council an update on the drive-through Easter.

PUBLIC HEARING

9. **PUBLIC HEARING TO ADOPT RESOLUTION NO. 21-28 NAMING A SOFTBALL FIELD AT GRANT REA PARK AFTER MARGE VILLA**

No public comments were submitted for this item.

David Sosnowski, Director of Recreation & Community Services, presented the Staff Report and provided a briefing of Marge Villa to the City Council.

It was motioned by Mayor Pro Tem Torres, seconded by Councilmember Peralta to approve to:

1) Adopt Resolution No. 21-28 naming a softball field at Grant Rea Park after Marge Villa; and
2) Take such additional, related, action that may be desirable.

It was motioned by Mayor Pro Tem Torres that the softball field be named "Marge Villa Softball Field", seconded by Peralta to approve to:

MOVED: Torres	**SECONDED:** Peralta	**APPROVED:** 5-0-0-0

AYES: Cobo- Cawthorne; Torres, Peralta, Jimenez, Melendez
NOES: None
ABSTAIN: None
ABSENT: None

10. PUBLIC HEARING TO ADOPT RESOLUTION NO. 21-36 APPROVING THE DRAFT FISCAL YEAR 2021-22 COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIPS ANNUAL ACTION PLAN

The City Clerk's addressed one (1) member of the public wishing to address the City Council. Speaker was provided three minutes to address the City Council and said speaker card is on file at the City Clerk's office.

Joseph Palombi, Director of Planning & Community Development, presented the Staff Report to City Council

It was motioned by Councilmember Melendez, seconded by Councilmember Peralta to approve to:

1) Adopt Resolution No. 21-36 approving the draft Fiscal Year (FY) 2021-22 Community Development Block Grant and Home Investment Partnerships Annual Action Plan; and
2) Approve previously undisbursed HUD funds to be allocated to current FY 2020-21 Street Improvements Project; and
3) Take such additional, related action that may be desirable.

Motion approved unanimously.

OLD BUSINESS

11. APPROVE RESOLUTIONS ADOPTING A COMPREHENSIVE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO POLICE MANAGEMENT ASSOCIATION, THE MONTEBELLO FIRE MANAGEMENT ASSOCIATION, THE MONTEBELLO

MID-MANAGEMENT ASSOCIATION, THE MONTEBELLO SUPERVISORS' ASSOCIATION, AND THE MONTEBELLO POLICE OFFICERS' ASSOCIATION

The City Clerk's office called three (3) members of the public wishing to address the City Council. Thirteen (13) written comments were submitted to the City's public comment email address and acknowledged. Speakers were provided three minutes to address the City Council and said speaker cards/written comments are on file at the City Clerk's office.

Nicholas Razo, Director of Human Resources, presented the Staff Report and provided updates on the Memorandum of Understanding (MOU) Agreements to City Council.

Mayor Cobos-Cawthorne and Mayor Pro Tem were not in support of adopting the MOU's.

Mayor Pro Tem made a motion to acknowledge the MOU documents as having value as a result of discussions with various employee groups and that they serve as unofficial draft reference documents for purposes of negotiations and table the item for a future meeting and did not receive a second.

Councilmember Melendez made a motion that the item be approved per Staff's recommendation; seconded by Councilmember Jimenez.

Mayor Pro Tem Torres made a substitute motion that Council move forward in acknowledging the MOU documents have value as a result of discussions with various employee groups and that they serve as unofficial draft reference documents for purposes of negotiations. Councilmember Melendez and Mayor Cobos-Cawthorne asked clarifying questions. The substitute motion did not receive a second and a roll call vote was taken on Councilmember Melendez' main motion; motion did not pass.

MOVED: Melendez	**SECONDED:** Jimenez	**APPROVED:** 2-2-1-0

AYES: Jimenez, Melendez
NOES: Cobos-Cawthorne, Torres
ABSTAIN: Peralta
ABSENT: None

With no other motions on the table, Mayor Cobos-Cawthorne made a motion that the item be tabled to a future meeting until all bargaining groups MOU's are ready to be presented at once for approval, seconded by Mayor Pro Tem Torres and roll call vote was taken; motion passed.

MOVED: Cobos-Cawthorne	**SECONDED:** Torres	**APPROVED:** 3-2-0-0

AYES: Cobos-Cawthorne, Torres, Peralta
NOES: Jimenez, Melendez
ABSTAIN: None
ABSENT: None

REGULAR BUSINESS – NONE

CONSENT CALENDAR

Item 12, 15, 16 17, and 23 were pulled for public comment. Item 13 and 14 were pulled by Councilmember Melendez.

It was motioned by Councilmember Melendez, seconded by Mayor Pro Tem Torres, that Items No. 18-22 and 24-25 be approved; motion was approved unanimously.

12. INTRODUCE AND WAIVE FIRST READING OF ORDINANCE NO. 2435 ADDING CHAPTER 2.90 TO TITLE 2 OF THE MONTEBELLO MUNICIPAL CODE TO IMPOSE TERM LIMITS ON ELECTED OFFICIALS OF THE CITY OF MONTEBELLO

The City Clerk's office called one (1) member of the public wishing to address the City Council. Speaker was provided three minutes to address the City Council and said speaker card is on file at the City Clerk's office.

It was motioned by Mayor Cobos-Cawthorne seconded by Mayor Pro Tem Torres that the City Council:

1) Waive first reading and introduce Ordinance No. 2435 Adding Chapter 2.90 to Title 2 of the Montebello Municipal Code to Impose Term Limits on Elected Officials of the City of Montebello; and
2) Schedule the second reading and adoption of said Ordinance, as described above, at the next regularly scheduled meeting of the City Council.

Motion approved unanimously.

13. APPROVE AMENDMENT NO. 7 TO AGREEMENT NO. 3066 WITH INFRASTRUCTURE ENGINEERS FOR ENGINEERING SERVICES

Councilmember Melendez pulled this item to ask clarifying questions.

It was motioned by Councilmember Melendez, seconded by Mayor Pro Tem Torres, that the City Council:

1) Approve Amendment No. 7 to Professional Services Agreement No. 3066 with Infrastructure Engineers for additional engineering and construction management/inspection services for various capital improvement projects in the aggregate amount not-to-exceed $250,121; and
2) Amend the Fiscal Year 2020-21 budget by increasing appropriations by $125,880 in the Gas Tax Fund, Account No. 200-99-7116.

MOVED: Melendez	**SECONDED:** Torres	**APPROVED:** 3-1-1-0

AYES: Cobos-Cawthorne, Peralta, Torres
NOES: Jimenez
ABSTAIN: Melendez
ABSENT: None

14. APPROVE AMENDMENT NO. 8 TO AGREEMENT NO. 3066 WITH INFRASTRUCTURE ENGINEERS FOR ENGINEERING SERVICES

Councilmember Melendez pulled this item to ask clarifying questions.

It was motioned by Councilmember Melendez, seconded by Mayor Pro Tem Torres, that the City Council:

1) Approve Amendment No. 8 to Professional Services Agreement No. 3066 with Infrastructure Engineers for storm drain and sewer inspection services for the Montebello Hills Project in the aggregate amount not-to-exceed $323,010.

MOVED: Melendez	**SECONDED:** Torres	**APPROVED:** 3-1-1-0

AYES: Cobos-Cawthorne, Peralta, Torres
NOES: Jimenez
ABSTAIN: Melendez
ABSENT: None

15. ADOPT RESOLUTION NO. 21-34 FOR THE FISCAL YEAR 2021-22 LEVY OF ANNUAL ASSESSMENTS FOR THE NATASHA LANE SEWER AND STORM DRAIN PUMP STATION ASSESSMENT DISTRICT

The City Clerk's office acknowledged one (1) public comment submitted to the City's public comment email address. Said comment is on file at the City Clerk's office.

It was motioned by Mayor Cobos-Cawthorne, seconded by Mayor Pro Tem Torres, that the City Council:

1) Adopt Resolution No. 21-34 (Attachment A) establishing the City's intention for the Fiscal Year 2021-22 Levy of Annual Assessments for the Natasha Lane Sewer and Storm Drain Pump Station Assessment District; and
2) Authorize the City Engineer to prepare and file a Preliminary Engineer's Report; and
3) Take such additional, related actions that may be desirable.

Motion approved unanimously.

16. ADOPT RESOLUTION NO. 21-35 FOR THE FISCAL YEAR 2021-22 LEVY OF ANNUAL ASSESSMENTS FOR THE NATASHA LANE LANDSCAPE ASSESSMENT DISTRICT

The City Clerk's office acknowledged one (1) public comment submitted to the City's public comment email address. Said comment is on file at the City Clerk's office.

It was motioned by Mayor Cobos-Cawthorne, seconded by Mayor Pro Tem Torres, that the City Council:

1) Adopt Resolution No. 21-35 (Attachment A) establishing the City's intention for the Fiscal Year 2021-22 Levy of Annual Assessments for the Natasha Lane Landscape Assessment; and
2) Authorize the City Engineer to prepare and file a Preliminary Engineer's Report; and
3) Take such additional, related actions that may be desirable.

Motion approved unanimously.

17. APPROVE AMENDMENT NO. 3 TO AGREEMENT NO. 3756 – GOLF COURSE MANAGEMENT WITH S&S LABARGE GOLF, INC.

The City Clerk's office called one (1) members of the public wishing to address the City Council. Speaker was provided three minutes to address the City Council and said speaker card is on file at the City Clerk's office.

The City Clerk's office acknowledged one (1) public comment submitted to the City's public comment email address. Said comment is on file at the City Clerk's office.

It was motioned by Councilmember Melendez seconded by Councilmember Jimenez that the City Council:

1) Approve Amendment No. 3 to Agreement No. 3756 for Golf Course Management and Golf Course Professional Services at the Montebello Golf Course with S&S LaBarge Golf, Inc.; and
2) Authorize the City Manager to execute the Amendment No. 3 on behalf of the City; and
3) Take such additional, related, action that may be desirable.

Motion approved unanimously.

18. AUTHORIZATION TO ISSUE A REQUEST FOR QUOTATIONS (RFQ) FOR THE SUMMER FOOD SERVICE PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1) Authorize staff to issue a Request for Quotations (RFQ) for the Summer Food Service Program (SFSP); and
2) Take such additional, related, action that may be desirable.

19. ADOPT RESOLUTION NO. 21-27 AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION TO RECEIVE FUNDING FOR PREVENTATIVE MAINTENANCE, ASSOCIATED CAPITAL MAINTENANCE AND TIRE LEASE PROJECTS

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-27 authorizing the submission of an Application to the Federal Transit Administration (FTA) to receive funding for Preventative Maintenance, Associated Capital Maintenance and Tire Lease Projects ("Grant No. 1657-2020-2") in the amount of $4,576,622 (49 U.S.C. Section 5307 funding) and $915,324 in Transportation Development Credits (TDC) in lieu of a local match; and
2) Take such additional, related, action that may be desirable.

20. REQUEST TO REJECT ALL PROPOSALS SUBMITTED FOR TRANSIT BUS LIFT REPLACEMENT REQUEST FOR PROPOSAL NO. 21-25 AND APPROVE ISSUING A NEW TRANSIT BUS LIFT REPLACEMENT REQUEST FOR PROPOSAL, NO. 21-30

RECOMMENDATION: It is recommended that the City Council:

1) Reject all proposals submitted for the Transit Bus Lift Replacement Request for Proposal No. 21-25 and approve issuing a new Transit Bus Lift Replacement, Request For Proposal No. 21-30; and
2) Take such additional, related, action that may be desirable.

21. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 3885 TO NELSON/NYGAARD CONSULTING ASSOCIATES, INC., FOR MONTEBELLO BUS LINES COMPREHENSIVE OPERATIONAL ANALYSIS, REQUEST FOR PROPOSAL NO. 21-21

RECOMMENDATION: It is recommended that the City Council:

1) Award Professional Services Agreement No. 3885 to Nelson/Nygaard Consulting Associates, Inc., for Montebello Bus Lines Comprehensive Operational Analysis, Request for Proposal No. 21-21 in an amount not-to-exceed Two Hundred Fifty Thousand Dollars ($250,000); and
2) Authorize the City Manager to take action necessary to execute and finalize a contract on behalf of the city of Montebello; and
3) Take such additional, related, action that may be desirable.

22. AUTHORIZATION TO ISSUE PURCHASE ORDER TO GALLS, LLC FOR BALLISTIC VESTS AND RELATED EQUIPMENT FOR THE FIRE DEPARTMENT

RECOMMENDATION: It is recommended that the City Council:

1) Authorize the purchase of ballistic vests and related items for Fire Department personnel from Galls LLC in an amount not-to-exceed $77,222; and

2) Amend the Fiscal Year 2020-21 budget by increasing appropriations by $77,222 in Account No. 100-85-860-6010.10, Fire Department, Suppression, Machinery and Equipment.

23. ADOPT RESOLUTION NO. 21-38 RELATING TO THE FINDINGS AND DECISION ON THE APPEAL OF A PLANNING COMMISSION DECISION OF DENIAL GENERAL PLAN AMENDMENT, ZONE CHANGE, DENSITY OVERLAY ZONE, HEIGHT OVERLAY ZONE, PLANNED DEVELOPMENT DISTRICT, PARKING MANAGEMENT PLAN, AND SITE PLAN REVIEW (CASE NO. "PC-2020-0018-GPA-ZC-PDD-PMP"); VESTING TENTATIVE TRACT MAP ("VTTM") NO. 83239; DEVELOPMENT AGREEMENT ("DA NO. 02-20"); AND MITIGATED NEGATIVE DECLARATION ("MND") AND MITIGATION MONITORING REPORTING PROGRAM ("ENV NO. 113-20-MND") TO ALLOW THE CONSTRUCTION OF A TOTAL OF 31 RESIDENTIAL DWELLING UNITS AND RELATED AMENITIES FOR THE PROPERTY LOCATED AT 301 JACMAR DRIVE

The City Clerk's office acknowledged twelve (12) public comment submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

It was motioned by Councilmember Melendez seconded by Mayor Cobos-Cawthorne that the City Council:

RECOMMENDATION: It is recommended that the City Council:

1) Adopt the Resolution attached with this report which will uphold the decision of the Montebello Planning Commission and finalize the findings and decision of the City Council denying the Applicant's, Brandywine Acquisition Group, LLC, request seeking approval of General Plan Amendment, Zone Change, Density Overlay Zone, Height Overlay Zone, Planned Development District, Parking Management Plan, and Site Plan Review (Case No. "PC-2020-0018-GPA-ZC-PDD-PMP"); Vesting Tentative Tract Map ("VTTM") No. 83239; Development Agreement ("DA No. 02-20"); and Mitigated Negative Declaration ("MND") and Mitigation Monitoring Reporting Program ("ENV No. 113-20-MND") to allow the construction of a total of 31 residential dwelling units and related amenities for the property located at 301 Jacmar Drive (the "Project").
2) Take such additional, related, action that may be desirable.

Motion passed unanimously.

24. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 21-37 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED MAY 12, 2021

RECOMMENDATION: Adopt the proposed Resolution approving the Warrant Register dated May 12, 2021.

25. APPROVAL OF CITY COUNCIL MINUTES – APRIL 14, 2021

RECOMMENDATION: Approve said minutes as written.

ORAL COMMUNICATIONS - CONTINUED IF NECESSARY

COUNCIL ORALS

Council member announcements; requests for future agenda items; conference/meetings reports.

1. **Councilmember Melendez**
   a. Council Oral 1 – asked for information regarding a previous Resolution or action that was voted on in regards to reading written comments.
   b. Council Oral 2 – recognized Municipal Clerk's Week and extended appreciation to City Clerk Jimenez and Deputy City Clerk Alicia Fernandez and team.

2. **Councilmember Jimenez**
   a. Commissions: Roles and Responsibilities – wanted to make sure that since new Commissioners are being appointed that they understand the rules and responsibilities and suggested a handbook be created.
   b. Mental Health Awareness Month: Remembering Jerry Griffin.

3. **Councilmember Peralta**
   a. SGVCOG Montebello Grade Separation Project and At-Grade Safety Improvements – asked for consensus to agendize a presentation for the June 9, 2021 City Council Meeting.
   b. Farmers Market Ad Hoc Committee meeting update – provided an update.
   c. Willow & Sage grand opening – recognition and welcome. 424 W. Whittier Blvd., Montebello, CA 90640.
   d. Schurr High School AVID Talent Show Sponsorship opportunity Mayor Pro Tem Torres – read a letter from the AVID coordinator.

4. **Mayor Pro Tem**
   a. Gateway Cities Council of Governments Report – provided an update.
   b. American Legion Post 272 invitation for volunteers, request for donations (industrial appliances, Honor Guard transportation).

5. **Mayor Cobos-Cawthorne**
   a. Yellow tier update.
   b. Rosenberg's Rules vs. Robert's Rules – asked for City Council consensus to direct Staff to draft and item for Council consideration to consider adopting Rosenberg's Rules as the City of Montebello's Rules of Order.

ADJOURNMENT

Mayor Cobos-Cawthorne asked for a moment of silence in the memory of Jerry Griffin. Mayor Pro Tem Torres motioned to adjourn the meeting and the meeting was adjourned at 9:23 p.m.

THE MINUTES OF MAY 12, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 9TH DAY OF FEBRUARY, 2022.

_____

Alicia Fernandez, Deputy City Clerk

GENERAL COMMENTS

GENERAL COMMENTS - TOP GOLF RELATED

Comment #	Name	In Support	In Opposition
2	Art San Miguel		X
3	David Hornback	X	
4	Les Fujimoto	X	
5	Keith Kenyon		X
6	Reynaldo Rios		X
7	John Jasso		X
10-41	Breona Selayaartiga	X	
	James Edwards		
	Zack Jensen		
	Bea Montanez		
	Alex Lee		
	Ryan Duval		
	Noah Melendez		
	Jay Garcia		
	Mayra Orozco		
	Marc Burton		
	Amber Bock		
	Eric Chan		
	Kalani Uini		
	Hannah Pesce		
	Frank Roach		
	Alejandro Reyes		
	Josiah Woods		
	Denis Ayala		
	Jared Scarbourough		
	Kristine Alfaro		
	Jacob Becker		
	Chance Meeks		
	Abiel Aguilar		
	Jose Hernandez		
	Anthony Luna		
	Rosemary Vasquez		
	Gloria Gill		
	Maria S.		
	Vivian Dang		
	Jesus Romero		
	Kevin Alfaro		
	Stephanie Maldonado		
	Natalie Romero		
42-47	List of names listed on comment cards (WILL READ CARDS)	X	
48	Andrew Landero		X
50	Gabriel Garza		X

#1

Fernandez, Alicia

From: Elisa Vasquez <Elisa.Vasquez@lacda.org>
Sent: Thursday, April 15, 2021 12:08 PM
To: comment, ccpublic
Subject: CA COVID-19 Rent Relief Program
Attachments: Encouraging Residents to Apply for CA COVID-19 Rent Relief.Montebello.pdf

Hello Mayor Cobos Cawthorne,

On behalf of Emilio Salas, Executive Director, Los Angeles County Development Authority, attached please find correspondence regarding the CA COVID-19 Rent Relief Program.

Please let me know if you have any questions.

Thank you.

Elisa E. Vásquez, Director
Communications and Public Affairs Unit
Los Angeles County Development Authority
700 W. Main Street
Alhambra, CA 91801
phone: 626.586.1762
fax: 626.943.3838
www.lacda.org

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PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

April 14, 2021

Mayor Kimberly Cobos Cawthorne
City of Montebello
1600 W. Beverly Boulevard
Montebello, CA 90640-3932

Dear Mayor Cawthorne:

ENCOURAGING RESIDENTS TO APPLY FOR CA COVID-19 RENT RELIEF

I am reaching out to you to make you aware that the County is targeting your City as a community of focus for the CA COVID-19 Rent Relief Program. On January 29, 2021, Governor Gavin Newsom signed SB 91, which established the CA COVID-19 Rent Relief Program, allocating $2.6 billion in Federal rent assistance to provide financial help to income-qualified tenants experiencing housing instability. The Program provides rent reimbursement to property owners for unpaid rent accrued between April 1, 2020, and March 31, 2021.

As a vested partner, Los Angeles County worked very closely with the State to design an equitable Program. To that end, the Program will sort applications seeking to help those who make less than 50% of the Area Median Income first, then quickly target specific groups and communities disproportionately impacted by COVID-19.

While the State has already begun processing applications submitted to date, we have requested that they shift their focus to applicants that reside in cities that have experienced a disproportionate impact of COVID-19. Your City has been identified as one of those communities. We are requesting your assistance to help spread the word about this very important Program as we want to make sure that your residents apply immediately. **With your help, we can encourage all eligible residents to apply for assistance.** When the Los Angeles County Development Authority launched its LA County COVID-19 Rent Relief Program in August 2020, we saw there was a great need

for rental assistance. Renters had been deferring bill payments, borrowed money from payday lenders and family, and even charged rental payments on their credit cards. Your help in promoting the CA COVID-19 Rent Relief Program will help reduce such difficult decisions for County residents.

Please help us spread the word about the CA COVID-19 Rent Relief Program and share this information with your residents. Your office can access a media toolkit with shareable graphics, talking points, and flyer by clicking here.

Tenants and property owners can determine eligibility and apply for funds at HousingIsKey.com or by calling the CA COVID-19 Rent Relief Call Center at 1-833-430-2122.

We would also like to know if you have specific suggestions or ideas as to how the State can best promote this Program in your City. We really want to partner with you, so please reach out to us to let us know how we can best reach your residents. Feel free to contact Elisa Vásquez, Communications and Public Affairs Director, at Elisa.Vasquez@lacda.org or at (626) 586-1762.

Thank you for your support.

Sincerely,

EMILIO SALAS
Executive Director

#2

Fernandez, Alicia

From: Art San Miguel <artsanmiguel24@yahoo.com>
Sent: Thursday, April 29, 2021 5:03 PM
To: comment, ccpublic
Subject: Closure of Montebello Golf course

First off I have a few questions to the City Counsel on their decision to bring in top golf.
1. I would like to know how much money top golf and Callaway golf is giving you all, and how much perks are you getting from The Perrin brothers.
2. Do the Residents of Montebello know that they have to come up with a 50 million dollar Bond.
3. Do you realize that local High school's will No Longer be able to have golf events at Montebello.
I don't think you realize what you are doing by destroying a Traditional Golf course, it seems to me that you are a bunch of greedy little spoiled brats. I have already contacted the FBI about your greed, they will investigate you and the Perrin brothers. GOOD LUCK I hope they imprisoned ALL of YOU.

Sent from Yahoo Mail on Android

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Fernandez, Alicia

From: David Hornback <dhornback@patrisk.com>
Sent: Monday, May 10, 2021 10:48 AM
To: comment, ccpublic
Subject: Public Comments for City Council Meeting 5/12/21

From: Montebello Resident David Hornback

Honorable Mayor, and City Counsel members, I urge you all to continue your process of reviewing and pursuing economic development opportunities. Specifically, with respect to the Top Golf project. While there have been vocal and focused objections, they seem to me to be efforts by a minority; of those whom have enjoyed subsidy to their golfing that the current system has afforded them. These objections should not distract from the greater vision that our City and its leaders need to maintain if Montebello is going to be a successful municipality, serving it's community, well into the 21st Century.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#4

Guillen, Kimberly (Admin)

From: Fujimoto, Lester <LFujimoto@beverly.org>
Sent: Tuesday, May 11, 2021 12:32 PM
To: comment, ccpublic
Subject: Public Comment regarding Top Golf

Tradition and Nostalgia are wonderful things but not at the expense of the entire city and community.

Montebello Golf Course has been a wonderful public benefit over the years however it is now financially unsustainable and it costs the city, businesses, and the residences a reported over $1 million a year.

Top Golf will bring in revenue to Montebello and the money can be used to improve streets, parks, businesses, and other community needs.

With a Top Golf facility here, other businesses maybe encouraged to come here to setup their business and even help develop the unused portions of the old course.

Lets keep Montebello moving in the right direction to help make Montebello an even finer place to live, work, **and PLAY**!

Now is the time for Montebello to bring in Top Golf for community's benefit and not just for a few golfers who don't want their privilege to end.

Les Fujimoto

Les J. Fujimoto, MA, CFRE
Executive Director, Beverly Foundation
VP Development & Community Relations

BeverlyHospital

(323) 837-3404 Direct

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#5

Guillen, Kimberly (Admin)

From: Sk55gang <sk55gang@aol.com>
Sent: Tuesday, May 11, 2021 9:10 PM
To: comment, ccpublic
Subject: Montebello

I have been playing at Montebello golf course for 40 years; I am physician whose office was a mile away. I have learn to appreciate it's beauty and history. Whatever you replace this historical course will not be wort your effort. Please consider your actions carefully

Keith Kenyon MD

Sent from the all new AOL app for iOS

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#6

Guillen, Kimberly (Admin)

From: REYNALDO RIOS <mandorios@yahoo.com>
Sent: Tuesday, May 11, 2021 10:47 PM
To: comment, ccpublic
Subject: Bad decision to city!

Hello city employees? Just raise the golf fees & help keep course in great condition? Cheapest Rates in LA county? I will not support your city with Top golf! I heard the family that donated the land to built golf course can take it back if sold? Be careful? Thank You mando golfer

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#7

Guillen, Kimberly (Admin)

From: John Jasso <jasman29@hotmail.com>
Sent: Wednesday, May 12, 2021 10:13 AM
To: comment, ccpublic
Subject: I am Not in Support of Top Golf, to be read May 12th general meeting

Dear City Council Members,
I would like to have my statement read at the next city council meeting on May 12th

Hi, My name is John Jasso and I grew up in Montebello attending Eastmont Elementary. Eastmont Intermidiate and Schurr High School and have been a long time Board Member and member of the Montebello Golf Club for 30 years, thank you for allowing me the opportunity to express my disappointment in the new Montebello city council voting to tear down one the best public 18 Championship Golf Courses in the Los Angeles Area only to put in a Top Golf. First off there are some facts that I think the public needs to be made aware of and the city should itemize and show full transparency on, If the Golf Course itself has losses over 2 million dollars.

It is a fact that when the city currently calculates the cost of running the golf course, they include all the banquet property, cafe and event center that sits on the same property of the golf course. They do not separate what that facility costs to run separate from what the Golf course cost to run vs what the golf course brings in revenue. As a long time member we have come to know the in's and outs of running the course. I was also on the board for 14 years here at Montebello as well as at Alhambra golf course and there is no way, if the accounting is shown for everyone to review, that the golf course itself is the cause of this deficit, so I ask that the city provide accurate accounting records on just the golf course cost for maintenance vs revenue. If they show transparency on only the golf course you will see that the Golf Course is not the cause of this deficit that they are using to sway everyone to support this sellout. Another thing I want to point out is the drastically under used driving range at Montebello. When we were in high school and in the 90's and 2000's the driving range was always packed. They over the years the let the place go with old mats, old range balls, no update to the shed or putting greens that sits next to the range. They have spent little to no money upgrading the driving range with any type of technology, updated mats or golf balls. Some vending machines or anything that you could grab a snack and drink while you work on your game or teach your kids the game. If you look at driving ranges like Monterey Park, Alhambra, Rancho Duarte and even Glenoaks in Glendora, the ranges are always packed with patrons and in discussions with the various courses this is big source of revenue for them. Why is Montebello's range such a desolate place? Why has the city never taken the opportunity to make small investment where you could see the rewards like so many others in neighboring cities? Negligence? Did you want it to fail and not bring revenue? Why when the city would allocate money over the years to update the course with sand or on maintenance, it never made it to the golf course? Why was it always used for the banquet halls and event center above the course?

