CITY OF MONTEBELLO

CITY COUNCIL REGULAR MEETING AGENDA

WEDNESDAY, FEBRUARY 23, 2021 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
René Bobadilla, City Manager

CITY TREASURER
Rafael Gutierrez

CITY ATTORNEY
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 23, 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 23, 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.

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

CLOSED SESSION REPORT

INVOCATION

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA – CITY MANAGER

CEREMONIAL/PRESENTATIONS

2. **RECOGNITION OF CITIZEN OF THE MONTH – SHUSHMA PATEL, RPH FROM THE PRESCRIPTION SHOP MONTEBELLO**

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

3. CALIFORNIA VOTING RIGHTS ACT ("CVRA") PUBLIC HEARING NO. 4 AND INTRODUCTION AND FIRST READING OF AN ORDINANCE NO. 2444 ESTABLISHING THE BY-DISTRICT ELECTION PROCESS OF CITY COUNCILMEMBERS

RECOMMENDATION: It is recommended that the City Council:

1) Receive input from the public regarding the six (6) draft City Council district maps (Attachment A) selected for further discussion and consideration; and
2) Select the final City Council district map; and
3) Introduce and conduct the First Reading of Ordinance No. 2444 (Attachment B) establishing a by-district elections process for the election of City Councilmembers of the City of Montebello ("City"); and
4) Take such additional, related, action that may be desirable.

REGULAR BUSINESS

4. REVIEW AND APPROVE THE STATE AUDITOR REQUIRED CORRECTIVE ACTION PLAN, VERSION 2.0, TO INCLUDE PROGRESS MADE FROM NOVEMBER 2021 THROUGH FEBRUARY 2022

RECOMMENDATION: It is recommended that the City Council:

1) Review the attached Corrective Action Plan, Version 2.0, as required by the State Auditor as the City's response to Report 2021-807; and
2) Approve the Corrective Action Plan, Version 2.0, Updated to Include Progress Made Since November, 2021 and direct staff to submit the report to the State Auditor; and
3) Take such additional, related, action that may be desirable.

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.

5. AB 361 FINDINGS

RECOMMENDATION: It is recommended that the City Council:

1) Receive and file this report and make the following findings: (a) The City Council has reconsidered the circumstances of the state of emergency; and (b) the following circumstances exist, (i) the state of emergency continues to directly impact the ability of the members to meet safely in person and (ii) the City Council continues to provide measures such as remote or hybrid meeting participation to promote social distancing.
2) Take such additional, related, action that may be desirable.

6. APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 3957 WITH 789, INC. FOR CITYWIDE BRAND UPDATE SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Authorize the City Manager to execute Professional Services Agreement No. 3957 with 789, Inc. For graphic design consulting services to update and refresh the City of Montebello and department branding and to develop a City-wide updated graphic standards manual.

7. 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.

8. NOTICE OF COMPLETION FOR BEVERLY BOULEVARD STREET IMPROVEMENTS PROJECT – 21ST STREET TO HOWARD AVENUE (CP 866)

RECOMMENDATION: It is recommended that the City Council:

1) Accept the Beverly Boulevard Street Improvement Project – 21st Street to Howard Avenue (CP 866) as completed by Gentry Brothers, Inc. (GBI); and
2) Approve the final contract amount with Gentry Brothers, Inc. In the amount of $1,109,082, including change orders; and
3) Authorize the City Clerk to execute, verify and file the Notice of Completion (Attachment A) with the Los Angeles County Registrar-Recorder; and

4) Authorize the City Manager to release the retention payment due to Gentry Brothers, Inc. Following the mandatory waiting period from the date the Notice of Completion is recorded in the amount of $14,207; and
5) Take such additional or alternative action that may be desirable.

9. APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 3956 WITH INTER-CON SECURITY SYSTEMS FOR SUPPLEMENTAL PARKING ENFORCEMENT SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Approve Professional Services Agreement No. 3956 with Inter-Con Security Systems and authorize the City Manager to execute a three (3) year agreement for Supplemental Parking Enforcement Services in a total amount that shall not exceed $1,244,801; and
2) Acknowledge the use of Montebello Municipal Code Chapter 3.20.125A, "Piggybacking purchasing agreements" as the allowed and permitted method for acquiring these services; and
3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $98,792, Account No. 100-50-530-6040.10 (General Fund, Community Development, Code Enforcement, Other Contract Services); and
4) Authorize the City Manager to take any additional action as needed.

10. ADOPT RESOLUTION NO. 22-10 DIRECTING THE CITY MANAGER TO EXTEND THE TEMPORARY OUTDOOR DINING PROGRAM AND DIRECT STAFF TO RETURN TO CITY COUNCIL WITHIN ONE-YEAR WITH A PERMANENT PROGRAM TO ALLOW RESTAURANTS TO UTILIZE ADJACENT OUTDOOR AREAS TO SERVE FOOD AND DRINKS TO CUSTOMERS PURSUANT TO AN OUTDOOR DINING PERMIT, AND NOTICE OF EXEMPTION PURSUANT TO CEQA "COMMON SENSE EXEMPTION" SECTION 15061(B)(3)

1) Approve Resolution No. 22-10 directing the City Manager to extend the Temporary Outdoor Dining Program and direct staff to return to City Council within one-year with a permanent program to allow restaurants to utilize adjacent outdoor areas to serve food and drinks to customers pursuant to an Outdoor Dining Permit; and
2) Approve ENV-08--22-CE Notice of Exemption under (State California Environmental Quality Act (CEQA) Guidelines Section § 15061(b)(3)) "Common Sense Exemption" for the proposed project; and
3) Take such additional, related, action that may be desirable.

11. APPROVE COOPERATIVE AGREEMENT NO. 3958 WITH MONTEBELLO UNIFIED SCHOOL DISTRICT (MUSD) FOR CROSSING GUARD SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Approve Cooperative Agreement No. 3958 with the Montebello Unified School District (MUSD) for Crossing Guard Services allowing for reimbursement to the City of ten percent (10%) of actual costs of services; and
2) Authorize the City Manager to review and approve similar agreements in the future; and
3) Take such additional, related, action that may be desirable.

12. ADOPT RESOLUTION NO. 22-11 OPPOSING A STATE BALLOT MEASURE RESTRICTING VOTERS' INPUT AND LOCAL TAXING AUTHORITY

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 22-11 opposing Initiative 21-0042A1, also known as the "Taxpayer Protection and Government Accountability Act;" and
2) Take such additional, related, action that may be desirable.

13. PAYMENT OF BILLS: RESOLUTION NO. 22-09 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED FEBRUARY 23, 2022

RECOMMENDATION: Adopt Resolution No. 22-09 approving the Warrant Register dated February 23, 2022.

14. APPROVAL OF MINUTES – CITY COUNCIL MEETING MINUTES FOR MAY 12, 2021, MAY 26, 2021, JUNE 9, 2021, JUNE 23, 2021, AUGUST 11, 2021, SEPTEMBER 8, 2021, OCTOBER 27, 2021, AND JANUARY 26, 2022; SPECIAL CITY COUNCIL MEETING MINUTES FOR MAY 1, 2021, AUGUST 18, 2021, AUGUST 24, 2021, SEPTEMBER 1, 2021, OCTOBER 27, 2021, NOVEMBER 13, 2021, AND JANUARY 19, 2022; JOINT REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETING MINUTES FOR JULY 28, 2021 AND JANUARY 12, 2022; JOINT SPECIAL CITY COUNCIL AND PLANNING MEETING JUNE 1, 2021; AND ADJOURNED CITY COUNCIL MEETING FOR JUNE 1, 2021 AND JUNE 3, 2021

RECOMMENDATION: Approve said minutes as written.

15. EMERGENCY NON-CONGREGATE SHELTER PILOT PROGRAM (OPERATION STAY SAFE) – AWARD CONSTRUCTION CONTRACTS

RECOMMENDATION: It is recommended that the City Council:

1) Determine and find that the lack of shelter poses an acute, clear and imminent threat to the health and safety of all people experiencing homelessness (PEH) and the members of the public with whom they come into daily contact as the Covid-19 pandemic continues, resulting in an emergency that requires immediate action and will not permit a delay caused by formal bidding procedures; and

2) In accordance with the above-mentioned emergency, by a four-fifths vote of the City Council, authorize the dispensing of formal bidding procedures for construction contracts for the development of the subject project, in accordance with California Public Contract Code Section 22035 and 22050 (Attachment A), Montebello Municipal Code Chapter 3.20.140 (Attachment B) and Governor Newsome's Executive Order No. N-21-21 (Attachment C); and

3) Award a Construction Contract for electrical improvements in the amount of $245,500 to Graphic Electric, Inc.; and

4) Award a Construction Contract for sewer construction in the amount of $144,078 to Mike Bubalo Construction Company, Inc.; and

5) Award a Construction Contract for security fencing construction in the amount of $69,950 to Wolverine Fence Company, Inc.; and

6) Authorize the City Manager to finalize and execute the proposed agreements in the Standard Public Works Agreement (Attachment B), in the form approved by the City Attorney, on behalf of the City and approve change orders within a 25% contingency of the original contract amounts; and

7) Amend the Fiscal Year 2021-22 budget by increasing appropriations by a total of $574,410 in the following accounts (Grants, Fire, SGVRHT Operation Stay Safe) and in the following amounts: Account No. 265-85-853-6040.60 (Building Maintenance Repairs), $245,500; -6040.45 (Sewer Maintenance) $144,078; -6040.60 (Building Maintenance Repairs) $69,950; and

8) Amend the Fiscal Year 2021-22 budget by increasing appropriations to recognize revenue to reimburse for these expenses in Account No. 265-99-4198.99 (Grants, SGVRHT Operation Stay Safe) in the amount of $574,410; and

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

16. APPROVE AMENDMENT NO. 2 TO COMMERCIAL CANNABIS BUSINESS DEVELOPMENT AGREEMENT NO. 11-19 (CITY AGREEMENT NO. 3676)

RECOMMENDATION: It is recommended that the City Council:

1) Approve, in substantially the form as presented, the Amendment to Cannabis Business Development Agreement No. 11-19 for the operation of commercial cannabis activities in the City of Montebello, and authorize the City Attorney's Office to make final and technical edits or revisions, if any, prior to execution, which authorizes the transfer of Development Agreement No. 11-19 and Conditional Use Permit No. 11-19; and

2) Condition the approval of the Amendment and CUP on the respective owner(s) and operator(s) clearing the requisite background checks, providing all exhibits to the development agreement amendments and missing information, if any, to the City of Montebello in a form acceptable to the City Attorney's Office no later than March 15, 2022 and on a case-by-case basis, authorize Director of Planning and Community Development Joseph Palombi discretion to provide the applicant(s) additional time if necessary in light of the current COVID-19 logistical limitations; and
3) Adopt findings contained herein exempting the Amendment from further CEQA review under CEQA Section 15301, and direct staff to prepare and file the applicable Notices of Exemption for each project recommended for approval; and
4) Take such additional, related action that may be desirable, and/or provide the City Attorney's office and/or staff with additional or alternative directive(s).

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**
2. **Councilmember Peralta**
   a. Recognizing Montebello Girl Scout Troop 71221 for their outstanding achievement in receiving an award and recognition from Penny Lane Centers.
   b. Council consideration for continued YMCA CDBG allocation appeal for 2022-2023.
3. **Councilmember Melendez**
4. **Mayor Pro Tem Jimenez**
5. **Mayor Cobos-Cawthorne**

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on March 9, 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 20, 2022 5:00 p.m.**

Alicia Fernandez, Deputy City Clerk

ITEM # 3

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") Public Hearing No. 4 and Introduction and First Reading of an Ordinance No. 2444 Establishing the By-District Election Process of City Councilmembers**

DATE: February 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Receive input from the public regarding the six (6) draft City Council district maps (Attachment A) selected for further discussion and consideration; and

2) Select the final City Council district map; and

3) Introduce and conduct the First Reading of Ordinance No. 2444 (Attachment B) establishing a by-district elections process for the election of City Councilmembers of the City of Montebello ("City"); and

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

FISCAL IMPACT

None.

BACKGROUND

Montebello City Councilmembers are currently elected in "at-large" elections, in which each Councilmember is elected by the voters of the entire City. The City received a petition on March 15, 2021 alleging the City's at-large election system violates the CVRA and requesting that the City voluntarily change its at-large system of electing Councilmembers to a district-based election system.

ENVIRONMENTAL

This Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

DISCUSSION

The CVRA was enacted in 2001 to implement the California constitutional guarantees of equal protection and the right to vote. 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. City Council held its first public hearing on October 13, 2021, its second public hearing on November 13, 2021 and its third public hearing on February 9, 2022.

In order for the City to voluntarily change its at-large system of electing Councilmembers, it must adopt an ordinance setting forth the election of Councilmembers on a by-district elections system. In a by-district election system, a candidate for City Council must live in the district where the candidate wishes to represent, and only the voters of that district are entitled to vote to decide who their representative will be.

A Council Member in office at the time this Ordinance takes effect will continue in office until the expiration of a full term to which they were elected at-large or appointed and until their successor is qualified. If vacancies in Council member offices elected at-large occur before such expiration, such vacancies will be filled from the City at-large. The City and the City Council, by adopting this Ordinance, are committing to adopt a final district map no later than March 9, 2022, to be implemented in time for the November 8, 2022 election.

SUMMARY

Staff recommends that the City Council conduct the public hearing, receive public input regarding the draft City Council district maps selected for further discussion and select a final City Council district map. Staff also recommends that the City Council introduce and conduct the first reading of Ordinance No. 2444 to establish a by-district elections process for the election of City Council Members of the City of Montebello.

ATTACHMENTS:

A. Attachment A – Six (6) draft City Council district maps
B. Attachment B – Ordinance No. 244 Establishing By-District Elections Process

ATTACHMENT A

ORDINANCE NO. 2444

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, AMENDING SECTION 2.08.050 OF TITLE 2, CHAPTER 2.08 OF THE MONTEBELLO MUNICIPAL CODE TO ESTABLISH THE BY-DISTRICT ELECTION PROCESS OF COUNCIL MEMBERS

WHEREAS, the City of Montebello ("City") is a general law city, which is currently governed by five (5) council members who are all elected by all voters in the city in an at-large voting system and the next regular election is to take place on November 8, 2022; and

WHEREAS, 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; and

WHEREAS, pursuant to Government Code section 34886, as amended effective January 1, 2017, the City Council may adopt an ordinance that requires the members of the city council to be elected by district, without being required to submit the ordinance to the voters for approval; and

WHEREAS, under the California Voting Rights Act of 2001, district-based elections are required if it can be shown that an at-large election system prevents minority voters from electing their chosen candidate or influencing elections; and

WHEREAS, the City of Montebello desires to ensure the voting rights and fair representation of all of its citizens; and

WHEREAS, pursuant to Government Code section 34886, it is declared the change in the method of electing members of the City Council made by this ordinance to implement the guarantees of Section 7 of Article I and of Section 2 of Article II of the California Constitution, as set forth in Section 14031 of the California Voting Rights Act; and

WHEREAS, in a by-district election system, a candidate for City Council must live in the district where the candidate wishes to represent, and only the voters of that district are entitled to vote to decide who their representative will be; and

WHEREAS, the City and the City Council, by adopting this ordinance, are committing to adopt a final district boundary map no later than March 9, 2022, to be implemented in time for the November 8, 2022 election.

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

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

SECTION 2. AMENDMENT; ADDITIONS. Section 2.08.050 – Municipal Elections of the Montebello Municipal Code is hereby amended and will read as follows (deletions in ~~strikethrough~~ and additions in double underline):

2.08.050 – Municipal Elections.

A. Pursuant to Sections 1301 and 1000 of the California Elections code, commencing with the statewide election to be held on November 6, 2018, the city of Montebello's general municipal elections shall be held on the first Tuesday after the first Monday in November of even-numbered years to coincide with the statewide election.

B. Pursuant to Sections 34886 and 34871(a) of the California Government Code, Council members will be elected on a by-district elections system. The term "by-district" as used in this Section shall mean election of members of the City Council by voters of the district alone. Candidates for council seats in each district shall be nominated and elected only by the voters of that district.

C. Except as provided in subsection (D) of this Section, each Council Member must be a resident of and a registered voter in the council district from which the member is nominated at the time the member is nominated, elected, and throughout that member's term of office. In the event any Council Member ceases to be a resident of the district from which the member was nominated, the office shall immediately become vacant and shall be filled in the same manner as herein provided for other vacancies. If a Council Member ceases to be a resident of the district from which the Member was nominated solely because of a change in the boundaries of the districts, the Member shall not lose office during that term by reason of such change pursuant to California Government Code section 34882 and Elections Code section 10227.

D. A Council Member in office at the time this section takes effect will continue in office until the expiration of a full term to which they were elected or appointed

and until their successor is qualified. If vacancies in Council Member offices elected at-large occur before expiration of the full term thereof, such vacancies will be filled according to law from the City at-large.

E. The number of Council Member districts of the City and the boundaries of said districts shall be adopted and established by the City Council by resolution no later than March 9, 2022. The by-district elections process and the established district boundaries shall be implemented in the City's next general election occurring on November 8, 2022.

F. District boundaries shall be adjusted by the City Council before the first day of November of the year following the year in which each decennial federal census is taken by majority vote of the total membership of the City Council, and as provided in Elections Code section 21601, 21602 and 21607. The district boundaries, but not the number thereof, may be changed by ordinance adopted by the City Council by majority vote of all its members; provided that districts established by the City Council shall be as nearly equal in population and as geographically compact as possible. However, the City Council shall not change the boundaries of districts more than once in any two (2) year period and no such change shall be made within the period of one hundred eighty (180) days preceding a general municipal election. The preceding limitations shall not apply to changes made necessary by changes to City boundaries, as provided in Elections Code section 21603. After City Council has exercised its power to change the boundaries of districts, these changes shall immediately be reflected in the district boundaries specified by ordinance adopted by City Council.

SECTION 4. **COMPLIANCE WITH CALIFORNIA ENVIRONMENTAL QUALITY ACT.** The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly

SECTION 5. **SEVERABILITY.** If any action, subsection, line, sentence, clause, phrase, or word of this Ordinance is for any reason held to be invalid or unconstitutional, either facially or as applied, by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, and each and every individual section, subsection, line, sentence, clause, phrase, or word without regard to any such decision.

SECTION 6. **EFFECTIVE DATE.** This Ordinance shall become effective thirty (30) days after approval by the City Council. The district boundaries shall be selected and in place no later than March 9, 2022 and the first district-based elections as provided for herein shall commence at the next election of Council Members for the City of Montebello after the effective date of this ordinance.

SECTION 7. **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 ___th day of _____ 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 23rd day of February, 2022, and was adopted by the City Council of the City of Montebello at its meeting held on the __th day of _____, 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Christopher Jimenez, City Clerk

ITEM # 4

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: **Review and Approve the State Auditor Required Corrective Action Plan, Version 2.0, to Include Progress Made from November 2021 through February 2022**

DATE: February 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Review the attached Corrective Action Plan, Version 2.0, as required by the State Auditor as the City's response to Report 2021-807; and

2) Approve the Corrective Action Plan, Version 2.0, Updated to Include Progress Made Since November, 2021 and direct staff to submit the report to the State Auditor; and

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

FISCAL IMPACT

There is no fiscal impact associated with the recommended actions.

BACKGROUND

The State Auditor issued report 2018-802 in December 2018. State law requires the State Auditor to issue an audit report at least once every three years with recommendations for improvement when a city is designated as high risk.

To that end, the State Auditor contacted the City in April 2021 to initiate the follow up audit as required by Government Code Section 8546.10. Over a period of five months,

management and staff worked with the State Auditor to provide documents, data, policies, procedures and myriad other information requested during the course of completing the follow up audit.