Finally you have a reputable management company who knows how to run a golf course and turn a profit doing a great job and you have contracted Billy Casper golf to manage the course, which has vastly improved with them and now you want to tear it down to build a Top Golf. Why don't you do some analysis over the last year on show the citizens how much the revenue "Golf Course" has brought in even during the pandemic. Show the financials of the course only and not include the Banquet halls and event center. Show it itemized out for full transparency for the citizens to review. I heard some residents use their children to support Top Golf as a place they could learn to play and become someone like Lissette Salas. She learned to play golf at local driving ranges where it was affordable not a Top Golf where the cost can be quadruple what it would be for a bucket of range balls. I ask every citizen to demand full transparency on the accounting and actuals related to the Golf Course itself as a single item entity without the money pit event center and

banquet facilities that sit on the same property which have drained allocated funds over the years and have never seen the return on investment. Why don't you take the next year to look only at the golf course and its cost vs revenue with this new management company, invest a little money into the current driving range to make it more vibrant and inviting to those who live in the surrounding area who want to practice or teach their kids how to play the game so many of us love.

Be honest with the residents of Montebello, Show them exactly the financial statements of profit and loss for ONLY the Golf course! Do not dilute the numbers with mismanagement or losses for the event center and hotel property. Residents deserve to know the actuals for the Golf course and show how the Golf course is doing over the last year once the course opened up during the pandemic.

Thank you for your time.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#8

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, May 12, 2021 11:08 AM
To: comment, ccpublic
Subject: Public Comments to be read at Montebello City Council meeting May 12, 2021

To: City Council, Staff and Departments

From: Margot Eiser, resident, taxpayer, voter

Re: Comments to be read at Montebello City Council meeting May 12, 2021 and entered into the public record and responded to when requested.
Note to Reader, Please add "Thank you" at end of each.

Public Orals- I recommend that you arrange all the technicalities needed to have City Council and other public meetings be done as Zoom meetings. This can be used successfully and effectively. I recently participated in an elaborate event with numerous other people which provided for interaction in various ways. I recommend continuing to use Zoom even when in person meetings are resumed because that would encourage and give many more people the opportunity to participate in the running of our city!

Item 15 & 16-~~I am probably not the only one who is curious about this. Please have someone send me an explanation of what Natasha Lane is, how much has been spent over the years on various matters relating to it and most importantly,how much if any money it earns for the city or is it just an ongoing expense? My edress is on the record.~~

Item17-~~First, you must immediately change all signs and start to use the proper term to describe and advertise what is and always has been~~ **~~OUR~~** ~~municipal~~ **~~GOLF COURSE~~**~~. Next, it is vitally important that you , who are supposed to be our representatives, must insist that the new management company is always working for the benefit of the~~ **~~City.~~** ~~I suggest that you consult with other cities which run very successful public golf courses with additional facilities. Third, WE, the residents, residents, taxpayers, voters must be notified and involved and oversee the entire process before making any changes proposed by the company.~~

#9

Guillen, Kimberly (Admin)

From: kjlindberg@charter.net
Sent: Wednesday, May 12, 2021 11:14 AM
To: comment, ccpublic
Subject: FW: Public Comment Letter for City Council Meeting Scheduled on 5/12/21
Attachments: jpeg157.pdf

To Whom It May Concern,

Please ensure my letter (copy attached) is read publicly at the City Council Meeting tonight.

Thank you in advance for your assistance and support.

Kelly Lindberg

From: kjlindberg@charter.net
To: "Kcobos@CityofMontebello.com", "Dtorres@CityofMontebello.com", "Smelendez@CityofMontebello.com", "Ajiminez@CityofMontebello.com", "Speralta@CityofMontebello.com", "Rbobadilla@CityofMontebello.com", "AGlasman@agclawfirm.com", "Nrazo@CityofMontebello.com", "Cjiminez@CityofMontebello.com"
Cc:
Sent: Wednesday May 12 2021 7:26:27AM
Subject: Public Comment Letter for City Council Meeting Scheduled on 5/12/21

Dear Mayor Cobos-Cawthorne,

I would like to request that this letter be read publicly at the City Council Meeting scheduled on May 12, 2021. Please see attached.

Thank you.

Kelly Lindberg

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Kelly Lindberg

1040 E. Marcellus Street, Long Beach, CA 90807 | Telephone (562)423-4813 | Email: kjlindberg@charter.net

May 11, 2021

Honorable Kimberly Ann Cobos-Cawthorne, Mayor
City of Montebello
Office of the Mayor and City Council
1600 W. Beverly Boulevard
Montebello, CA 90640

Subject: **DISCRIMINATION/RACISM IN THE CITY OF MONTEBELLO FIRE DEPARTMENT**

Dear Mayor Cobos-Cawthorne:

On January 28, 2021, my letter expressing concerns regarding the discrimination/racist culture that exists in the City of Montebello Fire Department was read publicly during the City Council Meeting held on February 24, 2021.

Thank you for honoring my request. I viewed the virtual meeting from home and felt the interaction and collaboration between Montebello's elected officials and the majority of the staff was positive; however, something has been bothering me since that time and I've been contemplating whether to remain silent or speak up and share my thoughts. After some consideration, I've decided to speak my mind and inquire about the City of Montebello's virtual meeting process as it pertains to Montebello Fire Chief Fernando Pelaez, Human Resources Director Nicholas Razo and City Manager Rene Bobadilla.

Although my letter was read publicly during City Council Meeting held on February 24, 2021, it appeared that Fire Chief Pelaez and Human Resources Director Razo did not participate in the virtual meeting. Their names and titles were listed on the virtual meeting platform but their faces did not appear on the platform so it's lead to some confusion. Were they there or not? Are they not required to participate in virtual meetings held by the City Council? If so, why are their names and titles listed on the platform? Were they absent that night? If they were listening in on the meeting, but chose not to show their faces, why is this practice allowed and who are they hiding from?

With regard to City Manager Bobadilla, he did participate in the virtual meeting; however, he sat so far away from the video camera that I couldn't see his face. Why, during a virtual City Council Meeting, would he sit on the opposite side the room from where the video camera is installed? What is the purpose of this and who is he hiding from?

My letter which involves racism and discrimination in the Montebello Fire Department directly involves all three of these staff members and their behavior is evasive and unprofessional.

Moving forward, on December 28, 2020, Los Cerritos News published an article entitled "Montebello Slammed With Lawsuit for Retaliation Against Firefighter". It includes a statement from former Fire Captain Vernon Creswell highlighted in yellow.

Los Cerritos Community Newspaper is a local newspaper that is not distributed to the residents in the City of Montebello. Accordingly, I would like his statement read publicly at the next City Council Meeting so the residents and businesses in the City of Montebello are apprised of what is going on in their community.

Please feel free to share my comments regarding your three evasive staff members publicly as well.

Thank you in advance for your continued support to end systemic racism in the Montebello Fire Department.

Yours truly,

Kelly Lindberg

Kelly Lindberg

kjl/c/loscerritos

cc: David N. Torres, Mayor Pro-Tem
Angie M. Jiminez, Council Member
Scarlet Peralta, Council Member
Salvador Melendez, Council Member
Christopher Jiminez, City Clerk
Rene Bobadilla, City Manager
Arnold Glasman, City Attorney
Nicholas Razo, Director of Human Resources

Montebello Slammed With Lawsuit for Retaliation Against Firefighter Captain

Montebello Fire Captain Vernon Creswell filed a suit today in Los Angeles Superior Court for retaliation for his whistleblower complaints of race discrimination, and related issues. Mr. Creswell also seeks injunctive relief for violations of his rights under the Firefighter's Bill of Rights and disability discrimination law.

The suit is against the city of Montebello and 100 "DOES." DOES are placeholders for individuals and/or businesses who may be included in a lawsuit but have not yet been identified.

Mr. Creswell previously was found to have been subject to racial harassment and retaliation by a jury in 2015, and remains employed by the City.

The Complaint for Damages and Injunctive Relief alleges that the City has retaliated against him for his whistleblower complaint in September 2020.

In a statement Creswell wrote:

"IT'S TIME TO END SYSTEMIC RACISM AND RETALIATION IN THE MONTEBELLO FIRE DEPARTMENT

"As people across the State of California have their lives upended by fires that are encroaching on residential areas, this is a good time to ask what it's like to actually work as a firefighter. Too often, the 'old boys network' inside fire departments hinders newcomers' ability to not only put out fires, but also to help the public in many other ways. I have proudly been a Firefighter/Paramedic for 26 years, including 12 of those years with the City of Montebello. I love my chosen profession serving the public. I love the fact that I have been able to cherish a career helping hundreds if not thousands of people over the years.

"As an African-American Firefighter, I have always sought to improve the Montebello Fire Department and make it more welcoming to minorities including women, while at the same time respecting my coworkers of different backgrounds. I am not someone whose first instinct is to sue. I have let many problematic remarks by fire department employees slide, so as to try to get along with my coworkers and supervisors.

"I finally sued the City of Montebello for the first time in 2013 after a series of incidents, the worst of which included being called the 'N-word', 'Compton Gang Banger', and 'Mush Mouth' from the television show Fat Albert. A jury agreed that I had been subject to racial harassment and retaliation.

"I sued the City of Montebello again for retaliation in 2017, after I applied for promotion to Battalion Chief and was unfairly denied. Some of the department leadership made remarks such as, 'If promoted to Battalion Chief, I would destroy the organization' and 'minorities always cheat on exams,' indicating that they would never give me a fair chance at the promotion because of my prior complaints of race discrimination, harassment, and retaliation.

"The 2017 case has not yet been heard by a jury. In settlement conferences, the City has insisted that I leave the fire department and retire (15 years early) as a condition of settlement. I feel the City wants to push me out for having the courage to assert my legal rights. I have made it very clear on several occasions that I do not want to leave the department and give up my career. I want to be treated fairly, included in the decision making that helps with the growth and a more racially diverse department, and continue to do my job helping the public. Recently I was notified of an 'investigation' into my on-the-job actions, which I feel are unwarranted and is completely retaliatory. I won't go into details since the so-called 'investigation' is ongoing and I'm prohibited from discussing the details.

"If someone wants to do a true investigation into real misconduct, they should start at the top. It's time for the Montebello City Council or the California Attorney General to look into a pattern of discrimination and retaliation, and other misconduct within the Montebello Fire Department that is perpetuated by the department leadership. If the City of Montebello or the Fire Department wants to truly clean up its act and change the culture, it will need to take a new approach with independent oversight. The leadership current team is not up to the job and has enabled or perpetuated the culture of harassment, discrimination, and retaliation against those who stand up for what is right.

"Recently I was told by one of the Fire Department leaders that the City Manager Mr. Bobadilla wanted to have lunch with me and really get to know me as a person, and had given him my cell number. This turned out to be a bait and switch. Instead of a friendly phone call that I expected, the only communication from the City has been settlement offers contingent on me leaving the department, 15 years before I had planned to.

"On several occasions I reached out to the Fire department leadership with the hope to collaboratively work towards expanding the candidate pool in an effort to hire qualified African-American Chief Officers in some key leadership roles within the fire department. My efforts have gone unreciprocated, and none of the current leadership seems to be interested in building a department which reflects the community we serve. Further, current Montebello Fire Department leadership has engaged in dubious behaviors such as ordering an employee to take a city vehicle out of the city to pick up expensive watches (for leaders' personal use) while on duty.

"On another occasion current Montebello Fire Department leadership ordered a fire engine while on duty to go out of the city limits and into East los Angeles to attend a birthday parade. One of the members of the Montebello Fire Department leadership boasted to me (back when we were friendly) that he could slow down the workers' compensation processing for firefighters who he did not like. Indeed, it is suspicious that lately I have not been able to obtain workers' comp treatment that I need and am entitled to.

"If Montebello City Council or the California Attorney General wants to investigate this misconduct and pattern of systemic racial bias and retaliation, they should interview myself and other firefighters under the auspices of a 'truth commission' and a guarantee of absolutely no retaliation. This is essential to bringing about transparency and equality that is severely needed. All I want is to be able to do my job, serve the public, and have a fair shot at promotions, without being subjected to systemic race-based harassment, retaliation and discrimination. The Fire Department and City Staff seem to view me as a problem for speaking up, rather than seeing me as a part of the solution. It's time that whistleblowers

like me be thanked for bringing forward important issues to see the light of day, rather than repeatedly and unfairly punished."

• RSS
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City Councilmembers,

I think you have made a great decision with this TopGolf move. When I tell other Angelenos that I live in Montebello, they usually ask, Where's that? These people have never even heard of us! I usually laugh but the truth is that I am proud of my hometown and I wish other people knew how great a place Montebello is. My hope is that a TopGolf will be the first of many exciting changes that will make people from all over want to come visit our part of town. It will likely be a big help to our economy too. I wonder if maybe the TopGolf will be hiring and there will be some job opportunities for local people. I just don't see a downside to this decision. Only good things could come! Thank you for doing this.

Breana Selayaartiga

Council,

I write to you with a tone of appreciation and gratitude. My grandchildren, children and their families will all enjoy experiencing the golf course in its new iterations and the Topgolf experience that Council has approved.

Any opposition that I have heard has been entirely limited to men's club members who simply are afraid of change and losing what has really been exclusively theirs for so many years. Council, I write to let you know the broad community is supportive and excited to see such positive change for the future. Don't let the naysayers detract you from building the future!

Thank you,

James Edwards

James Edwards

Dear Council,

As I am writing this letter, there is one word that comes across with utmost importance, which was used by Starbucks CEO Howard Schultz to close all of his letters and emails to Starbucks investors and employees - and that word is onward. Onward was the mentality that built one of the world's great companies - a commitment to progressive and continued improvement, seeing the future and building it continuously.

Council's commitment and approval of the golf course improvements are an example of moving onward for the future and the spirit of progressive improvement.

Thank you Council for your smart, longterm mentality!

Zack Jonsen

To the Montebello Council:

I have heard of your plan for the TopGolf and I am writing to say I think it is a very good plan for our community. It would be great to have a place for the whole family to go and enjoy themselves. I am a bit older so I don't think I will be playing golf but I can sit and eat a meal while my daughter and her kids play! How nice that would be. I looked at pictures of the TopGolf and it looks very fancy and modern. A very nice place to go on a Friday or Saturday night. I hope you build it and soon! Anything you can do to bring our community together with good safe fun is very welcome.

Dear Councilmembers,

I want to applaud and congratulate you for a job well done with the Montebello Golf Course decision from weeks prior which has unfortunately brought out a number of the men's club golfers in opposition. These same members would prefer to keep the golf course losing money for the City in order to subsidize their own inexpensive and prime-time play. I fully understand and sympathize with what has been for them a real advantageous situation for so many years.

Many of these same members will enjoy the new benefits upon their completion. It reminds me of the Dad who says "No puppy" to the family, but then somehow enjoys the new puppy the most out of any of the family members!

Thank you,

Alex Lee

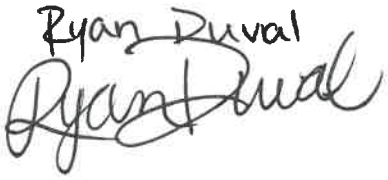
City Councilmembers,

Thank you City Council for your decision to bring new exciting benefits into the City of Montebello and for taking a longterm approach to solving not only a financial burden but also an accessibility problem. Public space should be for the highest and best use, benefiting as many residents as possible, not a small subset of the population who has the time, money and skillset to golf a full 18 hole golf course.

These changes will emphasize accessibility for all residents and provide a higher and better use for the community - and I fully support its passage and implementation immediately.

Best,

Ryan Duval



Dear Council of Montebello,

I had never heard of TopGolf but wow. I looked at the website and it looks like such a fun place to bring the family. They have so many games so there must be something fun there for everyone. I'm sort of a foodie so I looked at the food menu and it looks delicious. They even have vegetarian options. It's like they have thought of everything. It just seems like it would make all sorts of different people happy to go there.

I am very excited to go and I hope you will keep making decisions like this to build other family friendly places.

Thank you.

Noah Melendez

Council of Montebello,

Your plans for the TopGolf in Montebello are really wonderful news. A new place for everyone to go play and eat a meal will make everyone in the community happy. My kids are asking me about it. They want to know if it will be ready soon. So they are excited! I think the sooner its here for the people to enjoy the better.

I am greatful for you making this plan for us. Thank you.

Jay Garcia

Dear councilmembers,

I am so excited for the new Topgolf to open! It sounds like it will be a great place to go with friends, family, or even on a date. Honestly it sounds like the sort of date a couple would go on in a movie so it's really cool to think I could do that too. It looks like there's food there too so that's perfect. Can't wait to go!

Thank you for building it!

Mayra Orozco

Dear Montebello Council,

I want to personally thank Council for having the courage and foresight to make an important change to the golf course land in order to ensure a more stable financial future for the future, as well as a future that includes greater accessibility to the golf course for more residents.

It is apparent to everyone that the financial condition of the golf course has been a drag on the City's financial performance over the last decade, and I praise your efforts to solve this financial problem with not only a high quality tenant providing substantial rent, but also a winning plan with great new golfing amenities.

Great work.

Marc Burton

Dear Council,

It is very impressive to see Council taking decisive action to improve our City's future both in terms of finances and amenities with regards to the golf course.

I know how difficult it can be the make a longterm play when the current environment only seems focused on short term benefits - but remember that a City flourishes when longterm mindsets prevail.

Thank you for for your foresight in tackling what has been and would continue to be a financial albatross for the City.

Amber Bock

Amber Bock

Dear Councilmembers,

When the Beatles stole the show in the early 1960s with drums and slightly (for the time) risqué lyrics - people complained. They wanted to go back to the old days - with familiar music and tunes. What is the lesson in this? People are inherently comfortable with what they know - not with what could be.

The same principle applies to the golf course at current. Some 60 years after the Beatles arrived on the scene, the propensity for human nature to remain the same has stood the test of time - people still complain and are fearful of change and what they don't know.

Council, it is your job in part to counteract this mentality and fight for the future and moving the City forward. Sometimes it will be fraught with concern - but I ask you simply: is it better to move into the future with a known commodity of a golf course that loses millions over the last decade - or a brand new exciting concept with guaranteed profits?

You chose wisely.

Sincerely,

Erick Chan

Dear Councilmembers,

I have heard about the plans for a TopGolf here in Montebello and I think it is a wonderful idea. My friends and I looked at the TopGolf website together and got excited thinking about a new place to go out together for food, drinks, and some active fun. It looks very impressive. I imagine it will be a nice plan to meet other people from the community who also like goodnatured fun.

I hope you will move forward with the plans and put the TopGolf up soon!

Thank you for thinking about the members of this community.

Kalani Uini

Dear Montebello Council,

I read the article in the Whittier Daily News that says you approved a plan for a new golf course. I think it is a brilliant idea and will be a huge boost to our community. I can only imagine the people who are objecting are not really citizens of Montebello. They are probably wealthy people who come in from other parts of town. They probably don't eat in our restaurants or shop in our stores or put any money back into our economy. By building the TopGolf you will be providing a great service for Montebello citizens of all ages.

I hope you will not let the old crowd persuade you to change your mind. I would very much like to go to the TopGolf with my family when it is built!

Thank you

Hannah Pesce

Dear Council,

As a father of young children I write to Council with hearty congratulations for not only passing but also beginning to implement long needed improvements and radical changes on the golf course. Upon its passage I did research and found that many other Cities and communities across the country have made similar decisions, but none as carefully thought out as what Council did here.

Where else in Southern California will a community have access to the following benefits: a Topgolf, a 9 hole golf course with par 4's and a par 5, a night-lit par 3 practice course, a putting course, and a miniature golf course all in one area. This is going to be a hot spot and a destination point and the City is wise to make it happen now!

Frank Roach

Hi Councilmembers,

Wanted to reach out and share briefly my thoughts on the golf course changes that will be taking place since it has become a topic of great discussion due to the golfers.

I for one believe that the golf course amenities will be significantly improved due to the mini golf course, the putting course, the practice course that is lit at night, and the 9 hole course. This allows golfers and non-golfers of all ages to participate in a brand new environment that is not only safer, but allows greater accessibility due to the diversity of play and the expansion into evening hours.

Look forward to its opening and seeing the community enjoy the new benefits.

Thank you!

Alejandro Reyes

Dear Montebello Council,

My parents told me you voted to build a TopGolf here. I have never played golf but I've seen it on TV and I've always been curious. TopGolf seems like a really good way to learn. I actually saw that they have classes for people under 18 so I think I would do that. It's not even expensive if you do it with a group of friends and I already know some of my friends want to do it too. It's going to be a really fun thing to do on the weekend. And maybe I'll get good enough to play as an adult too!

Thank you for voting to build it.

Josiah Woods

J. W.

Dear Council,

It is very exciting to hear that you have decided to make changes that will help Montebello for many years to come. A TopGolf will bring excitement and fun to Montebello. It could help change us from being an old industrial town into being a place full of fun opportunities. Maybe the TopGolf will just be the beginning and it could lead to new restaurants and parks and other places that our community could enjoy.

Thank you for voting to make these changes!

Denise Ayala

Dear Council,

It seems only right to me that Montebello's city funds go toward helping enrich the lives of the people who live here. There is nothing we would love more than to see more recreational opportunities, more places we can bring our kids, and more places we can enjoy together as a community. The Men's Club has had what seems like unlimited access to our golf courses for many years and the fact that they are complaining about allowing more of us access to those courses is very frustrating. Why shouldn't our kids have a chance to play? It just seems like the fair decision to make changes that will be good for the people of Montebello and not just the Men's Club.

I hope you will not let their negative complaints change your mind. Please think of our community and the good that this recreational facility could bring all of us.

Jared Scarborough

Dear Council,

Thank you for voting to build a TopGolf in Montebello. I have looked up TopGolf and it is in major cities all over the country. Putting a TopGolf in Montebello can only help to build us up as a destination that people want to visit. This will help our local economy and hopefully lead to other exciting new plans here in the future. I truly think Montebello can become the next cool place in Los Angeles that people from all over want to come check out.

I look forward to a new and improved Montebello!

Kristine Alfaro

Hi Montebello City Council,

My friends and I are very excited to see Topgolf and the new golf course changes coming to the City of Montebello and we look forward to enjoying it upon its opening. To the older golfers who predominantly use the course, coming from a young person, I can say that nothing lasts forever and they will learn to adapt to the new and improved set of benefits that Council has approved. In fact, I believe that those same older golfers will change their tune real fast once their kids, wives, and family members want to go to the golf course now instead of just wondering where Dad is all day.

Forward progress

Jacob Becker

Jacob Becker

Hello Councilmembers,

I am a young person continually looking for opportunities spend time with my friends in fun environments that my parents feel is safe. Unfortunately, as we all know as residents, Montebello does not have a lot of options for this type of recreation as it is mainly residential and industrial - and let's face it the mall is from another era. The golf course has been utilized by a very specific subset of the population, one my generation would call "boomers". I think speaking specifically from my generation we have seen what the boomers have done to this country and City in particular and it's VERY clear why they are the ones complaining so loudly about making generational change to what has been their little kingdom in this City on the golf course.

Council, your youth and vitality is a threat to them. Thank you for thinking longterm and not advocating the very successful boomer (can you hear the sarcasm) mentality.

CHANCE MEEKS

To the city councilmembers:

This TopGolf looks amazing. I'm not even a golfer! But I do like bowling and it sounds like TopGolf turns golf into something that is almost like a fancy bowling alley. I think it will be a hotspot for people of all ages to come learn a new game and enjoy themselves with friends. I know I've gotten a little bored with the things there is to do in Montebello so the thought of a brand new place like this gets me very excited.

Can't wait to check it out!

Abiel Aguilar

Dear Council,

I find it very encouraging that you voted to build a TopGolf here. It will be such a positive change for our community. I almost can't believe our luck, that such a fun looking place could be built right in our backyards. I have always enjoyed playing games but golf made me nervous for some reason. Maybe because I thought I would be bad at it! But it sounds like TopGolf makes it easy for newbies to join in on the fun. And getting to eat a burger while I play doesn't sound so bad either!

Thank you for doing this. I am excited to see it in person when it is built.

Jose Hernandez

Dear Council,

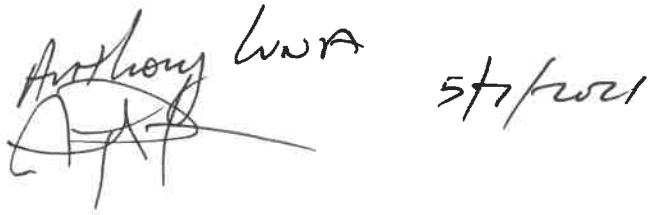
I think this TopGolf is one of the best things you can do for Montebello. I sometimes feel like I look around Montebello and wonder what year it is. Can't be 2021. It's like we've been stuck in the past for years, in serious need of something that would help revitalize us and move us forward into the 21st century. I know the TopGolf can't solve all our problems but it is definitely a good start. It's such a modern looking establishment and it seems to use some futuristic technology what with measuring how fast you hit a golf ball and whatnot. I just think people from all over Montebello will line up to come here and it will help build up our community.

Noah Melendez

Hello Council of Montebello,

Thank you for this TopGolf plan you have for our community. I know the Men's Golf Club has played golf here for many years but I have lived here my whole life and I have never played golf. I am a grandmother now so I do not think I will start playing but I would like to take my grandchildren to the TopGolf. I think they would like it very much and it makes me happy to see them playing and enjoying themselves. My friends also have grandchildren and we agree it would be nice to all go together so that we can sit and watch over the kids as they play.

Thank you for this plan.



Dear Montebello Councilmembers,

My children and grandchildren are looking forward to a new Topgolf location that is safe, close by, fun, and entertaining for their families and as a longtime resident I completely agree and am excited to see such positive change within the City. My neighbors over the years have told me they want family friendly activities in the City and I believe this is the start of great things to come.

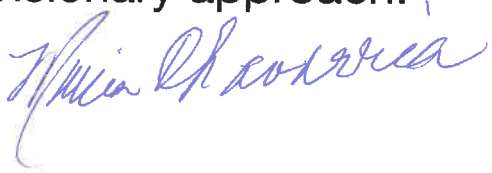
Montebello City Council,

I want to briefly take a moment to thank you for making a bold decision to help transform public land from being a one-dimensional golf course only used by serious golfers (of which there are very few in this City lets be real) to a family friendly inclusive destination point not only for residents but also visiting families across the LA marketplace. Really glad to see Council is taking the initiative to make this happen!