The final audit (Report 2021-807) was issued in October, 2021. The City was required to provide a corrective action plan by December 13, 2021, responding to all recommendations made in Report 2021-807 and indicating how each recommendation would be satisfied.

The first version (Version 1.0) of the corrective action plan was approved by the City Council on November 10, 2021 and forwarded to the State Auditor for review. Staff followed up with State Auditor staff subsequent to Version 1.0 being approved, providing adequate back up documentation (i.e., updated policies, email, training notes, etc.) to indicate the progress made towards satisfying the eighteen (18) recommendations included in Report 2021-807.

This report presents Version 2.0 of the Corrective Action Plan (Attachment A), to indicate the progress made in satisfying all eighteen recommendations. This updated plan will be forwarded to the State Auditor, indicating the additional recommendations satisfied since November, 2021. Seventeen of the eighteen recommendations have been satisfied.

ANALYSIS

The goal of the corrective action plan (original Version 1.0 and updated Version 2.0) is to provide a clear and transparent overview of the City's progress towards satisfying all eighteen recommendations made in Report 2021-807. The plan has three distinct status updates for reach recommendation, color coded for ease of reference:

Completed	= Recommendation met and appropriate policies, procedures, documentation, etc. now in place
Ongoing	= Staff w orking to meet recommendation, see "Status Notes/Explantion" for estimated completed date
Completed / Ongoing	= Certain aspects of recommenation completed, but nature of recommendation is that efforts continue (i.e., training, reports, etc.)

Version 2.0 of the plan (Attachment A) indicates 94% (17 of 18) of the recommendations are either "completed" or "completed/ongoing." The number of fully completed recommendations increased, with several recommendations having status of "completed/ongoing" or "ongoing" in Version 1.0 changing to "completed" in Version 2.0.

The recent approval of an update to the City's municipal code Chapters 3.16, 3.20 and 3.21 satisfied several recommendations, shifting their status from "completed/ongoing" or "ongoing" to "completed." The approved ordinance implemented language governing

sole source and standardization of purchases, as well as providing explicit prohibition of order splitting to circumvent purchasing dollar limits. Language was also added to require notation of anytime exceptions to the code are made, regardless of whether the purchase was approved by the City Council or City Manager. Overall, Staff is satisfied with the updates and how they modernized and strengthened the City's purchasing and procurement rules.

This code update also added a new section to Chapter 3.16. This new section prohibits the use of public funds for make purchases of employee gifts. Furthermore, language will be incorporated into future budget adoption resolutions indicating which expenditures that benefit a city employee constitute a valid public purpose, another of the eighteen recommendations.

In addition, since November, 2021, the City completed its efforts to eliminate petty cash drawers from all departments except Finance. Low dollar limit (transaction and monthly total) credit cards have been issued to staff in place of the old petty cash process. In closing out the petty cash drawers, Finance staff discovered lapses in procedures which could lead to abuse of the system. The new City-issued credit cards are easier to track and reconcile, improving internal controls and significantly reducing the potential for abuse or fraud.

While several recommendations are truly "completed," i.e., updates to municipal code language satisfy the recommendation, there are others which are completed but which require ongoing training or reporting. For example, the report recommends regular purchasing training for staff. While Finance conducted such training in November, this is not a "one and done" item, and quarterly, ongoing training will occur to ensure all staff involved in purchasing are provided necessary training.

Another example pertains to reporting on the City's two hotels and their operations. The 1st and 2nd Quarter Fiscal Year 2021-22 Budget reports provided updates on both hotel's revenue and expenditures. Going forward, each quarterly budget report – as well as the annual budget development – will include an overview of each hotel's operations. Again, Staff consider this recommendation "completed," with the "ongoing" action that of continuing the recommended practice, in this case making regular reports on the financial status of the hotels.

Staff will provide this report along with the updated corrective action plan (Attachment A) to the State Auditor to show the City's significant progress. The City strongly believes enough work has been done at this point to remove Montebello from the high risk city list.

SUMMARY

Staff is requesting review and approval of Version 2.0 of the corrective action plan, providing status updates made since November, 2021. Once approved, it will be

transmitted to the State Auditor to indicate the City's significant satisfaction of all eighteen recommendations in Report 2021-807 (17 out of 18, or 94%). Management believes the high risk designation for Montebello can be removed by the Joint Legislative Audit Committee based on the attached corrective action plan and will work with the Committee's staff to provide evidence of why Montebello should be removed from the high risk city's list.

ATTACHMENTS:

A. Attachment A - State Auditor Report 2021-807 Corrective Action Plan, Version 2.0, February 2022
B. Attachment B - State Auditor Report 2021-807 Corrective Action Plan, Version 1.0, November 2021

ATTACHMENT A

City of Montebello Corrective Action Plan
In Response to State Auditor Report 2021-807
Approved by the City Council February 23, 2022
VERSION 2.0

***Status Code:**

Completed	= Recommendation met and appropriate policies, procedures, documentation, etc. now in place
Ongoing	= Staff working to meet recommendation, see "Status Notes/Explantion" for estimated completed date
Completed / Ongoing	= Certain aspects of recommendation completed, but nature of recommendation is that efforts continue (i.e., training, reports, etc.)

Recommendation #	Recommendation From State Audit Report 2021-807	Page # Where Recommendation Found	Proposed Action to Cure the Recommendation	Status*	Status Notes/Explanation UPDATED AS OF 02/2022
R1	The city council should ensure that it includes on the council meeting agenda all matters of fiscal policy it will consider during a public session, as state law requires, and that it discusses these matters in the public forum.	2	The City Council currently adheres to this recommendation. Management and the City Attorney will remain committed and focused to ensure all matters of import are properly presented on the City Council agenda and that all relevant local and state laws are followed.	Completed	City already adhering to recommendation
R2	The city should revise its municipal code to prohibit the purchases of employee gifts with public funds.	2	Finance Department staff is currently reviewing Chapter 3.20 et al of the municipal code to update as required. Staff will work with the City Attorney's office to proposed updated language where needed/appropriate.	Completed	Updated Chapters 3.16, 3.20, 3.21 to incorporate Auditor recommendations as well as staff recommmendations; 2nd reading approved by CC 02/09/2022, effective 30 days hence
R3	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.	2	Finance Department staff is currently reviewing Chapter 3.20 et al of the municipal code to update as required. Staff will work with the City Attorney's office to proposed updated language where needed/appropriate. For this particular item, an updated policy would flow from the new municipal code language	Completed	Updated Chapters 3.16, 3.20, 3.21 to incorporate Auditor recommendations as well as staff recommmendations; 2nd reading approved by CC 02/09/2022, effective 30 days hence
R4	The city should update its credit card policy by January 2022 to prohibit splitting payments to avoid the transaction limits and to require city council approval for any transactions above the limits.	2	Credit card policy updated and approved November, 2021. Training will occur on a regular basis as well.	Completed	Updated credit card policy which is distributed to staff who are issued cards
R5	To ensure public transparency and to provide the city council with the information necessary for making decisions regarding Montebello's hotels, city staff should routinely evaluate hotel operations by reviewing the financial information that the city requires the hotel operator to submit. By December 2021 and at least annually thereafter, city staff should report to the city council and the public on the performance of each hotel's operations, as well as the effect of the hotels on city finances.	12	Management and Finance Department staff will present hotel operating information with each quarterly budget report. The 1st Quarter Report for FY 2021-22 presented on October 27, 2021 to the City Council included operating and budget information for both hotels.	Completed / Ongoing	1st and 2nd Quarter Budget Reports for FY 2021-22 included hotel operating information (presented at October 27, 2021 and February 9, 2022 City Council meetings); such information to be presented in future quarterly budget updates

City of Montebello Corrective Action Plan
In Response to State Auditor Report 2021-807
Approved by the City Council February 23, 2022
VERSION 2.0

***Status Code:**

Completed	= Recommendation met and appropriate policies, procedures, documentation, etc. now in place
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Recommendation #	Recommendation From State Audit Report 2021-807	Page # Where Recommendation Found	Proposed Action to Cure the Recommendation	Status*	Status Notes/Explanation UPDATED AS OF 02/2022
R6	To fulfill its responsibility as the custodian of Montebello's limited resources and to provide increased transparency and opportunities for public involvement, the city council should ensure that it includes on the council meeting agenda all matters of fiscal policy it will consider during a public session, as state law requires, and that it discusses these matters in the public forum.	12	The City Council currently adheres to this recommendation. Management and the City Attorney will remain committed and focused to ensure all matters of import are properly presented on the City Council agenda and that all relevant local and state laws are followed.	Completed	City already adhering to recommendation
R7	To avoid accruing interest on hotel management fees, Montebello should immediately develop and adhere to a policy and process that requires it to pay management fees related to its two hotels in a timely manner.	12	Finance staff have created a policy memo for internal guidance of paying hotel management fees.	Completed	Policy memo created and in use
R8	Create a policy by January 2022 requiring staff to document when a valid exception exists to the standard procurement requirements in its municipal code. The policy should require that staff report their rationale for using the exception to the requirements to the city council in a public meeting.	20	Finance Department staff will draft a policy which satisfies this recommendation and will include sample language to use in agenda reports when necessary. A "sole source" policy and form have already been created and deployed for use.	Completed	Updated Chapters 3.16, 3.20, 3.21 to incorporate Auditor recommmendations as well as staff recommmendations; 2nd reading approved by CC 02/09/2022, effective 30 days hence
R9	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.	20	Finance Department staff is currently reviewing Chapter 3.20 et al of the municipal code to update as required. Staff will work with the City Attorney's office to proposed updated language where needed/appropriate. For this particular item, an updated policy would flow from the new municipal code language	Completed	Policy will be created/updated by February 2022
R10	To ensure that its staff understand and are aware of city and state law procurement requirements, Montebello should train all staff involved in procurement regarding these requirements by April 2022 and annually thereafter.	20	Regular, quarterly trainings in procurement and general financial policies will be conducted by the Finance Department staff. The first of these quarterly trainings will be conducted in November, 2021	Completed / Ongoing	Quarterly trainings began November 2021 and will continue once each quarter

City of Montebello Corrective Action Plan
In Response to State Auditor Report 2021-807
Approved by the City Council February 23, 2022
VERSION 2.0

***Status Code:**

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Ongoing	= Staff working to meet recommendation, see "Status Notes/Explantion" for estimated completed date
Completed / Ongoing	= Certain aspects of recommendation completed, but nature of recommendation is that efforts continue (i.e., training, reports, etc.)

Recommendation #	Recommendation From State Audit Report 2021-807	Page # Where Recommendation Found	Proposed Action to Cure the Recommendation	Status*	Status Notes/Explanation UPDATED AS OF 02/2022
R11	To mitigate the risk of error or fraud, Montebello should provide training at least annually to all staff to reinforce its petty cash policy. To reduce the possibility of abuse of the city's petty cash funds, the city should prohibit petty cash reimbursements that exceed the maximum set in policy.	20	Regular training will occur as needed with relevant staff. Finance Department has already minimized the number of "petty cash drawers" outstanding as of November 2021. Alternate methods for making "small purchases" are being implemented, which will increase the security of funds and minimize the opportunity for fraud or mismanagement.	Completed	Regular training will occur as needed/petty cash drawers have been eliminated (except for one drawer in the Finance Department) and replaced with low dollar limit credit cards
R12	Complete efforts to eliminate departmental credit cards and ensure that every credit card in use is issued to an individual.	21	All "department" credit cards have been eliminated as of November, 2021. Any subsequent credit cards issued will be to individual, full-time employees in that person's name.	Completed	"Department" credit cards eliminated; City utilizing Bank of America p-card program now (vs. Bank of the West)
R13	Adopt and adhere to a policy prohibiting splitting payments to avoid the credit card transaction limits and require city council approval for any transactions above the limits.	21	Credit card policy updated and approved November, 2021	Completed	Updated credit card policy which is distributed to staff who are issued cards
R14	Either adjust its credit card limits to align with its municipal code and credit card policy or update the municipal code and policy to meet its current needs.	21	Credit card policy updated and approved November, 2021	Completed	Updated credit card policy which is distributed to staff who are issued cards
R15	Ensure that appropriate controls are in place with the issuing bank to prevent individual transactions and total purchases from exceeding limits established in policy.	21	Credit card policy updated and approved November, 2021	Completed	Updated credit card policy which is distributed to staff who are issued cards

City of Montebello Corrective Action Plan
In Response to State Auditor Report 2021-807
Approved by the City Council February 23, 2022
VERSION 2.0

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Completed / Ongoing	= Certain aspects of recommendation completed, but nature of recommendation is that efforts continue (i.e., training, reports, etc.)

Recommendation #	Recommendation From State Audit Report 2021-807	Page # Where Recommendation Found	Proposed Action to Cure the Recommendation	Status*	Status Notes/Explanation UPDATED AS OF 02/2022
R16	Prior to making any expenditure that benefits a city employee, city officer, or private party, the city should critically consider whether such expenditure constitutes a valid public purpose of the city, document the city council's deliberation and determination that the expenditure constitutes a valid public purpose for the city, and decline to authorize any expenditures that do not constitute a valid public purpose of the city.	21	Specific City Council action will be taken to approve those expenditures which might benefit employees constitute a valid public purpose. This procedure has already been enacted (October 13, 2021 City Council meeting) and subsequent Budget Adoption Resolutions will include appropriate language documenting the valid public purpose of relevant expenditures, which will be formally acted upon by the City Council.	Completed	Express action related to this recommendation taken at the October 13, 2021 City Council meeting; subsequent budget adoption resolutions will include appropriate language declaring the public purpose of relevant expenditures.
R17	Revise its municipal code by December 31, 2021 to specify limitations on the types of expenditures the city will approve or authorize in the future to ensure that all city expenditures only serve a valid public purpose of the city. For example, it should prohibit the purchases of employee gifts with public funds.	21	Specific City Council action will be taken to approve those expenditures which might benefit employees constitute a valid public purpose. This procedure has already been enacted (October 13, 2021 City Council meeting) and subsequent Budget Adoption Resolutions will include appropriate language documenting the valid public purpose of relevant expenditures, which will be formally acted upon by the City Council.	Completed	Express action related to this recommendation taken at the October 13, 2021 City Council meeting; subsequent budget adoption resolutions will include appropriate language declaring the public purpose of relevant expenditures.
R18	Obtain for the City Council and all employees authorized to make expenditures with city funds bi-annual legal and ethics training from an entity that is independent from and not affiliated with the city or the city council, such as from the Attorney General's Office or the District Attorney's Office, regarding the appropriate use of public funds and the prohibition on using public funds to make private gifts.	21	Management and the City Attorney's office will explore the provision of this recommended legal and ethics training.	Ongoing	Management will explore this recommendation.

ATTACHMENT B

City of Montebello Corrective Action Plan
In Response to State Auditor Report 2021-807
Approved by the City Council November 10, 2021
Version 1.0

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Completed / Ongoing	#NAME?

Recommendation #	Recommendation From State Audit Report 2021-807	Page # Where Recommendation Found	Proposed Action to Cure the Recommendation	Status*	Status Notes/Explanation
R1	The city council should ensure that it includes on the council meeting agenda all matters of fiscal policy it will consider during a public session, as state law requires, and that it discusses these matters in the public forum.	2	The City Council currently adheres to this recommendation. Management and the City Attorney will remain committed and focused to ensure all matters of import are properly presented on the City Council agenda and that all relevant local and state laws are followed.	Completed	City already adhering to recommendation
R2	The city should revise its municipal code to prohibit the purchases of employee gifts with public funds.	2	Finance Department staff is currently reviewing Chapter 3.20 et al of the municipal code to update as required. Staff will work with the City Attorney's office to proposed updated language where needed/appropriate.	Ongoing	Present updated Municipal Code language (Chapter 3.20 et al) for City Council review/approval by April, 2022
R3	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.	2	Finance Department staff is currently reviewing Chapter 3.20 et al of the municipal code to update as required. Staff will work with the City Attorney's office to proposed updated language where needed/appropriate. For this particular item, an updated policy would flow from the new municipal code language	Ongoing	Present updated Municipal Code language (Chapter 3.20 et al) for City Council review/approval by April, 2022
R4	The city should update its credit card policy by January 2022 to prohibit splitting payments to avoid the transaction limits and to require city council approval for any transactions above the limits.	2	Credit card policy updated and approved November, 2021. Training will occur on a regular basis as well.	Completed	Updated credit card policy to be distributed to staff
R5	To ensure public transparency and to provide the city council with the information necessary for making decisions regarding Montebello's hotels, city staff should routinely evaluate hotel operations by reviewing the financial information that the city requires the hotel operator to submit. By December 2021 and at least annually thereafter, city staff should report to the city council and the public on the performance of each hotel's operations, as well as the effect of the hotels on city finances.	12	Management and Finance Department staff will present hotel operating information with each quarterly budget report. The 1st Quarter Report for FY 2021-22 presented on October 27, 2021 to the City Council included operating and budget information for both hotels.	Completed / Ongoing	1st Quarter Budget Report for FY 2021-22 included hotel operating information (presented at October 27, 2021 City Council meeting); such information to be presented in future quarterly budget updates

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Recommendation #	Recommendation From State Audit Report 2021-807	Page # Where Recommendation Found	Proposed Action to Cure the Recommendation	Status*	Status Notes/Explanation
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R7	To avoid accruing interest on hotel management fees, Montebello should immediately develop and adhere to a policy and process that requires it to pay management fees related to its two hotels in a timely manner.	12	Finance staff have created a policy memo for internal guidance of paying hotel management fees.	Completed	Policy memo created and in use
R8	Create a policy by January 2022 requiring staff to document when a valid exception exists to the standard procurement requirements in its municipal code. The policy should require that staff report their rationale for using the exception to the requirements to the city council in a public meeting.	20	Finance Department staff will draft a policy which satisfies this recommendation and will include sample language to use in agenda reports when necessary. A "sole source" policy and form have already been created and deployed for use.	Ongoing	Policy will be completed by January, 2022
R9	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.	20	Finance Department staff is currently reviewing Chapter 3.20 et al of the municipal code to update as required. Staff will work with the City Attorney's office to proposed updated language where needed/appropriate. For this particular item, an updated policy would flow from the new municipal code language	Ongoing	Policy will be completed by January, 2022
R10	To ensure that its staff understand and are aware of city and state law procurement requirements, Montebello should train all staff involved in procurement regarding these requirements by April 2022 and annually thereafter.	20	Regular, quarterly trainings in procurement and general financial policies will be conducted by the Finance Department staff. The first of these quarterly trainings will be conducted in November, 2021	Completed / Ongoing	Quarterly trainings will begin November 2021 and continue each quarter

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Completed / Ongoing	#NAME?