Gloria Gill
805 N. 21st

Hi Montebello City Council,

My friends and I are very excited to see the newly approved Topgolf and the new golf course changes coming to the City of Montebello and we look forward to being able to enjoy its opening. We collectively believe Council has made a wise decision to continue making forward progress within the City and thank Council for their visionary approach.



Dear Council,

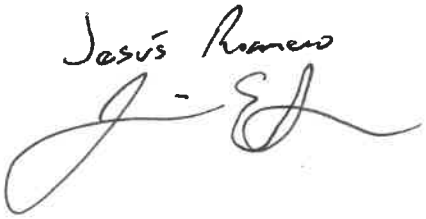
The TopGolf looks awesome. Everybody likes to spend time in cool places and TopGolf definitely looks cool. It's so high-tech! I'm super curious to find out how fast I can hit a golf ball and how far I can hit it. My friends are already guessing at which of us will be the best. I also know our country is all about trying to get young people to be healthy and active and TopGolf will do that. Going there will definitely beat sitting around the house watching tv or texting.

It's going to be great!

Dear Council,

The TopGolf looks awesome. Everybody likes to spend time in cool places and TopGolf definitely looks cool. It's so high-tech! I'm super curious to find out how fast I can hit a golf ball and how far I can hit it. My friends are already guessing at which of us will be the best. I also know our country is all about trying to get young people to be healthy and active and TopGolf will do that. Going there will definitely beat sitting around the house watching tv or texting.

It's going to be great!



Dear Council,

I have lived in Montebello all my life. I am not a golfer but my son is a golfer and I know he is very excited at the idea of a new golf course right here in his hometown. My grandkids like mini golf so if there is a mini golf then I can take my grandkids for a fun night all together. This idea makes me very happy so I hope for the sake of my son and my family that you will build this golf course for the community of Montebello.

Thank you.

Kevin ALFARO

K. Alfaro

Dear Council,

I have lived in Montebello all my life. I am not a golfer but my son is a golfer and I know he is very excited at the idea of a new golf course right here in his hometown. My grandkids like mini golf so if there is a mini golf then I can take my grandkids for a fun night all together. This idea makes me very happy so I hope for the sake of my son and my family that you will build this golf course for the community of Montebello.

Thank you.

STEPHANIE MALDONADO

Stephanie Maldonado

Dear Councilmembers,

My name is Natalie Romero and thank you for your time in reviewing the text of the petition I started on the website change.org. It currently has ~~627~~ 675 signatures.

If you haven't had the opportunity to read it it is as follows:

For decades, the 18-hole golf course has been run like a private country club benefitting a very small percentage of Montebello residents - over 120 acres of public space purely for golfers with the skill, time and money to compete in an elite sport. To make matters worse, the City has lost MILLIONS of dollars of taxpayer funds over the last decade - money that could have gone to public safety or City improvements for residents.
This is about what is GAINED: a NEW Topgolf for family friendly recreation, 2 NEW golf courses and NEW golfing amenities like evening play - all while the City stops LOSING money and instead begins MAKING money.
TO BE CLEAR: Topgolf is paying the City the ENTIRE bond amount being issued on behalf of the City, in addition to Topgolf paying the City over $27 million profit in the form of rent.
The State Audit challenged Montebello to make changes to the golf course, as losing over $1 million annually was no longer acceptable. Council listened to the State's guidance and is making a change:
Bring Topgolf to Montebello which will provide safe, family-friendly golfing recreation and technology, along with food & beverage. Create a dynamic championship 9-hole golf course with Par 4's and a Par 5 that can be played with dual pins for an 18-hole experience. Create a 6-hole Par 3 course LED night-lit for evening play after work. Create a putting course LED night-lit for both practice and play into the evenings. Build a new modern and beautiful clubhouse facility — and finally - a mini golf course for youth and families.
JUST A FEW OF THE BENEFITS FOR RESIDENTS
1. For the vast majority of residents who do not play 18-hole golf courses, these changes will create an entirely more inclusive and family-friendly environment - where everyone from ages 2 to 99 can participate and enjoy the public land through golf amenities at a variety of skill levels.
2. Topgolf is paying the City over 27 million dollars in rent over the first 20 years, as opposed to the current golf course which has lost the City many

millions of dollars over the last decade (over $1 million per year in losses many years).
Residents are no longer subsidizing a golf course that the vast majority never play and never visit for a small subset of mostly out-of-town men's club members who enjoy their private course experience.
3. Topgolf offers entertainment, recreation, and a fun location for family gatherings, coworker gatherings, friends gatherings, birthday parties, dates, and so many more occasions. Residents have clamored for MORE THINGS TO DO in the City and this is it!
4. Golfers get a new golf course that is playable in an 18-hole configuration, along with the night-lit Par 3 course and one acre putting course, and even a mini golf course. All new and all for residents of a variety of skill levels.

LET'S DISPEL THE RUMORS

1. You as the resident ARE NOT paying a $100 million bond or even a $50 million bond. Topgolf is. Topgolf is paying every dime of the bond being issued by the City and it is guaranteed by their parent company, Callaway Golf. This is ON TOP of the over 27 million dollars in rent guaranteed by Topgolf over the next 20 years.
2.The golf course is not being destroyed and it is very unwise to "save" an asset that has continuously lost money for over a decade. Let the men's club cover the $1 million annual loses during the last decade if they are so passionate. It is being remade by the Council into a new experience with many more amenities for both golfers and non-golfers to future-proof it for your children and their children.

THE REAL QUESTIONS

1. Why has the golf course even been allowed to lose MILLIONS of dollars every year for so many years all while being in a state of disrepair?
2. Why does the City have virtually NO recreation options for families, youth, etc?
3. Why are the golfers in public Council meetings threatening City Council members in order to keep their old-school golfing mentality at the detriment of the general public?
4. Isn't it time to consider the benefits of the many and stop losing millions of dollars keeping the status quo with the current golf course? This is a progressive, forward thinking City, right?

Bring Topgolf & 2 New Golf Courses To Montebello: Inclusive & Profitable for Residents

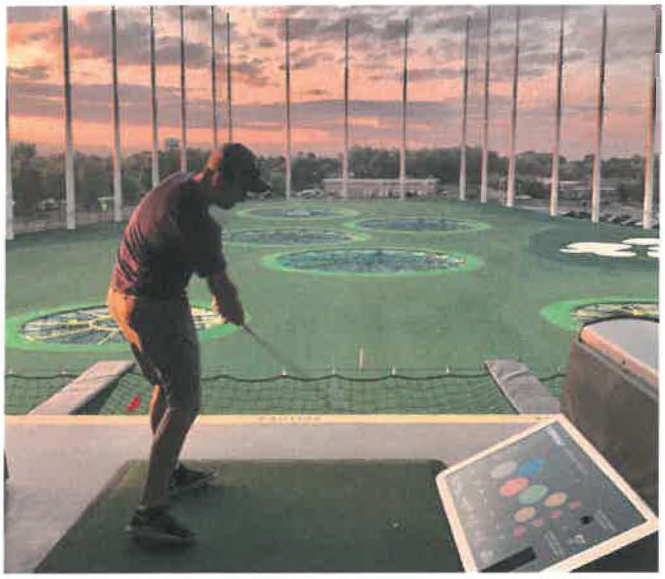
Natalie Romero started this petition to Montebello City Council

670 have signed. Let's get to 1,000!

Thanks to your support this petition has a chance at winning! We only need 330 more signatures to reach the next goal - can you help?

Take the next step!

#42



LOOKING FORWARD TO...

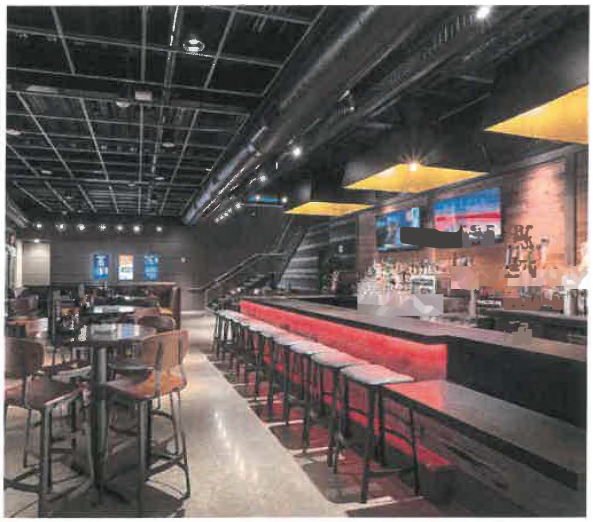
The City bringing new entertainment & recreational options for all City residents regardless of age and golfing status. I am very excited to visit one of the first Topgolf's in Southern California and look forward to seeing Montebello benefit longterm from an exciting development.

Best,

YOUNG PARK

The same comment cards were received from the following:
Young Park
Anderine Kinney
Jada Snider

#43



I Support...

The Topgolf entertainment and golfing project in Montebello with all new golfing amenities. I look forward to visiting, staying at one of your hotels, and sharing memories with my friends and family upon its opening.

Very truly yours,

Print: Douglas Molbu

Sign:

Same comment card received from:

Douglas Molbu

Ricard Lee

#44

I Support…

The Topgolf and New Montebello Golf Course project which brings much needed improvements to the City, providing recreational and hospitality options for both City residents and visiting guests alike. Can't wait!

All The Best,

Same comment received by the following:
Isidro Santilla
Elizabeth Gomez
Brian Ellis
Victor Lopez
George Aruiza
Greg Barret
Tom Fair
Trino Saldibar
Travon Brown
Adam Sam
Kena Blancas
Jae Bin Lee
Edward Shyu
Leon Chan
Priscilla Quiroga

Print: Isidro Santilla

Sign: _____

#45

I support and look forward to...

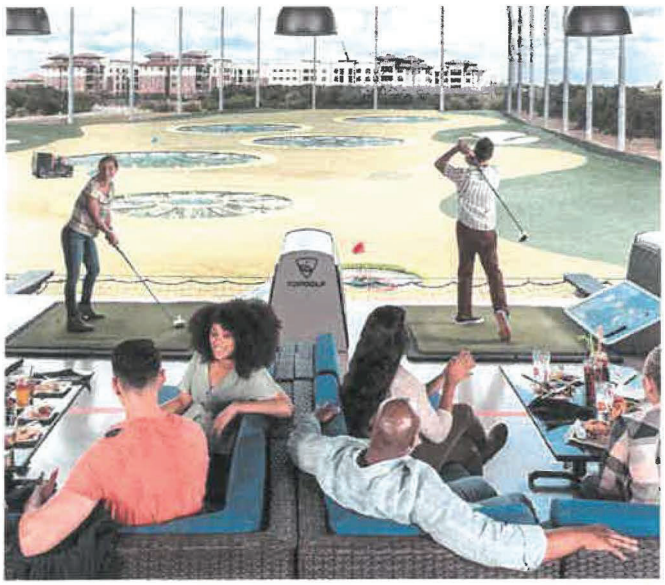
The City bringing new entertainment & recreational options for all City residents and travelers regardless of age and golfing status. I can't wait to visit one of the first Topgolf's in Southern California and look forward to seeing Montebello benefit longterm from an exciting recreation and hospitality development.

Best,

Print: JAMES LUSBY

Sign: James

The same speaker card was received from the following:
James Lusby
Adrian Mendoza
Daniela Semegome
Mark Smith
Miguel Diaz
Michelle Hoaglin
Dawayne Lindsey



Dear City of Montebello, #46

As a frequent guest staying in the City of Montebello I look forward to being able to keep my recreation and entertainment business within the City by frequenting your new Topgolf and golf course improvement project with work colleagues, friends and family. It will be a great new attraction for all!

Sincerely,

Print: Pamela Barnes

Sign: Pamela Barnes

The following speaker cards were received by:
Pamela Barnes
Jesse Ortega
Joseph DeBom
Joey Vargas
Leslie Tostado
Blanca Mejia
Alexis Dapermont
Brandon Rojas
Juan Martinez
athena Aceves
Tiffany Telles
Jmes Hernandez

Lillian Falcon

WE SUPPORT…

#47

A new exciting development in Montebello with the Topgolf golf entertainment complex. Staying as guests within the City, we have long desired having improved recreational options for both myself and my family. We are excited to continue staying in a location that is improving our guest experience and will keep us coming back!

Sincerely,

The same card was received by the following:
Pascual
Liza Guillermo
William
Arianna Ortega
Alicia Caldera
Amanda H.
Aleyia Rivas
Kellie Quam
Ruby M.
Hyon Stiffler

#48

Guillen, Kimberly (Admin)

From: Andrew Landeros <golfbrain323@gmail.com>
Sent: Wednesday, May 12, 2021 1:37 PM
To: comment, ccpublic
Subject: Public Comment on TopGolf project
Attachments: petition_signatures_Save Montebello Golf Course.pdf

Thank You City Council Members and staff for your time.

I am Andrew Landeros, Member of the Board of the Montebello Golf Players Club.

We have collected more than 600 signatures of folks that do not want TopGolf at the sacrifice of the 18-hole course. Many live here or have family ties to the community. Others bring their money from other cities to Montebello to enjoy a day, then support our stores after a round. This bolsters the local economy and adds to the sales tax collected.

I ask the city to revisit the planned changes to the golf course property. The land was entrusted to the city for recreation, not for any commercial development. It is not for the council members to hand off to any developer. There cannot be any additional development of the land, according to the agreement with the Bicknell family.

The City took liberties to install the two hotels on the golf course property and the citizens are having to pay for the city's mistakes. The hotels have only been an anchor tied to the sinking city's finances.

According to the 2018 State Audit, Montebello's general fund would be responsible for up to $1.1 million for the first hotel and $2.6 million for the second hotel annually in hotel bond payments in order to avoid default. That is a $3.7 Million hole in the city's pocket.

On the other hand, the course is now profitable, now that you have a very capable management team in charge of the pro shop.

We continue to say, the city should find a way to have the TopGolf project co-exist with the current course. Work with Callaway and TopGolf to invest in the improvements to the current golf course. This would allow more revenue to come to the city and preserve the historic golf course for generations to come.

Think of the possibilities of having charity golf tournaments (like many of the council folks enjoy having), then a banquet in the Quiet Cannon and then an evening at TopGolf. If folks are too tired to go home, they can stay at the hotels following the day. Everyone benefits! 18 holes allows for tournaments of 144 players. 9 holes would be 72 maximum.

What is better, the course could probably remain open while the construction went on. This would allow the city to collect greens fees during the process. The fees help pay for all the other parks in the city.

It would minimize the environmental impact to the community. There would not be a need to disrupt the entire property as the current design would entail.

It would also reduce the amount of money needed to be borrowed by the city.

The current plan requires a $50 Million bond that will cost taxpayers more than $100 Million over 30 years. Over 40 years, the cost would come closer to $140 Million.

There are more ways to enhance income at the course, but the city has yet to reach out to the community most impacted. The golfers of the Montebello Golf Course. We continue to invite you to come and chat with us.

Generations of players, now and in the future, depend on your actions now. Thank you!

Attached are the signatures, in case you didn't get them.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#49

Guillen, Kimberly (Admin)

From: Michael W. Popoff <madrussian90640@yahoo.com>
Sent: Wednesday, May 12, 2021 2:26 PM
To: comment, ccpublic; Michael W. Popoff
Subject: 3rd Revised Public Comment for 5-12-2021 CC Meeting

(Sorry for the confusion, but I just noticed one name I forgot to add)

Good evening Honorable Mayor, Councilmembers and staff,

I would ask that this letter be read aloud entirely into the record.

Eric Ortiz
Garrett Martin
Julian Lao
Paul Luna
Brandon Clark
Chris Romo
Brian McHugh
Michael Ray
Zachary Martin
Sam Sabella
Jeff Salinas
Kevin Tinajero
Travon Zenon
Battalion Chief Alan Wilkes
Battalion Chief Ryan Webb
Kurt Johnson
Marc Valentine
Dan France
Richard Volkoff

Celia Quezada
Verne Creswell

These are the names of many qualified Fire Personnel that have served our community faithfully, honorably and competently for many years. Some have over 20 years of service and all were reportedly either fired or pushed out.
It needs to be investigated as to why the city lost so many competent and honorable fire personnel under the current Fire Chief.
Another question I would like answered why are Chief Pelaez, City Manager Bobadilla, and HR Director Rizzo reportedly under investigation by the State of California? Is this investigation because of the forcing out of the above people, or is it because of the reported promotion of unqualified and incompetent fire personnel into positions of authority, reportedly leading to at least one event that almost took the life of a rookie firefighter?
Many in the Community have lost all confidence in Chief Pelaez' leadership. His reported closing of South Montebello Fire Stations for a number days is unacceptable, especially since it appears to be his fault the City lost the Fire personnel needed to maintain those stations in the first place.
For these reasons, and others that you have probably been made aware of, I would ask this Council to consider requesting Chief Pelaez to resign or retire. In any case, you should consider terminating his command for the good of the city and the safety of the remaining firefighters.

Sincerely,

Michael W. Samarin-Popoff, 57+ year resident of Montebello

#50

Fernandez, Alicia

From: Gabriel Garza <gabegarzafmc@gmail.com>
Sent: Wednesday, May 12, 2021 2:54 PM
To: comment, ccpublic
Subject: Montebello Golf Course - Top Golf Proposal

Good Evening Mayor and Council Members,

I would like to express my views and opposition to the proposal to convert our beloved Montebello Championship Golf course to a TopGolf Facility and a 9 Hole Golf Course.

As a long time resident, (40 Years as a home-owner) and previous Business Owner (18 Years here in Montebello) I believe the City has other major concerns to deal with than to propose a Bond initiative to the tune of $50 Million that could ultimately cause our Property Taxes to be increased if this debt goes unpaid.

The following are points of concern,

Montebello already has one of the highest tax rates in the County of Los Angeles - Please don't allow our Property Taxes to go higher

Of the proposed remodeling of the course, what are the plans for holes #6, #7, #8, #9 that are directly behind the current Driving Range? More Hotels?

I play the course on a regular bases (member of the Mens Club) and I can tell you first hand that there are many players always waiting to play - The course is a popular Course where many folks have played a few celebrities as well - It's hard to believe that this place has lost so much money.

Better management, which, I believe the City now has in place and more tournaments is a way to drive in some revenue to at least maintain the Course.

I don't believe the intent was for the Course to be a money maker for the City. None of our other recreational facilities in town drive a profit for the City, or do they?

So why Is the course expected to drive in revenue for the City....This is a recreational facility - For the citizens and surrounding neighbors to enjoy.

You will be destroying a 100 year landmark with your decision...I beg you to reconsider.

Thank you

Gabriel "Gabe" Garza
(323) 819-3660 Cell
(562) 695-6000 Work
gabegarzafmc@gmail.com

#50

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#51

Guillen, Kimberly (Admin)

From: Joey Marquez <joeywmarquez10@gmail.com>
Sent: Wednesday, May 12, 2021 3:29 PM
To: comment, ccpublic; Bobadilla, Rene
Subject: Public Comment for the Record

I am a proud graduate of Montebello High School. I wanted to ask Mayor Pro Tem Torres a quick question, when did you graduate from Montebello High School? I was under the impression that you attended Schurr High School but I must have been mistaken after seeing your letterman jacket from Montebello High. I noticed on the "M" there are a number of patches, what clubs and sports did you participate in at Montebello High? We'd love to invite you to our next class reunion after the pandemic. Also, our alumni association would be honored to have such a distinguished alumni join.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#52

Guillen, Kimberly (Admin)

From: Caltitla, Zoraida
Sent: Wednesday, May 12, 2021 3:00 PM
To: Guillen, Kimberly (Admin)
Subject: FW: Please Read on the Record

FYI

Zoraida Caltitla
Office Manager
City Manager's Office
1600 W. Beverly Blvd.
Montebello, CA 90640
323-887-1397

From: Joe Cervera [mailto:cerverajoe175@gmail.com]
Sent: Wednesday, May 12, 2021 2:54 PM
To: Salazar, Arlene; Bobadilla, Rene; Caltitla, Zoraida
Subject: Please Read on the Record

Mayor Kimberly Cobos-Cawthorne, can you please explain the role and duties of a Mayor and council member? I have reviewed the job description and I have not been able to identify a specific section where it states that the Mayor is to serve as a private investigator. Does the Mayor or any council member have the authority to investigate an employee of the city? Is the Mayor serving as the judge for who is morally qualified to work and represent our city? You have overstepped your role as a council member and if this legal complaint regarding a city employee leads to litigation, the Montebello taxpayers should not be responsible for covering the legal expenses. I encourage our four other council members to not support the Mayor's irresponsible and reckless actions. She should be required to cover the expense of legal representation.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#53

Guillen, Kimberly (Admin)

From: Caltitla, Zoraida
Sent: Wednesday, May 12, 2021 3:01 PM
To: Guillen, Kimberly (Admin)
Subject: FW: Public Comment-Read On The Record

FYI

Zoraida Caltitla
Office Manager
City Manager's Office
1600 W. Beverly Blvd.
Montebello, CA 90640
323-887-1397

From: Alexandria Hernandez [mailto:alexjhernandez1972@gmail.com]
Sent: Wednesday, May 12, 2021 2:56 PM
To: Salazar, Arlene; Bobadilla, Rene; Caltitla, Zoraida
Subject: Public Comment-Read On The Record

The Mayor's violation of the Brown Act is appalling and shows her inability to lead our community. She is vindictive, a teller of untruths, and abusive. Mayor Cobos-Cawthorne is adopting the same methods of attack that she and her mother employed during their reign of terror and the conspiracies they promoted under the disguise of Match 90640. The Mayor's mother is on social media attacking a city employee who has filed a legal complaint against her daughter on the "You know you're from Montebello" Facebook page. The page's Facebook administrators and close friends of the Mayor (David John Sanchez and Maribel Briseno) should be held accountable for allowing the city employee's name to be slandered and subject to vicious attacks by the Mayor's friends.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#54

Guillen, Kimberly (Admin)

From: Caltitla, Zoraida
Sent: Wednesday, May 12, 2021 3:03 PM
To: Guillen, Kimberly (Admin)
Subject: FW: Council Meeting Public Comment

FYI

Zoraida Caltitla
Office Manager
City Manager's Office
1600 W. Beverly Blvd.
Montebello, CA 90640
323-887-1397

From: Bobby Escamilla [mailto:escamillarobm@gmail.com]
Sent: Wednesday, May 12, 2021 3:02 PM
To: Salazar, Arlene; Bobadilla, Rene; Caltitla, Zoraida
Subject: Council Meeting Public Comment

Mayor Kimberly Cobos-Cawthorne's mother is leading an attack on the city attorney and Brad Perrin under the disguise of Montebello Anonymous. She is spreading blatant lies about the golf course and the city attorney's role in the recent deal and vote, and has been allowed to do so freely without consequence. This is not right. If Kimberly Cobos-Cawthorne was not on the city council, the city attorney would have taken legal action against the Mayor's mother. Instead, he allows such attacks to go unchecked for the purpose of job preservation. The Mayor's mother is apparently running our city through intimidation and no one is willing to stand up against her.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#55

Guillen, Kimberly (Admin)

From: Caltitla, Zoraida
Sent: Wednesday, May 12, 2021 3:12 PM
To: Guillen, Kimberly (Admin)
Subject: FW: Public comment for council meeting

FYI

Zoraida Caltitla
Office Manager
City Manager's Office
1600 W. Beverly Blvd.
Montebello, CA 90640
323-887-1397

From: Jonathon Chan [mailto:johnny82chan@gmail.com]
Sent: Wednesday, May 12, 2021 3:06 PM
To: Salazar, Arlene; Bobadilla, Rene; Caltitla, Zoraida
Subject: Public comment for council meeting

Honorable council members,
As a resident of North Montebello, I am requesting that the city council does not provide legal representation to Kimberly Cobos-Cawthorne, the Mayor of Montebello. She has behaved outside of the scope of her duties as a councilwoman and Montebello residents should not be required to cover her legal expenses. Cobos-Cawthorne's alleged behaviors and actions must be questioned and if found to be done with malicious intent, any legal costs should be directed to her.
Thank you.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#56

Guillen, Kimberly (Admin)

From: Caltitla, Zoraida
Sent: Wednesday, May 12, 2021 3:23 PM
To: Guillen, Kimberly (Admin)
Subject: FW: Comment for the city council meeting

FYI

Zoraida Caltitla
Office Manager
City Manager's Office
1600 W. Beverly Blvd.
Montebello, CA 90640
323-887-1397

From: Anonymous Name [mailto:kbf1refghter@gmail.com]
Sent: Wednesday, May 12, 2021 3:21 PM
To: Salazar, Arlene; Bobadilla, Rene; Caltitla, Zoraida
Subject: Comment for the city council meeting

Madam Mayor Kimberly Cobos-Cawthorne is a blessing to our little city on the hill. She has worked tirelessly to be transparent and to make sure city employees are behaving correctly. She shows compassion for our residents and isn't afraid to take the lead and influence departments that need improvement. She believes in holding people accountable and she has only done what has been in the best interest of the city. Recently, she expressed how it is unfair that she is the mayor during a pandemic and how she hasn't been able to do everything she wants to do for our city. She expressed some interest in serving a consecutive second term as Mayor and Kimmy deserves it. Montebello should be honored to have such a great leader who is first on the scene with the Fire Department and Police Department. Thank you Mayor, you have earned the praise.

L. Fuentes

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

(1)

5/6/2021
3:23
S.N.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Patrick Roque called @ 6:57 p.m.

Address *(optional)* _____

_____

Phone *(optional)* (323) 240 - 1670

Organization represented (if any) _____

Topic Re-opening of public facilities at Park locations.

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(2)

Received 5/11 @ 2:45pm KG

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Rosa Tanayo *Spanish called @ 7:02

Address *(optional)* _____

_____

Phone *(optional)* (323) 724-6099

Organization represented (if any) _____

Topic Fire Department - complaint for long response time.

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(3)

Recvd 5/12 @ 8:55 p.m KG

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Yvette Fimbres called @ 7:07 p.m

Address *(optional)* _____

_____

Phone *(optional)* (323) 697 - 2710

Organization represented (if any) _____

Topic In regards to Kimberly Cobos-Cawthorne

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(4)

Recv'd 5/12 @ 2:42

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Raul Hurtado called @ 7:11 p.m.

Address *(optional)* _____

_____

Phone *(optional)* (323) 721-5622

Organization represented (if any) Fire Union & Police Union, also spoke on Closed Session Item - potential litigation chief vs. MTB

Topic General comment - speaking on a story he saw on the news.

(Please be specific)

(Did not want to state what story, stated that they didn't think it was necessary to state.)

(The instructions on the back will assist you in expressing your views)

(5)

Recv'd 5/12 @ 2:46 p.m.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name William Cervera called @ 7:14 p.m.

Address *(optional)* _____

_____

Phone *(optional)* (323) 353-2626

Organization represented (if any) _____

Topic General Comment - City Attorney should not be leading CCM. Attorney should not be stopping the speakers. Topgolf. Internet.

(Please be specific)

(The instructions on the back will assist you in expressing your views)

ITEM NO. 10 - CDBG

(1)

Recv'd 5/12 @12:20

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name John Velasco zoom - spoke @ 7:36 p.m.