Recommendation #	Recommendation From State Audit Report 2021-807	Page # Where Recommendation Found	Proposed Action to Cure the Recommendation	Status*	Status Notes/Explanation
R11	To mitigate the risk of error or fraud, Montebello should provide training at least annually to all staff to reinforce its petty cash policy. To reduce the possibility of abuse of the city's petty cash funds, the city should prohibit petty cash reimbursements that exceed the maximum set in policy.	20	Regular training will occur as needed with relevant staff. Finance Department has already minimized the number of "petty cash drawers" outstanding as of November 2021. Alternate methods for making "small purchases" are being implemented, which will increase the security of funds and minimize the opportunity for fraud or mismanagement.	Completed / Ongoing	Regular training will occur as needed/petty cash drawers have been minimized
R12	Complete efforts to eliminate departmental credit cards and ensure that every credit card in use is issued to an individual.	21	All "department" credit cards have been eliminated as of November, 2021. Any subsequent credit cards issued will be to individual, full-time employees in that person's name.	Completed	"Department" credit cards eliminated
R13	Adopt and adhere to a policy prohibiting splitting payments to avoid the credit card transaction limits and require city council approval for any transactions above the limits.	21	Credit card policy updated and approved November, 2021	Completed	Updated credit card policy to be distributed to staff
R14	Either adjust its credit card limits to align with its municipal code and credit card policy or update the municipal code and policy to meet its current needs.	21	Credit card policy updated and approved November, 2021	Completed	Updated credit card policy to be distributed to staff
R15	Ensure that appropriate controls are in place with the issuing bank to prevent individual transactions and total purchases from exceeding limits established in policy.	21	Credit card policy updated and approved November, 2021	Completed	Updated credit card policy to be distributed to staff

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Recommendation #	Recommendation From State Audit Report 2021-807	Page # Where Recommendation Found	Proposed Action to Cure the Recommendation	Status*	Status Notes/Explanation
R16	Prior to making any expenditure that benefits a city employee, city officer, or private party, the city should critically consider whether such expenditure constitutes a valid public purpose of the city, document the city council's deliberation and determination that the expenditure constitutes a valid public purpose for the city, and decline to authorize any expenditures that do not constitute a valid public purpose of the city.	21	Specific City Council action will be taken to approve those expenditures which might benefit employees constitute a valid public purpose. This procedure has already been enacted (October 13, 2021 City Council meeting) and subsequent Budget Adoption Resolutions will include appropriate language documenting the valid public purpose of relevant expenditures, which will be formally acted upon by the City Council.	Completed / Ongoing	Express action related to this recommendation taken at the October 13, 2021 City Council meeting; subsequent budget adoption resolutions will include appropriate language declaring the public purpose of relevant expenditures.
R17	Revise its municipal code by December 31, 2021 to specify limitations on the types of expenditures the city will approve or authorize in the future to ensure that all city expenditures only serve a valid public purpose of the city. For example, it should prohibit the purchases of employee gifts with public funds.	21	Specific City Council action will be taken to approve those expenditures which might benefit employees constitute a valid public purpose. This procedure has already been enacted (October 13, 2021 City Council meeting) and subsequent Budget Adoption Resolutions will include appropriate language documenting the valid public purpose of relevant expenditures, which will be formally acted upon by the City Council.	Completed / Ongoing	Express action related to this recommendation taken at the October 13, 2021 City Council meeting; subsequent budget adoption resolutions will include appropriate language declaring the public purpose of relevant expenditures.
R18	Obtain for the City Council and all employees authorized to make expenditures with city funds bi-annual legal and ethics training from an entity that is independent from and not affiliated with the city or the city council, such as from the Attorney General's Office or the District Attorney's Office, regarding the appropriate use of public funds and the prohibition on using public funds to make private gifts.	21	Management and the City Attorney's office will explore the provision of this recommended legal and ethics training.	Ongoing	Management will explore this recommendation.

ITEM # 5

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: **AB 361 Findings**

DATE: February 23, 2022

RECOMMENDATIONS

It is recommended that the City Council:

1) Receive and file this report and make the following findings: (a) The City Council has reconsidered the circumstances of the state of emergency; and (b) the following circumstances exist, (i) the state of emergency continues to directly impact the ability of the members to meet safely in person and (ii) the City Council continues to provide measures such as remote or hybrid meeting participation to promote social distancing.

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

FISCAL IMPACT

None.

DISCUSSION

Recently the Governor signed into law AB 361 which established additional requirements upon local governmental agencies concerning public participation during the COVID -19 pandemic and State of Emergency period. In order to comply with AB 361, on October 13, 2021 the City Council adopted Resolution No. 21-85 as follows:

> A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO AUTHORIZING THE CITY TO IMPLEMENT TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361

One of the requirements of AB 361 as found in Government Code Section 54953(e)(3) is if a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without posting or other Brown Act compliance requirements the legislative body/City Council shall every 30 days after adopting the initial Resolution, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist (i) The state of emergency continues to directly impact the ability of the members to meet safely in person or (ii) State or local officials continue to impose or recommend measures to promote social distancing.

SUMMARY

The action for consideration is to receive and file this report and confirm the following findings required by AB 361 and Government Code Section 54953: (a) The City Council has reconsidered the circumstances of the state of emergency; and (b) Both of the following circumstances exist, (i) the state of emergency continues to directly impact the ability of the members to meet safely in person and (ii) the City Council continues to provide measures such as remote or hybrid meeting participation to promote social distancing.

ATTACHMENTS:

None.

ITEM #____

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

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

BY: Michael Chee, Deputy Director of Public Affairs

SUBJECT: **Approve Professional Services Agreement No. 3957 with 789, Inc. for Citywide Brand Update Services**

DATE: February 23, 2022

RECOMMENDATION:

It is recommended that City Council authorize the City Manager to execute Professional Services Agreement No. 3957 with 789, Inc. for graphic design consulting services to update and refresh the City of Montebello and department branding and to develop a City-wide updated graphic standards manual.

FISCAL IMPACT

The Fiscal Year 2021-22 adopted budget contains $50,000 in funding for a graphics/branding update (Account No. 100-20-210-6040.95, General Fund, Administration, Community Promotion, Other Professional Services). This amount was an estimate, based on limited knowledge of the amount of work needed. The recommended contractor bid for the desired scope of work does not exceed $50,000.

BACKGROUND

The City's current brand identity, excluding the official City seal, includes everything from street signs, wayfinding, City banners and street monuments to letterhead, business cards and the City logo. None of these items have been updated in several decades, and numerous branding items are dated (i.e., City Logo, stationary, etc.) with a lack of consistency throughout the organization. Montebello needs a bold and updated look to signal its progress, standing and momentum for a 21st century environment.

The process for choosing 789, Inc. to perform the brand update services was as follows:

- A Request for Proposals (RFP) was issued on November 15, 2021, and the City received a total of six (6) proposals.
- An internal review team convened December 16, 2021, to review all submissions. From this review three (3) proposals were deemed adequate for further consideration.
- On January 18, 2022, a second review meeting was conducted with the City Manager and one (1) proposal was dismissed as the contractor's capabilities were deemed insufficient to meet the City's requirements and needs.
- Two (2) proposals were moved forward to oral presentations, Q&A feedback and responses in order to make a final selection. Oral presentations and reviews were conducted with each firm on January 25 and February 7, 2022, respectively.
- One contractor was determined to have the depth of experience, design skills and staff to address the City's current graphic design needs and to meet budget requirements.

SUMMARY

Staff recommends the City Council authorize the City Manager to execute a Professional Services Agreement with 789, Inc. to provide graphic design consulting services and to update and create a new graphic standard manual for the City. Sufficient funding for this project exists in the FY 2021-22 budget, therefore no budget adjustments are needed.

ATTACHMENTS:

A. Attachment A - Request for Proposals No. 22-2
B. Attachment B - Draft Professional Services Agreement No. 395

ATTACHMENT A

CITY OF MONTEBELLO

PROFESSIONAL SERVICES AGREEMENT NO. 3957
WITH 789, INC.

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into on _____**, 2022** ("Effective Date"), by and between the CITY OF MONTEBELLO, a California municipal corporation (the "CITY") and 789, INC. (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 city-wide branding 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 any and all addenda or supplemental agreements.
2. RFP No. 22-2
3. Proposal referenced and Best Final Offer received by the successful proposer.
4. 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. All terms, conditions, requirements, and provisions of the Request for Proposals for city-branding services in the City of Montebello (issue date November 9, 2021) ("Request for Proposals"), as such is set forth fully in **Exhibit "A**" hereto, are hereby incorporated fully herein by this reference and shall be binding on the Parties. 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.

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b. The CONSULTANT shall provide to the CITY all labor, equipment, materials and incidental necessary to provide city-wide branding services as set forth fully in the Request for Proposals, as such is set forth fully in **Exhibit "A**" 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 one (1) year from the Effective Date, unless terminated earlier as hereinafter provided. This Agreement may be extended for up to one (1), 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.

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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.

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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

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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 $1,000,000 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

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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.

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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.

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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 – Public Affairs
Attn: Michael Chee, Deputy Director
1600 West Beverly Boulevard
Montebello, CA 90640
(323) 887 - 1200
Email: mchee@cityofmontebello.com

If to Consultant:
789, Inc.
Attn: Charley Bell, President
101 North Citrus Avenue
Suite C3
Covina, CA 91723
(626) 533-6953
charley@789inc.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.

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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**]

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

("CITY")	("CONSULTANT")
CITY OF MONTEBELLO	**789, INC.**
René Bobadilla, City Manager	Charley Bell, President

ATTEST:

Christopher Jimenez, City Clerk

APPROVED AS TO FORM:

Arnold M. Alvarez-Glasman, City Attorney

EXHIBITS:

- Exhibit A – Response to RFP 22 – 2
- Exhibit B – Schedule of Compensation
- Exhibit C – Live Scan Fingerprinting Requirement

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EXHIBIT “A”

Response to RFP 22-2

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EXHIBIT "B"

Schedule of Compensation

Total Compensation Shall Not Exceed $50,000

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EXHIBIT "C"

Live Scan Fingerprinting Requirements

Prior to commencing services, the CONSULTANT may be required to successfully pass a Department of Justice fingerprinting background check ("Live Scan") performed by a certified fingerprinting service provider or at the City of Montebello Police Department. The CONSULTANT shall be responsible for obtaining the Live Scan for its staff and shall bear the cost thereof. The agency completing the fingerprints must provide the City of Montebello Human Resources with the background check results and subsequent records for review. The CONSULTANT must obtain a "Temporary Consultant's Badge" issued by the City of Montebello Human Resources prior to performing work.

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ITEM # 7

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 23, 2022

RECOMMENDATIONS:

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 by March 4.

Staff is negotiating a change order with the contractor for the Beach Street Pavement Rehabilitation Project (Phase 1) to add the pavement restoration for Beach Street between 5th Street and Bluff Road. That contractor is anticipated to start work in March. The trench for the storm drain construction will be temporarily paved in anticipation of the street construction work starting soon.

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.

ATTACHMENT

None.

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: James Enriquez, Director of Public Works / City Engineer

SUBJECT: **Notice of Completion for Beverly Boulevard Street Improvements Project – 21st Street to Howard Avenue (CP 866)**

DATE: February 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Accept the Beverly Boulevard Street Improvement Project – 21st Street to Howard Avenue (CP 866) as completed by Gentry Brothers, Inc. (GBI); and

2) Approve the final contract amount with Gentry Brothers, Inc. in the amount of $1,109,082, including change orders; and

3) Authorize the City Clerk to execute, verify and file the Notice of Completion (Attachment A) with the Los Angeles County Registrar-Recorder; and

4) Authorize the City Manager to release the retention payment due to Gentry Brothers, Inc. following the mandatory waiting period from the date the Notice of Completion is recorded in the amount of $14,207; and

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

FISCAL IMPACT

On February 12, 2020, the City Council approved a Resolution of Appropriation that allocated $1,043,129 in Proposition C funds to the Project.

The City Council approved additional appropriations in the following amounts: 1) $327,650 of Proposition C Funds on May 13, 2020; and 2) $200,000 of Measure R funds

on August 26, 2020. Total appropriations for this project are $1,570,779 across Proposition C (Fund 215) and Measure R (Fund 220).

The project was completed at a total cost of $1,227,273, $343,506 below the total project budget. After payment of the retention amount of $14,207, any remaining balance of funds will be available for programming for other projects. Since this project came in under budget, no budget adjustments are needed.

BACKGROUND

This Project was added to the Capital Improvement Program (CIP) in Fiscal Year 2017-2018. The Project includes removal and reconstruction of existing concrete sidewalks, curb and gutters, driveway approaches, curb ramps, cold milling and repaving existing asphalt pavement streets, adjustment of utility covers, installation of pavement markings, curb painting, and installation of traffic loops. The limits of the Project as previously approved are 21st Street to Howard Avenue.

On September 11, 2019, the City Council found the Project categorically exempt pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA) and approved The Project plans and specifications as prepared by Infrastructure Engineers and authorized the Public Works Department to advertise the Project for public bidding.

The Notice Inviting Bids was published in the local newspaper on September 19, 2019 and September 26, 2019, and for two weeks on the Green Sheets. The notice and the plans and specifications were posted on Planet Bids and available for review at the City Clerk's Office.

On October 7, 2019, nine (9) bids were received and opened publicly. Gentry Brothers, Inc. (GBI), submitted the lowest responsive bid in the amount of $739,951. The City Council awarded GBI the contract in that amount at its meeting on February 12, 2020. The City Council also authorized Change Order No. 1 in the amount of $327,650 on May 13, 2020 and Change Order No. 2 in the amount of $200,000 on August 26, 2020 (and increased appropriations in the appropriate accounts).

GBI commenced construction on May 11, 2020. The project was substantially completed in July 2020, with the exception of the pedestrian crosswalk added to the project as Change Order No. 2. The equipment for the crosswalk was on backorder and was not received until the middle of 2021. Since the majority of the work was satisfactorily completed in July 2020, the contractor requested payment of 90% of the Retention Funds in the amount of $41,247 which was approved by the City Council on January 21, 2021.

ANALYSIS

The final summary of total project costs is as follows:

$ 37,893	Design Phase (Plans, Specifications, & Estimate)
$ 9,500	Topographical Survey
$ 14,800	Construction/Project Management
$ 12,500	Geotechnical Investigation
$ 36,998	Public Works Inspection
$ 6,500	Geotechnical Material Testing
$ 739,951	Original Construction Contract (GBI)
$ 369,131	Approved Construction Change Orders
$1,227,273	**Total Project Cost**

The Contractor completed construction of this project in October 2021. The City Engineer has reviewed the inspection reports and determined that the project was completed satisfactorily and in accordance with the project plans and contract specifications. The filing of the Notice of Completion is recommended.

NOTICE OF COMPLETION

Pursuant to Civil Code Section 3093, when a capital improvement project is completed, a Notice of Completion must be prepared and filed with the County Recorder's Office for recordation after completion of the improvement. In compliance with this section of the Civil Code, the City Engineer has prepared the required Notice of Completion for the City Council to accept the project as completed; and to authorize the City Clerk to execute, verify and file the Notice of Completion for recordation with the County Recorder's Office.

Concurrent with the preparation of the Notice of Completion, the City Engineer approved the final progress payment based on the agreed upon scope of work; with a five (5%) percent retention being withheld from the progress payments. The final retention payment will be released to the contractor after recordation of the Notice of Completion with the Los Angeles County Registrar-Recorder.

SUMMARY

Staff is recommending that the City Council accept the Project as completed, approve the final construction budget and expenditures, including change orders, authorize the City Clerk to execute, verify and file the Notice of Completion with the Los Angeles County Registrar-Recorder, and authorize the City Manager to release the remaining retention payment due to Gentry Brothers, Inc.

ATTACHMENT:

A. Attachment A – Notice of Completion

RECORDING REQUESTED BY
CITY OF MONTEBELLO
AND WHEN RECORDED MAIL TO

NAME CITY OF MONTEBELLO
CITY CLERK
STREET ADDRESS 1600 W Beverly Blvd.
CITY Montebello,
STATE CA
ZIP 90640

SPACE ABOVE LINE FOR RECORDERS USE

ATTACHMENT A

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. (See reverse side for complete requirements.)

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is City of Montebello
3. The full address of the owner is 1600 W Beverly Blvd., Montebello, CA 90640
4. The nature of the interest or estate of the owner is: in fee.

(if other than Fee, strike "In fee" and insert, for example, "purchaser under contract of purchase", or "lessee")

5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

NAMES ADDRESSES

6. The full names and addresses of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work or improvements herein referred to:

NAMES ADDRESSES

7. A work of improvement on the property hereinafter described was completed on December 31, 2021. The general scope of work consisted of removing and reconstructing portions of damaged concrete sidewalks, damaged driveways, damaged curb and gutters, curb ramps, cross gutters, cold milling of existing asphalt pavement, paving with new asphalt, curb painting, traffic striping, pavement markings, and utility cover adjustment.

8. The name of the contractor, if any, for such work of improvement was Gentry Brothers, Inc. February 12, 2020

(If no contractor for work of improvement as a whole, insert "None") (Date of Contract)

9. The property on which said work of improvement was completed is in the City of Montebello County of Los Angeles, State of CA, and is described as follows: Beverly Boulevard Street Improvements Project (From 21st Street to Howard Avenue), CP 866.

Director of Public Works / City Engineer, City of Montebello

(Signature of Owner or corporate officer of Owner named in paragraph 2, or his agent)

VERIFICATION

I, the undersigned, say: I am the City Clerk of the City of Montebello, the declarant of the foregoing Notice of Completion:
I have read said Notice of Completion and know the contents thereof; the same is true to my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.
Executed on_____ , 2022 at City of Montebello, Montebello, CA

_____(Personal signature of the individual who is swearing that the contents of the Notice of Completion are true)

DO NOT RECORD

REQUIREMENTS AS TO NOTICE OF COMPLETION

A notice of completion must be filed for record WITHIN 10 DAYS after completion of the work of improvement (to be computed exclusive of the day of completion), as provided in Civil Code Section 3093.

The "owner" who must file for record a notice of completion of a building or other work of improvement means the owner (or his successor in-interest at the date the notice is filed) on whose behalf the work was done, though his ownership is less than the fee title. For example, if A is the owner in fee, and B, lessee under a lease, causes a building to be constructed, then B, or whoever has succeeded to his interest at the date the notice is filed, must file the notice.

If the ownership is in two or more persons as joint tenants or tenants is common, the notice may be signed by any one of the co-owners (in fact, the foregoing form is designed for giving of the notice by only one cotenant), but the names and addresses of the other co-owners must be stated in paragraph 5 of the form.

Note that any Notice of Completion signed by a successor in interest shall recite the names and addresses of his transferor or transferors.

In paragraphs 3, 5 and 6, the full address called for should include street number, city, county and state.

As to paragraphs 7 and 8, this form should be used only where the notice of completion covers the work of improvement as a whole. If the notice is to be given only of completion of a particular contract, where the work of improvement is made pursuant to two or more original contracts, then this form must be modified as follows: (1) Strike the words "A work of improvement" from paragraph 6 and insert a general statement of the kind of work done or materials furnished pursuant to such contract (e.g., "The foundations for the improvements"); (2) Insert the name of the contractor under the particular contract in paragraph 7.

In paragraph 8 of the notice, insert the name of the contractor for the work of improvement as a whole. No contractor's name need be given if there is no general contractor, e.g., on so-called "owner-builder jobs."

In paragraph 9, insert the full, legal description, not merely a street address or tax description. Refer to deed or policy of title insurance. If the space provided for description is not sufficient, a rider may be attached.

In paragraph 10, show the street address, if any, assigned to the property by any competent public or governmental authority.

This standard form covers most usual problems in the field indicated. Before you sign, read it, fill in all blanks, and make changes proper to your transaction. Consult a lawyer if you doubt the form's fitness for your purpose.

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: Joseph Palombi, Planning and Community Development Director

SUBJECT: **Approve Professional Services Agreement No. 3956 with Inter-Con Security Systems for Supplemental Parking Enforcement Services**

DATE: February 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council take the following actions:

1) Approve Professional Services Agreement No. 3956 with Inter-Con Security Systems and authorize the City Manager to execute a three (3) year agreement for Supplemental Parking Enforcement Services in a total amount that shall not exceed $1,244,801; and

2) Acknowledge the use of Montebello Municipal Code Chapter 3.20.125A, "Piggybacking purchasing agreements" as the allowed and permitted method for acquiring these services; and

3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $98,792, Account No. 100-50-530-6040.10 (General Fund, Community Development, Code Enforcement, Other Contract Services); and

4) Authorize the City Manager to take any additional action as needed.

FISCAL IMPACT

The City of Montebello is seeking an effective solution to address local parking enforcement needs, specifically those related to residential street sweeping and commercial area enforcement. As part of the assessment process in planning to implement supplemental parking enforcement services, the Planning and Community Development and Finance Departments reviewed neighboring cities that use third-party service providers to address similar needs. During this review, staff identified Inter-Con Security Systems (Inter-Con) as the best candidate to meet the City's requirements.

Inter-Con currently provides services to the City of Alhambra. These services were established between the City of Alhambra and Inter-Con through a competitive award process. The contract between Inter-Con and Alhambra was awarded in 2021 (See Attachment A – City of Alhambra/Inter-Con Security Systems Contract No. C2M21-21).

Inter-Con has provided the City with authorization to purchase services using the same pricing in the above agreement. This practice is permitted according to Montebello Municipal Code Section 3.20.125A – Piggybacking Purchasing Agreements, which states:

> *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 agreement or purchase order must be valid/not expired and he 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.*

Staff has reviewed the agreement and confirmed that all of the aforementioned criteria have been met.

If approved, staff will have the authorization to spend up to $1,244,801 in total over the initial three-year term of the agreement for Inter-Con's parking and related services (See Exhibit B of Attachment B for additional details):

- Year 1 (April 1, 2022 – March 31, 2023): $395,165
- Year 2 (April 1, 2023 – March 31, 2024): $420,150
- Year 3 (April 1, 2024 – March 31, 2025): $429,485

The initial estimate of $98,792 needed for FY 2021-22 is based upon anticipated service start date of April 1, 2022 (as reflected above and in the "Schedule of Compensation,"

Exhibit B to the agreement). Subsequent budgets (i.e. FY 2022-23) will include sufficient annual funding for these services based on the estimates noted above. A budget amendment in the amount of $98,792 is required to increase appropriations in the Community Development Department (Account No. 100-50-530-6040.10) for FY 2021-22.

Based on historical patterns for parking citations issued and revenue collection associated with street sweeping citations, there is an anticipation of a very modest increase in revenue that will help offset the annual cost of this contract (potentially 10-15%). During the last three (3) fiscal years (FY 2018-19, FY 2019-20, and FY 2020-21), "No Parking – Street Sweeping" citations accounted for approximately seventy percent (70%) of parking citations issued. The City collected parking citation revenue totaling $728,609 in FY 2018-19 (pre-pandemic); $585,950 in FY 2019-20; and $609,926 in FY 2020-21 (revenue totals represent enforcement of all parking laws, street sweeping enforcement is 70% of these annual totals).

It must be noted that the City is pursuing supplemental parking enforcement services in an effort to fairly enforce existing parking laws throughout the City. The ability to conduct citywide parking enforcement on a regular and proactive basis will improve the cleanliness of our streets by ensuring street sweepers can access all areas. Moreover, the citywide enforcement will help in our commercial areas where parking is limited. Any additional revenue gained will help offset the contract costs, but increased revenue is not a reason for implementing the additional services.

BACKGROUND

The Montebello Parking Enforcement Division enforces all parking laws in the California Vehicle Code and Montebello Municipal Code. Previously, parking enforcement services were managed and operated as a division within the Police Department. In 2021, the Parking Division was transferred to the Planning and Community Development Department, Code Enforcement Division.

Currently, three (3) part-time employees are assigned to the City's Parking Enforcement detail in the Code Enforcement Division. These are recent hires in an effort to increase dedicated staffing in this area. Previously, without dedicated parking enforcement staff, the City has been utilizing police officers and code enforcement officers to supplement parking enforcement. While this solution has helped address constituent parking issues, the additional responsibility has taken the staff mentioned above away from their primary responsibilities (i.e. Patrol and Code Enforcement).

The City is seeking to drastically improve the delivery of parking enforcement by increasing driver compliance with traffic laws pertaining to parking and better-looking streets. For this reason, the City is seeking the services of Inter-Con to provide supplemental parking enforcement services.

The City of Montebello is approximately 8.37 square miles and maintains 125 miles of roadways. The City contracts with Nationwide Environmental Services to operate three (3) street sweepers, five (5) days per week (Monday through Friday). Each sweeper is assigned one (1) route per day, covering three (3) routes (two (2) residential routes and one (1) commercial route) during a five (5) day period. Each sweeper maintains a speed of 5 - 8 miles per hour, traveling approximately 30 - 40 miles per day.

Street parking restrictions alternate between two (2) time periods, 3:00am - 6:00am and 7:00am - 4:00pm. Street Sweeping services are typically suspended on City-recognized holidays and when weather conditions require suspension.

The following table summarizes the day, times, and number of parking enforcement personnel required to properly enforce "No Parking – Street Sweeping" restrictions, based on the current street sweeping schedule:

Monday	Tuesday	Wednesday	Thursday	Friday	Weekends/ Holidays
1 Officer 3:00-6:00am	1 Officer 3:00-6:00am	1 Officer 3:00-6:00am	1 Officer 3:00-6:00am	1 Officer 3:00-6:00am	Upon Request
2 Officers 7:00am-4:00pm	2 Officers 7:00am-4:00pm	2 Officers 7:00am-4:00pm	2 Officers 7:00am-4:00pm	2 Officers 7:00am-4:00pm	Upon Request
2 Officers 7:00am-4:00pm	2 Officers 7:00am-4:00pm	2 Officers 7:00am-4:00pm	2 Officers 7:00am-4:00pm	2 Officers 7:00am-4:00pm	Upon Request

SUMMARY

Staff is seeking a solution to drastically improve parking enforcement services and increase compliance with laws pertaining to street sweeping and other parking laws throughout the City. To accomplish this, it is requested that City Council approve the attached agreement with Inter-Con Security to provide supplemental parking enforcement services for an initial three (3) year term in an amount not to exceed $1,244,801 and amend the Fiscal Year 2021-22 budget by increasing appropriations by $98,792 in Account No. 100-50-530-6040.10 (General Fund, Community Development, Code Enforcement, Other Contract Services). Subsequent budgets will contain sufficient funding for these annual services.

ATTACHMENTS:

Attachment A – City of Alhambra/Inter-Con Security Contract No. C2M21-21
Attachment B – Professional Services Agreement No. 3956

ATTACHMENT A

City of Alhambra
City Clerk

Gateway to the San Gabriel Valley

111 South First Street Alhambra California 91801-3704

626 570-5090

FAX 576-8568

December 30, 2019

Inter-Con Security Systems, Inc.
Attn: Arron Tschida, Director of Operations
210 South De Lacey Avenue
Pasadena, CA 91105

Re: City of Alhambra Contract No. C2M21-21 Professional Services Contract: Parking Enforcement Services for the City of Alhambra

To Whom it may concern:

Enclosed herewith for your file is a counterpart original of the fully executed subject Agreement.

Very truly yours,

BRIANNA LAMB MCCARTHY
ASSISTANT CITY CLERK

cc: Director of Finance Lieu
Chief of Police Parra

AGREEMENT FOR PROFESSIONAL SERVICES
Contract No. C2M21-21

This AGREEMENT FOR PROFESSIONAL SERVICES ("AGREEMENT") is made and entered into effective as of the 1st day of July, 2021, by and between the CITY OF ALHAMBRA, a charter law city, located at 111 South First Street, Alhambra, CA 91801, ("CITY") and Inter-Con Security Systems Inc., located at 210 S. De Lacey Avenue Pasadena, CA 91105.

W I T N E S S E T H:

For and in consideration of the promises and of the mutual covenants and agreements herein contained, said parties hereby agree as follows:

1. **RECITALS.** This AGREEMENT is made and entered into with respect to the following facts:

A. CITY requires Parking Enforcement Services ("SERVICES") for the City of Alhambra; and

B. On February 11, 2021, CITY issued a Request for Proposals #RFP2M21-3("RFP") to obtain Parking Enforcement Services for the CITY and based on review and rating of RFPs received CONSULTANT was selected; and

C. CONSULTANT is qualified to provide those certain services to the CITY necessary for said SERVICES; and, therefore, the Alhambra City Council has elected to engage the services of CONSULTANT upon the terms and conditions hereinafter set forth.

2. **SCOPE OF SERVICES.**

A. CONSULTANT shall furnish to the City all labor, materials, tools, equipment, services, and incidental customary work necessary to fully and adequately perform those services described in CONSULTANT's Proposal for Services dated April 1, 2021, ("PROPOSAL") consistent with the CITY's Request for Proposals dated February 11, 2021 ("RFP") attached hereto as Exhibits "A" and "B" respectively and hereby incorporated by reference.

B. Performance of the SERVICES specified herein is made an obligation of CONSULTANT under this AGREEMENT, subject to any changes made subsequently upon the mutual written agreement of the parties.

C. The scope of services to be performed by CONSULTANT under this AGREEMENT shall include, but not be limited to, those services specified in Paragraph 2A hereof.

D. CONSULTANT will be financially responsible for all lost or damaged CITY property (i.e. ticket holders, radios, chalk sticks and citations devices) that are issued to INTER-CON employees.

E. CONSULTANT and the CITY agree that it would be impractical and extremely difficult to fix the actual damages to the CITY in the event CONSULTANT is unable to fill a schedule 8-hour shift and/or a 4- hour shift pursuant to its PROPOSAL due to short staffing. The parties have considered the facts of a breach of this contract and have agreed that the liquidated damages sums hereinafter set forth are reasonable as liquidates damages In the event of a breach, and that said sums shall be presumed to be the amount of the damages sustained by the CITY in the event said shifts are not filled by CONSULTANT due to short staffing. The sum of SIX HUNDRED DOLLARS ($600) for each unfilled scheduled 8-hour shift and the sum of THREE HUNDRED DOLLARS ($300) for each unfilled scheduled 4-hour shift shall be presumed to be the amount of damages suffered by the CITY, and CONSULTANT hereby agrees to pay said amounts as liquidated damages for each time a scheduled 8-hour shift and/or scheduled 4-hour shift remains unfilled by CONSULTANT due to a shortage in staff.

The sum of SEVENTY-FIVE ($75) per hour shall be assess for each unfilled scheduled hour shift for each unfilled shift or portion thereof for the amount of damages suffered by the CITY, and CONSULTANT hereby agrees to pay said amounts as liquidated damages for each time a scheduled shift remains unfilled by CONSULTANT due to a shortage in staff as a result on CONSULTANT's issues versus personnel matters that are outside CONSULTANT's control.

F. CONSULTANT will provide a minimum of five clearly/visibly marked "City of Alhambra Parking Enforcement" subcompact vehicles not more than two years old and in good running order. Each vehicle will be equipped with an Amber Directional Lightbar (either on top of the vehicle or inside the rear window). Each contract employee shall arrive for duty in a properly designated vehicle. Vehicle shall be in a safe working order and in compliance with all applicable California Vehicle Code Sections. Vehicle shall be free from body damage, missing parts, or any other visible wear.

Vehicles that are damaged or disabled while in service for the CITY shall be replaced with an operable vehicle within one hour. In the event that a replacement vehicle is unavailable, contract personnel shall be relieved of duty for the remainder of the shift and CONSULTANT shall pay CITY prorated liquidated damages.

CONSULTANT will be responsible for the cleanliness, repair and replacement of all vehicles that will be used by contract employees. All

vehicle maintenance must be performed on Vendors time, unless approved by the CITY.

3. PERFORMANCE STANDARDS. While performing this AGREEMENT CONSULTANT will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CONSULTANT shall cooperate with CITY if CITY opts to monitor CONSULTANT's services. CITY will notify CONSULTANT of any deficiencies and CONSULTANT will have fifteen (15) days after such notification to cure any shortcomings to CITY's satisfaction. Costs associated with curing the deficiencies will be borne by CONSULTANT.

4. FAMILIARITY WITH WORK.

A. By executing this AGREEMENT, CONSULTANT agrees that, to the best of CONSULTANT's knowledge and belief, CONSULTANT has

(i) Carefully investigated and considered the scope of services to be performed;

(ii) Carefully considered how the services should be performed; and

(iii) Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

B. If services involve work upon any site, CONSULTANT agrees that CONSULTANT has or will investigate the site and is or will be fully acquainted with the conditions there existing, before commencing the services hereunder. Should CONSULTANT discover any latent or unknown conditions that may materially affect the performance of the services, CONSULTANT will immediately inform CITY of such fact and will not proceed except at CONSULTANT's own risk until written instructions are received from CITY.

5. CITY SUPERVISION. The Chief of Police of the CITY, or the Chief's designee, shall have the right of general supervision of all work performed by CONSULTANT and shall be the CITY's agent with respect to obtaining CONSULTANT's compliance hereunder. No payment for any services rendered under this AGREEMENT shall be made without the prior approval of the Chief of Police or the Director's designee.

6. FEE. Compensation to CONSULTANT for the total services for the time period of July 1, 2021 to June 30, 2024 to be rendered pursuant to this AGREEMENT shall be in an amount not to exceed $1,646.011.10. Costs for services are as follow:

July 1, 2021 to June 30, 2022 - $537,362.80
July 1, 2022 to June 30, 2023 - $548,608.32
July 1, 2023 to June 30, 2024 - $560,040.00

Costs for services are to be billed to the Police Department on a monthly basis. If any discrepancies exist between the RFP and the CONSULTANT's PROPOSAL exist, then the terms of the RFP shall control.

7. EXTRA SERVICES. Notwithstanding any other provision herein, no extra services shall be rendered by CONSULTANT under this AGREEMENT unless such extra services first shall have been authorized in writing by the CITY. Any such services so authorized shall be paid by the CITY at rates approved of by the CITY.

8. PAYMENT BY CITY. CONSULTANT shall send invoices to the City on a monthly basis, based upon the services already rendered at the time of the submission. City shall pay all proper costs within thirty (30) days of receipt of such invoice(s).

9. TERM. The term of this AGREEMENT shall be as provided for in the RFP from after the date on which the CITY issues CONSULTANT a Notice to Commence Work. CONSULTANT shall complete all those services set forth in its PROPOSAL by that certain date set forth in said Notice to Commence Work or until such time as the services have been completed by the CONSULTANT and accepted by the CITY, whichever occurs first. The CITY may extend said time of completion for delays caused by circumstances beyond the control of either party to this AGREEMENT. Should the consulting contract extend beyond the estimated time for completion of said services, CITY hereby reserves the right to continue CONSULTANT's services hereunder with any and all fees for such additional services to be compensated by the CITY at rates approved by the CITY.

10. DISPUTES AND REMEDIES.

A. Claims, disputes, and other matters in question between the Parties arising out of or relating to this AGREEMENT or the breach thereof, must be resolved by the following procedure:

(i) CITY and CONSULTANT will exercise their best efforts to resolve disputes through the development of a consensus. A meeting may be requested by CITY or CONSULTANT at any time for the purpose of resolving a dispute. A determination by CITY'S Chief of Police will be made within two (2) weeks after a meeting to resolve the dispute;

(ii) If unresolved within thirty (30) days, then City Manager, or his designee, will make a final determination;

(iii) Following the City Manager's final determination, the Parties may submit any unresolved matters to non-binding mediation. The parties may, but are not required to be, represented by counsel in mediation;

(iv) If the Parties do not agree to mediation, or if mediation does not resolve the Parties' dispute, the matter may be pursued in Los Angeles County Superior Court, or the United States District Court, Central District of California, if federal jurisdiction exists.

B. The Parties' rights and remedies under this Agreement are in addition to any other rights and remedies provided by law.

11. PREVAILING WAGE. CONSULTANT is aware of the requirements of California Labor Code Section 1720, *et seq.*, and 1770, *et seq.*, as well as California Code of Regulations, Title 8, Section 1600, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "public works" and "maintenance" projects. If the SERVICES are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, CONSULTANT agrees to fully comply with such Prevailing Wage Laws. The CITY shall provide CONSULTANT with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. CONSULTANT shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the SERVICES available to interested parties upon request, and shall post copies at the Consultant's principal place of business and at the project site. CONSULTANT shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

12. TERMINATION OF AGREEMENT. The CITY may terminate this AGREEMENT upon giving a ten (10) day advance written notice of such termination to CONSULTANT. In that event, the City Manager, or his designee, based upon work accomplished by CONSULTANT prior to notice of such termination, shall determine the amount of fees to be paid to CONSULTANT for such services based upon accepted accounting practices. This finding by the City Manager, or his designee, shall be considered by the Alhambra City Council and the Council's determination shall be final and conclusive as to the amount of such fee.

13. INDEPENDENT CONTRACTOR. CONSULTANT shall act as an independent contractor in the performance of the services provided for in this AGREEMENT and shall furnish such services in CONSULTANT's own manner and method and in no respect shall CONSULTANT be considered an agent or employee of the CITY.

14. OWNERSHIP OF DOCUMENTS. All financial documents, data, studies, and reports prepared by CONSULTANT under this AGREEMENT are CITY's property. CONSULTANT may retain copies of said documents and materials as desired, but will

deliver all original materials to CITY upon CITY's written notice. CITY agrees that use of CONSULTANT's completed work product, for purposes other than identified in this AGREEMENT, or use of incomplete work product, is at CITY's own risk. CITY will indemnify and hold CONSULTANT harmless for any use of the work product other than as contemplated by this AGREEMENT.

15. PUBLICATION OF DOCUMENTS. Except as necessary for performance of service under this AGREEMENT, no copies, sketches, or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by CONSULTANT to any other person or City without CITY's prior written approval. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CITY, unless otherwise provided by written agreement between the parties.

16. NONASSIGNMENT. This AGREEMENT is not assignable either in whole or in part by CONSULTANT without the written consent of CITY.

17. TAXPAYER IDENTIFICATION NUMBER. CONSULTANT will provide CITY with a valid Taxpayer Identification Number.

18. PERMITS AND LICENSES. CONSULTANT, at its sole expense, will obtain and maintain during the term of this AGREEMENT, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement.

19. INDEMNIFICATION.

A. CONSULTANT hereby agrees to the following:

(i) Indemnification for Professional Services. CONSULTANT will save harmless and indemnify CITY and, at CITY's request, reimburse defense costs for CITY and all its officers, volunteers, employees and representatives from and against any and all suits, actions, or claims, of any character whatever, brought for, or on account of, any injuries, including death or damages sustained by any person or property resulting or arising from any negligent or wrongful act, error or omission by CONSULTANT or any of CONSULTANT's officers, agents, employees, or representatives, in the performance of this Agreement.

(ii) Indemnification for other Damages. CONSULTANT indemnifies and holds CITY harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising out of this Agreement, or its performance. Should CITY be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of this Agreement, or its

performance, CONSULTANT will defend CITY (at CITY's request and with counsel satisfactory to CITY) and will indemnify CITY for any judgment rendered against it or any sums paid out in settlement or otherwise.

B. For purposes of this section "CITY" includes CITY's officers, officials, employees, agents, and representatives.

C. It is expressly understood and agreed that the foregoing provisions will survive termination of this Agreement.

D. CITY does not, and shall not, waive any rights against CONSULTANT which it may have by reason of the aforesaid hold-harmless AGREEMENT because of the acceptance by CITY or the deposit with CITY by CONSULTANT, of any of the insurance policies hereinafter described in this AGREEMENT.

E. The aforesaid hold-harmless AGREEMENT by CONSULTANT shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reason of any of the aforesaid operations of CONSULTANT, or any subcontractor of CONSULTANT, regardless of whether such insurance policies shall have been determined to be applicable to any of such damages or claims for damages.

F. Notwithstanding any provision of this Agreement to the contrary, design professionals shall be required to defend and indemnify the City only to the extent allowed by Civil Code Section 2782.8, namely for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. The term "design professional" includes licensed architects, licensed landscape architects, registered professional engineers, professional land surveyors and the business entities which offer such services in accordance with the applicable provisions of the Business and Professions Code.

G. The provisions of this section do not apply to Claims occurring as a result of the City's sole negligence or willful acts or omissions.

20. INSURANCE. CONSULTANT shall not commence work under this contract until CONSULTANT shall have obtained all insurance required by this AGREEMENT and such insurance shall have been approved by CITY as to form, amount and carrier, nor shall CONSULTANT allow any subcontractor of CONSULTANT to commence work on any subcontract until all similar insurance required of the subcontractor of CONSULTANT shall have been so obtained and approved.