Address *(optional)* _____

_____

Phone *(optional)* (714) 325-5828

Organization represented (if any) Heart of Compassion

Topic In support of CDBG Funding Item #10

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

ITEM NO. 11 -
(ADOPT RESOLUTIONS ADOPTING COMPREHENSIVE MEMORANDUMS OF UNDERSTANDING)

#1

Guillen, Kimberly (Admin)

From: Chris Tyni <religaranch@yahoo.com>
Sent: Tuesday, May 11, 2021 12:38 PM
To: comment, ccpublic

Honorable Members of the Montebello City Council,

My name Chris Tyni and I have had the pleasure of serving the Montebello Community for the last 15 years as a member of the Montebello Police Department. I am speaking today with the hopes of gaining your support for approval of the Comprehensive Memorandum of Understanding which will be presented to you this evening. The Comprehensive Memorandum of Understanding is something that the members of the Montebello Police Department have been seeking for many years. The Comprehensive Memorandum of Understanding which will be presented to you is the culmination of years of work, including the assistance of an outside consultant. This Comprehensive Memorandum of Understanding is essential not only for the members of the Montebello Police Association, but for the City of Montebello as well. The Comprehensive Memorandum of Understanding before you will lay the foundation between the Montebello Police Officers Association and the City of Montebello for years to come. This Memorandum of Understanding is something that we (The Members of the Montebello Police Officers Association and the City of Montebello) have been lacking for some time. The Memorandum of Understanding is an industry standard and will bring forth the professionalism that the community of Montebello seeks from its City Employees. I thank you for your time and consideration in approving the Memorandum of Understanding between the Montebello Police Officers Association and the City of Montebello.

Sincerely,

Chris Tyni; Vice President of the Montebello Police Officers Association.

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Guillen, Kimberly (Admin)

From: Phillip Viebrock <viebrock.phil@gmail.com>
Sent: Wednesday, May 12, 2021 7:51 AM
To: comment, ccpublic
Subject: City Council Comment Card

To Madam Mayor, City Council and City Staff
I want to voice my support for the current purposed MOU between the City and the MPOA. Having an MOU is a standard for agencies because of its importance of outlining the agreed benefits between the City and the employees. The MPOA has been promised an MOU for some time now and while the current purposed MOU is not as comprehensive as most would expect it to be, it is a great starting point. The MPOA has been working diligently with the City to create the current purposed MOU. The MOU contains terms already agreed upon between the City and the MPOA. The MPOA will happily continue to work with the City to add to the purposed MOU. Thank you for your continued support, as well as, your time and consideration.
Respectfully,
MPOA Member Phillip Viebrock

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Guillen, Kimberly (Admin)

From: park1776 <park1776@gmail.com>
Sent: Wednesday, May 12, 2021 7:55 AM
To: comment, ccpublic
Subject: MPOA

Dear Members of the Montebello City Council,

Thank you for your review and consideration of our Memorandum of Understanding. I have found the MOU to be accurate and fair in all aspects of our prior and new agreements to our dedicated men and women of the Montebello Police Department. Thank you for your leadership and dedication to the City of Montebello.

Best regards,

David Park, board member of the Montebello POA

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Madam Mayor, City Council, City Manager and Assistant City Manager;

On behalf of the Montebello Police Officer's Association, I would like to thank you for the opportunity you have provided for us to speak about the important matter of the comprehensive memorandum of understanding (MOU). The MPOA has been attempting to obtain a comprehensive MOU from the City dating back to early 2000's. These attempts have never progressed from the level of conversation and on April 10, 2013 in a signed MOU with then City Administrator Francesca Tucker-Schuyler, the City agreed to the following:

"The City shall provide MPOA with a draft comprehensive MOU's summarizing the wages, hours, and working conditions of the MPOA employees within 90 days of approval of this Agreement. Thereafter, the parties shall work jointly to ensure the MOU's accuracy and completeness. The final comprehensive MOU shall be presented to the City Council for approval."

Over the following years the MPOA repeatedly continued to request a comprehensive MOU with the City and the City refused to meet the terms they had agreed to in 2013.

In March of 2020 the MPOA opened dialogue with then recently hired Human Resources Director Nicholas Razo regarding this issue. Mr. Razo recognized the importance and the need of having a comprehensive MOU. Since, Mr. Razo has been in constant communication with the MPOA and has kept us appraised of the City's progress on this matter. The MPOA recognizes that the task of comprising an accurate MOU is not as simple as it may sound and in early 2021 the MPOA was presented with the initial draft of the proposed MOU. The MPOA Board and City Staff then met several times to ensure the accuracy of the MOU. The MPOA Board has reviewed the proposed comprehensive MOU and have agreed that it is an accurate reflection of the previously agreed to provisions. With subsequent MOU's the goal would be to add agreed upon provisions to ensure we have thorough MOU's and further strengthen City and MPOA guidelines. The MPOA strongly believes that this is a great baseline, and has full confidence in the current City Staff in that they will continue to work with the MPOA in adding needed provisions that would improve the MOU until it meets that of the industry standard.

The MPOA greatly appreciates the tremendous support that City Manager Rene Bobadilla and Assistant City Manager Arlene Salazar, have displayed from day one and have worked with the Human Resources Team to accomplish this task. The MPOA would like to thank all that have worked on getting us to the point that we have reached on this specific matter.

Thank you for your time and consideration in the approval of this MOU.

Respectfully MPOA President

Omar Rodriguez

#5

Fernandez, Alicia

From: Craig Adams <cadams1356@gmail.com>
Sent: Wednesday, May 12, 2021 1:06 PM
To: comment, ccpublic
Subject: MPOA Comprehensive MOU

Dear City Council,

I am respectfully requesting approval of the comprehensive MOU presented by the Montebello Police Officer's Association. The MOU is an important document for a number of reasons-the least of which provides a framework for the employment of police officers within the city of Montebello. This not only allows potential employees to research all the city has to offer but provides direction to current employees on benefits, rules and regulations and incentives obtained during contract negotiations. The timing for the request is ideal due to the fact City Hall employees appear not only willing to work with the MPOA but actually have the capacity to-unlike in years past. Thanks for your consideration in this matter.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#6

Fernandez, Alicia

From: Camuy, Juan
Sent: Wednesday, May 12, 2021 1:10 PM
To: comment, ccpublic
Subject: MOU support

Greetings,
I am a MPOA member and respectfully submit my support for a Comprehensive Memorandum of Understanding.
Thank you.

#7

Fernandez, Alicia

From: Katie Ferrari <forever_ferrari@aol.com>
Sent: Wednesday, May 12, 2021 1:46 PM
To: comment, ccpublic

Greetings honorable mayor and council,

As a board member of the Montebello Police Officers Association, I would like to show my support for a comprehensive MOU. Being a lateral who has come from an agency with a concrete MOU I can tell you how important it is to have one in place.

Regards,

Katie Ferrari

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#8

Fernandez, Alicia

From: Padilla, Vanessa
Sent: Wednesday, May 12, 2021 2:26 PM
To: comment, ccpublic
Subject: Comment for Item #11

Honorable Mayor, City Council Members, and Staff:

On behalf of the Montebello Supervisors Association, I would like to show our support for the comprehensive memorandum of understanding (MOU). Through our combined efforts, we are presenting what we believe is a document encompassing all of our historical negotiations.

As far back as our records indicate, an MOU has been requested from the City to negative results. The acceptance of this document demonstrates a positive step forward in the relationship between the City and its employees.

I would like to extend our gratitude to the Human Resources team in putting together this document. We recognize all of the effort they put forth in working with each and every group. It was no easy task; and yet there was no question or concern left unanswered.

As our City continues to modernize its processes and procedures we hope that an established comprehensive MOU will continue to not only attract but keep our top quality employees that continue to propel the City forward.

As a newer association, we recognize how crucial it is for our group to have a physical record of previous negotiated terms. It is our hope moving forward that this MOU will give both parties an equal platform to negotiate fair and competitive compensation and benefits. Please allow me to emphasize again how important this document is to our association and to the future of our City. We have worked countless hours to prepare and now present this document for your approval.

Thank you for your consideration.

Respectfully submitted,

Vanessa Nava
Montebello Supervisors Association
President
323-494-7878

Vanessa Padilla Nava
Grant and Project Administrator
Police Department, City of Montebello
1600 W Beverly Blvd. Montebello, CA 90640
p: 323-887-1200 ext. 238 c: 323-246-3954
w: www.cityofmontebello.com e: vpadilla@cityofmontebello.com

#9

Fernandez, Alicia

From: Smith, Stacey
Sent: Wednesday, May 12, 2021 2:38 PM
To: comment, ccpublic
Subject: Item #11

Honorable Mayor, City Council Members, and Staff:

On behalf of the Montebello Supervisors Association, I would like to show our support for the comprehensive memorandum of understanding (MOU). Through our combined efforts, we are presenting what we believe is a document encompassing all of our historical negotiations.

As far back as our records indicate, an MOU has been requested from the City to negative results. The acceptance of this document demonstrates a positive step forward in the relationship between the City and its employees.

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As a newer association, we recognize how crucial it is for our group to have a physical record of previous negotiated terms. It is our hope moving forward that this MOU will give both parties an equal platform to negotiate fair and competitive compensation and benefits. Please allow me to emphasize again how important this document is to our association and to the future of our City. We have worked countless hours to prepare and now present this document for your approval.

Thank you for your consideration.

Respectfully submitted,

Stacey Smith
Montebello Supervisors Association

Stacey Smith
Communications Supervisor
Police Department, City of Montebello
1600 W Beverly Blvd. Montebello, CA 90640
p: 323-887-1209
w: www.cityofmontebello.com e: ssmith@cityofmontebello.com

#10

Fernandez, Alicia

From: Navarro, Monique
Sent: Wednesday, May 12, 2021 2:38 PM
To: comment, ccpublic
Subject: Item 11

Honorable Mayor, City council Member and Staff,

I am on the MSA board and have been assisting with drafting up a revised comprehensive MOU for our organization. This is something we are looking forward to getting completed and having something that we can refer to. I have worked for the city for over 30 years and I am extremely excited to see the city moving forward with updating our MOU, it is long overdue. I am very grateful to the Human Resources unit for all of their time, effort and hard work they have put into this project and kept all of the organizations involved and updated as well as asking for any input is assisting with the MOU's. This document is imperative to our future and the future of new employees, having documentation to refer to and compare to other cities is a must. As an employee who has been here for over 30 years and seeing the turn the city is taking to update the MOU as well as work on other projects makes me feel like they are finally taking into consideration their employees and making us feel important.

Respectfully

Monique DelliBovi
Records Supervisor
Police Department, City of Montebello
1600 W Beverly Blvd. Montebello, CA 90640
p: 323-887-1224
w: www.cityofmontebello.com e: mdellibovi@cityofmontebello.com

#11

Fernandez, Alicia

From: Michael Lyon <mikerlyon@gmail.com>
Sent: Wednesday, May 12, 2021 2:21 PM
To: comment, ccpublic
Subject: MPD memorandum of understanding

Mayor, City Council and Staff,

I would like to thank you for taking the time to review and allowing the MPOA the opportunity to address the comprehensive memorandum of understanding (MOU). I am glad the the current version of the MOU has been brought back to the attention of the council. Being a newer member of the MPOA board, I am very excited to have the opportunity to work with a lot of great people on making future improvements to the Montebello Police Departments MOU.

Thank you again for all that the council members along with city staff do to provide the best service to the citizens of Montebello. Looking forward to a bright future here in Montebello!

Best,

Michael Lyon
MPOA board member

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#12

Fernandez, Alicia

From: Marc Marty <marc.mpoa@gmail.com>
Sent: Wednesday, May 12, 2021 2:35 PM
To: comment, ccpublic
Subject: MPOA Comprehensive MOU

Good evening Montebello City Council!

My name is Marc Marty and I am a member of the Montebello Police Officers' Association. I am writing you this evening to express my support for a comprehensive MOU with our city.

I have been a city employee for approximately 20 years and in those 20 years, I have been involved in our police association in some form or another as a board member, treasurer and president for about 15 years. In those 15 years we have attempted to put together a comprehensive MOU and have yet to succeed.

This is the first time we have had excellent dialogue with city staff working together to accomplish this time consuming task. The time is now! Let's continue with tue process and complete our MOU.

In my time as an employee with the city of Montebello i have never seen it flourishing as it is now. We have become a progressive city and I'd love to see the momentum continue to move forward.

I am absolutely in favor of a comprehensive MOU and I believe you should be to!

Thank you for your support!

Marc Marty
MPOA Member

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Guillen, Kimberly (Admin)

From: Caltitla, Zoraida
Sent: Wednesday, May 12, 2021 2:59 PM
To: Guillen, Kimberly (Admin)
Subject: FW: Public comment
Attachments: Comprehensive MOU Public Comment.docx

FYI

Zoraida Caltitla
Office Manager
City Manager's Office
1600 W. Beverly Blvd.
Montebello, CA 90640
323-887-1397

From: Kim, David
Sent: Wednesday, May 12, 2021 2:56 PM
To: Caltitla, Zoraida
Cc: Razo, Nicholas; Mooshagian, Nicole; Camacho, Kathleen
Subject: Public comment

Good afternoon,

Please see attached public comment. Do I need to send it to ccpubliccomment@cityofmontebello.com? Thank you.

Lieutenant David Kim #1298
Montebello Police Department
Investigations Bureau
1600 W. Beverly Boulevard
Montebello CA 90640
(323)887-1200 Ext. 293
Dkim@cityofmontebello.com

To: Madam Mayor, City Council, City Manager and Assistant City Manager,

On behalf of the Montebello Police Management Association, I would like to thank our City Manager, Assistant City Manager, Human Resources and all city staff who played a role in revising the comprehensive MOU for the Montebello Police Management Association. I've been proudly serving our community since 1996 and was recently appointed to serve as the president of the MPMA. During our recent negotiation, the city and the MPMA agreed to a comprehensive MOU. The City Manager, Assistant City Manager and Human Resources team has since worked hard in putting together a draft comprehensive MOU. The HR director, Nicolas Razo and I met numerous times to finalize the comprehensive MOU to make sure that all the past agreements, addendums and side notes were included into one document. The city staff went further and adopted some of the agreements into a city policy. This comprehensive MOU has been long overdue and it will set the precedent into future agreements to follow. Once again, I would like to thank the City Manager, Assistant City Manager and Human Resources team for taking the time to revise the comprehensive MOU. I also would like to thank Madam Mayor and City Council members in advance for consideration of approving the comprehensive MOU.

President of the MPMA,
David Kim

(1)

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name David Kim called @ 7:42 p.m.

Address *(optional)* _____

_____

Phone *(optional)* (323) 816-6024

Organization represented (if any) _____

Topic #11 MOU - submitted comment # 13 & would like to call instead

(Please be specific)

(The instructions on the back will assist you in expressing your views)

(2)

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Vanessa Padilla called @ 7:44 p.m

Address *(optional)* _____

_____

Phone *(optional)* (323) 494-7878

Organization represented (if any) _____

Topic #11 MOU - submitted comment # 8 & would like to call instead

(Please be specific)

(The instructions on the back will assist you in expressing your views)

(3)

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Omar Rodriguez called @ 7:46 p.m. left a vm.

Address *(optional)* _____

_____

Phone *(optional)* (323) ~~[illegible]~~ 490-0478

Organization represented (if any) _____

Topic #11 MOU will also read comment on

(Please be specific)

behalf of Marc Marty (comments # 4 & #12 would like to call instead

(The instructions on the back will assist you in expressing your views)

ITEM NO. 12 -
CITY COUNCIL TERMS

0

Recv'd 5/12 @ 2:46pm

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name William Cervera called @ 8:35 p.m

Address *(optional)*

Phone *(optional)* (323) 353-2626

Organization represented (if any)

Topic #12 - City Council Term Limits - (Did not want to state if he was opposing or supporting item.)

(Please be specific)

(The instructions on the back will assist you in expressing your views)

ITEM NO. 15 & 16 - Natasha Lane

#1

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, May 12, 2021 11:08 AM
To: comment, ccpublic
Subject: Public Comments to be read at Montebello City Council meeting May 12, 2021

To: City Council, Staff and Departments

From: Margot Eiser, resident, taxpayer, voter

Re: Comments to be read at Montebello City Council meeting May 12, 2021 and entered into the public record and responded to when requested.
Note to Reader, Please add "Thank you" at end of each.

Public Orals- ~~I recommend that you arrange all the technicalities needed to have City Council and other public meetings be done as Zoom meetings. This can be used successfully and effectively. I recently participated in an elaborate event with numerous other people which provided for interaction in various ways. I recommend continuing to use Zoom even when in person meetings are resumed because that would encourage and give many more people the opportunity to participate in the running of our city!~~

Item 15 & 16-I am probably not the only one who is curious about this. Please have someone send me an explanation of what Natasha Lane is, how much has been spent over the years on various matters relating to it and most importantly,how much if any money it earns for the city or is it just an ongoing expense? My edress is on the record.

Item17-~~First, you must immediately change all signs and start to use the proper term to describe and advertise what is and always has been **OUR** municipal **GOLF COURSE**. Next, it is vitally important that you , who are supposed to be our representatives, must insist that the new management company is always working for the benefit of the **City.** I suggest that you consult with other cities which run very successful public golf courses with additional facilities. Third, WE, the residents, residents, taxpayers, voters must be notified and involved and oversee the entire process before making any changes proposed by the company.~~

ITEM NO. 17 - GOLF COURSE

#1

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, May 12, 2021 11:08 AM
To: comment, ccpublic
Subject: Public Comments to be read at Montebello City Council meeting May 12, 2021

To: City Council, Staff and Departments

From: Margot Eiser, resident, taxpayer, voter

Re: Comments to be read at Montebello City Council meeting May 12, 2021 and entered into the public record and responded to when requested.
Note to Reader, Please add "Thank you" at end of each.

Public Orals- ~~I recommend that you arrange all the technicalities needed to have City Council and other public meetings be done as Zoom meetings. This can be used successfully and effectively. I recently participated in an elaborate event with numerous other people which provided for interaction in various ways. I recommend continuing to use Zoom even when in person meetings are resumed because that would encourage and give many more people the opportunity to participate in the running of our city!~~

Item 15 & 16~~-I am probably not the only one who is curious about this. Please have someone send me an explanation of what Natasha Lane is, how much has been spent over the years on various matters relating to it and most importantly,how much if any money it earns for the city or is it just an ongoing expense? My edress is on the record.~~

Item17-First, you must immediately change all signs and start to use the proper term to describe and advertise what is and always has been **OUR** municipal **GOLF COURSE**. Next, it is vitally important that you , who are supposed to be our representatives, must insist that the new management company is always working for the benefit of the **City.** I suggest that you consult with other cities which run very successful public golf courses with additional facilities. Third, WE, the residents, residents, taxpayers, voters must be notified and involved and oversee the entire process before making any changes proposed by the company.

#1

We must have input and impact on all decisions. This could be accomplished by having an active **Golf Course** Commission made up of only concerned residents.

Item 23-~~Relieved that you heeded the will of us the people, residents, tax payers, voters and are upholding the denial of the proposed General Plan zone change . You have our support to continue to maintain the integrity of a such a special neighborhood despite pressures. This matter demonstrates how important it is for all of us to be actively involved in formulating the New General Plan so that it can include and protect what is unique and important and include what we want and need in the various areas of the city. It would be wise to add provisions that make it harder for outside entities to try to change it.~~

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

(1)

Recv'd 5/12 @ 2:46 p.m.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name William Cervera called @ 8:49 p.m

Address *(optional)* _____

_____

Phone *(optional)* (323) 353-2626

Organization represented (if any) _____

Topic #17-S+S La Barge - (Did not want to state if he was opposing or supporting item.)
(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

ITEM NO. 23 -
(IN SUPPORT OF RESOLUTION TO DENY BRANDYWINE PROJECT)

ITEM NO. 23 - BRANDYWINE DENIAL OF APPLICANT

Comment #	Name	In Support	In Opposition
1	Giovanni Sergi	X	
2	De Anne Heacock	X	
3	Ernesto Casas	X	
4	Tom and Alexandria Uch	X	
5	Cesar Vega	X	
6	Mario Martinez	X	
7	Anthony Brand	X	
8	Anakuh Pena	X	
9	Stephen Patino	X	
10	Chris Andrews	X	
11	Veasna Eng	X	
12	Margo Eiser	X	

#1

Guillen, Kimberly (Admin)

From: Giovanni Sergi <giovannisergiusiciliano@gmail.com>
Sent: Wednesday, April 14, 2021 4:10 PM
To: comment, ccpublic
Subject: 301 Jacmar Dr

Montebello City council,

My name is Giovanni Sergi. I live at 844 South 3rd St in Montebello and I'm opposed on the construction of the 31 units at 301 Jacmar. Please consider the following below.

1. Traffic and parking will impact our neighborhood
2. Parking will be an issue look at the other townhomes on Washington/Bluff and Olympic/Greenwood and how many cars surround those properties. Look at streets and how congested they are.
3. The residents have spoken and presented you with 551 signatures opposing this project.
4. The re-zoning his only considered for a former city official.
5. At the January 5, 2021 hearing, the Planning Commission ultimately voted to recommend to the City Council denial of the proposed project due to off-site parking concerns by a 3-2 vote.
6. The residents of South Montebello do not deserve this.

Respectfully

Giovanni Sergi

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Guillen, Kimberly (Admin)

From: De Anne Susino <deannesusino@gmail.com>
Sent: Wednesday, April 14, 2021 4:20 PM
To: comment, ccpublic
Subject: Jacmar / District based elections

The development of 31 units on Jacmar would take a longstanding neighborhood of single family residences with strong property values and create a high-density neighborhood where neighbors fight over street parking, and people, traffic, and noise pollution expand rapidly. It's a terrible idea.

Instead, the council should consider providing incentives to developers to partner with the City and create affordable housing in areas that help uplift the neighborhoods. Some of the industrial properties and dilapidated homes on larger lots are ideal for this kind of development. If the Council focused on these types of properties to encourage development, it would benefit the entire city, not just a developer and a few people in town.

THE FOLLOWING WILL BE READ FOR CLOSED SESSION

~~The other issue I'd like to address is District-based elections. I've lived in south Montebello all my life, and I know I speak for many "southsiders" when I say we feel unrepresented. Most all of the council members present and past (with a few exceptions) do not live in south Montebello. We have unique needs in the south; for example, the riverbed and water company activity in our neighborhoods, grow houses opening up in the industrial areas, etc. I feel it's time we grow into a system that guarantees representation of each unique section of Montebello. Something needs to change. Our city has been stuck in time for decades. I'm asking you to take a chance and take us in a different direction that is working in our neighboring cities.~~

Thank you!
De Anne Heacock-Susino
Lifelong Resident

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Guillen, Kimberly (Admin)

From: Ernesto Casas <casasernesto5@gmail.com>
Sent: Wednesday, April 14, 2021 4:44 PM
To: comment, ccpublic

I am a resident of Montebello, I deny the proposal .
301 Jacamar Dr. 31 units Townhome project.

I live on 732 S Spruce St, Montebello, CA 90640
Ernesto Casas
Cell phone 323-810-3859

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#4

Guillen, Kimberly (Admin)

From: utandihappi@aol.com
Sent: Wednesday, April 14, 2021 5:22 PM
To: comment, ccpublic
Cc: tandihappi@gmail.com
Subject: 301 Jacmar Propoesd Project

April 14, 2021

City Council of Montebello

Dear Council Members,

We are the resident home owners and enjoyed living in the affected community for more than 35 years.
I. We oppose the 31 3-Story proposed condo project because of:
a) More additional traffics and crowded parking
b) Potential crimes and drug activities
c) Drop in property values
II. If the City needs more additional housing, the Planning Dept. and the Housing Authority can and should solicit available locations such as:
a) The south east corner of Whittier Blvd and Bluff Rd.
b) The south west corner of Olympic Blvd and Montebello Blvd
c) The south east corner of Olympic Blvd and S. Park Ave.
d) The south west corner of Garfield Ave and Via Campo
f) The north east side of E Lincoln Ave and E Azalea Dr.
(about 40% owed by Montebello, 60% by Pico Rivera)
III. Not a single person living on 3rd street and Jacmar supports the Condo project except those people who do NOT live in the affected community.

Your crucial decision tonight will affect this peaceful community for the next 75 to 100 years to come.
Thank you
Sincerely.

Thom T. Uch
Alexandria I. Uch
841 S 3rd Street
Montebello, CA 90640

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#5

Guillen, Kimberly (Admin)

From: Cesar Vega <cvega@morrow-meadows.com>
Sent: Wednesday, April 14, 2021 5:36 PM
To: comment, ccpublic
Subject: Agenda item #12

To whom it may concern,

My name is Cesar Vega and I live at 848 s 3rd St. in the city of Montebello just 4 houses away from the proposed construction site.

I have lived at this address since late 2000 and have always had a good relationship with all my neighbor's past and present,
including my neighbor Mr. William (Bill) Molinari.

I personally have had the pleasure of calling him my friend for all the years that Ive known him.
Ive looked out for him when a strange car was parked in front of his home or when he needed my help
I volunteered my time on his campaigns. I made signs and walked the streets of north and south Montebello asking for peoples votes for Bill as Mayor and as City Councilman.

However, it has come to my attention that Bill wants to level his home and have a company by the name of Brandywine come into our neighborhood and build 31 units as well as Re-Zone our street.

I personally am appalled and completely against this project.

I write today to ask that you please consider not Re-zoning our street and to put a halt to this project.
our street has already seen an increase in vehicle traffic, as well as crime in the last few years.

I believe that building 31 units would increase both crime and traffic. vehicles coming in and out of our street as well as parking would become a big problem.

I understand that the parking for the tenants would be tandem garages. I ask you today, do we really need to be so ignorant as to think that somebody wants to be blocked in by another car in their own home? that these Tenants as well as friends and family of such will not just park out on Jacmar, s.3rd and 4th St.?

When the units that are on the corner of Washington and Bluff Rd. were being constructed Bill spoke to me about how upset he was with the contractor because he felt that they lied to him about how far the project would be from his home, his words were

" well they said they wouldn't be so close and look! they built that darn thing right up to my back yard".

If you go to google maps and look at 201 - 213 Juniper way. you can clearly see that from the 1st floor of the complex one can see clearly into Mr. Molinari`s back yard and into his house with minimum to no privacy when seen from a higher floor.

#5

I read the article that was sent to me by Brandywine where Bill states "I have lived here for over 30 years why would I propose something that would be bad for the neighborhood?"

well, the answer is simple and we would be blind to not see it.
Money... that's why and if you lined my pockets with a bunch of money, I too would be inclined to sell my house and be all in for building 25 Units on my property.

I wish not to create bad blood between Bill and myself, But I would rather like to make him see that this is not what our neighborhood needs.

-Cesar.