A. <u>COMPENSATION INSURANCE.</u> CONSULTANT shall take out and maintain, during the life of this contract, Worker's Compensation Insurance for all of CONSULTANT'S employees employed to perform the

SERVICES as described section 2 of the AGREEMENT; and, if any work is sublet, CONSULTANT shall require the subcontractor of CONSULTANT similarly to provide Worker's Compensation Insurance for all of the latter's employees, unless such employees are covered by the protection afforded by CONSULTANT. If any class of employees engaged in work under this AGREEMENT is not protected under any Workers' Compensation law, CONSULTANT shall provide and shall cause each subcontractor of CONSULTANT to provide adequate insurance for the protection of employees not otherwise protected. CONSULTANT shall indemnify CITY for any damage resulting to it from failure of either CONSULTANT or any subcontractor of CONSULTANT to take out or maintain such insurance.

B. COMPREHENSIVE GENERAL LIABILITY, PROFESSIONAL LIABILITY, COMPREHENSIVE AUTOMOBILE LIABILITY AND CONTRACTUAL GENERAL LIABILITY INSURANCE. CONSULTANT shall take out and maintain during the life of this contract comprehensive general liability, products/completed operations hazard, comprehensive automobile liability and contractual general liability insurance and shall protect CITY, its elective and appointive boards, officers, agents and employees, CONSULTANT, and any subcontractor of CONSULTANT performing work covered by this contract, from claims for damage for personal injury, including death, as well as from claims for property damage which may arise from CONSULTANT'S or any subcontractor of CONSULTANT'S operations under this contract, whether such operations be by CONSULTANT or by any subcontractor of CONSULTANT, or by anyone directly or indirectly employed by either CONSULTANT or any subcontractor of CONSULTANT, and the amounts of such insurance shall be as follows:

(i) Commercial General Liability Insurance in an amount of not less than ONE MILLION DOLLARS ($1,000,000);

(ii) Professional Liability Insurance in an amount of not less than ONE MILLION DOLLARS ($1,000,000);

(iii) Comprehensive Automobile Liability Insurance in an amount of not less amount of not less than ONE MILLION DOLLARS ($1,000,000).

A combined single limit policy with aggregate limits in an amount of not less than TWO MILLION DOLLARS ($2,000,000) shall be considered equivalent to the said required minimum limits set forth in subsections (i),(ii), and (iii) above.

C. PROOF OF INSURANCE. The insurance required by this Agreement shall be with insurers which are Best A+ rated, and California-Admitted, or better. The CITY of Alhambra shall be named as "additional insured" on

all policies required hereunder, except for Professional Liability Insurance, and CONSULTANT shall furnish the CITY Clerk, concurrently with the execution hereof, with satisfactory proof of carriage of the insurance required, and adequate legal assurance that each carrier will give CITY at least thirty (30) days' prior notice of the cancellation of any policy during the effective period of the contract.

D. NOTICE TO COMMENCE WORK. The CITY will not issue any notice authorizing CONSULTANT or any subcontractor to commence work under this AGREEMENT until CONSULTANT has provided to the CITY Clerk the proof of insurance as required by subparagraph (C) of this article.

21. NON-DISCRIMINATION. CONSULTANT shall not discriminate in its recruiting, hiring, promotion, demotion or termination practices on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, martial status, sex, age, or sexual orientation in the performance of this AGREEMENT and shall comply with the provisions of the California Fair Employment and Housing Act as set forth in Part 2.8 of Division 3, Title 2 of the California Government Code; the Federal Civil Rights Act of 1964, as set forth in Public Law 88-352, and all amendments thereto; Executive Order 11246; and all administrative rules and regulations issued pursuant to such acts and order.

22. UNAUTHORIZED ALIENS. CONSULTANT hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act (8 USCA 1101, *et seq.*), as amended; and, in connection therewith, shall not employ unauthorized aliens as defined therein. Should CONSULTANT so employ such unauthorized aliens for the performance of work and/or services covered by this AGREEMENT, and should the Federal Government impose sanctions against the CITY for such use of unauthorized aliens, CONSULTANT hereby agrees to, and shall, reimburse CITY for the cost of all such sanctions imposed, together with any and all costs, including attorney's fees, incurred by the CITY in connection therewith.

23. CONFLICT OF INTEREST. CONSULTANT will comply with all conflict of interest laws and regulations including, without limitation, CITY's conflict of interest regulations.

24. 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.

25. ATTORNEY'S FEES. 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, in addition to any other relief to which it may be entitled.

26. BINDING EFFECT. This AGREEMENT shall be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

27. PROVISIONS, CUMULATIVE. The provisions of this AGREEMENT are cumulative and in addition to and not in limitation of any rights or remedies available to CITY.

28. NO PRESUMPTION RE: DRAFTER. The parties acknowledge and agree that the terms and provisions of this AGREEMENT have been negotiated and discussed between the parties and their attorneys, and this AGREEMENT reflects their mutual AGREEMENT regarding the same. Because of the nature of such negotiations and discussions it would be inappropriate to deem any party to be the drafter of this AGREEMENT; and, therefore, no presumption for or against validity or as to any interpretation hereof, based upon the identity of the drafter, shall be applicable in interpreting or enforcing this AGREEMENT.

29. ASSISTANCE OF COUNSEL. Each party to this AGREEMENT warrants to each other party as follows:

A. That each party either had the assistance of counsel or had counsel available to it, in the negotiation for, and execution of, this AGREEMENT, and all related documents; and,

B. That each party has lawfully authorized the execution of this AGREEMENT.

30. MODIFICATION. This AGREEMENT shall not be modified except by written agreement of the parties.

31. GOVERNING LAW. This AGREEMENT shall be interpreted and construed according to the laws of the State of California.

32. NOTICE. Whenever it shall be necessary for either party to serve notice on the other regarding this AGREEMENT, such notice may be furnished in writing by either party to the other and shall be served by personal service as required in judicial proceedings or by certified mail, postage prepaid, return receipt requested, addressed to the parties as follows:

CITY: City of Alhambra – Police Department
Eric Parra, Chief of Police
211 South First Street
Alhambra, CA 91801

CONSULTANT: Inter-Con Security Systems, Inc.
Arron Tschida
Director of Operations
210 South De Lacey Avenue
Pasadena, CA 91105
Tel: (626)535-2625

Email: atschida@icsecurity.com

33. FORCE MAJEURE. Neither party shall be responsible for delays or failures in performance resulting from acts beyond the control of the offending party. Such acts shall include, but not be limited to, acts of God, fire, flood, earthquake, or other natural disaster, nuclear accident, strike, lockout, riot, freight embargo, public regulated utility, or government statutes or regulations superimposed after the fact.

34. ELECTRONIC TRANSMISSION OF CONTRACT AND SIGNATURE. The Parties agree that this Agreement may be transmitted and signed by electronic mail by either/any or both/all Parties, and that such signatures shall have the same force and effect as original signatures, in accordance with California Government Code section 16.5 and Civil Code section 1633.7.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed on its effective date by their respective officers duly authorized on their behalf.

"CITY"

CITY OF ALHAMBRA, a Charter Law City

ATTEST:

By _____, Mayor

_____
Lauren Myles, City Clerk

APPROVED AS TO FORM:
JOSEPH M. MONTES, CITY ATTORNEY

By _____

"CONSULTANT"

Inter-Con Security Systems, Inc.

TAXPAYER ID # _____

By _____
Print Name: _____
Title: _____

Email: atschida@icsecurity.com

33. FORCE MAJEURE. Neither party shall be responsible for delays or failures in performance resulting from acts beyond the control of the offending party. Such acts shall include, but not be limited to, acts of God, fire, flood, earthquake, or other natural disaster, nuclear accident, strike, lockout, riot, freight embargo, public regulated utility, or government statutes or regulations superimposed after the fact.

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IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed on its effective date by their respective officers duly authorized on their behalf.

"CITY"

CITY OF ALHAMBRA, a Charter Law City

ATTEST:

By _____
_____, Mayor

_____
Lauren Myles, City Clerk

APPROVED AS TO FORM:
JOSEPH M. MONTES, CITY ATTORNEY

By _____

"CONSULTANT"

Inter-Con Security Systems, Inc.

TAXPAYER ID # 95-3020192

By _____
Print Name: Neil Martau
Title: Chief Administrative Officer

IC

April 1, 2021

Sgt. Rodney Castillo
Traffic Section Supervisor
City Clerk's Office
City of Alhambra
111 South First Street,
Alhambra, CA 91801

IC INTER-CON SECURITY

Subject: Request for Proposal, Parking Enforcement Services for the City of Alhambra

Dear Sgt. Castillo,

We at Inter-Con are pleased to submit the following proposal for your consideration. Since 1973, we have had the honor and privilege of protecting large municipalities and provided parking enforcement services to various clients across the country. In fact, we have provided these services to the City of Alhambra since 1996.

210 South De Lacey Ave.
Pasadena, CA 91105
PPO License #: 6822

Over the past 48 years, Inter-Con has continuously worked to increase the value of our security solutions by consistently delivering best-in-class service, management strategies, and technologies that increase productivity while simultaneously lowering our clients' operational and administrative costs.

Phone: 626.535.2200
Fax: 626.685.9120
inquiries@icsecurity.com

We prioritize fulfilling relationships with our clients and partners, so while our proposal outlines our response to this RFP, our long-term focus and commitment is to successfully meet the City's changing security needs through an on-going partnership. Given this, we remain open to continually customizing our services before contract award and at any point in the future. This approach allows us to effectively tailor our security service to meet the City's unique needs, as well as cultivate a positive and safe environment for City's staff and visitors. Similarly, as a 100% family owned, certified Minority Business Enterprise, we believe the diversity of our workforce plays a critical role in our success.

It is with our utmost respect and enthusiasm that we request the opportunity to continue to serve the City of Alhambra as its trusted partner. We look forward to discussing our proposal and addressing your future security needs.

Respectfully,

Enrique Hernandez III
President and Chief Executive Officer

Exhibit "A"

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Executive Summary

Based in Pasadena, California, Inter-Con. is a global provider of fully customized, high-touch security solution services. With over 30,000 employees performing services across North and South America, Europe and Africa, we are one of the largest security companies in the world. However, rather than providing "mass guard" services, our core business focus is providing customized solutions for clientele whose needs exceed the capabilities of traditional security companies. With this proposal, we offer the following to the City of Alhambra (City):

EXPERTS IN CIVIL SECURITY

Inter-Con has supported local governments across Southern California and beyond with security and parking enforcement services since its founding in 1973. Our longstanding partnerships with several municipalities providing security services for Cities in the greater Los Angeles area to include the Cities of Alhambra, Arcadia, Azusa, Covina, Glendora, San Gabriel, La Verne, and Pasadena. As veterans in the industry we are capable of supporting the City of Alhambra's program and are intimately familiar with all relevant city engineering standards, specifications, policies, practices, and processes. Unlike other companies in the security industry that proport to offer numerous, sector-specific service lines, yet fail to deliver the value such specialization promises, Inter-Con succeeds in providing premium services by designing, implementing, and maintaining client-specific programs. This unique service model allows us to tailor our security solutions to each client's individual needs and to effectively embed them within their security programs. Whether it is the provision of a dozen Security Officers or over a hundred, we are able to scale excellence to the benefit of our clients and their staff, residents and visitors.

LOCAL PROVIDER

Inter-Con's location in Pasadena and density of operations throughout Los Angeles and the San Gabriel Valley, provides the City of Alhambra with an unparalleled proximity to excellence. Our operations will be directly supported by our Global Headquarters, West Coast Training Academy, and 24/7 Global Security Operations Center (GSOC). Only Inter-Con can provide this degree of support and unfettered access to such advanced and robust resources for the benefit of this contract. Furthermore, Inter-Con's pool of approximately 2,000 local security personnel combined with its numerous municipal contracts in the Los Angeles area, guarantees optimal staffing levels in both normal and surge conditions. In addition, our GSOC will provide **24/7/365 monitoring and communications support to the City's program**, while our Training Academy will deliver student-centric curriculum and live exercises that are fully tailored to the specific requirements of this contract. Furthermore, our corporate leadership and Account Management Team are just down the street and stand ready to address any of the City's needs.

HIGH-TOUCH ACCOUNT MANAGEMENT

Our approach to Account Management draws upon nearly five decades of experience with the local and federal government as well as multinational and commercial clients. Our experience of proven best practices allows us to design our service and management strategies specifically for the City of Alhambra, ensuring effective and efficient solutions from contract start. We have invested in high quality management in the form of Mr. Arron Tschida and Ms. Mariana Alvarez—committed professionals who understand Alhambra's needs and culture. Their support of this program ensures that our services are expertly managed and delivered with immediate approval and deployment of critical resources.

ENGAGED AND PROFESSIONAL SECURITY FORCE

Inter-Con has supported local governments across Southern California and beyond with parking enforcement and security services since its founding in 1973. As the City of

Alhambra's current parking enforcement provider, we are proud of our 25-year partnership with the City which offers a testament to Inter-Con's quality and reliability of services.

In the San Gabriel Valley alone we provide more than 60,000 service hours of Parking Enforcement each year, writing over 45,000 citations. Throughout our years of service, we have generated tens of millions in revenue for local clients, which, combined with our innovative cost saving and value-creation techniques, has helped municipalities realize net increases in revenue of more than 300%. Inter-Con's Officers for the City of Alhambra average more than 158,000 citations per year with an error rate of less than 1%, testifying to their efficiency and quality. We offer the highest-quality Parking Enforcement solution available, and we are committed to investing in our ongoing, long-term partnership with the City.

PROVEN TRANSITION EXPERTISE

Transitions between providers can be the most critical and sensitive periods for any Parking Enforcement Program. Changes in leadership, unfamiliarity of client culture, underlying requirements, duties not specifically defined in the RFP, and employee and management disruptions can all derail an otherwise successful program. This risk is two-fold for the City, as a provider who is unfamiliar with this program might not only staff personnel who are not appropriate for the City of Alhambra, but also negatively impact City revenues by failing to maintain consistent citation levels. Fortunately, there is zero transitional risk with Inter-Con.

Since 1996, Inter-Con has effectively and efficiently supported the City's Parking Enforcement Program and worked with the City to evolve and grow, ensuring that Alhambra always receives the highest quality of Parking Enforcement services. For us, the "transition" period will serve as an opportunity for the City to input potential service modifications and improvements wherever this is desired. We will serve as a partner during this process, drawing on our critical mass of parking enforcement programs to suggest potential technological and other improvements to the program. Inter-Con is the only provider willing to partner with the City in the long-term in order to allocate required resources and maintain the continuity of services required.

STABLE & COMMITTED LOCAL OWNERSHIP – 100% MINORITY BUSINESS ENTERPRISE

In an industry marked by constant mergers and acquisitions, one key to Inter-Con's success has been stability, with Inter-Con now in our third generation of Hernandez family ownership and management. Going back to 1973, Inter-Con is the only security company still in existence operating with the same name, with the same ownership, and with the same unwavering commitment to our clients. This is far different from our publicly traded and private equity owned competitors which prioritize quarterly profits and exit strategies. Ultimately, Inter-Con is the most stable and ethical security service partner for the City.

Our stable ownership allows us to make long-term investments in our capabilities, strategic partnerships, and clients. We have the latitude to take informed risks and sacrifice short-term gains to deliver lasting value to our customers, often resulting in client relationships that span decades. More importantly, we maintain our integrity as well as our commitment to safety, diversity, and sustainability. We are a certified minority business enterprise driven to positively affect the natural and social environments in which we operate. As a local business, we are committed to contributing to the communities and natural environments of the City of Alhambra.

WE AT INTER-CON SINCERELY BELIEVE THAT WE OFFER THE CITY OF ALHAMBRA the best security services, the best business model, and partnership for the long-term success and protection of the City's employees, facilities, guests, and reputation. We look forward to discussing the highlights of our proposal with you.

Technical Proposal

Inter-Con has read and understands the City of Alhambra's Scope of Work (SOW) and its need for Official Parking Enforcement Services. As the City's current Parking Enforcement provider, Inter-Con is uniquely positioned to leverage our deep institutional knowledge to offer the City a full suite of resources on 24/7 basis throughout the lifecycle of this contract. The details of these offerings are provided in **Table 1** below.

Table 1: Exclusive Benefits

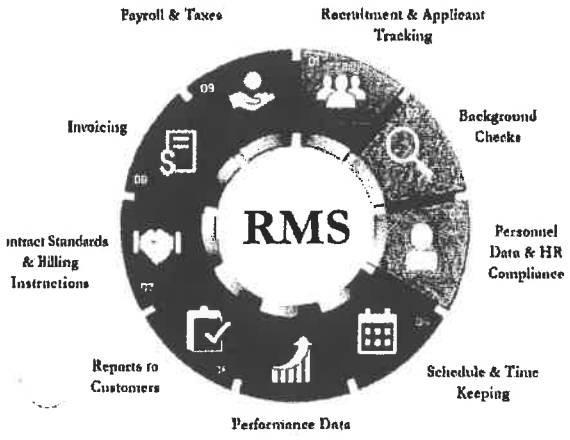
Description	Benefit
Global Security Operations Center (GSOC)	24/7/365 Monitoring and customer service support; communication triage; emergency management and issue escalation.
Contract Administration Resources	Assists with all contractual requests, modifications, and concerns. Our team will also help coordinate last-minute service requests.
Training Academy	Offers a student-centered training method to keep our personnel informed and invested in their jobs and responsibilities.

OPERATIONS MANAGEMENT PLAN

Inter-Con's account management strategy emphasizes proactive, responsive, and Inter-Con's Account Management strategy and approach to account governance ensures that our tailored security program for the City effectively and efficiently meets or exceeds the requirements described in this RFP. Emphasis is placed on collaboration between Inter-Con and the City to ensure continuity in service across all posts and service requests, regardless of their location and nature. We have also designed our management plan to facilitate seamless communications between our Account Management Team, onsite personnel, and City stakeholders. At its core, our account management strategy embraces:

- **Empowered Management** – Our dedicated Account Manager (AM) will maintain accountability and responsibility for every aspect of Inter-Con's service. They will work closely with the City to direct changes to the SOW, contract requirements, or additional staffing requests, ensuring a high degree of clarity and expediency applied to key administrative tasks to facilitate proper responsiveness to the City's needs. The AM will serve as the primary point of contact between the City and Inter-Con leadership as well as enjoy full support from Inter-Con's corporate leadership team, ensuring proactive and responsible account management.
- **Informed and Accessible Account Management** – In addition to the AM, Inter-Con's Account Management Team is comprised of key personnel who will provide account oversight to ensure proper account governance and adherence to the established Quality Control Plan (QCP) and Service Level Agreement as well as the alignment of tactical and strategic priorities between the City and our dedicated security resources. These individuals will be readily available to support the City and will frequently check-in on the program in-person.
- **Streamlined Account Administration Processes** – As part of the program's full corporate administrative support, our Account Management Team will be assisted by Operations and Finance Managers as well as supervisory personnel who will be responsible for supporting Quality Control and Training efforts.

Figure 1: Resource Management System



In addition, we will leverage our proprietary Resource Management System (RMS) to automate, capture, analyze, and report all activities associated with our City operations. This system, illustrated in **Figure 1**, is web-based and generates standardized reports based on employee information, management metrics, financial data, and operational metrics that are necessary to manage a security operation. These metrics and analyses will be fully documented and provided to the City's Security Leadership Team on both a scheduled and an on-demand basis. In fact, this level of transparency is further facilitated through our Key Performance Indicators (KPI) dashboards, which monitor and display real-time updates of all relevant account activity. These KPI dashboards can be easily accessed by the City stakeholders on their mobile devices through our secure online portal. Our dedication to transparency means the City will remain keenly aware of all strengths, weaknesses, and opportunities associated with our performance of the contract.