Cesar J. Vega | Shop Foreman
MORROW MEADOWS CORPORATION
231 Benton Court, City of Industry, CA 91789
O: (909) 598-7700 M: (909) 772-5512
cvega@morrow-meadows.com | MMC Website

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#6

Guillen, Kimberly (Admin)

From: Mario Martinez <mariojrmtz@yahoo.com>
Sent: Wednesday, April 14, 2021 5:45 PM
To: comment, ccpublic
Cc: norezoning2021@gmail.com
Subject: Jacmar house planning project

To whom it may concern,

Many members of the neighborhood (including myself) strongly oppose the Jacmar project. The neighborhood has been inundated with housing projects within the last 10-15 years. Finding parking it's a mission in itself that can be stressful. I often see people parking their vehicles blocks away in our current living conditions. Vehicular influx will also affect the quality of life in the neighborhood. Beach street between Greenwood Ave. and Bluff Rd.has needed some major uplifting within the last 7 years, why hasn't this not been done? Now imagine adding 31 homes , what would that do to our neighborhood streets? Why not give our neighborhood a break and focus on building more housing on the north side of Montebello. Those beautiful hills have a lot of space that will give new tenants a beautiful view of Montebello or the San Gabriel valley.

Thank you,
-Mario

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#7

Guillen, Kimberly (Admin)

From: Anthony Brand <dodger1_la@yahoo.com>
Sent: Wednesday, April 14, 2021 6:51 PM
To: comment, ccpublic
Subject: NO TO 31 unit townhouses

Montebello city council,

Please STOP the zone change to allow 31 unit townhouses at 301 jacmar Dr., Montebello. In the middle of residential neighborhood. PLEASE call or email your opposition! We residents to vote NO and opposed this housing project. Thank you!!

Sent from EL iphone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#8

Guillen, Kimberly (Admin)

From: Anakuh Pena <anakuh.just.anakuh@att.net>
Sent: Wednesday, April 14, 2021 7:01 PM
To: comment, ccpublic
Subject: 301 jacmar

As a long time resident, living in here in Montebello has given me a sense of community and space that is hard to come by now a days. People being crammed into the smallest space possible is not healthy. Thinking of all the people that will come to the community should this go thru will have more people stacked on top of each other straining already tight resources. I chose a home here in Montebello because I didn't want to live tightly packed. No one's gonna wanna live next this.

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#9

Fernandez, Alicia

From: Stephen Patino <patino1684@gmail.com>
Sent: Thursday, April 15, 2021 10:03 AM
To: comment, ccpublic
Subject: Subject : item #12 31 units

Subject: Item #12 31 Units

Thank you for the opportunity to express my concern over the proposed 31 Units on Jacmar. As a resident of the Southside of Montebello just a couple blocks from Jacmar I want to tell you about my experience of living here.

I've been a resident of the southside since Sept and prior to moving here I was looking for a place to call home that provided the quality of life I was seeking and deserve. Thus far most neighbors have been nice, but the one thing I have noticed is the horrible parking situation. Given my proximity to the proposed project this concerns me highly because I've now even heard I may have to go into a permit parking section which I find bad. If we already have issues with parking now without the project why don't you consider building a parking structure. You can still make money that way and maybe make even more than the $200k you will gain from this.

In addition the streets here haven't been paved and all my visitors complain about having to drive through these streets. I thought I had moved away from that but the lack of attention and now this project is not the quality of life I had the vision of.

I really hope you think about that and think about where you live and how you would like 31 structures moving in next door to you tomorrow and how your neighbors will react when you tell them you are considering to do this next door to you and them. Think about these structures on your current block now not Jacmar and see if you would say yes right now.

I want to continue to live here and raise my family here but you must consider the impacts you will have on me and my decisions to stay here with your vote. I kindly ask that you not support this project.

Stephen Patino
(323) 335-0705

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#10

Fernandez, Alicia

From: Chris Andrews <chris.andrews78@yahoo.com>
Sent: Thursday, April 15, 2021 11:09 AM
To: comment, ccpublic
Subject: 301 Jacmar

Hello,
My name is Chris Andrews and I am sending this email to voice my dissent for the condominium project at 301 Jacmar. My family has lived on the south side of Montebello for 71 years. We have continually been witness to the abandonment of the concerns of south side residents by the city for years. There are members of the city government that specifically call upon residents of the south side when they need our votes (David Torres, Scarlet Peralta, Kimberly Ann Cobos-Cawthorne, etc.). Now the south side is calling on them. We need improved infrastructure. We need improved schools. We need to build up and nurture commercial opportunities along the Washington Blvd corridor. What we do not need is even worse parking, more congestion, taller building, and less green space. The residents of the south side community are good people that just want their voices heard. Apparently, we have to shout louder because we aren't on top of a hill. I am asking for your help in voting against this building project and calling on you to give back to the residents of the south side that continually give to you.
Thank you for reading this,
Chris Andrews

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#11

Fernandez, Alicia

From: Veasna Eng <calpolyeng2@yahoo.com>
Sent: Thursday, April 15, 2021 12:43 PM
To: comment, ccpublic
Subject: Oppose to zone change on Jacket Dr.

Hello,

I live on s 4th st in Montebello and I would like to put in my vote to oppose the zone change.

Thanks,
Veasna Eng

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#12

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, May 12, 2021 11:08 AM
To: comment, ccpublic
Subject: Public Comments to be read at Montebello City Council meeting May 12, 2021

To: City Council, Staff and Departments

From: Margot Eiser, resident, taxpayer, voter

Re: Comments to be read at Montebello City Council meeting May 12, 2021 and entered into the public record and responded to when requested.
Note to Reader, Please add "Thank you" at end of each.

Public Orals- ~~I recommend that you arrange all the technicalities needed to have City Council and other public meetings be done as Zoom meetings. This can be used successfully and effectively. I recently participated in an elaborate event with numerous other people which provided for interaction in various ways. I recommend continuing to use Zoom even when in person meetings are resumed because that would encourage and give many more people the opportunity to participate in the running of our city!~~

Item 15 & 16-I ~~am probably not the only one who is curious about this. Please have someone send me an explanation of what Natasha Lane is, how much has been spent over the years on various matters relating to it and most importantly,how much if any money it earns for the city or is it just an ongoing expense? My edress is on the record.~~

Item17-~~First, you must immediately change all signs and start to use the proper term to describe and advertise what is and always has been **OUR** municipal **GOLF COURSE**. Next, it is vitally important that you , who are supposed to be our representatives, must insist that the new management company is always working for the benefit of the **City.** I suggest that you consult with other cities which run very successful public golf courses with additional facilities. Third, WE, the residents, residents, taxpayers, voters must be notified and involved and oversee the entire process before making any changes proposed by the company.~~

~~We must have input and impact on all decisions. This could be accomplished by having an active **Golf Course** Commission made up of only concerned residents.~~

Item 23-Relieved that you heeded the will of us the people, residents, tax payers, voters and are upholding the denial of the proposed General Plan zone change . You have our support to continue to maintain the integrity of a such a special neighborhood despite pressures. This matter demonstrates how important it is for all of us to be actively involved in formulating the New General Plan so that it can include and protect what is unique and important and include what we want and need in the various areas of the city. It would be wise to add provisions that make it harder for outside entities to try to change it.

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CITY OF MONTEBELLO CITY COUNCIL/SUCCESSOR AGENCY
REGULAR MEETING AGENDA

MINUTES

WEDNESDAY, MAY 26, 2021 AT 5:30 P.M.

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA

OPENING CEREMONIES

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 5:37 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, Councilmember Jimenez, Councilmember Melendez, and Councilmember Peralta. Treasurer Gutierrez and City Clerk Jimenez were also present.

STAFF PRESENT – City Attorney Arnold Alvarez-Glasman, City Manager René Bobadilla, Assistant City Manager Arlene Salazar, Deputy City Clerk Alicia Fernandez, Assistant to Deputy City Clerk Kimberly Guillen.

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS

Ms. Kimberly Guillen, Assistant to the Deputy City Clerk, called one (1) member of the public wishing to address the City Council. The speaker was provided three minutes to address the City Council and said speaker card is on file at the City Clerk's Office.

CLOSED SESSION – 5:30 P.M.

Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:43 p.m. to consider the following closed session items:

1. **THREAT TO PUBLIC SERVICES OR FACILITIES**
   Government Code Section 54957
   Consultation with City Manager, Police Chief, City Attorney and other related City officials

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
   Government Code Section 54956.9(d)(1)
   Abraham Yuen v. City of Montebello, et al. USDC Case No. 2:20-CV-00755-MWF-PLA

3. CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION
Government Code Section 54956.9(d)(2)
Significant exposure to litigation in 1 case – CVRA

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code Section 54956.8
Property: 1345 N. Montebello Blvd.
Agency's Negotiator: René Bobadilla, City Manager
Negotiating Party: M&M Realty
Under Negotiation: Price and Terms

Mayor Cobos-Cawthorne reconvened the meeting at 6:34 p.m. During Closed Session the City Council received a briefing on Items: 1, 2, 3, and 4 there was no direction or action taken. Nothing to report.

REGULAR SESSION – 6:30 P.M.

INVOCATION – City Clerk Jimenez

FLAG SALUTE – Navek and Maneh Sargsyan

CORRECTIONS TO THE AGENDA – CITY MANAGER – City Manager, René Bobadilla, announced one correction to the City Council Agenda. On Item #10, recommendation number two (2) to adopt a Resolution No. 21-39 amending the Master Fee Schedule was removed.

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)
Ms. Kimberly Guillen, Assistant to the Deputy City Clerk, called seven (7) members of the public wishing to address the City Council. Speakers were provided three minutes to address the City Council and said speaker cards are on file at the City Clerk's office.

City Attorney, Arnold Alvarez-Glasman, acknowledged ten (10) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

PRESENTATIONS

5. RECOGNITION OF LIANA COHEN MUSIC FESTIVAL AND MTAC ROMANTIC PIANO COMPETITION WINNERS – NARK SARGSYAN AND MANEH SARGSYAN – Presented by Mayor Cobos-Cawthorne

6. RECOGNITION OF NONA ZAKHARYAN – Presented by Mayor Cobos-Cawthorne

7. INITIAL FISCAL YEAR 2021-2022 BUDGET OVERVIEW – Presented by Finance Director Michael Solorza

Council had an opportunity to ask questions related to the Fiscal Budget. Council thanked Mr. Solorza for the presentation.

The Council recessed for a brief break at 7:14 p.m. and returned at 7:20 p.m.

City Manager Bobadilla stated that the City was in the process of creating a summary matrix of the results at the Strategic Planning Session for Council distribution.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

City Manager Bobadilla stated that the City received correspondence from the U.S. Department of Housing and Urban Development (HUD) on May 25th to report that the City had appropriately established policies and procedures, internal controls and management systems to efficiently document the oversight of expenditures prior to reimbursement of HUD Funds.

PUBLIC HEARING - NONE

OLD BUSINESS

8. CONSIDERATION OF ADOPTION OF ROSENBERG'S RULES OF ORDER AND OTHER RELATED CITY COUNCIL RULES OF PROCEDURE

Mayor Pro Torres motioned, seconded by Mayor Cobos-Cawthorne that the City Council:

1) Provide direction on adoption of Rosenberg's Rules of Order for the transaction of City Council meetings and business; and
2) Provide direction on other Rules of Conduct of City Council meetings and presentation of City Council Orals; and
3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

REGULAR BUSINESS

9. ADOPT RESOLUTION NO. 21-43 DECLARING INTENTION TO TRANSITION FROM AN "AT-LARGE" TO A "BY-DISTRICT" ELECTION SYSTEM

City Attorney Alvarez-Glasman provided a summary of the item.

Ms. Guillen called three (3) members of the public wishing to address the City Council in support of the Resolution, and two (2) members of the public opposed the Resolution. Speakers were provided three minutes to address the City Council. Speaker cards are on file at the City Clerk's Office.

City Attorney Alvarez-Glasman acknowledged three (3) public comments submitted to the City's public comment email address in support of the Resolution and one (1) public comment opposed to the Resolution. Said comments are on file at the City Clerk's office.

Councilmember Melendez spoke in support of the Resolution to transition to a by-district election system. His decision is based on the significant legal costs that surrounding cities have incurred to attempt to defend the agency against a CVRA lawsuit.

Mayor Pro Tem Torres stated that the City has had diverse representation. He believes that the City suffers geographic politics that will not be solved with districting. In addition, noted that a by-district election system will limit residents to one representative. He further stated the transition to by-district election system was inevitable due to the successful record CVRA lawsuits. He would like Council and the community to consider the following: outreach plan, time and place of public hearings for community input, scheduling all hearings after August for in-person access, requesting a demographer to draw the districts and one that will allow the residents to draw the districts, and an independent oversight committee.

Councilmember Peralta spoke in support of the Resolution. She further stated that she would like to see maximum public participation, commitment from staff and counsel to hire an independent demographer and a third party counsel to suggest the district lines, and an oversight committee or task force that includes residents.

City Attorney Alvarez-Glasman entertained possible scenarios if the Council decided to approve or disapprove the Resolution, or request extensions.

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

1) Adopt Resolution No. 21-43 declaring the City's intention, pursuant to Elections Code Section 10010, to initiate procedures for establishing and implementing by-district elections for City Council members; and
2) Take such additional, related, action that may be desirable.

MOVED: Melendez	**SECONDED:** Jimenez	**APPROVED:** 4-0-1-0
AYES: Jimenez, Melendez, Torres, Peralta NOES: None ABSTAIN: Cobos-Cawthorne ABSENT: None		

CONSENT CALENDAR

Item No's. 13 and 14 were pulled for discussion by members of the public. Recommendation number two (2) to adopt a Resolution No. 21-39 amending the Master Fee Schedule was removed by City Manager Bobadilla during Corrections to the Agenda.

10. INTRODUCE AND WAIVE FIRST READING OF ORDINANCE 2438 AMENDING CHAPTER 10.32 - "STOPPING, STANDING AND PARKING" OF THE MONTEBELLO MUNICIPAL CODE TO DESIGNATE CERTAIN PARKING STALLS AS ELECTRIC VEHICLE CHARGING STATIONS AT CITY OWNED OR OPERATED OFF-STREET LOTS AND PARKING FACILITIES

Councilmember Melendez motioned, seconded by Councilmember Peralta that the City Council:

1) Introduce and waive first reading of an Ordinance No. 2438 amending Chapter 10.32 – "Stopping, Standing and Parking" of the Montebello Municipal Code reserving certain stalls as electric vehicle charging stations at City-owned or operated lots and parking facilities; and the establishment of parking fees and permit fees, if any, designated permit areas, exempted periods, and overstay charges for spaces designated for use of electric vehicle charging stations; and
2) ~~Adopt Resolution No. 21-39 Amending the Master Fee Schedule establishing electric vehicle charging fees and overstay charges; and~~
3) Authorize, the City Manager or his designee(s), to erect the required signage per California Vehicle Code sections 22511 giving notice of the prohibitions, restrictions and/or regulations ushered in by the proposed Ordinance; and
4) Take such additional, related action that may be desirable.

Motion carried unanimously.

11. APPROVE AN INCREASE TO THE AGREEMENTS WITH NEW FLYER AND WAYNE ELECTRIC COMPANY FOR THE PURCHASE OF MAINTENANCE RELATED BUS PARTS

Councilmember Melendez motioned, seconded by Councilmember Peralta that the City Council:

1) Approve an increase to the Sole Source Agreement with New Flyer Parts to increase the total not-to-exceed amount to $170,000 for the purchase of bus parts, for Fiscal Year 2020-21; and
2) Approve an increase to the Sole Source Agreement with Wayne Electric Company to increase the total not-to-exceed amount to $69,000 for the purchase of bus parts, for Fiscal Year 2020-21; and
3) Take such additional, related action that may be desirable.

Motion carried unanimously.

12. ADOPT RESOLUTION NO. 21-40 RELATED TO FISCAL YEAR 2021-22 CONFIRMATION OF ANNUAL TAX RATE FOR VOTER APPROVED INDEBTEDNESS

Councilmember Melendez motioned, seconded by Councilmember Peralta that the City Council:

1) Review and adopt Resolution No. 21-40 establishing property tax override rates on voter approved indebtedness for retirement expenditures for the Fiscal Year 2021-22; and
2) Direct staff to forward the Resolution to the Los Angeles County Auditor Controller within the required time limit.

Motion carried unanimously.

13. AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS (RFP) FOR FARMER'S MARKET MANAGEMENT SERVICES

Ms. Guillen called two (2) members of the public wishing to address the City Council in support of the project. Speakers were provided three minutes to address the City Council. Speaker names are on file at the City Clerk's office.

City Attorney Alvarez-Glasman, acknowledged two (2) public comments submitted to the City's public comment email address in opposition and one (1) in support. Said comments are on file at the City Clerk's office.

Councilmember Melendez motioned, seconded by Councilmember Peralta that the City Council:

1) Authorize staff to issue a Request for Proposals (RFP) for Farmer's Market Management Services; and
2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

14. ADOPT RESOLUTION NO. 21-41 RELATED TO THE APPROVAL OF B-MAP – PHASE A FINAL TRACT MAP NO. 82724 FOR THE DEVELOPMENT OF 105 DETACHED SINGLE FAMILY DWELLING UNITS AND 244 ATTACHED RESIDENTIAL DWELLING UNITS FOR PHASE "A" OF THE MONTEBELLO HILLS SPECIFIC PLAN PROJECT

Ms. Guillen called one (1) member of the public wishing to address the City Council in support of the project. Speaker was provided three minutes to address the City Council. Speaker name is on file at the City Clerk's office.

City Attorney Alvarez-Glasman, acknowledged two (2) public comments submitted to the City's public comment email address in opposition and one (1) in support. Said comments are on file at the City Clerk's office.

Director of Public Works, James Enriquez, provided a brief summary of what the project entails and an update on the site.

Councilmember Melendez motioned, seconded by Councilmember Jimenez that the City Council:

1) Approving the B-Map - Phase A Final Tract Map No. 82724 for the development of 105 detached single family residential dwelling units and 244 attached residential dwelling units for Phase "A" of the Montebello Hills Specific Plan Project; and
2) Authorizing the City Clerk, City Treasurer, and City Engineer to execute the Certificate on the map showing the City's approval of Final Map for Vesting Tentative Tract Map ("VTTM") No. 82724; and
3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

15. PAYMENT OF BILLS: RESOLUTION APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED MAY 26, 2021

Councilmember Melendez motioned, seconded by Councilmember Peralta that the City Council:

Adopt the proposed Resolution approving the Warrant Register dated May 26, 2021.

Motion carried unanimously.

16. APPROVAL OF CITY COUNCIL MINUTES – APRIL 14, 2021

Councilmember Melendez motioned, seconded by Councilmember Peralta that the City Council:

Approve said minutes as written.

Motion carried unanimously.

ORAL COMMUNICATIONS - CONTINUED IF NECESSARY

COUNCIL ORALS

Council member announcements; requests for future agenda items; conference/meetings reports.

1. **Councilmember Melendez**
   a. Council Oral 1
   b. Council Oral 2
   c. Council Oral 3

Councilmember Melendez withdrew his council orals.

2. **Councilmember Jimenez**
   a. Jerry Griffin
   b. Sister City
   c. Run Montebello Run Shoe Drive for MCAP

Councilmember Jimenez withdrew the council orals listed above and addressed a public comment regarding the LGBTQIA+ Community. She requested consensus to hang a LGBTQ Flag in front City Hall to show support.

3. Councilmember Peralta

Councilmember Peralta wanted to acknowledge the incoming pride month. She concurred with Councilmember Jimenez's suggestion and asked the City to recognized members from the LGBTQ Community who have lost their lives due to hate crimes, HIV, and AIDS.

Mayor Pro Tem Torres asked if the Council needed to approve a policy for hanging flags.

City Manager Bobadilla stated that the City would look at the policy and report back.

Councilmember Peralta provided an update from the San Gabriel Valley Council of Governments Capital Projects and Construction Committee.

4. Mayor Pro Tem Torres

a. Transit Ad Hoc Update
b. Upcoming general plan technical presentations: Montebello Economy (6/21), Vibrant Places (6/22), Mobility & Parking (6/23), Great Neighborhoods and Codifying the Vision (6/24)
c. Request for South Montebello Town Hall Series
d. Montebello Volunteer Corps

Mayor Pro Tem Torres provided an update from the Transit Ad Hoc including a Metro's Fairless System Initiative and a Request for Proposals for a System Analysis. He also highlighted the General Plan Presentations and invited the community to attend upcoming meetings listed above. He also introduced the Montebello Volunteer Corps that he initiated for community clean ups. He also asked for consensus for Town Hall Meetings as a show of solidarity to provide updates to the community and give the residents an opportunity to share concerns.

5. Mayor Cobos-Cawthorne

Mayor Cobos-Cawthorne thanked the residents and staff who participated in the Community Clean-Up. She also invited the community to the Memorial Day Event on Facebook Live on May 31, 2021 at 11 a.m.

ADJOURNMENT

Mayor Cobos-Cawthorne adjourned the meeting to Tuesday, June 1, at 4:30 p.m. for closed session, possibly open session, to discuss one personnel matter. Councilmember Jimenez motioned to adjourn the meeting, seconded by Councilmember Melendez. Motion carried unanimously and the meeting was adjourned at 10:05 p.m.

THE MINUTES OF MAY 26, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 9TH DAY OF FEBRUARY 2022.

Alicia Fernandez, Deputy City Clerk

SPEAKER CARDS

ITEM # 3 - CVRA

(1)

emailed 5/24
KG

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Scott Raferty

Address *(optional)* _____

_____

Phone *(optional)* (202) 380-5525

Organization represented (if any) _____

Topic : Item #3 - CVRA

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

GENERAL COMMENTS

#1

Guillen, Kimberly (Admin)

From: Ricki Garza <rickigarza@sbcglobal.net>
Sent: Wednesday, May 12, 2021 3:34 PM
To: comment, ccpublic
Subject: Council Meeting 05-12-2021....

I would like for the Council Members to respond to the following questions:

1. Why they are exchanging restricted Prop A funds for unrestricted general fund revenue? Is it to look like the City can take on the new $50Million bond they need to rebuild the property at the Montebello Golf course?

2. We had an almost $53Million bond to build the new Hilton Home 2 Suites even though the Hilton Garden Inn has not paid any revenue to the city yet this Hotel has made profit through 2019?

3. Why are we going to take another $50Million bond that will cost the City over $100Million yet not get enough revenue to pay for half the cost in the first 20 years. This does not include the interest or fees.

Thank you - Ricki

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Guillen, Kimberly (Admin)

From: German Corral <german.corral@yahoo.com>
Sent: Wednesday, May 12, 2021 4:22 PM
To: comment, ccpublic
Subject: Montebello City Council Questions

In the spirit of Mental Health Awareness Month I would like to ask the Council, what measures are being taken by the City of Montebello to ensure the good mental health of City employees?

Montebello Bus Lines has recently enacted a change in work schedules where start times vary day by day, often leading to late night shifts followed by early morning shifts. As a Montebello Bus Operator, I can attest to the damage caused by this inconsistent scheduling.

Long-term sleep deprivation and inconsistent sleep schedules have been linked to an increased risk of depression in addition to other chronic conditions such as heart disease, diabetes, arthritis, stroke, kidney disease, and cancer.

On top of this, according to the CDC, the number one cause of work-related deaths is motor vehicle accidents, and the 5th biggest cause of these accidents is drowsy driving.

Given that safety is everyone's top priority, year-round, what will the City of Montebello do in honor of Mental Health Awareness Month to protect the safety of its bus operators and community of bus riders, motor vehiclists, and pedestrians?

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Guillen, Kimberly (Admin)

From: carlos perez <perezboy@live.com>
Sent: Wednesday, May 12, 2021 4:59 PM
To: comment, ccpublic
Subject: ABC 7 News Article

I would like to thank city leaders for improving our city. However; I am VERY disappointed with the current article ABC 7 news published. I dislike very much the high school drama you council have thrown into our city's spot light. Montebellos' reputation is recovering. But this drama you have inacted just set us back tremendously. Shame in you!

Resident:
844 W. Mines Ave.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

April 22, 2021

1600 West Beverly Boulevard

Montebello, CA 90640-3932

Dear Mayor Cawthorne,

Montebello like many urban cities, even those known for their beautiful sites and prestigious schools, face imperfections within its community. In addressing the bigger issues, the smaller issues that tie into them can decrease the problem, one step at a time. Taking action and listening to community members who know what happens within the community, can provide a bigger picture of what can be done. Based on the results of a survey we conducted, it has come to our attention that there is a lack of affordable housing for low-income families in the city of Montebello. Therefore, we urge you to provide financial services and job assistance.

The unemployment rate in this city is 4.7%. Although there are jobs available this makes it difficult to meet the median gross rent of $1,334 and mortgage average of $2,100 after accounting for other bills and expenses. Therefore, affordability can be seen as a big issue even Montebello. This problem affects both children and families because housing insecurity during childhood may create an imbalance in school readiness and early academic achievement (Ziol Guest & McKenna, 2014). Additionally, parents may be more prone to depression or have fewer positive experiences with their children (Ziol-Guest & McKenna, 2014). According to the research, housing insecurity is correlated with increased attention issues, as well as internalizing and externalizing behavior, but only in underprivileged children.

Our proposed solution is to provide job assistance and financial services to create more affordable housing. For example, free financial services can help aid renters to enhance their financial position and credit scores to help them earn homeownership or support them through rental house assisting. In providing financial resources, the community can feel more prepared and able to secure housing.

We also believe that providing job and financial services will help families and providing rental housing assistance will help these families improve their housing conditions. Housing is at the root of mobility that affects children's academic success. As a result, housing policy is also a kind of education policy (Crowley, 2003). Assisting poor families, particularly those of school-age children, in improving their residential stability, has a direct impact on their school stability and possibly their school success.

Sincerely,

Cristal Morales & Stephanie Soria

References

Crowley, S. (2003). The Affordable Housing Crisis: Residential Mobility of Poor Families and School Mobility of Poor Children. Journal of Negro Education, 72(1), 22–38.