- **Supervision and Quality Control** – Our supervisory procedures detail AM daily responsibilities and emphasize active engagement and face-to-face supervision. Close monitoring and supervision of City of Alhambra Parking Enforcement Officers forms the first line of our Quality Control Plan (QCP). The AM and Supervisory personnel will remain in constant communication with their workforce, ensuring that deficiencies or concerns are reported and corrected immediately, as well as addressing the needs of the Officers in a timely manner. Their quality control efforts will be further augmented by our assigned AM, who will provide ongoing guidance on and direct support with Post inspections, Live Scenario Performance Tests, and other assessments.

  The AM and Supervisors will receive hands-on training and guidance from corporate leadership in addition to their supervisory training via classroom and web-based resources. Supervisors are accountable to the AM for all aspects of security operations, and performs all duties and responsibilities required by the contract to ensure continuous security coverage as well as appropriate incident response and escalation. Inter-Con's emphasizes proactive supervision, so they will check the serviceability of equipment on post, continuously develop and test each Officer's operational knowledge, and regularly interact with the staff at each site.

ACCOUNT MANAGEMENT TEAM

Inter-Con is one of the largest providers of parking enforcement services in greater Southern California. As the incumbent provider since 1996, we are well-positioned to meet the City's current and future parking enforcement needs. Please find our approach to the management and operation of Alhambra's Parking Enforcement program below.

Inter-Con's Account Management Team has been assembled to provide the City of Alhambra with the highest level of corporate oversight and support on a daily basis. For the City, this means Inter-Con will ensure this program always operates at the highest level

Mrs. Nesrin Bunkheila | Vice President of Human Resources | City of Alhambra Administration Executive: Mrs. Bunkheila oversees Human Resources for Inter-Con's Parking Enforcement Representative Force. She has decades of experience in the industry, as an HR consultant, recruiter, and administrator— empowering her individual clients and their security programs. She specializes in the administration of national programs, ensuring that all administrative activities are conducted in accordance with relevant state laws and client regulations. She has a B.A. in Political Science and an M.S. in Human Resource Development, both from the University of Houston.

Mrs. Bunkheila will function as the City of Alhambra's Administrative Executive and will focus on recruiting efforts for the SLBA Contract. She will provide support throughout the Contract's lifetime to

ensure optimal staffing and will help ensure that key administrative tasks—such as recruiting, the City's program goals and preferences.

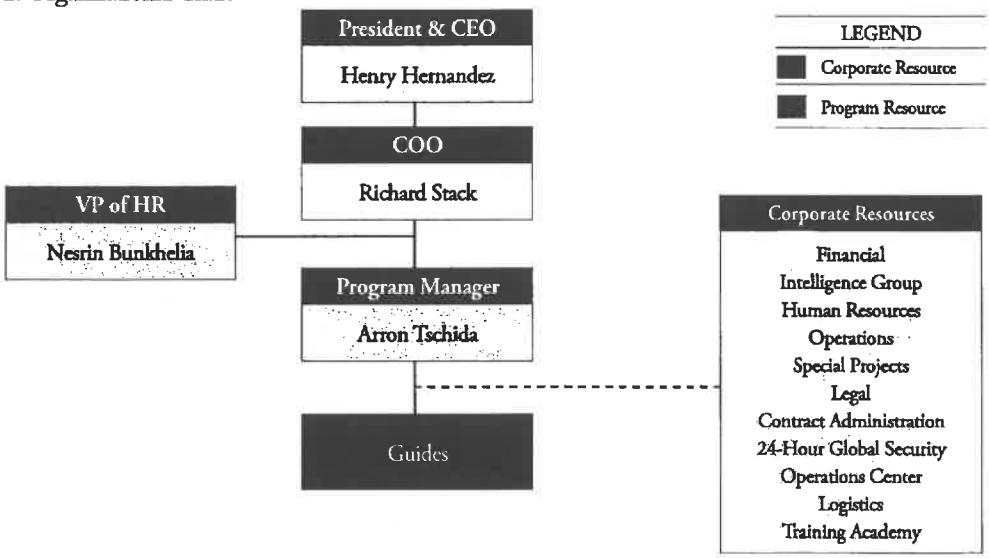
Mr. Arron Tschida | Director of Operations | City of Alhambra Account Manager: Mr. Tschida is a US Marine Corps veteran with over 25 years of experience in leadership across the security (including both the federal and private sectors), military, and defense industries. Mr. Tschida has extensive experience directing complex operations and security functions, implementing innovative training programs, developing effective, resource-efficient processes. As Inter-Con's Senior Director of Operations, Mr. Tschida currently manages many of Inter-Con's high-touch security and parking enforcement contracts in the greater Los Angeles area. These contracts support the cities of Alhambra, Arcadia, Azusa, Covina, Glendora, La Verne, and San Gabriel Parking Enforcement. Mr. Tschida holds a B.S. in Organizational Leadership as well as his M.B.A from Pepperdine University Graziadio Business School.

Mr. Tschida will function as the City of Alhambra's Account Manager, serving as the primary point of contact to the City. He will maintain full accountability and responsibility for every aspect of Inter-Con's service in addition to being available to the City 24/7. He alone can direct changes to the Scope of Services or Contract requirements, if needed.

ORGANIZATIONAL CHART

Inter-Con's organizational structure centers on a streamlined, embedded Management Team that has autonomous decision-making authority, controlling all personnel, logistical and financial resources necessary to ensure that our security services are effectively and efficiently delivered to the City of Alhambra on a consistent basis. Inter-Con's account management strategy is delivered by our proposed dedicated Account Manager (AM) Mr. Arron Tschida, who maintains accountability and responsibility for every aspect of the City's security program. Our proposed management structure is provided in **Figure 2** below.

Figure 2: Organizational Chart



INCIDENT ESCALATION AND NOTIFICAITON

Inter-Con will implement a Critical Incident Notification Guide to ensure seamless and prompt communication between all levels of the City security program. A final version of the escalation matrix will be agreed upon during the Transition Phase of this contract and all assigned personnel will be trained on it as part of their Pre-Assignment and On-the-Job training.

Figure 3: Critical Incident Notification Guide

Incident	Parking Enforcement Officer	Parking Enforcement Supervisor	Account Manager	COO	President/CEO
Critical injury or death of an Inter-Con employee, on duty	•	•	•	•	•
Employee-caused death or critical injury of another person	•	•	•	•	•
Natural or man-made event requiring major increased commitment of Inter-Con resources	•	•	•		
Impending natural or man-made event with a high likelihood of heavy commitment of Inter-Con resources	•	•	•		
Natural or man-made event at a specific site that requires management response or direction	•	•	•		
Arrest, pending arrest or verified implication of any Inter-con employee in a crime	•	•	•		
Request by client for an immediate increase of personnel beyond reserves available	•	•	•		
Major law enforcement response to a client location - any cause	•	•	•		
Any event that may cause major media focus on Inter-Con	•	•	•	•	•
Unannounced or pending union activity at a client location	•	•	•		
Demonstrations, picketing, etc. by any group at a client location	•	•	•		
Arrests made by Inter-Con Officers, supervisors, and managers	•	•	•		
Arrest by law enforcement agency of any person at a client location	•	•	•		
Missing or stolen company equipment	•	•	•		
Malfunctioning equipment	•	•	•		
Damage to company equipment	•	•	•		
Special service request	•	•	•		
Political events that may affect Inter-Con (local, national)	•	•	•		
Political events which may affect Inter-Con (international)	•	•	•		
NO CALL / NO SHOW	•	•	•		
CALL OFF	•	•	•		
OPEN POST (unable to confirm Officers on post after exhausting all other measures)	•	•	•		
DISCIPLINARY ACTION-sent home/removed from post	•	•	•		
When in doubt	•	•	•		

WORK PLAN

Inter-Con thoroughly understands the City's defined Scope of Work and has the technical capability to meet as well as exceed all of its requirements. Inter-Con's Project Methodology was developed in direct response to the City of Alhambra's RFP and is based-off of our experience supporting clients with similar needs. To ensure attainment of our strategic goals, we plan on executing our plan in three phases that align to the project lifecycle: Project Initiation, Project Execution and Project Maintenance.

PROJECT INITIATION

STEP 1 - PROJECT/FORCE TRANSITION

Inter-Con has successfully executed hundreds of contract transitions. We understand the critical and sensitive nature of transitions within a highly regulated environment like the City and are committed to fully transitioning within 30 days.

Implementation Timeline

The City-specific Implementation Plan will be put into action immediately upon contract award. Members of Inter-Con's Transition Team, as well as the City's assigned AM will

meet with the City's Security Team to discuss the transition and address any improvements desired. We understand the critical and sensitive nature of transitions and are committed to a full assumption of operations within 30 days. Our Account Management Team will be intimately involved in the transition to ensure all needs are addressed and that we retain as much of the approved incumbent staff as possible.

Figure 4: Graphic Timeline of City of Alhambra Transition Activities

ID	Tasks	Duration	30 Day Transition 10 20 30
1	Activate Transition Team	1 Day	
2	Notify & Activate Key Personnel	1 Day	
3	Hold Post Award Conference	1 Day	
4	Screen Incumbent Personnel	15 Days	
5	Recruit & Screen New Applicants	30 Days	
6	Submit Approved Application Packages & Hire Personnel	10 Days	
7	Acquire Required Equipment and Software	15 Days	
8	Conduct Initial Transition Team Meeting	1 Day	
9	Hold Weekly Meetings	30 Days	
10	Review Existing Operational Processes	15 Days	
11	Review Incumbent Personnel Information	10 Days	
12	Secure Approval for Training Programs	10 Days	
13	Submit Licenses, Permits and Insurance	2 Days	
14	Brief Incumbent Personnel	3 Days	
15	Conduct On-boarding Training for New Personnel	30 Days	
16	Submit Final Transition, QAP & Contingency Plans	15 Days	
17	Conduct Initial Threat Assessments for Assigned Locations | Review Existing Posts, Procedures, Deliverables, Data & Regulations	10 Days	
18	Conduct Orientation Sessions with Personnel	5 Days	
19	Inventory Client-Furnished Property	10 Days	
20	Inventory Inter-Con Furnished Property	10 Days	
21	Implement all Software Tools/Updates	20 Days	
22	Issue Equipment	30 Days	
23	Hold Final Transition Meetings	5 Days	
24	Commence Operations	2 Days	
25	Monitor & Review Transition Activity	30 Days	

Figure 5: Inter-Con's 25-Step City of Alhambra Implementation Activities

Step	Transition Details
1	**Activate Transition Team:** Inter-Con will assemble and brief the Transition Team, as well as on-call support from corporate management.
2	**Notify and Activate Key Personnel:** Upon receipt of the notice of award, Inter-Con management notifies key management personnel and any approved suppliers.
3	**Hold Post-Award Conference:** Inter-Con will meet with the City representatives to discuss specific Phase-in Plan items.
4	**Screen Incumbent Personnel:** Inter-Con's Transition Team and management will identify individuals within the incumbent security force to retain. In coordination with the City, and after discussing proposed compensation levels with incumbent personnel, we will make a sound projection of the number of new personnel that need to be recruited, screened, cleared, and

	trained prior to the planned contract start-up date to meet all requirements. Inter-Con recruitment is an on-going effort that will continue after contract startup.
5	**Recruit and Screen New Applicants:** Inter-Con individually interviews all applicants. All applicants are screened through Inter-Con's 7-step process to evaluate reliability, honesty, positive work attitudes, and medical and physical fitness, as well as the City-required screening procedures necessary to receive a favorable vetting. Inter-Con assures the City that all employees meet the requirements outlined in the RFP.
6	**Submit Approved Application Packages & Hire Personnel:** Qualified applicants are selected by Inter-Con's HR team for hiring. To facilitate contract administrative needs, including transition, Inter-Con employs dedicated personnel to assist in the submission and maintenance of suitability and clearance determinations. We will utilize an Administrative Specialist to ensure contract requirements pertaining to personnel recordkeeping and documentation are completed, organized, and available for the City inspection and review. Our Administrative Specialist will also draft and submit a list of all Contract employees, their respective Contract start dates, shift assignment, and position identifying part-time or full-time status.
7	**Acquire Required Equipment and Software:** Inter-Con coordinates and documents the acquisition of all equipment and software.
8	**Conduct Initial Transition Team Meeting:** Upon receipt of the notice of award, the Inter-Con team conducts initial meetings with the City representatives to discuss the transition approach and timeline, and incumbent personnel outreach activity.
9	**Hold Weekly Meetings:** Inter-Con's Transition Team and Key Personnel meet (weekly, or more often, as appropriate), with the City representatives during the Phase-in period to track current and future milestones.
10	**Review Existing Operational Processes:** Inter-Con's Transition Team meets with the City representatives to identify operational and administrative obligations for the new contract and to discuss any required changes to existing security processes and programs.
11	**Review Incumbent Personnel Information:** Inter-Con will request copies of incumbent personnel training records and administrative files from the outgoing contractor.
12	**Secure Approval for Training Programs:** Inter-Con management obtains the City approval of a detailed training plan, to include syllabi, schedules, locations, and trainers. The training plan will include primary and make-up dates. An on-the-job training plan will be included.
13	**Submit Licenses, Permits and Insurance:** Inter-Con management submits to the City valid documentation and licenses as requested.
14	**Brief Incumbent Personnel:** Inter-Con explains new contract and any relevant changes to current personnel and will encourage them to remain with Inter-Con.
15	**Conduct On-boarding Training for New Personnel:** Inter-Con trains new personnel according to approved plans, uploading training certificates in Inter-Con's Learning Management System within 5 working days after successful completion.
16	**Submit Final Transition, QAP & Contingency Plans:** Inter-Con's Transition Team reviews and refines the Transition Plan and collects additional information regarding specific assignments. The final Transition Plan will be submitted at the Post-Award Conference, which is scheduled per the City preference.
17	**Conduct Initial Threat Assessments for Assigned Locations | Review Existing Posts, Procedures, Deliverables, Data & Regulations:** Inter-Con's Security Subject Matter Experts and members of the Transition/Account Management Team will conduct preliminary site threat assessments to establish new baselines from which our security program will operate off of. All existing Posts, procedure, deliverables, as well as Data & Regulations will be reviewed for compliance and opportunities for enhancement. Any modifications to Post Orders, SOPs, deliverable templates will be agreed upon and implemented before the completion of the 30-day transition period.
18	**Conduct Orientation Sessions with Personnel:** Inter-Con management conducts orientation sessions with all new personnel.
19	**Inventory the City -Furnished Property:** Inter-Con completes an inventory of the City -Furnished Equipment with designated the City representatives. Inter-Con's Management Team accepts all the City -Furnished Property, supplies and equipment and confirms receipt upon contract assumption. Inter-Con also conducts a full inventory of all the City -Furnished Property, immediately after assumption of the contract and provides the results of the inventory to the City within 10 working days of the start of the contract.
20	**Inventory Inter-Con Furnished Property:** We conduct an inventory of Inter-Con Furnished Property and provide it to the City on the contract start date. Inventories will be conducted on a quarterly basis, to include all Inter-Con furnished equipment, uniforms, and non-expendable supplementary equipment.
21	**Implement all Software Tools/Updates:** Led by our Technology Interfacing Guard for the City, our Account Management Team will assess all existing the City and incumbent software tools to gauge operability and identify opportunities for improvement. Once the assessment is completed, all the City stakeholders will be briefed of our findings and all necessary software updates, changes, or procurements will be executed.

22	**Issue Equipment:** The Transition Team schedules distribution of equipment to new and existing personnel as necessary. Personnel are instructed in policies regarding use, return, and disposal of those items. The Transition Team conducts inspections of personnel in uniform to verify the correct wear of equipment.
23	**Hold Final Transition Meetings:** During the final days of the Transition period, Inter-Con's Transition Team and other Key Personnel begin daily meetings with the City representatives to discuss the final steps of the transition. A final meeting will be held the day prior to commencement of operations to achieve closure on remaining issues.
24	**Commence Operations:** Inter-Con assumes full responsibility for operations, in accordance with the City's schedule.
25	**Monitor and Review Transition Activity:** During the transition period, Inter-Con's corporate leadership will monitor and review contract performance through daily reports and schedule weekly "QBR-style" meetings. In addition, the Inter-Con Transition Team and Inter-Con's Transition Officer will maintain regular communications with the City staff to monitor and guarantee the quality of the services provided to the City throughout the life of the contract.

RETAINING EMPLOYEES

Retaining incumbent personnel and their wealth of experience as well as institutional knowledge is our highest priority. Inter-Con makes sure that all qualified incumbents have the opportunity to remain on the new contract. All personnel will be offered an opportunity to remain on the contract and must complete Inter-Con's online application as well as provide supporting documentation, such as their training records and relevant credentials. They will then have an in-person interview with Inter-Con's assigned Management and HR teams. Interviews will be conducted during off-duty hours and after contract award to ensure no adverse effect on the out-going vendor. During the interview, the applicant will be evaluated for their qualifications and interest to remain on the program. We will employ all incumbent personnel who meet contract requirements, pass Inter-Con's onboarding process, and receive favorable endorsements from the City.

Inter-Con frequently achieves incumbent capture rates of more than 90% and has successfully transitioned numerous contracts with similar scales and requirements as the City without ever having an issue staffing posts. This is achieved by incentivizing incumbent staff to remain on the contract as well as by engaging in open and ongoing communication, with clear communication about the opportunities Inter-Con provides. Offering compelling salary and benefits is essential to retention, and it is the policy of Inter-Con that we match or improve compensation for any follow-on contracts. To ensure there is no adverse effect on the workforce, we honor their original hire date in the calculation of benefits. This ensures a motivated work force that feels recognized and rewarded.

COMMUNICATION STRATEGY

Initial communications with the workforce are critical to high retention rates and fostering positive relations. Members of Inter-Con's Account Management and HR Teams will be on-site from Day One of the transition to interact with the workforce in-person. We find that this relieves any anxieties that the existing security force might have and improves retention. Inter-Con's communication strategy communicates the following:

- Application and vetting process
- Milestones and objectives
- Weekly updates through transition newsletters, updates, and employee portal
- On-boarding engagement policy through direct emails to incumbent employees
- Access to HR concierge hotline for any questions employees might have

Inter-Con will be responsible for direct employee communication and associated outreach activities starting from contract award. We will have the following communications with the incumbent security force:

- **Contract Award:** Flyers, transition FAQ, website announcement, incumbent employee portal link, and breakroom postings (with City approval), site visits and introductions.

- **Day 1:** Inter-Con representatives are on-site so that they may immediately conduct transition briefings for all affected staff.
- **Weekly throughout Transition:** Transition newsletters, updated FAQ, employee specific wage and benefit notices, updated postings on Inter-Con's website and employee portal.
- **Within First 30 Days:** In-person interview of all incumbent staff approved by the City, with every Officer applying to continue on the new contract.

INCENTIVIZING RETENTION

Inter-Con has successfully transitioned numerous contracts with similar scales and requirements as the City of Alhambra, having never experienced an issue staffing posts. We frequently achieve incumbent capture rates of 90% or more by recruiting incumbent staff and engaging them in open and ongoing communication, with clear discourse regarding opportunities with Inter-Con and an emphasis on the continuity of services and lack of disruption. Offering compelling salary and benefits is essential to retention and is the standard policy Inter-Con follows to match or improve compensation for any follow-on contracts. To ensure there is no adverse effect on the workforce, we honor their original hire date in the calculation of benefits. This ensures a motivated work force that feels rewarded and recognized for their service. Our retention efforts are further boosted by additional benefits such as our awards program, college assistance, and flexible scheduling.