Ziol, G. K. M., & McKenna, C. C. (2014). Early childhood housing instability and school readiness. Child Development, 85(1), 103–113.

https://doiorg.mimas.calstatela.edu/10.1111/cdev.12105

#5

Guillen, Kimberly (Admin)

From: jocelyne flores <joccyflores1@gmail.com>
Sent: Wednesday, May 26, 2021 12:04 PM
To: comment, ccpublic
Subject: Public Comment- Pride Month

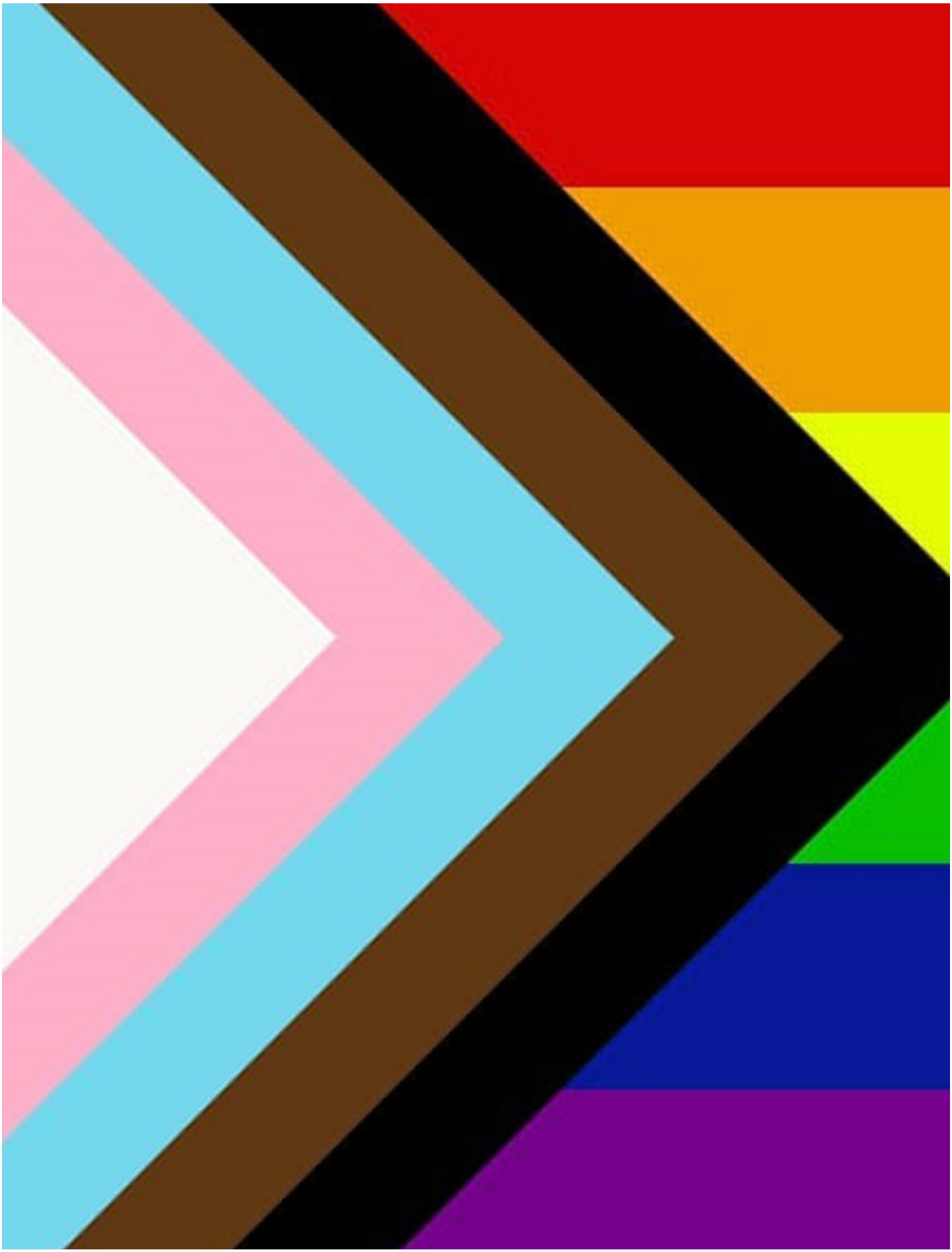
Good evening council and city staff, my name is Jocelyne Flores . Pronouns:they/ them

Last year, the city council passed a motion to honor June as Pride Month in the city of Montebello. I am reaching out on behalf of the LGBTQIA+ community that resides in our community and asking that the city fly the progressive LGBTQIA+ flag at city hall (image attached below). This would allow the LGBTQIA+ community to know that they are visible within our city.

This comment was also submitted by:

- Julia Andy
- Kelly Duarte

#5



#6

Guillen, Kimberly (Admin)

From: Julia Andy <juliaandypena@gmail.com>
Sent: Wednesday, May 26, 2021 12:06 PM
To: comment, ccpublic
Subject: Pride Month

Here's the email script:

Good evening council and city staff, my name is Julia. Pronouns: she/her

Last year, the city council passed a motion to honor June as Pride Month in the city of Montebello. I am reaching out on behalf of the LGBTQIA+ community that resides in our community and asking that the city fly the progressive LGBTQIA+ flag at city hall (image attached below). This would allow the LGBTQIA+ community to know that they are visible within our city.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#7

Guillen, Kimberly (Admin)

From: Kelly Duarte <kellydd1995@gmail.com>
Sent: Wednesday, May 26, 2021 1:54 PM
To: comment, ccpublic
Subject: Pride Month Flag Change

Good evening council and city staff, my name is Kelly Duarte.

Last year, the city council passed a motion to honor June as Pride Month in the city of Montebello. I am reaching out on behalf of the LGBTQIA+ community that resides in our community and asking that the city fly the progressive LGBTQIA+ flag at city hall (image attached below). This would allow the LGBTQIA+ community to know that they are visible within our city. Thank you for your time.

Best,

Kelly Duarte

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#8

Fernandez, Alicia

From: Saucedo, Nicole
Sent: Wednesday, May 26, 2021 4:26 PM
To: Guillen, Kimberly (Admin); Fernandez, Alicia
Subject: FW: Comments for Tonight's City Council Meeting for

From: Lupe Ochoa [mailto:go.lupeochoa@gmail.com]
Sent: Wednesday, May 26, 2021 3:27 PM
To: comment, pcpublic
Subject: Fwd: Comments for Tonight's City Council Meeting for

General Comment

For several years the southside has been neglected. It wasn't until recently that maybe we had 2 councilmembers walk around trying to convince us why they wanted the 31 units on Jacmar to go up. Have you seen our streets full of potholes, the consistent crime reports that we as residents have to suffer from? They consistently break into our cars and walking alone, especially on the riverbed feels unsafe. We need more resources in the Southside. We need the police presence, bike patrol, and a station we can count on for immediate response. Criminals take but a minute to getaway. By the time we get our officers here from City Hall the crime has been committed, a car broken into, a person assaulted, and a business loss just like it's happening so often in the south. Give us a town hall meeting as it has been suggested, and make sure you can work out technical details, unlike the failed attempt by your 31 Jackmar stakeholder call. We need real results and we need your attention. One council member in the south can't do it all!

Comment on Item #9 Creating By District Members

I am glad to see that the city has before it the option to make districts in our city. This will ensure we can hold a member accountable for the years that our representatives have failed to include us in the South. For years, we had a member that lived just houses down from us, and yet, our streets look like the third world, and this area has been neglected, and yet when it came to putting up 31 units he was willing to do it, but in all this time, we didn't have a representative. We had a person thinking about how not to be held accountable. Ensuring that we can hold someone accountable in the Southside of Montebello will help to ensure we receive services and the same attention another area is receiving because you can focus on serving your constituents.

Thank you,

Lupe Ochoa

General Comments - Topgolf Project

Comment #	Name	In Support	In Opposition
1	Anonymous		X
2	Rick Viramontes		X
3	Andrew Landeros		X

#1

Guillen, Kimberly (Admin)

From: doc4tooth <doc4tooth@aol.com>
Sent: Wednesday, May 26, 2021 9:15 AM
To: comment, ccpublic
Subject: Golf Course Closure

This is a crazy idea, when we have a population growth and less outdoor space for recreation and especially open space. The City has already squeezed the Golf course with allowing the Hilton Hotels to build on the space. Outrages!

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Guillen, Kimberly (Admin)

From: Rick Viramontes <rickviramontes@yahoo.com>
Sent: Wednesday, May 26, 2021 9:22 AM
To: comment, ccpublic
Subject: Golf Course

DON'T CLOSE The Course!!
It would be a disaster for the city!!!
Put it to a vote, to your constituencies!!!!
don't ruin what took almost a century to build!!!

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Guillen, Kimberly (Admin)

From: Andrew Landeros <golfbrain323@gmail.com>
Sent: Wednesday, May 26, 2021 12:30 PM
To: comment, ccpublic
Subject: Public Comment on TopGolf project

Thank You City Council Members and staff for your time.

I am Andrew Landeros, Member of the Board of the Montebello Golf Players Club.

We have collected more than 700 signatures of folks that do not want TopGolf at the sacrifice of the 18-hole course. Many live here or have family ties to the community. Others bring their money from other cities to Montebello to enjoy a day, then support our stores after a round. This bolsters the local economy and adds to the sales tax collected.

I ask the city to revisit the planned changes to the golf course property. The land was entrusted to the city for recreation, not for any commercial development.

The golf course is an easy target for developers. But it is essential green space for migrating birds. Canadian and Egyptian geese as well as red-tailed hawks use the course for nesting grounds and the city would be violating Federal and State laws to disturb the grounds.

The course has been a gift to the community for nearly a century and should continue without added commercial projects on the property as the Bicknell agreement states.

The City is wasting money on a project that can not be built legally. This City Council has betrayed the public trust. Any other expenditures on this venture will only be additional waste.

The Citizens of Montebello will not stand for anymore waste from this city. One that cannot get its own finances straight.

The City took liberties to install the two hotels on the golf course property and the citizens are having to pay for the city's mistakes. The hotels have only been an anchor tied to the sinking city's finances.

According to the 2018 State Audit, Montebello's general fund would be responsible for up to $1.1 million for the first hotel and $2.6 million for the second hotel annually in hotel bond payments in order to avoid default. That is a $3.7 Million hole in the city's pocket.

On the other hand, the course is now profitable, now that you have a very capable management team in charge of the pro shop.

There are more ways to enhance income at the course, but the city has yet to reach out to the community most impacted. The golfers of the Montebello Golf Course. We continue to invite you to come and chat with us.

Generations of players, now and in the future, depend on your actions now. Thank you!

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

ITEM NO. 9 -
(BY-DISTRICT ELECTION)

General Comments - By-District Election System

Comment #	Name	In Support	In Opposition
1	Scott Rafferty	X	
2	Margot Eiser		X
3	Alex Hilke	X	
4	Delia Lopez	X	

#1

Guillen, Kimberly (Admin)

From:	Scott Rafferty <rafferty@gmail.com>
Sent:	Tuesday, May 25, 2021 3:10 PM
To:	Jimenez, Christopher; Arnold Alvarez-Glasman; comment, ccpublic; Melinda Arredondo
Subject:	Demographics and Comments Regarding CVRA in Montebello
Attachments:	210525 Rafferty to Jimenez re Montebello district elections.pdf

Enclosed please find information for the consideration of the city council at its meetings this evening.
Scott Rafferty
1913 Whitecliff Ct
Walnut Creek CA 94596
mobile 202-380-5525

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

SCOTT J. RAFFERTY
ATTORNEY AT LAW
1913 WHITECLIFF COURT (202)-380-5525
WALNUT CREEK CA 94596 RAFFERTY@GMAIL.COM

May 25, 2021

Mr. Christopher Jimenez
City Clerk, Montebello
1600 West Beverly Boulevard
Montebello CA 90640
VIA ELECTRONIC MAIL
cc: Arnold Glasman, Esq.

Re: Neighborhood Elections for Montebello

Dear Mr. Jimenez:

Since the Council has a decision to make this evening, this letter summarizes my clients' argument and evidence in support of district elections in Montebello. It also provides a more detailed narrative and basic election and demographic data that may be useful throughout the process.

- At-large elections are profoundly undemocratic. Their hallmark is discouraging participation by voters of all ethnicities. During the past 20 years, the average council member has been elected by just 7.6% of Montebello residents eligible to vote.
- Winner-take-all means that a small number of high-turnout precincts can elect their entire slate. Even in the unusual case where the victors themselves belong to protected classes or live within minority neighborhoods, they are elected by -- and therefore accountable to -- those high-turnout precincts.
- Minority neighborhoods are marginalized. The minority vote for county, state and federal offices is suppressed, which may reduce the influence of Montebello on its state and federal legislators. Less than one out of four eligible Asians voted for any office in the 2018 midterm, half the participation rate of Asians elsewhere in the state. This type of depressed participation is typical of high-Latino neighborhoods in at-large jurisdictions where they are the minority the politicians ignore.
- Neighborhood elections bring elected officials closer to the public they serve. They promote the election n of good negotiators who have the understanding to solve the particular problems that their neighbors face. Once elected, incumbents are accountable and accessible to those who elected them.

Assuming, as my clients do, that the Council commits to move forward with voluntary compliance this evening, I expect realize that it is too late to include these materials in the agenda, but it is my hope that you will consider posting these comments and data for the benefit of the public.

WHY MONTEBELLO SHOULD COMPLY WITH THE CALIFORNIA VOTING RIGHTS ACT

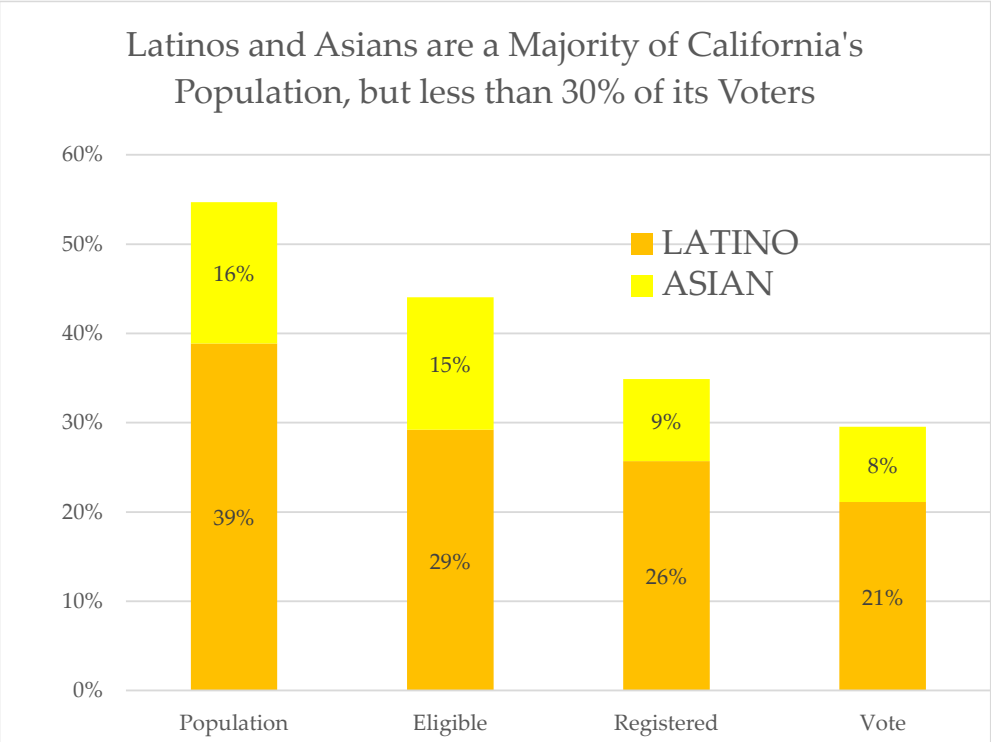
The late Don Edwards, congressman from California, was one of the most important sponsors of the Voting Rights Act of 1965. As chair of the House Subcommittee on Constitutional Rights, he was floor manager for most major civil rights legislation until he retired 30 years later. He surprised activists when he predicted that extending coverage under the 1965 Act to language minorities (Latino, Asian/PI, and Native American), which occurred in 1975, would not work in California. According to Chair Edwards, eliminating procedural barriers to registration and voting would increase participation by Anglos and white voters, but would have limited effect on Latino neighborhoods. He described the cycle of political marginalization that occurred because large minority areas within Los Angeles County and other urban areas never had the ability to elect leaders from their own communities to <u>any</u> elective office. As a result, no candidate, political party, or interest group, tried to register and canvass these neighborhoods, except when there was a competitive state or national office, which was infrequent. The result, Edwards continued, was critically low Latino registration and turnout up and down the ballot. In order to incorporate these neighborhoods into local politics and to ensure equal influence of Latinos in state and national issues, he warned, you have to get rid of at-large. The rest of the nation did exactly that. In 1965, two-thirds of the largest cities in American were at-large; only one remain. Most jurisdictions, large and small, reformed voluntarily, without litigation – almost everywhere except California.

For 25 years, Senators Marks, Chacon, Alarcon, Polanco, and many other legislators tried to implement Edwards' advice. Their bills enjoyed broad support, but faced opposition from the League of Cities and the California School Board Association – and certain veto by Republican Governors. As a result, when the CVRA was enacted 20 years ago, only ½ of one percent of California school trustees was Latino.

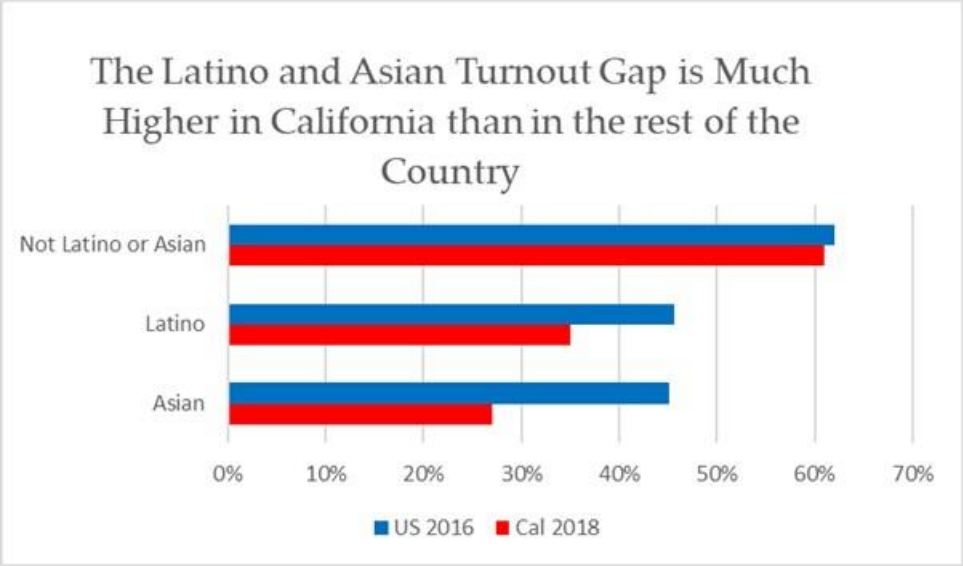
This disincorporation from local political life now faces both Asian and Latino communities where cities and school districts cling to undemocratic at-large elections. Former council member Christina Cortez recently told the Whittier Daily News that

"few, if any, Asian candidates have run for council." **That is exactly the problem that the CVRA was created to fix – and it works**.

THE USE OF AT-LARGE INCREASES THE MINORITY TURNOUT GAP FOR LATINOS AND ASIANS IN CALIFORNIA.



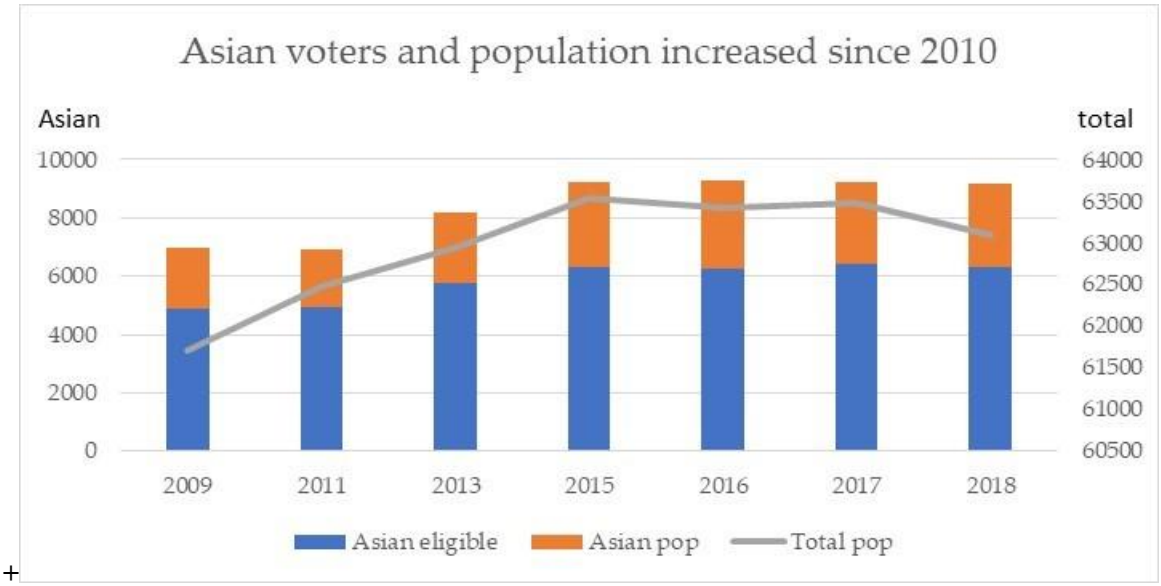
The political influence of Latino and Asian communities does not reflect demographic change. The continued use of at-large elections may explain the persistence of a gap in participation that has closed elsewhere in the country.



As more and more California jurisdictions abandon at-large, many grass roots minority and young candidates have been elected – and the participation gap has narrowed. 2020 was the first election in which minority turnout was not significantly different on a statewide basis, possibly owing to the impact of federal policies implemented or proposed by the prior administration. But turnout is usually measured as the percentage of <u>registered</u> voters who cast a ballot. This overlooks the fact that more than half of Montebello's eligible Asians do not even register. 2020 was an exception to Asian non-registration elsewhere in the State, but not in Montebello.

					"turnout"	
2018- California	adult citizens	registered	voted	elig/reg	reg/vote	elig/vote
all	25,232,635	19,518,169	12,185,397	77%	62%	48%
Latino	7,374,125	5,013,720	2,574,415	66%	51%	34%
Asian	3,743,305	3,182,726	1,839,004	83%	58%	48%
2018-Montebello						
all	38,545	30,486	16,076	79%	53%	42%
Latino	28,180	21,423	11,260	76%	53%	40%
Asian	6,325	2,829	1,509	44%	53%	24%
2020-California						
all	25,494,385	21,967,525	17,341,328	86%	79%	68%
Latino	7,592,755	5,570,593	4,244,081	73%	76%	56%
Asian	3,838,535	2,211,533	1,758,859	58%	80%	46%
2020-Montebello						
all	38,545	24,445	22,190	63%	91%	58%
Latino	28,080	16,904	15,308	60%	91%	55%
Asian	6,410	2,744	2,317	43%	84%	36%

Incumbents and candidates may provide anecdotes to illustrate their efforts to campaign Asian community during political campaigns, but the numbers show that this outreach has not been fully successful. The Asian share of the city's population and eligible voters has increased, but their political influence has not. Seventeen percent of the City's electorate is now Asian. Still, just one Asian has been elected to city office (Serali Khwaja as treasurer in 2011) and only one has even run for city council (Jamshid Javaheri, who placed seventh in 2009). The chronic absence of any minority candidates of choice is generally sufficient to show dilution of their voting power, so this alone may substitute for any required showing that voting is polarized.



+

Year	2009	2011	2013	2015	2016	2017	2018	2019
Asian eligible voter	4,895	4,945	5,745	6,315	6,265	6,445	6,325	6,410
Asian population	6,960	6,915	8,170	9,230	9,265	9,220	9,160	9,530
All eligible voters	36,950	35,290	36,950	38,750	38,645	38,870	38,545	38,545
Total population	61,710	62,470	62,945	63,530	63,415	63,470	63,100	62,740
Vote share	13%	14%	16%	16%	16%	17%	16%	17%
Population share	11%	11%	13%	15%	15%	15%	15%	15%

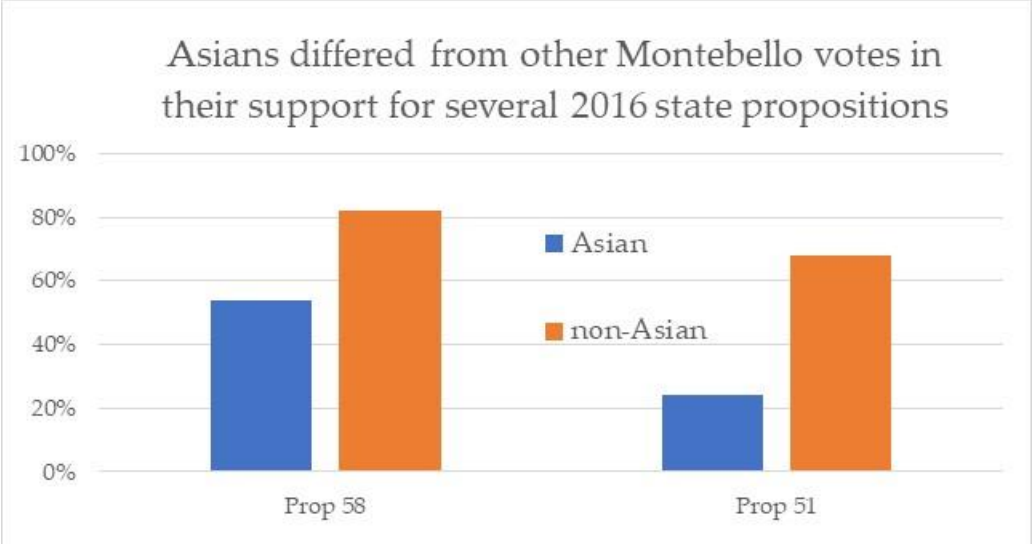
In 2018, the city moved its odd-year election to coincide with the election of state and federal legislators in November of even years. As attachment 2 shows, this reform was not successful in increasing participation in local elections. In the 2018

MINORITY CANDIDATES OF CHOICE AND RACIALLY POLARIZED VOTING

A DNA test or the discovery of an Asian ancestor does not render an aspiring politician the title of "candidate of choice." The CVRA is about minority voters, not incumbents or candidates. Candidates sponsored and supported by the Latino community include Maxine Waters, Mark Tanaka, and Steven Bradford. Each represents a majority Latino district and is strongly supported by Latino voters.

Minority groups have life experiences, values, and needs that, to some extent, differentiates them from the rest of the electorate and informs their voting behavior and electoral choices. "Racially polarized voting" is a nearly universal phenomenon. Minority voters make different choices, and smaller electoral districts increase their ability to elect or influence elected officials who listen to them and address their concerns.

Asians did not sponsor or support a single candidate in 2018 or 2020, they did vote differently from other electors in the 2018 and 2020 council contests. It may not be constructive to focus on these results, since negative polarization can be easily misinterpreted. It does not mean that a less-favored candidate is hostile to minority rights. In this case, racially polarized voting is not difficult to establish. The 2016 ballot questions provide an impersonal measure that the council may deem sufficient. I have compiled the detailed election statistics needed to analyze council elections back to 2001, but the state does not tabulate racial data for voter registration and turnout in odd-year elections. Acquiring these data is, in my view, an unnecessary expense, since the evidence would be cumulative.



THE COUNCIL SHOULD ALLOW THE PUBLIC TO DEFINE COMMUNITIES OF INTEREST.