STEP 2 - RECRUITING & SCREENING

To ensure full compliance with requirements pertaining to the qualifications of our security personnel, Inter-Con's recruiting and screening experts will utilize a "Requirement Checklist" to identify, recruit, and evaluate candidates. Inter-Con will hire personnel who possess the right qualifications for the City effort and exhibit a professional appearance and demeanor at all times. We have added and expanded upon City baseline requirements to create a comprehensive Officer requirement checklist. Please see **Figure 6** below for more details.

Figure 6: City of Alhambra Officer Requirement Checklist

Minimum City of Alhambra Requirements for All Personnel	
Baseline Requirements:	• Must be 18 years of age or older. • Be a U.S. citizen or legally authorized to work in the U.S. • Always present a professional appearance and demeanor • Must be fluent in English and be able to communicate with the public in a face-to-face setting, by telephone, and by two-way radio. • Must be able to read, interpret, and implement written instructions/Post Orders, understand and follow oral instructions, and assimilate specialized training. • Must be able to prepare written documents in the English language. • Must be mentally alert and capable of making decisions in accordance with rules, regulations and policies. • An ability to maintain poise and self-control under stress • Must possess a valid class "C" State of California driver's license • Possess all current State of California, Consumer Affairs, guard requirements
Additional Inter-Con Requirements for All Personnel	
Education:	• Must have a high school diploma or GED equivalency.
Soft Skills:	• An ability to be courteous, neat, helpful, and considerate to all with whom they interact
Office Skills:	• Have basic knowledge of word processing, spreadsheet programs, data entry and operation of multiline telephone
English Proficiency:	• Must demonstrate ability to read, understand, and apply rules, detailed orders, instructions, and training materials in the English

	language. Retain the ability to construct and write clear, concise, accurate and detailed reports, as well as, communicate effectively, clearly, and concisely in English
Screenings:	• Successfully pass pre-employment drug screening and submit to random drug tests during contract duration. • Successfully pass criminal and background check
Security Requirements:	• No criminal violations • Unprofessionalism is not allowed and grounds for removal from consideration • Maintain a clean driving record with no history of alcohol or drug related offenses and no more than three traffic violations in the last five years. • Present satisfactory references and employment history

Inter-Con's sourcing and selection processes, coupled with our world-class training facilitated by our West Coast Training Academy, ensure that the highest degrees of service standards are continuously maintained for the City. Based on our first-hand experience in similar security programs, we understand that a primary focus must be placed on sourcing and selecting the right people for the City. Our selection standards ensure that all Parking Enforcement Officer candidates are physically fit, professional, and exhibit the characteristics of a highly trained and prepared security professional. Inter-Con ensures that our exhaustive recruitment process helps identify the best people for the job who are superbly trained, influenced, and guided by our company values. Inter-Con's focus on people starts at the very top, is passed down to our always accessible senior management, through our expert Supervisors, and to the Officers on the job.

EVALUATION PROCESS

Inter-Con has 48 years of experience recruiting for high-requirement security programs for similar clients such as the Cities of Arcadia, Azusa, Covina, Glendora, La Verne, Pasadena and San Gabriel. We understand that communicating directly with the City during this process ensures that all steps are completed in alignment with the City's mission. Serving as a Pasadena-based company, our designated Recruiting Team has also established deep relationships with local employment sources, including military bases, law enforcement organizations, local colleges and universities, and community organizations and have a fully embedded connection to local and regional job sources, such as job fairs. Our recruiters are experts in using online resources, including social media, to ensure that we are drawing from the largest and most qualified labor pool of potential candidates.

We have invested heavily in developing best-in-class recruiting processes and infrastructure to ensure effective and efficient talent identification, attraction, and evaluation. Once implemented, our recruiting and screening methodology will provide:

1. A long-term, dependable Officer force with limited turnover
2. Rapid personnel replacement capabilities
3. A large pool of qualified, trained, experienced Officers prepared to accommodate any temporary or surge force needs

Inter-Con follows a 7-step process for recruitment, evaluation and selection of Officers for the City, as shown in **Figure 7**, and as described below.

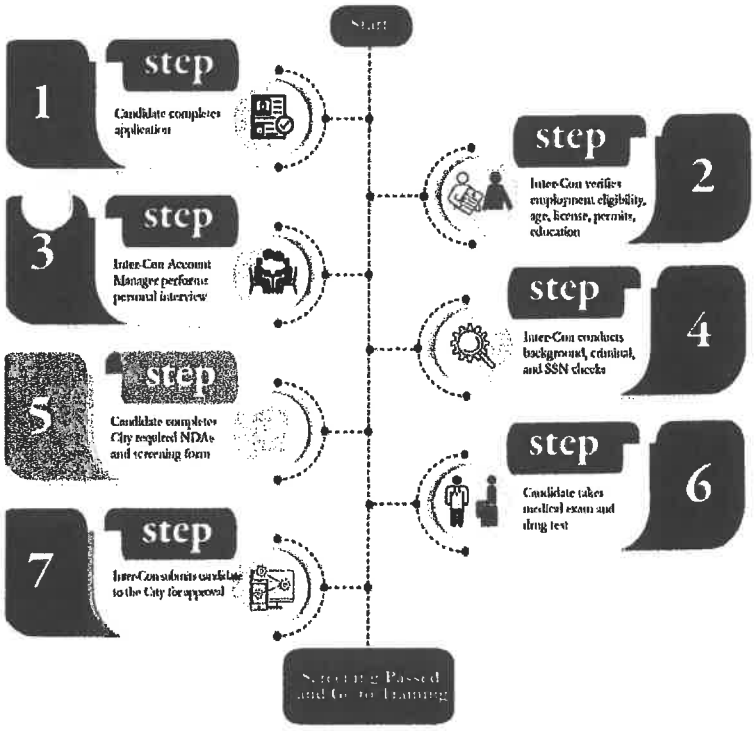
Step 1: Application Process – Candidates who respond to recruitment efforts will remotely complete their application online (and submit electronic resume) or arrange a time to come into our local office to do the same. All applicants are screened to determine whether they possess the general qualifications of the City contract and the specific position requirements. If the applicant does not meet those requirements, the application process terminates. If the applicant meets the requirements, a time is scheduled for a personal interview.

Step 2: Information Verification – Inter-Con's Recruiting Team will perform a preliminary verification check to confirm the status of applicants' employment history, age, relevant licenses/permits, and education.

Step 3: Personal Interview – If it is determined that the applicant meets the required standards, they will be scheduled for an interview with a designated manager and be evaluated on the following:

- Knowledge of specific job and job-related topics
- Experience
- Communication ability; specifically, command of the English language
- Interest in the position and the Inter-Con organization
- Overall motivation to succeed
- Appearance and habits
- Poise, insight, and alertness
- Interpersonal skills
- Ability to deal with the public

Figure 7: 7-Step Recruitment Process



Step 4: Background Investigation, Drug Screening & Physical Exam – Inter-Con will use CredentialCheck or the City's preferred provider to conduct a background investigation for each employee applying to work on the City contract. Before performing a background check, Inter-Con will make all disclosures and obtain all consents required by applicable laws, including the Fair Credit Reporting Act.

In addition to the background investigation, Inter-Con will conduct a 7-panel drug screening and physical exam for each applicant.

Step 5: Reference Verification – Inter-Con performs reference checks to confirm veracity of applicant's resume and relevant professional claims.

Step 6: Complete City Furnished Forms – If it is determined that the applicant meets the required standards and maintains a background consistent with City contract eligibility, the individual will be scheduled for a follow-up meeting with an Inter-Con Recruiter who will assist in the preparation of all required City and Inter-Con application/new hire forms. Each of the forms will be reviewed for completeness and accuracy prior to final inclusion in the hire package and final requests for approval. If approved, the applicant will be issued a "conditional" offer of employment. The offer is conditioned upon the successful completion of drug testing with acceptable results.

Step 7: Candidate Submitted to the City for Approval – Upon successful completion of the previous 6 Steps, a candidate's application package will be submitted to the City for final approval.

PROJECT EXECUTION

After completing the initial recruiting and screening processes, Inter-Con begins to staff and train our Officers, as well as ensure they are properly outfitted with the City-aligned uniforms and equipment.

STAFFING PLAN & DEPLOYMENT SCHEDULE

Inter-Con's Staffing Plan strives to find a balance between ensuring the availability of qualified and trained personnel to fulfill the staffing needs of the City without having excess personnel that incur training, uniform, and personal equipment costs. Inter-Con is aware that staffing requirements will vary during the course of the year and during the course of the agreement with the City. Inter-Con has analyzed the staffing requirements for the City and developed daily and weekly models designed to continuously track staffing levels to maximize efficiencies of operation and to provide a stable workforce of knowledgeable and skilled Parking Enforcement Officers.

As a general principle, Inter-Con expects to maintain a force comprised of 25% Full-Time (FT) employees and 75% Part-Time (PT) employees for City site. Our experience with similar clients has validated this ratio as ideal for maintaining coverage through vacation leaves, training, military obligations, emergency leaves, and illness. This ratio is a baseline that we adjust according to the unique needs of each site. Our goal is to ensure with 100% certainty our ability to staff every City post requirement. Please find our staffing matrix below.

Staffing Plan				
Position	**Planned HPW**	**Full-Time Personnel**	**Part-Time Personnel**	**Total Personnel**
Night Parking Enforcement Supervisor	28	0	1	1
Day Parking Enforcement Supervisor	40	1	0	1
Night Parking Enforcement Representative	112	0	6	6
Day Parking Enforcement Supervisor	110	2	2	4

The combined availability of 9 PT Parking Enforcement Officers provides 430 additional weekly hours above the RFP maximum estimated requirements, enough to easily provide necessary coverage for any unanticipated changes in staffing. All Part-Time Parking Enforcement Officers will provide productive hours in the work schedule each week. Inter-Con regularly schedules PT personnel to ensure that each Officer remains familiar with the post requirements and actively engages with members of supervision whose main task is further developing and enhancing the security awareness and ability of each Officer assigned to the City contract.

ESTABLISHING AND MAINTAINING WORK SCHEDULES

The Inter-Con RMS will give our Supervisors and AM real-time management of all post assignments in real time, ensuring 100% coverage. Our RMS utilizes advanced asset tracking models and comprehensive datasets to accurately forecast seasonal deployments and emergency response demands. This approach ensures contract compliance while simultaneously delivering highly trained, properly uniformed, and equipped officers at the lowest cost. Inter-Con recently invested further in a new Data Analytics Team to augment our data tracking, gathering, and using analysis capabilities to better streamline processes and further reduce costs for the City. This investment will greatly enhance our staffing efforts for the City.

Inter-Con supports our Officers with scheduling systems that ensure continual coverage and prevent dark posts. We enter all posts into our RMS system to begin the scheduling process, scheduling all posts three weeks in advance. To avoid any double staffing and overworking issues, the RMS scheduling program is equipped with name recognition

systems and prohibits the scheduling of Officers who have worked in excess of 12 hours in a 24-hour period. This mechanism ensures that each Officer receives an off-duty rest period of no less than 8 hours between shifts and can incorporate any contract-specific requirements regarding rest periods.

As Officers are assigned to posts, the system tracks the assigned hours of coverage and times, as well as all payroll and invoicing items. Our state-of-the-art GSOC provides oversight over this process 24/7, transmitting notifications in real-time, either by email or phone. The GSOC maintains constant communication between Inter-Con Management, Supervision, and the Officers. In addition, our City aligned Post Orders provide a comprehensive notification plan complimented by primary and secondary telephone numbers, email contacts, and social media contact links, if necessary.

SUPERVISION

We know that great supervision is crucial to the success of the City program. All Inter-Con utilize their existing smartphones equipped with our mobile-device integrated software platform that allows Inter-Con to track Officers via GPS and utilize checkpoints via NFC tags read through a smartphone NFC reader. This solution helps our Supervisors maintain constant contact with each posted Officer, allowing real time identification and resolution of operational issues as well as real-time post accountability. Inter-Con's onsite dispatchers and GSOC can monitor geo-fenced posts and react to alarms based on Officer behavior on post.

UNINTERRUPTED PROTECTION VIA INTER-CON'S RELIEF PLAN

Properly planning and providing relief are essential to ensuring all Officers stay alert and focused on the security mission. Inter-Con will provide each Officer with two paid ten (10) minute breaks and one unpaid thirty (30) minute meal break per 8-hour shift. We have not priced in the cost of a dedicated breaker force to relieve personnel. Our assumption is that all personnel will be allowed to take rest and meal breaks as mandated by California state law utilizing existing scheduled personnel on a rotating basis to ensure continuity of coverage.

This plan ensures Officers at posts requiring relief can have rest and meal breaks as required while their posts are continuously covered. The AM and Supervisors are responsible for overseeing the relief schedules during their assigned shifts. The AM, through periodic inspections and regular communications with the individual Supervisor, will make certain that each post is staffed continuously while ensuring that all Officers receive their required breaks. To maintain proper security levels, the Supervisors will ensure that no Officer shall leave their post until properly relieved.

TEMPORARY ADDITIONAL SERVICE (TAS) SURGE CAPABILITY RESERVE FORCE IMPLEMENTATION

In our 48-year history, there has never been an occasion when Inter-Con was unable to mobilize additional staff when requested by a client. Although Inter-Con is not pricing in variable work explicitly, we can provide immediate, temporary, emergency, and special event coverage for the City as requested, ensuring continuity of operations during emergencies, special events, and potential work stoppages.

Through the coordination and efficient staffing of Inter-Con's permanent Full-Time (FT) and Part-Time (PT) Officers, all long-term and short-term requests for security services will be staffed exclusively with Inter-Con employees specifically trained in the City's requirements and needs. Inter-Con's staffing model developed for the City of Alhambra Parking Enforcement Program will provide for an overtime and flex surge capacity of 430 hours of TAS per week. These are the same City Officers that are fully trained, vetted, and assigned to work at the City on a day-to-day basis. Our reputation for successfully supplying staff to meet client needs is attributable to our commitment to forging an intimate appreciation for their operations and consistently ensuring the right Officer is at

the right place at the right time. In addition, our ongoing efforts to accurately forecast seasonal deployments and to create emergency response models have resulted in us maintaining a comprehensive Staffing Matrix which helps us achieve extremely high compliance levels with contract staffing requirements. Finally, our growing investment in, and utilization of technology and data analytics will pay significant dividends to both the City and Inter-Con in the form of improved security and greater cost savings.

PROJECT MAINTENANCE

STEP 1 - TOTAL QUALITY MANAGEMENT

Inter-Con is responsible for the overall Quality Assurance of Standard and Temporary Additional Services. Our plan specifically addresses many key points through training, expert administrative, and management controls; regular internal audits; daily communication with the City; active supervision; unannounced inspections by experienced Managers and Supervisors; and reviews of all relevant skill proficiencies, such as: access control, alarm monitoring, issue escalation, and customer service. The unbiased measurement and tracking of KPIs are also critical to our Quality Control Plan (QCP).

Inter-Con is focused on providing a Total Quality Management (TQM) approach to managing our City relationship; one which emphasizes a continuous series of analyses and improvements resulting in unparalleled quality assurances. In fact, we have invested heavily in a best-in-class Data Analytics Team to further enhance our performance. Our AM will lead that effort and work with the City to define and meet mutually agreed upon performance metrics to ensure full compliance with all requirements listed in its SOW.

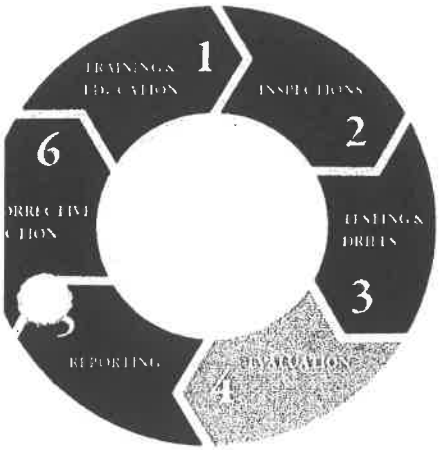
We systematically collect metric-based data necessary to consistently improve the effectiveness and efficiency of security operations, measuring such indicators as attendance, promptness, appearance, and record keeping. Inter-Con will share results gathered through this process with Caltech and will provide them to our AM and Supervisory staff to identify opportunities for program enhancement. Both announced and unannounced inspections are scheduled at each Post and conducted by a combination of the AM, who are readily available, will ensure additional opportunities for improved performance are evaluated on a higher level and are fully integrated into the City of Alhambra parking program.

Through our custom-tailored QCP, every aspect of the security program will be continuously monitored by Inter-Con's AM whose Quality Control duties will include identifying performance objectives, correcting operational deficiencies, and ensuring satisfaction of performance requirements in accordance with the City's SOW and strategic planning.

ELEMENTS OF THE QCP

Inter-Con's Quality Control Program incorporates 6 distinct components which make up a continuous cycle of improvement through self-audit as illustrated in **Figure 8.**

Figure 8: Continuous Improvement Cycle



1. Training

Quality Control begins by ensuring that all Parking Enforcement Officers are fully trained in the duties and responsibilities of each post to which they are assigned. Inter-Con knows that proficiency in security is based largely on a combination of experience and a thorough training program designed to improve Officer's skills and knowledge. As such, we believe that intensive training at the individual and collective level forms the foundation of any successful security program. Working with City leadership, Inter-Con will establish the standards of performance that will set the benchmark for City facilities along with nearby sites and incorporate those standards into the training curriculum.

2. Inspection

Inter-Con conducts inspections at every post. Leadership analyzes reports, the quality of security services, and documentation, and reviews feedback from City leadership. Site visits are used to observe actual performance and to conduct interviews to determine the extent of compliance with the quality metrics. Any noted defects are effectively addressed and corrected as quickly as possible. Routine reviews involve direct observation of security personnel performing their duties, interacting with City staff and guests, and maintaining logbooks and documentation. These routine reviews ensure compliance with regulatory standards. Inspections may be either announced or unannounced, and will occur at all posts, including supervisory, no less than once per month. Inter-Con's AM will establish a schedule to provide for random audits for each shift throughout the period. Any noted critical deficiencies will be corrected within eight (8) hours, while non-critical deficiencies shall be corrected within 48-hours. Any findings shall be reported to the City with proposed immediate or timely corrective actions.

The measurement and tracking of KPIs are critical to Inter-Con's QCP and improvement efforts. All relevant information will be passed up and down Inter-Con's project organization. These efforts will serve as a source of recommendations and ideas for improvements in operations and as impetus for further training, testing, and review. Our Quality Control efforts are designed to mirror the operational and administrative requirements of the City contract, so that any negative trends or deficiencies will be addressed and corrected in a timely manner.

On a regular basis, Quality Control Post Inspections will be used to inspect the following:

- Responsibilities of all Parking Enforcement Officers
- Uniform and grooming appearance of all Parking Enforcement Officers
- Maintenance of equipment and uniforms
- Attendance (sign-in and sign-out checks)
- Knowledge of applicable post orders
- Knowledge of and adherence to reporting requirements
- Knowledge of and adherence to City equipment operating procedures
- Possession of appropriate certifications, licenses, permits, and identification cards
- Other elements of contract performance

3. Testing & Drills

As part of our Quality Control efforts, Inter-Con places special emphasis on unannounced emergency reaction drills that mimic real world conditions. These drills assess the understanding of duties, improve response effectiveness, and train personnel for possible contingencies. All emergency operational drills will be coordinated in advance with the City and local site management to avoid disruption or unnecessary confusion. Inter-Con regularly practices such drills and will provide detailed analyses to City leadership, if desired. With the approval and coordination of City site management, Inter-Con's AM, Training Team, or Supervisor will periodically conduct real-world alarm tests, emergency drills, and other exercises at City facilities. Inter-Con will maintain accurate records of these training examination results as well as any results from examinations administered during the screening process. These results will readily available for inspection by City's designee and will help our Training Team determine if additional training or changes in policies and procedures are necessary.