A.B. 849 (2019), the FAIR MAPS Act, requires charter cities to use the following criteria in drawing districts:

- Compliance with the Constitution and federal law. This includes "substantial equality" of population, as measured by the census after an adjustment attributes incarcerated persons to their prior domicile.
- Geographic contiguity
- Respecting the integrity of communities of interest and minimizing their division. (Affiliation with parties, incumbents, or candidates may not be considered in defining these communities.)
- Identifiable boundaries, such as streets and natural and artificial barriers.
- Compactness, i.e., not bypassing nearby populations in favor of more distant ones

- ❖ Favoring or disfavoring any political party is prohibited.
    - The public will define the relevant communities of interest at the five required hearings. They may define these communities as they see fit, provided that none favors political parties or is based on support for a specific candidate. The public may find these resources helpful:
- ❖ Neighborhoods are one of the essential building blocks, although they can be defined many ways.
    - As named and defined by developers or the real estate industry. See
    - Neighborhood associations recognized by the city.
- ❖ Common areas where neighbors congregate, including:
    - School attendance areas
    - Common transit sites
    - Libraries, community centers, pools
    - Shopping areas
    - Community based organizations
- ❖ Similar housing values and characteristics
- ❖ Common demographics https://statisticalatlas.com
- ❖ Zoning and land use
- ❖ Communities can be defined by the hazards they face, including crime rates, seismic, flood, or wildfire hazards
- ❖ School trustee areas. Allowing the high-minority district and high-minority trustee areas for the school districts to coincide may enable the community to slate candidates of choice. Otherwise, the school likely has different priorities in setting its boundaries.
- ❖ Special district boundaries. No legislative or congressional boundary splits the city. The city's interests probably differ from those appropriate in setting the boundaries of other local jurisdictions. The city should not optimize around following precinct boundaries, except possibly to avoid any very small deviations that would create an additional "micro-precinct" unnecessarily.

My clients believe that at least one district should focus on empowering the Asian community, but race should not be the predominant factor. The council and public identify neighborhoods that have special needs or faced barriers to political engagement. Too often, the hearing process draws maps and then compares demographics. Since this objective is to empower groups of traditionally underrepresented constituents, it helps to think about where they live from the very

beginning. Attachment 2 is intended to assist the council and the public in thinking about how to approach this task.

CONCLUSION

District elections will make elections more competitive, and the council more representative, to the benefit of all voters. My clients hope that the council will embrace this reform and look forward to working together to ensure that the public, including the Latino minority, contributes effectively to an open and successful transition process.

Sincerely,

Scott J. Rafferty

Attachment 1. Montebello Election History, 2001-2021

Attachment 2. Demographic Indicators of Disengaged Communities

ATTACHMENT 1. MONTEBELLO ELECTION HISTORY 2001-2010

Elected council members shown **in boldface red**.

year	office	CANDIDATE (elected council members in red)		votes	% of vote	% of eligible to vote
2001		**MARY**	**SAUCEDO**	**3,590**	**29.6%**	**9.2%**
2001		**WILLIAM**	**MOLINARI**	**3,478**	**28.6%**	**8.9%**
2001		**ED**	**VASQUEZ**	**3,442**	**28.3%**	**8.8%**
2001		**JEFF**	**SICCAMA**	**1,635**	**13.5%**	**4.2%**
2003	clerk	BOB	KING	2,741	58.7%	7.2%
2003	clerk	LARRY	SALAZAR	1,926	41.3%	5.1%
2003	treasurer	GERRI	GUZMAN	2,716	56.4%	7.1%
2003	treasurer	JANIS	AGAJANIAN	1,269	26.4%	3.3%
2003	treasurer	MARCELA	VARGAS	827	17.2%	2.2%
2003		**BOB**	**BAGWELL**	**1,999**	**23.4%**	**5.3%**
2003		**NORMA**	**LOPEZ-REID**	**1,888**	**22.1%**	**5.0%**
2003		KATHY	SALAZAR	1,624	19.0%	4.3%
2003		CHRIS	ROBLES	1,614	18.9%	4.2%
2003		MARK	HOWARD	742	8.7%	2.0%
2003		JEFF	SICCAMA	370	4.3%	1.0%
2003		ROBERT	MOTA	298	3.5%	0.8%
2005		**ROSIE**	**VASQUEZ**	**3,612**	**14.2%**	**9.8%**
2005		**WILLIAM**	**MOLINARI**	**3,424**	**13.5%**	**9.3%**
2005		**JEFF**	**SICCAMA**	**3,376**	**13.3%**	**9.1%**
2005		KATHY	SALAZAR	3,257	12.8%	8.8%
2005		TAVY	GUZMAN	2,951	11.6%	8.0%
2005		JOHNNY	VERDUGO	2,753	10.9%	7.4%
2005		ANNETTE	RAMIREZ	2,326	9.2%	6.3%
2005		SALLY	TORRES	1,979	7.8%	5.3%
2005		LARRY	SALAZAR	1,679	6.6%	4.5%
2007	clerk	BOB	KING	2,304	44.9%	6.2%
2007	clerk	ANNETTE	RAMIREZ	1,981	38.6%	5.4%
2007	clerk	LARRY	SALAZAR	844	16.5%	2.3%
2007	treasurer	NORMA	LOPEZ	2,849	54.9%	7.7%
2007	treasurer	GERRI	GUZMAN	2,340	45.1%	6.3%

ATTACHMENT 1. MONTEBELLO ELECTION HISTORY 2001-2010

year	office	CANDIDATE (elected council members in red)		votes	% of vote	% of eligible to vote
2007		**KATHY**	**SALAZAR**	**1,875**	**29.1%**	**5.1%**
2007		**ROBERT**	**URTEAGA**	**1,851**	**28.7%**	**5.0%**
2007		NORMA	LOPEZ-REID	857	13.3%	2.3%
2007		BOB	BAGWELL	795	12.3%	2.2%
2007		JOE	VENEZIANO	542	8.4%	1.5%
2007		LEO	RODRIGUEZ	292	4.5%	0.8%
2007		JOHNNY	VERDUGO	240	3.7%	0.6%
2007	clerk	BOB	KING	1,347	81.6%	11.6%
2007	clerk	ANNETTE	RAMIREZ	1,347	18.5%	2.6%
2007	clerk	LARRY	SALAZAR	603	27.8%	8.0%
2007	treas	NORMA	LOPEZ	1,869	27.5%	7.9%
2007	treas	GERRI	GUZMAN	1,498	17.2%	8.2%
2009	M	YES		4,101	16.3%	7.8%
2009	M	NO		928	14.7%	4.2%
2009		**WILLIAM'**	**MOLINARI**	**2,884**	**13.8%**	**3.9%**
2009		**ART**	**BARAJAS**	**2,738**	**13.7%**	**6.5%**
2009		**FRANK**	**GOMEZ**	**2,300**	**12.9%**	**6.2%**
2009		JOE	VENEZIANO	2,171	10.6%	5.1%
2009		ROSIE	VASQUEZ	1,785	9.0%	4.3%
2009		NANCY	CADENA-PEREZ	1,518	8.2%	3.9%
2009		JAMSHID	JAVAHERI	1,379	8.1%	2.3%
2009		JORGE	MANZUR	1,298	7.7%	3.7%
2009		RICHARD	GARCIA	724	4.3%	2.1%
2011	clerk	DANIEL	HERNANDEZ	1,671	43.3%	4.7%
2011	clerk	E	VALENZUELA	1,102	28.5%	3.1%
2011	clerk	BOB	TAPIA	1,090	28.2%	3.1%
2011	O no	NO		1,236	28.9%	3.5%
2011	O yes	YES	Solid waste	3,039	71.1%	8.6%
2011	treasurer	SHERALY	KHWAJA	2,115	57.5%	6.0%
2011	treasurer	YVONNE	WATSON	1,566	42.5%	4.4%

ATTACHMENT 1. MONTEBELLO ELECTION HISTORY 2001-2010

year	office	CANDIDATE (elected council members in red)		votes	% of vote	% of eligible to vote
2011		**CHRISTINA**	**CORTEZ**	**2,146**	**26.3%**	**6.1%**
2011		**JACK**	**HADJINIAN**	**1,735**	**21.2%**	**4.9%**
2011		FLAVIO	GALLARZO	1,531	18.7%	4.3%
2011		LARRY	SALAZAR	1,164	14.2%	3.3%
2011		ALBERTO	PEREZ	945	11.6%	2.7%
2011		LUCY	CORTEZ	344	4.2%	1.0%
2011		ELIZABETH	GONZALEZ	311	3.8%	0.9%
2013		**VIVIAN**	**ROMERO**	**2,273**	**21.3%**	**6.2%**
2013		**ART**	**BARAJAS**	**2,172**	**20.3%**	**5.9%**
2013		**WILLIAM**	**MOLINARI**	**1,818**	**17.0%**	**4.9%**
2013		FLAVIO	GALLARZO	1,493	14.0%	4.0%
2013		DANIEL	HERNANDEZ	1,283	12.0%	3.5%
2013		EMMA	DELGADO	967	9.1%	2.6%
2013		ANNA	ARRIOLA	676	6.3%	1.8%
2015	clerk	IRMA	BARAJAS	2,002	43.1%	5.2%
2015	clerk	CHRISTINA	GONZALES	1,800	38.7%	4.6%
2015	clerk	ANNETTE	RAMIREZ	846	18.2%	2.2%
2015	treasurer	CHARLES	PELL	2,555	50.5%	6.6%
2015	treasurer	ASHOD	MOORADIAN	1,429	28.2%	3.7%
2015	treasurer	ROSIE	VASQUEZ	1,079	21.3%	2.8%
2015		**JACK**	**HADJINIAN**	**2,111**	**23.3%**	**5.4%**
2015		**VANESSA**	**DELGADO**	**1,899**	**21.0%**	**4.9%**
2015		CHRISTINA	CORTEZ	1,383	15.3%	3.6%
2015		KIMBERLY	COBOS	1,092	12.1%	2.8%
2015		FERNANDO	CHACON	950	10.5%	2.5%
2015		M	SAMARIN-POPC	704	7.8%	1.8%
2015		BILL	PAOLISSO	584	6.4%	1.5%
2015		RANDY	SMITH	339	3.7%	0.9%
2018		**KIMBERLY**	**COBOS-CAWTHORNE**	**4,111**	**33.64%**	**11.54%**
2018		**ART**	**BARAJAS**	**4,053**	**33.17%**	**11.38%**
2018		**ANGIE**	**JIMENEZ**	**4,056**	**33.19%**	**11.38%**
2018		VIVIAN	ROMERO	3,869	10.86%	3.3%
2018		DAVID	TORRES	3,459	9.71%	3.0%
2018		ASHOD	MOORADIAN	3,266	9.17%	2.8%
2018		DELIA	LOPEZ	3,104	8.71%	2.7%
2018		ROSIE	VASQUEZ	2,815	7.90%	2.4%
2018		BILL	MOLINARI	2,719	7.63%	2.4%

ATTACHMENT 1. MONTEBELLO ELECTION HISTORY 2001-2010

year	office	CANDIDATE (elected council members in red)		votes	% of vote	% of eligible to vote
2019		**DAVID**	**TORRES**	**2,001**	**0.6%**	**5.2%**
2019		ART	BARAJAS	812	0.3%	2.1%
2019		VIVIAN	ROMERO	326	0.1%	0.8%
2020	clerk	CHRISTOPHER	JIMENEZ	7,049	35.9%	18.3%
2020	clerk	DILLON	ARREOLA	5,829	29.7%	15.1%
2020	clerk	ROBERT	TAPIA	5,178	26.4%	13.4%
2020	clerk	JOHNNY	GOMEZ	1,568	8.0%	4.1%
2020		**SCARLET**	**PERALTA**	**10,658**	**27.84%**	**13.9%**
2020		**DAVID**	**TORRES**	**9,408**	**24.57%**	**12.2%**
2020		JACK	HADJINIAN	5,313	13.88%	6.9%
2020		ROSEMARIE	VASQUEZ	4,461	11.65%	5.8%
2020		JOELLA	VALDEZ	4,199	10.97%	5.5%
2020		JOSEPH	SANCHEZ	1,742	4.55%	2.3%
2020		FERNANDO	VASQUEZ	1,387	3.62%	1.8%
2020		BYRON	JACKSON	1,115	2.91%	1.5%

EXHIBIT 2. DEMOGRAPHIC INDICATORS OF DISENGAGED COMMUNITIES

SOCIO-ECONOMIC FACTORS THAT CAN MARGINALIZE NEIGHBORHOODS FROM LOCAL POLITICAL LIFE

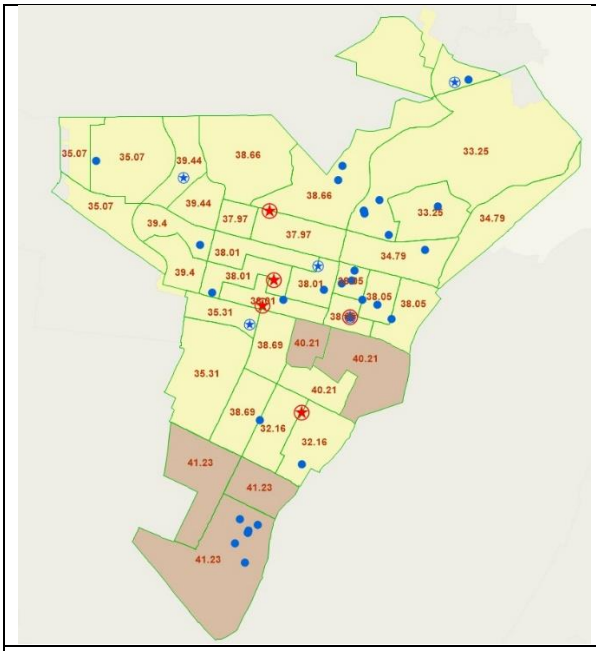
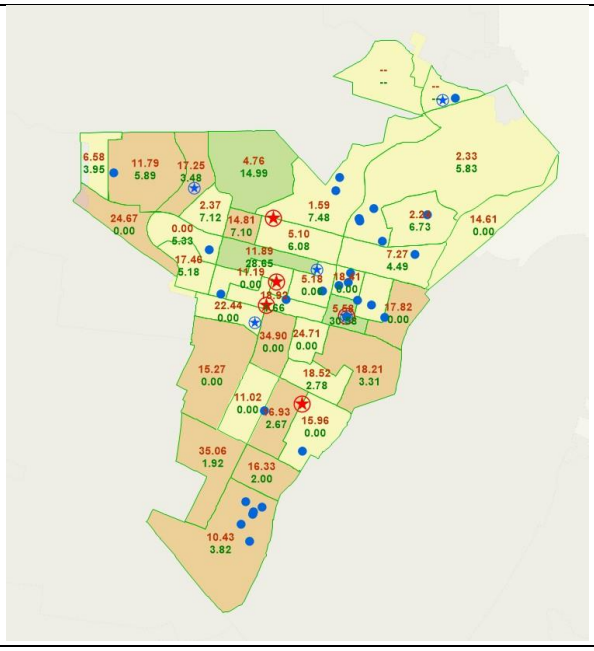
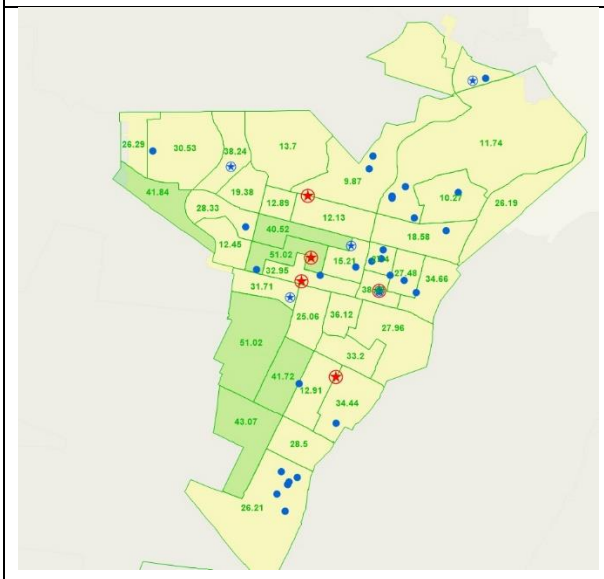
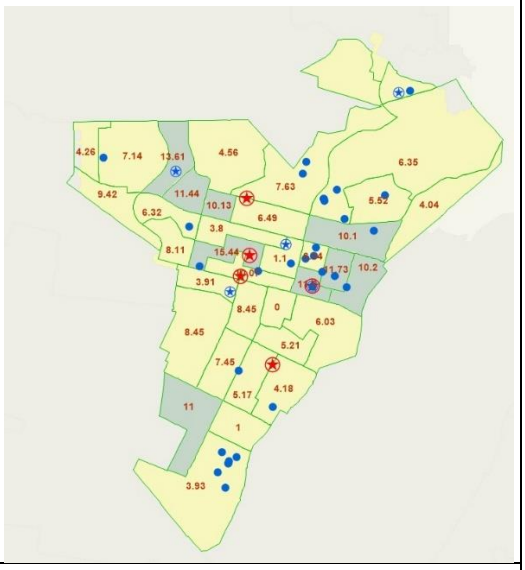
	
Over 40% of residents is foreign-born	High percentage of residents do not speak English well (red-speak Spanish, green Asian language
	
Over 40% of residents over 25 have not graduated high school	Over 10% of residents over 18 are unemployed

EXHIBIT 2. DEMOGRAPHIC INDICATORS OF DISENGAGED COMMUNITIES

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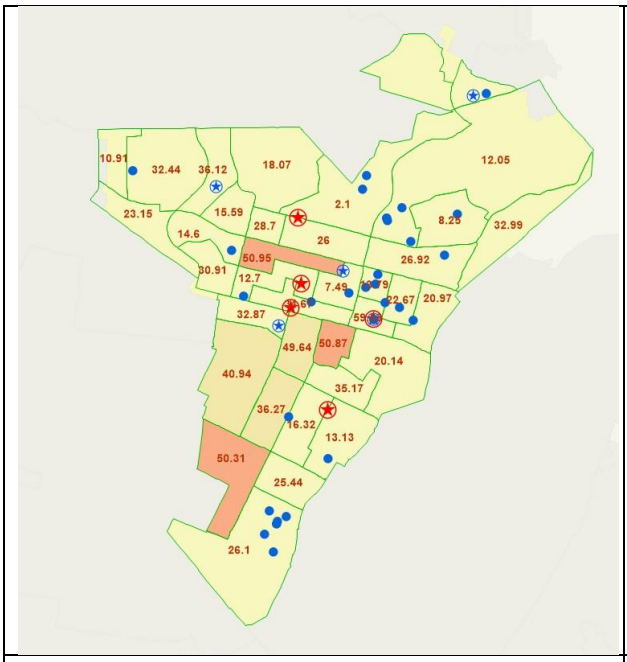
<td> 
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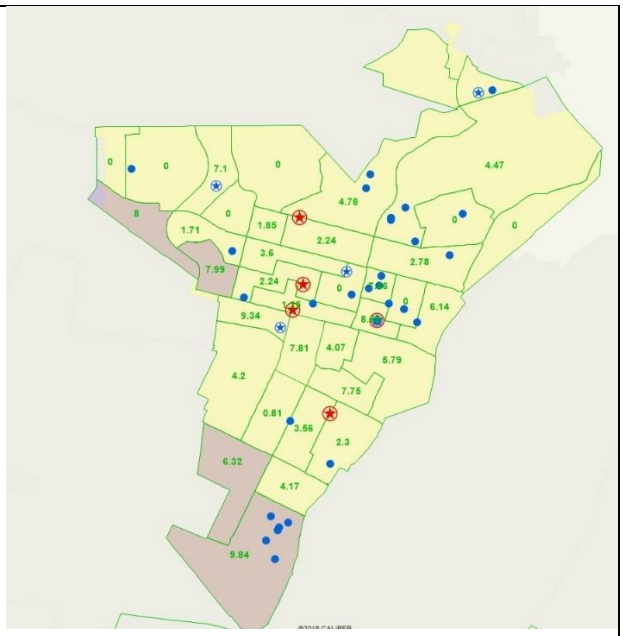
<td> 
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<td>More than 50% of household incomes are below 150% of poverty level</td>
<td>Over 8% of households receive welfare assistance</td>
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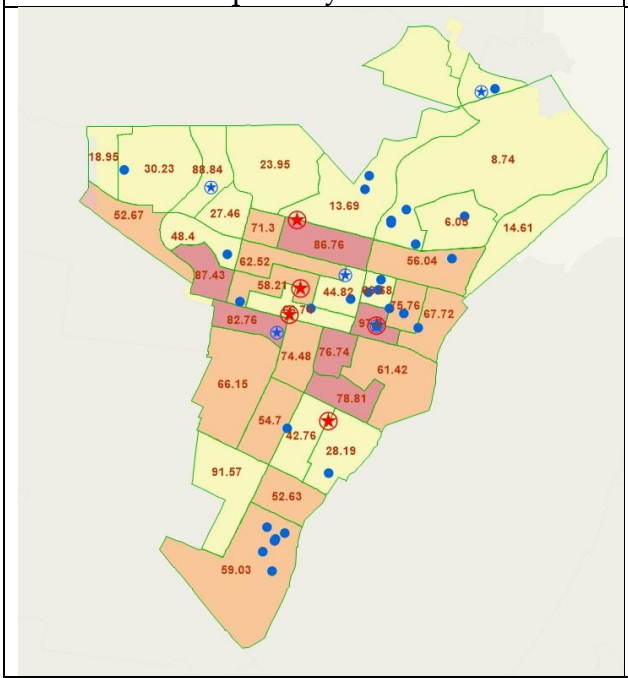
<td> 
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<tr>
<td>High percentage of households rent (dark red >75%, light red >50%)</td>
<td></td>
</tr>
</table>

#2

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, May 26, 2021 11:03 AM
To: comment, ccpublic
Subject: Comments on City Council Agenda Items-Wednesday, May 26, 2021

Please add these comments to the public record and add my my name to speakers' list-I will be listening to meeting if Live Stream is working. If is not, please use this number to call me so I can speak: 323 728 7066. Thanks...

To: City Council

From: Margot Eiser, resident, voter, taxpayer

Item 9

Please keep 'at large representation '. The entire city council needs to be elected by all the citizens, residents, people, taxpayers,voters and constantly be made aware that they all are meant to be working for the benefit of the entire city. We want to keep our city intact because as is shown in Ojai, when divided by 'districts', even neighbors cannot vote for the same well qualified, conscientious person if they are from a different 'district' than she is. We can help you work out any problems which arise and will appreciate when you vote NO!

Item 14

~~Please do not approve this now. Please extend the time to consider input of viable alternatives from us the public .~~

~~We have trusted you with the power to do what we the people want you to do which is to preserve ALL of the Namesake Hills as a Regional Park much needed by the entire community. We need to have a place for recreation, education, cultural events and to be able to connect with nature and experience the great out doors! A Natural Park in our own back yard would make our city very attractive to visitors from all over! We all need a Green Oasis! YOU can provide it! Pleaselet us help you and give us a reason to thank you!~~

#3

Guillen, Kimberly (Admin)

From: Alex Hilke <alex.hilke@icloud.com>
Sent: Wednesday, May 26, 2021 12:56 PM
To: comment, ccpublic
Subject: Public Comment: Redistricting Reform

Dear City Council,

A month ago the community cried out to the five of you demanding action. Having long felt pushed aside in the community's political process. Residents and community groups rallied in large numbers to petition this grievance with you. As is their most fundamental American right. The time has now come tonight to fulfill the promise of a pluralistic democracy in Montebello. I urge the city council to unanimously approve the resolution transitioning the city from at-large to district-based elections. Ensuring that every corner of the city is fully represented by a dedicated Councilmember that will be responsive to their constituents' needs. Increasing resident participation in the community's political process.

Sincerely,
Alex Hilke

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#4

Guillen, Kimberly (Admin)

From: Delia L Lopez <deliallopez@gmail.com>
Sent: Wednesday, May 26, 2021 1:45 PM
To: comment, ccpublic
Subject: Public Comment for Resolution No. 21-43 By-District Election System

Dear City Council members, City officials and staff,
My name is Delia López, a resident of Montebello. I write today to urge our City Council to vote in favor of a by-district election system in our city. It is not just the right thing to do, but it brings our city into an era of equitable representation, where our community can feel that their interests are represented. This puts a big responsibility on the voters of each district to determine the best representative for their community, which will create a sense of power and voice for those voting members.
Most importantly, and at issue here, as stated previously in a prior council meeting and through litigation, a district-based election system can provide a pathway to the inclusion and representation of Asian Americans on the Montebello city council. Let's ensure that our diverse Montebello is represented on all levels of our city government. The inclusion of this important community can only happen if we improve our communication (by ensuring language is no longer a barrier) and engagement with that community. The Asian American community, and by result our whole city, will benefit from a district-based election system because it would provide them a voice and opportunity to elect representatives that are aware of their needs.
In closing, district elections provide Montebello the ability to achieve equity and inclusion, not only for our Asian American community, but everyone living in this city, by ensuring representation in the city's process and simply furthering our goal of being an equitable and inclusive city. Again, I urge our City Council to support the resolution for by-district elections in our city.
Thank you,
Delia López

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

SPEAKER CARDS

ITEM #9 - BY-DISTRICT ELECTIONS SYSTEM

(1)

Recv'd 5/26 @9:30 am KG.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Yvette Fimbres

Address *(optional)* _____

_____

Phone *(optional)* (323) 697 -2710

Organization represented (if any) _____

Topic Speaking on Item #9 - By-District Election System

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(2)

Recv'd 5/26 @12:57 K.G.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Will Cervera

Address *(optional)* _____

_____

Phone *(optional)* (323) 353-2626

Organization represented (if any) _____

Topic Speaking on Item #9

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

3

2:00 pm.
5/26/21
S.N

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Joella Valdez.

Address *(optional)* _____

_____

Phone *(optional)* (213) 840 - 5736

Organization represented (if any) n/a.

Topic Item #9:

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(4)

Recv'd 5/26
2:40 pm
K.G.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Brissa Sotelo

Address *(optional)* _____

_____

Phone *(optional)* (323) 377-6091

Organization represented (if any) _____

Topic #9 - By-District Election System

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(5)

emailed 5/26
K.G.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Scott Raferty

Address *(optional)* _____

_____

Phone *(optional)* (202) 380 - 5525

Organization represented (if any) _____

Topic Item # 9 - By-District Election System - In support

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

SPEAKER CARDS

ITEM #13 - FARMERS MARKET

(1)

Rec'd 5/26/21
@2:40
K.G.

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Will Cervera

Address *(optional)* _____

_____

Phone *(optional)* (323) 353-2626

Organization represented (if any) _____

Topic Item #13 - Farmers Market

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(2)

Rec'd 5/26
2:40 p.m
K.G.

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Brissa Sotelo

Address *(optional)* _____

_____

Phone *(optional)* (323) 377-6091

Organization represented (if any) _____

Topic #13 - Farmer's Market

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

ITEM NO. 14 - (TRACT MAP)

General Comments - Tract Map

Comment #	Name	In Support	In Opposition
1	Linda Strong		X
2	Margo Eiser		X
3	Brissa Sotelo	X	

#1

Guillen, Kimberly (Admin)

From: Linda Strong <lindacuyama@aol.com>
Sent: Wednesday, May 26, 2021 9:17 AM
To: comment, ccpublic
Subject: Agenda Item 14 Montebello City Council Meeting 5-26

Re: Agenda Item 14 Adopt Resolution No. 21-41 Montebello Hills Specific Plan (MHSP)
The Council should not approve this resolution. There are too many unanswered questions. To start with, neither the developers nor the city have provided information as to how close the homes would be to active oil wells. The city's current requirement is only 100 feet. Statewide there's been a realization that numerous health problems are connected to people living in close proximity to oil production. Numerous jurisdictions are requiring or evaluating requiring greater distances for protection of the public. The prior developer was planning to have homes as close as 150 feet from active wells. The council needs to look into this issue.
The subject property is traversed by a potentially active earthquake fault. There is no indication that an up to date geotechnical study (including trenching to determine the fault's exact location) has been done. My understanding is that Los Angeles County requires that such a study have been done within the past year. The council needs to ensure that a recent study was done and is available for their review.
There are questions as to whether this project is in compliance with the city's conditions of approval and its mitigation monitoring and reporting program. The city has repeatedly failed to provide responses to Public Record Act requests asking for the following MHSP documents: geotechnical reports and maps; fiscal impact analysis; grading plans; permits; brush clearance; hydrological studies. Until city staff embrace transparency and make available documentation of the city's satisfactory compliance with the approval conditions and MMRP this agenda item should not be approved.

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, May 26, 2021 11:03 AM
To: comment, ccpublic
Subject: Comments on City Council Agenda Items-Wednesday, May 26, 2021

Please add these comments to the public record and add my my name to speakers' list-I will be listening to meeting if Live Stream is working. If is not, please use this number to call me so I can speak: 323 728 7066. Thanks...

To: City Council

From: Margot Eiser, resident, voter, taxpayer

~~Item 9~~

~~Please keep 'at large representation '. The entire city council needs to be elected by all the citizens, residents, people, taxpayers,voters and constantly be made aware that they all are meant to be working for the benefit of the entire city. We want to keep our city intact because as is shown in Ojai, when divided by 'districts', even neighbors cannot vote for the same well qualified, conscientious person if they are from a different 'district' than she is. We can help you work out any problems which arise and will appreciate when you vote NO!~~

Item 14

Please do not approve this now. Please extend the time to consider input of viable alternatives from us the public .

We have trusted you with the power to do what we the people want you to do which is to preserve ALL of the Namesake Hills as a Regional Park much needed by the entire community. We need to have a place for recreation, education, cultural events and to be able to connect with nature and experience the great out doors! A Natural Park in our own back yard would make our city very attractive to visitors from all over! We all need a Green Oasis! YOU can provide it! Pleaselet us help you and give us a reason to thank you!

P.S. "To heal our selves and become healers and stop polarity which leads to conflict, we have got to stand barefoot on the Earth and reconnect with the unity of all life"!
Ron Kauk, Yosemite Rock Climber

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Guillen, Kimberly (Admin)

From: Guillen, Kimberly (Admin)
Sent: Wednesday, May 26, 2021 2:57 PM
To: comment, ccpublic
Subject: Item #14

Called in:

Brissa Sotelo – Support of Item #14

#4

Fernandez, Alicia

From: Saucedo, Nicole
Sent: Wednesday, May 26, 2021 4:26 PM
To: Guillen, Kimberly (Admin); Fernandez, Alicia
Subject: FW: Comments for Tonight's City Council Meeting for

From: Lupe Ochoa [mailto:go.lupeochoa@gmail.com]
Sent: Wednesday, May 26, 2021 3:27 PM
To: comment, pcpublic
Subject: Fwd: Comments for Tonight's City Council Meeting for

General Comment

For several years the southside has been neglected. It wasn't until recently that maybe we had 2 councilmembers walk around trying to convince us why they wanted the 31 units on Jacmar to go up. Have you seen our streets full of potholes, the consistent crime reports that we as residents have to suffer from? They consistently break into our cars and walking alone, especially on the riverbed feels unsafe. We need more resources in the Southside. We need the police presence, bike patrol, and a station we can count on for immediate response. Criminals take but a minute to getaway. By the time we get our officers here from City Hall the crime has been committed, a car broken into, a person assaulted, and a business loss just like it's happening so often in the south. Give us a town hall meeting as it has been suggested, and make sure you can work out technical details, unlike the failed attempt by your 31 Jackmar stakeholder call. We need real results and we need your attention. One council member in the south can't do it all!

Comment on Item #9 Creating By District Members

I am glad to see that the city has before it the option to make districts in our city. This will ensure we can hold a member accountable for the years that our representatives have failed to include us in the South. For years, we had a member that lived just houses down from us, and yet, our streets look like the third world, and this area has been neglected, and yet when it came to putting up 31 units he was willing to do it, but in all this time, we didn't have a representative. We had a person thinking about how not to be held accountable. Ensuring that we can hold someone accountable in the Southside of Montebello will help to ensure we receive services and the same attention another area is receiving because you can focus on serving your constituents.

Thank you,

Lupe Ochoa

SPEAKER CARDS

ITEM # 14 -

TRACT MAP

(1)

Rec'd 5/26
2:50 p.m
K.G

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Michael W. Popoff

Address *(optional)* _____

_____

Phone *(optional)* (213) 507-9960

Organization represented (if any) _____

Topic #14 - Opposing approval of B-Map Tract Map

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

CITY OF MONTEBELLO CITY COUNCIL/SUCCESSOR AGENCY
ADJOURNED REGULAR MEETING AGENDA

MINUTES

TUESDAY, JUNE 1, 2021 AT 4:30 P.M.

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA

OPENING CEREMONIES – 4:30 P.M.

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 4:30 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, Councilmember Melendez, Councilmember Peralta, City Clerk Jimenez was absent, and Treasurer Gutierrez; Councilmember Jimenez arrived at 4:34 p.m.

STAFF PRESENT – City Attorney Arnold Alvarez-Glasman, City Manager René Bobadilla, Assistant City Manager Arlene Salazar, Deputy City Clerk Alicia Fernandez, Assistant to Deputy City Clerk Kimberly Guillen.

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS
The City Clerk's office called one (1) member of the public wishing to address the City Council. The speaker was provided three minutes to address the City Council and said speaker card is on file at the City Clerk's office.

CLOSED SESSION – 4:30 P.M.
Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 4:38 p.m. to consider the following closed session items:

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
   Government Code Section 54957
   Title: City Manager René Bobadilla

Mayor Cobos-Cawthorne reconvened the meeting at 5:43 p.m. During Closed Session the City Council (Council) received a briefing on Item 1 and provided certain direction to the City Attorney; no final action was action taken.

REGULAR SESSION

2. CONSIDERATION OF AMENDMENT OR CHANGES TO CITY MANAGER EMPLOYMENT AGREEMENT

It was moved by Councilmember Peralta, seconded by Councilmember Melendez that the City Council table this item to the June 3, 2021 Adjourned City Council meeting at 4:00 p.m.

Motion carried unanimously.

ADJOURNMENT

Councilmember Peralta motioned to adjourn the meeting, seconded by Councilmember Melendez. Motion carried unanimously and the meeting was adjourned at 5:45 p.m., to the next Adjourned City Council Meeting to be held on Tuesday, June 3, 2021 at 4:00 p.m.; and opened into the Joint Special Meeting of the City Council and Planning Commission.

THE MINUTES OF JUNE 1, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 9TH DAY OF FEBRUARY 2022.

Alicia Fernandez, Deputy City Clerk

CLOSED SESSION ITEM NO. 1 - SPEAKER CARD

Recv'd 6/1
A.F.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Will Cervera called @ 4:34 p.m.

Address *(optional)* _____

_____

Phone *(optional)* (323) 353-2626

Organization represented (if any) _____

Topic Closed Session Item # 1

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

JOINT SPECIAL MEETING AGENDA
OF THE CITY OF MONTEBELLO CITY COUNCIL AND
PLANNING COMMISSION AGENDA

M I N U T E S

TUESDAY, JUNE 1, 2021 AT 5:30 P.M.

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 5:46 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, Councilmember Jimenez, Councilmember Melendez, Councilmember Peralta, Commissioner Aliksanian, Commissioner Cuevas, Vice Chair Ramirez, and Treasurer Gutierrez. Commissioner Lomeli, Commissioner Briseno, and City Clerk Jimenez were absent.

STAFF PRESENT – City Manager René Bobadilla, Assistant City Manager Arlene Salazar, City Attorney Arnold M. Alvarez-Glasman, Deputy City Clerk Alicia Fernandez, Assistant to Deputy City Clerk Kimberly Guillen, Director of Planning/Community Development Joseph Palombi, and Joe Minicozzi from Urban 3.

CLOSED SESSION – NONE

PUBLIC COMMENTS ON AGENDA ITEMS (30 MINUTES) – No public comments.

PRESENTATION

1. MONTEBELLO'S FISCAL MRI PRESENTATION

Director of Planning/Community Development Joseph Palombi and Mr. Minicozzi provided the City Council (Council) with a presentation regarding the economic analysis and overview of the City of Montebello (City), based on facts regarding the City's current economic condition, in an effort to identify patterns of potential development related to the General Plan update as well as the Downtown Master Plan that could enhance and guide the City's long term prosperity.

Councilmember Melendez asked clarifying questions about the chosen cities that were compared to the City of Montebello. Mayor Pro Tem Torres recommended the video "The High Cost of Free Parking" to the City Council and Planning Commission.

Commissioner Cuevas stated that he sees the value in understanding the information provided. Mr. Cuevas asked what some of the points, in terms of value, that development could bring into the City. Mr. Minicozzi stated that that property taxes brings value to the City. Commissioner Briseno recommended bringing this data back and relook at it in two years since we are currently in a pandemic. Commissioner Aliksanian asked if the goal is for the community to travel less and build high-rise parking structures with less parking lots, and Mr. Minicozzi stated that it's more about being conscious of the choices and opportunities for redevelopment. Chairperson Briseno asked Mr. Minicozzi three clarifying questions.

ADJOURNMENT

Chairperson Briseno adjourned the Planning Commission meeting at 7:10 p.m.

Councilmember Melendez motioned to adjourn the City Council meeting, seconded by Councilmember Peralta Motion carried unanimously and the meeting was adjourned at 7:17 p.m.

THE MINUTES OF JUNE 1, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 9TH DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

CITY OF MONTEBELLO CITY COUNCIL/SUCCESSOR AGENCY
ADJOURNED REGULAR MEETING AGENDA

M I N U T E S

THURSDAY, JUNE 3, 2021 AT 4:00 P.M.

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA

OPENING CEREMONIES

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 4:12 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, Councilmember Jimenez, Councilmember Melendez, Councilmember Peralta, City Clerk Jimenez, and Treasurer Gutierrez

STAFF PRESENT – City Attorney Arnold Alvarez-Glasman, City Manager René Bobadilla, Assistant City Manager Arlene Salazar, Deputy City Clerk Alicia Fernandez, Assistant to Deputy City Clerk Kimberly Guillen.

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS
None

CLOSED SESSION – 4:00 P.M.
Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 4:13 p.m. to consider the following closed session items:

1. **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
   Government Code Section 54957
   Title: City Manager René Bobadilla

Mayor Cobos-Cawthorne reconvened the meeting at 5:33 p.m. During Closed Session the City Council (Council) received a briefing on item 1 and provided direction to the City Attorney; City Attorney's office will follow up accordingly. This item, along with Regular Session Item 2, will be placed on the next Regular City Council Meeting to be held on Wednesday, June 9, 2021.

REGULAR SESSION

2. CONSIDERATION OF AMENDMENT OR CHANGES TO CITY MANAGER EMPLOYMENT AGREEMENT

City Attorney Alvarez-Glasman reported that this item did not require any action and tabled it to the next Regular City Council Meeting to be held on Wednesday, June 9, 2021.

ADJOURNMENT

Councilmember Melendez motioned to adjourn the meeting, seconded by Councilmember Jimenez. The meeting was adjourned at 5:34 p.m.

THE MINUTES OF JUNE 3, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 9TH DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

CITY OF MONTEBELLO CITY COUNCIL
REGULAR MEETING AGENDA

M I N U T E S

WEDNESDAY, JUNE 9, 2021 AT 5:30 P.M.

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA

OPENING CEREMONIES

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 5:37 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, Councilmember Jimenez, Councilmember Melendez, and Councilmember Peralta. City Clerk Jimenez and Treasurer Gutierrez were also present.

STAFF PRESENT – City Attorney Arnold Alvarez-Glasman, City Manager René Bobadilla, Assistant City Manager Arlene Salazar, Deputy City Clerk Alicia Fernandez, Assistant to Deputy City Clerk Kimberly Guillen.

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS
None.

CLOSED SESSION – 5:30 P.M.
Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:38 p.m. to consider the following closed session items:

1. **THREAT TO PUBLIC SERVICES OR FACILITIES**
   Government Code Section 54957
   Consultation with City Manager, Police Chief, City Attorney and other related City officials.

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code Section 54957
Title: City Manager René Bobadilla

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code Section 54956.9 (d)(2)
One matter (facts need not be disclosed pursuant to Government Code Section 54956.9(e)(1)

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code Section 54956.8

Property:	310 West Whittier Boulevard
Agency's Negotiator:	René Bobadilla, City Manager
Negotiating Party:	Chevrolet of Montebello
Under Negotiation:	Price and Terms

4a. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
Government Code Section 54957(b)(1)

Mayor Cobos-Cawthorne reconvened the meeting at 7:04 p.m. The City Attorney's report is as follows: Item No. 1, City Council (Council) received a briefing, there was no action, and it will be placed on the next City Council meeting agenda; Item No. 4, Council received a briefing, direction was provided to Agency's Negotiator but no final action was taken; and Item No. 4a, Council received a briefing and no final action was taken. For Item No. 2, the City Attorney requested that Old Business Item No. 11 be moved forward to be discussed, as it related to Closed Session No. 2. Council provided direction and Amendment No. 2 to the City Manager, René Bobadilla's, employment agreement was prepared. Councilmember Jimenez motioned, seconded by Melendez, that Item No. 4a be added to the agenda; motion was carried unanimously.

REGULAR SESSION – 6:30 P.M.

INVOCATION – Arnold Alvarez-Glasman

FLAG SALUTE – Ulysses Garibay-Urquizo

CORRECTIONS TO THE AGENDA – CITY MANAGER – NONE

PRESENTATIONS

5. RECOGNITION OF LGBTQ PRIDE MONTH – Presented by Mayor Cobos-Cawthorne

6. RECOGNITION OF JUNETEENTH – FREEDOM DAY – Presented by Mayor Cobos-Cawthorne

7. RECOGNITION OF PTSD AWARENESS MONTH – Presented by Mayor Cobos-Cawthorne

8. **NATIONAL SCLERODERMA AWARENESS MONTH** – Presented by Mayor Cobos-Cawthorne

9. **RECOGNITION OF CITIZEN OF THE MONTH – PAUL PARZIK, YMCA** – Presented by Mayor Cobos-Cawthorne

10. **INITIAL FY 21-22 BUDGET OVERVIEW** – Presented by Director of Finance, Michael Solorza

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

The City Clerk Office called one (1) member of the public wishing to address the City Council. Speaker was provided three minutes to address the City Council and said speaker card is on file at the City Clerk's office.

The City Clerk Office acknowledged three (3) written public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

OLD BUSINESS

11. **APPROVE CONSIDERATION OF AMENDMENT OR CHANGES TO CITY MANAGER EMPLOYMENT AGREEMENT**

City Attorney Alvarez-Glasman provided a report, stating that City retained Mr. René Bobadilla to serve in the capacity of City Manager on July 29, 2019. The City approved Amendment No. 1 of his employment agreement in 2020. The City Council received a draft agreement from the City attorney's office of proposed changes to Mr. Bobadilla's employment agreement which were presented to Council in Amendment No. 2.

Mayor Pro Tem was not in support of approving Amendment No. 2. Mayor Cobos-Cawthorne and Councilmembers Jimenez, and Melendez were in support. It was motioned by Councilmember Melendez, seconded by Councilmember Jimenez to approve Amendment No 2 of Mr. Bobadilla's employment agreement.

MOVED: Melendez	**SECONDED:** Jimenez	**APPROVED:** 4-1-0-0
AYES: Cobos-Cawthorne, Jimenez, Melendez, Peralta NOES: Torres ABSTAIN: None ABSENT: None		

CONSENT CALENDAR

Item No. 12 was pulled by one member of the public to address a public comment. Councilmember Jimenez made a motion, seconded by Councilmember Melendez to approve Items No. 13-19; motion carried unanimously. Councilmember Peralta was absent for Consent Calendar portion of the meeting.

Motion to approve Items No's. 13-19 as recommended.

MOVED: Jimenez **SECONDED:** Melendez **APPROVED:** 3-1-0-1

AYES: Cobos-Cawthorne, Jimenez, Melendez
NOES: Torres
ABSTAIN: None
ABSENT: Peralta

12. APPROVE EIGHTH AMENDMENT TO AGREEMENT NO. 2883 WITH SAN GABRIEL VALLEY WATER COMPANY FOR THE OPERATION OF THE CITY'S WATER SYSTEM

City Attorney Arnold Alvarez-Glasman called one (1) member of the public wishing to address the City Council. The speaker was provided three minutes to address the City Council and said speaker card is on file at the City Clerk's office. City Manager Bobadilla requested that Staff reach out to her to address her concerns.

Director of Public Works, James Enriquez, presented this item to the City Council.

Councilmember Melendez motioned to approve, seconded by Councilmember Jimenez that the City Council:

1) Approve an Eighth Amendment to Agreement No. 2883 with San Gabriel Valley Water Company for the operation of the City's Water System; and
2) Authorize the City Manager to execute the Amendment on behalf of the City; and
3) Take such additional, related, action that may be desirable.

MOVED: Melendez **SECONDED:** Jimenez **APPROVED:** 4-0-0-1

AYES: Cobos-Cawthorne, Jimenez, Melendez, Torres
NOES: None
ABSTAIN: None
ABSENT: Peralta

13. APPROVE AMENDMENT NO. 2 TO AGREEMENT NO. 3419 – ON-CALL ELECTRICAL SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Approve Amendment No. 2 to Agreement No. 3419 with Leed Electric for On-Call Electrical Services; and
2) Authorize the City Manager to execute Amendment No. 2 on behalf of the City; and
3) Take such additional, related, action that may be desirable.

14. AWARD A PROFESSIONAL SERVICES AGREEMENT FOR SUMMER FOOD SERVICE PROGRAM PROVIDER (RFQ 21-53)

RECOMMENDATION: It is recommended that the City Council:

1) Award a Professional Services Agreement to School Nutrition Plus in an amount not-to-exceed Ninety Thousand Dollars ($90,000) annually for Summer Food Service Program Provider; and
2) Authorize the City Manager to execute an agreement on behalf of the City; and
3) Take such additional, related, action that may be desirable.

15. AUTHORIZATION TO ISSUE A REQUEST FOR QUALIFICATIONS/PROPOSALS FOR INFORMATION TECHNOLOGY INFRASTRUCTURE UPGRADE SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Authorize issuing a Request for Qualifications/Proposals for the items and services required to upgrade the City's Information Technology (IT) Infrastructure, backbone network, storage and related software and hardware purchases, including procurement of installation and related services.

16. APPROVE THE APPROPRIATION OF SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD) FUNDS TO PURCHASE A VEHICLE FOR THE MONTEBELLO COMMUNITY ASSISTANCE PROGRAM (MCAP)

RECOMMENDATION: It is recommended that the City Council:

1) Approve the appropriation of AQMD funds in an amount not-to-exceed $60,000 to purchase a vehicle for the MCAP by amending the Fiscal Year 2020-21 budget, Account No. 245-99-6082, Vehicle Purchases; and
2) Take such additional, related, action that may be desirable.

17. ADOPT RESOLUTION NO. 21-44 AUTHORIZING THE CITY MANAGER TO APPOINT AUTHORIZED AGENTS TO TAKE ANY ACTIONS NECESSARY FOR THE PURPOSE OF OBTAINING LOW CARBON TRANSIT OPERATIONS PROGRAM FUNDS PROVIDED BY THE CALIFORNIA DEPARTMENT OF TRANSPORTATION

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-44 authorizing the City Manager to appoint authorized agents to take any actions necessary for the purpose of obtaining Low Carbon Transit Operations Program ("LCTOP") funds provided by the California Department of Transportation (Caltrans); and

2) Authorize the City Manager to sign the Authorized Agent form on behalf of the City of Montebello ("City"); and
3) Take such additional, related, action that may be desirable.

18. UPDATE ON THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (METRO) FARELESS SYSTEM INITIATIVE (FSI)

RECOMMENDATION: It is recommended that the City Council:

1) An update regarding the Los Angeles County Metropolitan Transportation Authority's Pilot Fareless System Initiative for K-12 and community college students with the potential to branch to all passengers for the next 18 months; and
2) Take such additional, related, action that may be desirable.

19. PAYMENT OF BILLS: RESOLUTION APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED JUNE 9, 2021

RECOMMENDATION: Adopt the proposed Resolution approving the Warrant Register dated June 9, 2021.

ORAL COMMUNICATIONS - CONTINUED IF NECESSARY – None

COUNCIL ORALS

Council member announcements; requests for future agenda items; conference/meetings reports.

1. **Councilmember Melendez** – made the announcements below:
   a. Regional Riverbed City Partnership – asked for City Council consensus for beginning the process of creating a Regional Board consisting of one or two councilmembers from local cities that surround the riverbed.
   b. Naming a city facility in the memory of Lion Bill Walters - asked for City Council consensus for naming a City Facility in his honor.

2. **Councilmember Jimenez** – made the announcements below:
   a. Jerry Griffin – asked for City Council consensus to direct Staff to look into a way to commemorate Mr. Jerry Griffin.
   b. Sister City – asked for City Council consensus to request Staff to look into establishing a Sister City with Nayarit, Mexico.
   c. Run Montebello Run Shoe Drive for MCAP – asked runners to donate old/new shoes to the MCAP program.
   d. Appointment of Youth Commissioner – Councilmember Jimenez added one more oral to her list and appointed Ryan Gutierrez as a Youth Commissioner.

3. **Councilmember Peralta** – made the announcements below:
   a. Pride Month

1) Gender-inclusive language options for applications and within the City (included documents)
2) Art from LGBTQ+ residents displayed at City Hall during Pride Month, or when City Hall re-opens.
3) Explore City archives to honor a significant LGBTQ+ resident

b. Request for Presentation on End of the Year Citywide Project Updates
c. Recognition of the Schurr High School AVID "Marcos Montes Dream Scholarship" recipients: Jonathan Sandoval, Alexis Rios, and Jennifer Lopez

Councilmember Peralta asked for City Council consensus to take action on Item 3.a.1-3. Councilmember Jimenez suggested combining a 5k run with the LGBTQ acknowledgements. City Manager suggested a meeting with Councilmember Peralta and Jimenez to plan accordingly. No report was provided on items b and c.

4. **Mayor Pro Tem Torres – None –** asked to clarify a comment he made earlier in the meeting. Torres stated that his parents are watching the meeting tonight and his dad does pay 100% of his own medical, dental, vision, and life insurance.

5. **Mayor Cobos-Cawthorne – None**

City Clerk Jimenez addressed the passing of Eddie Lopez, Parks and Recreation Staff.

ADJOURNMENT

Councilmember Jimenez motioned to adjourn the meeting, seconded by Councilmember Melendez Motion carried unanimously and the meeting was adjourned at 8:37 p.m.

THE MINUTES OF JUNE 9, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 9TH DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

SPEAKER CARDS

General Comments

(1)

Rec'vd
6/9/21
2:10pm

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Raul Hurtado

Address *(optional)* _____

_____

Phone *(optional)* (323) 721-5622

Organization represented (if any) _____

Topic General : Water conservation

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

GENERAL COMMENTS

#1

Guillen, Kimberly (Admin)

From: Tracey Cortez <tlc55464@gmail.com>
Sent: Thursday, May 27, 2021 7:12 PM
To: comment, ccpublic
Subject: Parks & recreation event planning

Since covid restrictions have lifted and will be back to normal by june 15 per federal and state government guidelines, Why does it take the city so long to plan recreational events & classes for the summer season. The city is behind the times and not creative in their planning. Other cities have the parks and rec classes in motion already and have events that draw the citizens into be part of the city. The city could plan kite day at the Whittier narrow recreational dam. A great place to fly kites and make bubbles that fly in the air all year. You could organize a city clean up day for the Whittier narrows area near Lincoln. And have guided tours in the area too. That area needs some love and is a wonderful overlooked treasure The Whittier narrow , dam area is an awesome resource you should tap into . I would be interested in bei g a tour guide for nature walks as they do for the la river. You forget that your in the city . The homeless are further north and furth Dr South and would not be a hindrance for the tours. It's a family spot. I frequent that area to fly my kite every two weeks. That would be such an awesome thing to introduce to kids once again. Also, when will the pool be open again. Exercise classes too? The people are ready to get out. Be a driving city who is with the times and keeps up with change.

I appreciate your time. You may contact me at 3235308553
Tracey Cortez

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Guillen, Kimberly (Admin)

From: John Espinosa <espinosajh@yahoo.com>
Sent: Tuesday, June 1, 2021 9:30 AM
To: comment, ccpublic
Subject: Pedestrian Crossings

Why is a pedestrian light at Beverly and 20th more urgent than one that is needed in front of the Hospital at Beverly and 2nd St?

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Guillen, Kimberly (Admin)

From: randy beas <randyb231@gmail.com>
Sent: Wednesday, June 9, 2021 11:37 AM
To: comment, ccpublic
Subject: Please Read on record during public comments

312 west Olympic lane, Montebello – Randy Beas

Hello,
My name is Randy Beas and I am founder and president of Keeping The Culture Alive, an arts organization based in Montebello. For the past 7 years KTCA has hosted the Montebello Artwalk and Montebello Artfest. Upon recently, we decided to halt our shows due to the pandemic for the safety of the community and artists alike. Since then, we have been in the background sitting quietly and working on plans to make A safe return to our great city and bring back the Arts. Our vision has always been to Empower the Artists of Tomorrow and give A platform to anyone looking to join the Arts. Since we have been in existence, KTCA has brought people from all over the U.S to our city and given back our community and arts to share with everyone.

The reason for me speaking today is to ask humbly, Will the city of Montebello welcome us back to hosting our monthly shows in person (with the understanding of safety protocols) and be able to bring out our community to showcase the arts. Our group and artists have deep roots in Montebello and would like to return home to show that together we are Montebello Strong.

Thank you to the city council and Mayor for answering our questions day or night and being A supporter of the Arts & KTCA all these years when it was just A idea. Together we can Empower the Artists and City that we call home.

-Randy Beas
President
Keeping The Culture Alive

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SPEAKER CARDS

Item #12 - Amendment to Agreement No. 2883 with San Gabriel Valley Water Company

(1)

Recv'd 6/9
8:53am
K.G.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Elizabeth Arenas

Address *(optional)* _____

_____

Phone *(optional)* (323) 359 - 5093

Organization represented (if any) _____

Topic #12- Amendment w/ San Gabriel Valley - comment + question

(Please be specific)

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(The instructions on the back will assist you in expressing your views)