4. Evaluation

Evaluation and Review processes are the cornerstones of any effective QCP. Evaluations are conducted through roll call, field and equipment inspections, and performance

evaluations in the form of drills and tests. Reviews of QCP findings and contract policies and procedures confirm results as well as verify policy and procedure effectiveness.

5. Reporting

All Officers are taught that following instructions, and properly completing forms and reports are the written requirement of their job. These reports and records are necessary for the Officers to get paid, to understand and perform their duties, and to bring charges against offenders. Inter-Con security personnel will electronically submit accurate records of all incidents and activities in a Daily Activity Report (DAR). We know that keeping meticulous records and reports is crucial to the smooth operation of a security program. Accordingly, Inter-Con personnel will receive rigorous training in maintaining a visitor's log, daily log, alarm monitoring log, and delivery manifest log, as well as how to concisely and accurately write security reports as required. Per the RFP, Officers will also be required to prepare required orders, instructions and reports to include reports regarding accidents and fires. In addition, we will develop an Officer acknowledgement and comprehensive receipt form that incorporates the City's Standards of Conduct requirements for Officers. Inter-Con will adhere to the City's Sexual Harassment Policy as well as post our own Sexual Harassment Policy in conspicuous places within posts and security booths.

The Inter-Con reporting process involves each level of supervision and management in the review and response sequence. Key findings and after-action reports are reviewed by the City AM, who then provides feedback and direction based on these findings and actions to all Supervisory staff.

6. Corrective Action

Inter-Con's QCP is enhanced through emphasis on taking corrective action and revising training and security procedures if deficiencies are discovered. Therefore, all reports submitted regarding Inspections or Drills and Tests will indicate corrective action recommendations. Corrective Action Follow-up Reports, developed by our Supervisor and/or Managers, confirm that the corrective action was implemented successfully. Inter-Con's contract management will monitor all corrective actions taken. Just as it is vital to staff a security force with trained professionals, it is also critical to provide Officers with clear direction in their specific duties, establish productive lines of communication, and monitor performance. All corrective actions will be recorded and included in our Monthly, Quarterly, and Annual Progress Reports to the City.

STEP 2 – EMPLOYEE RETENTION

REWARD EXCELLENCE

Inter-Con will ensure that annual performance and tenure bonuses are provided to all deserving Officers. Additionally, our Performance Awards Program will further display the value and recognition we place on the accomplishments and tenure of our employees into action. The Program acknowledges and publicly rewards the dedication and hard work of our security and safety teams; this is a cornerstone of motivating and retaining our future employees. This Program is designed to shine a spotlight on Parking Enforcement Officers and Supervisors whose performance prove exemplary at quarterly and annual intervals. Inter-Con will direct its AM and Supervisors to publicly recognize and award personnel for excellence in the performance of their duties.

Figure 9: Retention Initiatives

CAREER GROWTH

Inter-Con identifies promising talent and provides driven men and women with clear paths to career development. To further augment the City's security force, we propose to formalize the succession planning and career development process by incorporating salient performance metrics and discussion points in our Quarterly and Annual reports to the City. In these reports, our AM will identify all high-performing Officers and track their performance, keeping a transparent record of achievement, conversations, and possible promotion opportunities available for the City's review.

Once an opportunity for advancement presents itself (either through the creation of a new position or the need to fill a vacancy), the AM will refer to their shortlist of potential candidates to ensure a timely and informed promotion decision is made. Once a candidate is selected, we will oversee a 2-week succession period that will ensure a smooth transition for the qualified personnel as well as the hiring of a replacement for their role.

CONTINUING EDUCATION BENEFITS

Inter-Con employees enjoy discounts at select colleges, like The University of Phoenix. In addition, we provide an added incentive for our personnel (one which has significant value in increasing morale) through Inter-Con's **Continuing Education Assistance Program (CEAP)**. After meeting certain course criteria prerequisites, City of Alhambra security personnel attending local colleges and universities are encouraged to enroll in CEAP, which provides financial support for the purchase of books or other class materials. Inter-Con will recognize their educational pursuits by affording City personnel who qualify with the opportunity to be financially supported on their path to improving their careers with our organization.

COSTS ANALYSIS

Please refer to the **Price Narrative** for our detailed costs analysis, identifying specific positions and detailed hourly rates and service rates for a three-year period, with costs for each of the three years.

UNIFORM, EQUIPMENT, AND VEHICLES

Inter-Con understands that our Parking Enforcement Officers are highly visible of the City and they must reflect positively on Alhambra. Accordingly, it is critical that uniforms and equipment be in professional and presentable shape. All Officers will be properly attired in City approved uniforms will be required to carry and clearly display on their person; a photo identification card issued by our onsite senior security personnel. To assist our Account Management and Supervisory teams with the proper control, maintenance, and reporting of inventory, Inter-Con's Procurement and Logistics Manager, Mr. Adilgazy Azymbek, will serve as the Property Accountability Officer for this contract. He will assist in the drafting and submission of all required inventory reports and provide guidance on

the proper storage and upkeep of property. Mr. Azymbek will monitor and support all reports of malfunctioning or deficient vehicles or equipment and assist the Project Manager in arranging for replacement or maintenance. Any malfunctioning equipment will be reported to the Account Manager and Mr. Azymbek by the end of the shift, if not immediately depending on its importance to the mission. Additionally, Mr. Azymbek will ensure that all necessary manuals, books, guides, and forms are provided and accessible to the Officers.

Uniforms & Equipment	
Item	**Quantity**
Polo Shirt	3
Trousers	2
Bomber Jacket	1
Parking Safety Vest	1
Belt	1
Duty Belt	1
Keepers (4 Pack)	1
Shoes	1
Baseball Cap	1
Badge	1
Nametag	1
Flashlight	1

In alignment with the RFP and SOW, Inter-Con has priced the following fleet of vehicles to fulfill the requirements of this contract.

Vehicles	
Vehicle Type	**Quantity**
Sedan, Nissan Versa, 2021	5

IN-SERVICE PERSONNEL TRAINING

Inter-Con will provide its Officers with customized training specific to each site and post. We know that our reputation depends on our success in continuously engaging our personnel with premium training content. Inter-Con's fully embedded approach to in-person and online training provides ample opportunity for our Parking Enforcement Officer to improve their skills and capabilities before and during their service to the City of Alhambra. This encompasses pre-assignment, on-the-job, and refresher training to ensure our employees are comfortable and capable in their operating environment.

Inter-Con's West Coast Training Academy, located in Pasadena, California, will be leveraged to fully support our training efforts. This Proximity to Excellence will allow our instructors to provide the majority of training on-site.

Having meaningful and frequent engagements with our workforce, enables us to further enhance the training experience for our security personnel. This is done primarily by providing every employee with easy access to our online **Learning Management System (LMS)**. The LMS portal facilitates a more efficient and effective test-taking and administrating process, in addition to storing all certifications.

TRAINING CURRICULUM

Inter-Con creates training content specifically designed to teach and reinforce client-specific issues. Our clients our invited to review and refine course modules as well as offered course performance tracking to analyze and improve Officer results. Please see our training section below, for an in-depth description of our required training. Fundamentally, Inter-Con's approach to training embraces the following:

Train Specific Tasks: Our instruction is focused on training and testing skill proficiency through repeated, practical drilling – not just delivering content through a classroom setting. Our students must perform at high levels to become Officers who will staff City of Alhambra Parking Enforcement posts.

Train to an Established Standard: At Inter-Con, we recognize how enforcing high standards assists management personnel in identifying and correcting training deficiencies. This deeper scrutiny in turn provides the City a more accurate assessment of the capabilities and quality of our Officers. Therefore, we have developed an objectively measurable performance standard to ensure each module is properly understood. In doing so, each Officer will have an exact understanding of what must be achieved by the end of each training period.

Train Realism: Our rigorous training program integrates realistic conditions in our courses by requiring our Officers to perform tasks under varying, sometimes hostile conditions. This training method allows us to instruct our Officers both as individuals and as team members in conditions modeled after the City's environment. This repeated, realistic drilling ensures that our lessons are reinforced with our Officers resultant success in the field.

Oversight: The City's instructional staff will be carefully monitored by our trainer and City of Alhambra AM to make sure the training provided is client-focused and effective, yielding positive results.

Training Updates: Inter-Con will assess and implement updates to our training curriculum on both a regular and an as-needed basis. Per our standard protocol, all curriculum will be reviewed and updated on an annual basis as part of a formal audit process conducted by our Account Management and National Training Teams. We ensure our ability to quickly administer key updates in response to new industry, federal, state, and local regulations as well as the needs of our client. If the City's security needs evolve, we will be able to immediately deliver.

Train Customer Service: We recognize that the City requires more than standard security protocols. In fact, we do as well. To provide exemplary service, we instruct our Officers on proper etiquette when interacting with personnel, residents and visitors of the City.

PRE-ASSIGNMENT AND CUSTOMER SERVICE TRAINING

Inter-Con will ensure each Officer receives training specific to the City of Alhambra Parking contract. All newly hired Parking Enforcement Officers will receive four (4) hours of training which will include, but not limited to: Information on parking statutes, laws, ordinances, regulations, and resolutions enacted by the Federal Government, the State of California, and the City of Alhambra; Parking enforcement programs and policies adopted by the City of Alhambra; Operation of equipment, including instruction on communications procedures, radio devices, citation devices, public relations, customer service, and conflict mitigation techniques; Tasks and responsibilities under regular and emergency operating conditions; Physical layout of the City; and Customer service and public relation.

ON-THE-JOB OR SITE-SPECIFIC TRAINING

Inter-Con ensures that all Parking Enforcement Officers are not just qualified and properly trained, but also fully prepared for the daily activities that accompany each post assignment. As detailed in the RFP, the City will support part-time contract employees for a 40-hour training period and full-time contract employees for an 80-hour training period.

LIST AND DESCRIPTION OF SUBCONTRACTOR(S)

Inter-Con does not plan on subcontracting any of this work.

A LIST OF QUALIFICATIONS AND EXPERIENCE OF YOUR COMPANY IN PROVIDING SIMILAR SERVICES IN THE PAST TWO YEARS

Inter-Con supports a wide variety of government and commercial clients throughout Southern California and beyond. Our Company has over 25 years of experience providing Parking Enforcement services for both on-street and off-street parking conditions for Cities in the greater Los Angeles area to include the Cities of Alhambra, Arcadia, Azusa, Covina, Glendora, La Verne, Pasadena and San Gabriel. As veterans in the security industry we are capable of supporting the City of Alhambra's Parking Enforcement program and are intimately familiar with all relevant parking engineering standards, specifications, policies, practices, and processes. For a comprehensive list of Inter-Con's current Parking Enforcement operations, please see **Table 1** below.

Table 1: Inter-Con's list of municipal contracts

Contract Name	Description	Original Contract Start Date
City of Alhambra	Parking Enforcement	10/14/1996
City of Arcadia	Parking Enforcement	4/15/2007
City of Azusa	Parking Enforcement	7/1/2018
City of Covina	Parking Enforcement	12/26/2008
City of Glendora	Parking Enforcement	7/1/2008
City of La Verne	Parking Enforcement	2/19/2007
City of Pasadena	Parking Enforcement	7/17/2002
City of San Gabriel	Parking Enforcement	11/1/2005

REFERENCES

Inter-Con is the ideal security partner for the City of Alhambra. For the past 48 years, we have earned our reputation as the premier provider of customized, integrated, and innovative security solutions, tailoring each program to our client's unique needs and preferences. Inter-Con's density of parking enforcement and security operations in the greatet Los Angeles area, as well as its intimate knowledge of each City's unique ordinance, positions us as the best partner for the City. **When considered as a single umbrella operation, our local Parking Enforcement contracts, which entail over 60,000 annual service hours, require a degree of operational sophistication and capabilities that exceed those listed by the City or any other, individual parking enforcement contract.** Inter-Con is thus clearly capable of effectively and efficiently supporting the City's parking enforcement program. The three (3) references below highlight Inter-Con's relevant experience and capabilities:

1. CITY OF ALHAMBRA PARKING ENFORCEMENT

Inter-Con was recently awarded the City of Alhambra Parking contract after their last vendor, Serco, was found to have failed in the performance of its service obligations. For the City of Alhambra, we are excited to forge a long-standing relationship as well as support the contract by providing all required personnel, management, supervision. Additionally, Inter-Con provides the City with materials to support all training and administrative support necessary for the Parking Enforcement contract. **Supported by 11 Officers, Inter-Con averages 10,700 hours of support annually. Inter-Con has proudly served as the City's Parking Enforcement partner since 1996.**

Name	Robert Arambula
Contact Title	Parking Officer, Traffic Division
Address	211 S. 1st St, Alhambra, CA 91801
Phone Number	(626) 570-5000
Email Address	rarambula@alhabrapd.org

2. CITY OF SAN GABRIEL PARKING ENFORCEMENT

Inter-Con provides all required personnel, management, supervision, training, equipment, and administrative support to perform Parking Enforcement services for the City of San Gabriel. The contract is supported by 5 personnel who average about 500 citations on a weekly basis. **Throughout each year, Inter-Con's Officers provide on average 6,264 hours of support annually. Inter-Con has proudly served as the City's Parking Enforcement partner since 2005.**

Name	Dan Gosserand
Contact Title	Sergeant, Traffic Division
Address	625 South Del Mar Ave, San Gabriel, California 91776
Phone Number	(626) 308-2860
Email Address	DG145@sgpd.com

3. CITY OF COVINA PARKING ENFORCEMENT

Inter-Con provides all required personnel, management, supervision, training, equipment, and administrative support to perform Parking Enforcement services for the City of Covina. The contract is supported by 4 personnel who average about 80 citations on a weekly basis. Throughout each year, Inter-Con's Officers provide on average 6,240 hours of support annually. Inter-Con has proudly served as the City's parking enforcement partner since 2008.

Name	Ryan Rasmussen
Contact Title	Patrol Sergeant
Address	444 N Citrus Ave, Covina, CA 91723
Phone Number	(626) 384-5665
Email Address	rrasmussen@covinaca.gov

INSURANCE

Inter-Con is fully insured to support the City of Alhambra. Our Certificate of Insurance can be found in the image below.

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 10/7/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: SullivanCurtisMonroe Insurance Services (IRV) 1920 Main Street Suite 600 Irvine, CA 92614 www.SullivanCurtisMonroe.com License # 0E83670	CONTACT NAME: PHONE (A/C, No, Ext): 949.250.7172 FAX (A/C, No): 949.852.9762 E-MAIL ADDRESS:
INSURED Inter-Con Security Systems, Inc. 210 South De Lacey Avenue Pasadena CA 91105	INSURER(S) AFFORDING COVERAGE — NAIC # INSURER A: Arch Insurance Company — 11150 INSURER B: Navigators Specialty Insurance Company — 42307 INSURER C: Technology Insurance Company, Inc — 42376 INSURER D: INSURER E: INSURER F:

COVERAGES CERTIFICATE NUMBER: 58032032 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	✓ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☑ OCCUR ✓ Deductible $15,000 ✓ Errors & Omissions GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☑ PRO-JECT ☐ LOC ☐ OTHER:			BSPKG0072616	6/1/2020	6/1/2021	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY GENERAL AGGREGATE PRODUCTS - COMP/OP AGG $	$1,000,000 $100,000 $5,000 $1,000,000 $5,000,000 $5,000,000 $
A	AUTOMOBILE LIABILITY ✓ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ✓ NON-OWNED AUTOS ONLY			BSPKG0210610	9/1/2020	9/1/2021	COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person) BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident) $	$1,000,000 $ $ $ $
A	✓ UMBRELLA LIAB ✓ OCCUR EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ✓ RETENTION $10,000			BSPKG0150713	6/1/2020	6/1/2021	EACH OCCURRENCE AGGREGATE $	$5,000,000 $5,000,000 $
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N: N	N/A	TWC3909655	9/1/2020	6/1/2021	✓ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT E.L. DISEASE - EA EMPLOYEE E.L. DISEASE - POLICY LIMIT	$1,000,000 $1,000,000 $1,000,000
B	Excess Liability			SE20EXC084570IC	6/1/2020	6/1/2021	$5,000,000 each occurrence $5,000,000 general aggregate	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER	CANCELLATION
Proof of Insurance	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE Linda Gonzales

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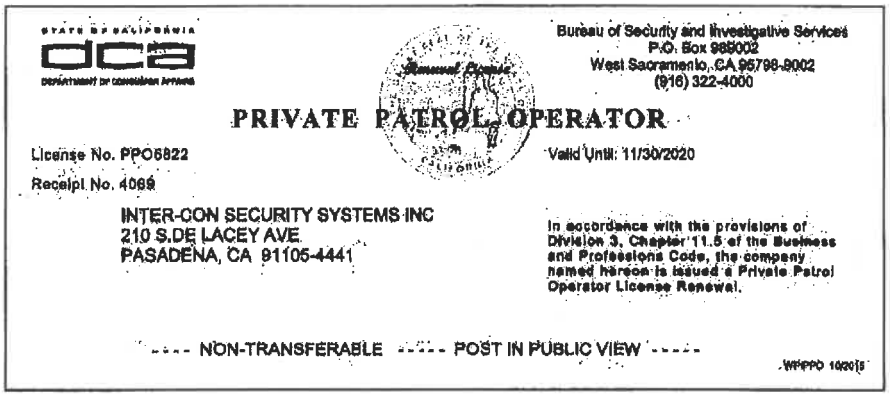
ACORD 25 (2016/03) The ACORD name and logo are registered marks of ACORD

58032032 | IPPERCOM1 | 20-21 GL/UMC/ELC/CAU/WCO | brinda Bacchina | 10/7/2020 7:30:44 AM (PDT) | Page 1 of 2

LICENSES/CERTIFICATIONS

Please find below Inter-Con's certifications and license samples.



STATE OF CALIFORNIA
dca
DEPARTMENT OF CONSUMER AFFAIRS

Bureau of Security and Investigative Services
P.O. Box 989002
West Sacramento, CA 95798-9002
(916) 322-4000

PRIVATE PATROL OPERATOR

License No. PPO6822
Valid Until: 11/30/2020
Receipt No. 4069

INTER-CON SECURITY SYSTEMS INC
210 S.DE LACEY AVE.
PASADENA, CA 91105-4441

In accordance with the provisions of Division 3, Chapter 11.5 of the Business and Professions Code, the company named hereon is issued a Private Patrol Operator License Renewal.

---- NON-TRANSFERABLE ---- POST IN PUBLIC VIEW ----

WPPPO 1020[illegible]

THIS CERTIFIES THAT

Inter-Con Security Systems, Inc.

NMSDC
National Minority Supplier Development Council

* Nationally certified by the: **SOUTHERN CALIFORNIA MINORITY SUPPLIER DEVELOPMENT COUNCIL**

*NAICS Code(s): 561612

* Description of their product/services as defined by the North American Industry Classification System (NAICS)

02/01/2021
Issued Date

SC04033
Certificate Number

Adrienne Trimble

02/01/2022
Expiration Date

Virginia Gomez, President

By using your password (NMSDC issued only), authorized users may log into NMSDC Central to view the entire profile: http://nmsdc.org

Certify. Develop. Connect. Advocate

* MBEs certified by an Affiliate of the National Minority Supplier Development Council, Inc.®

DULY AUTHORIZED OFFICER

Inter-Con's proposal is open and valid for at least 90 days calendar days from the date of required submission. The below listed individual is fully authorized to negotiate on Inter-Con's behalf in connection with this RFP:

Name: Neil Martau

Signature: _____

Title: Chief Administrative Officer
Phone Number: (626) 535-2234
Address: 210 South De Lacey Avenue, Pasadena, CA 91105

Price Narrative

Inter-Con submits this offer in response to the City of Alhambra's Request for Proposal. Per the RFP, Inter-Con's proposal is valid for 90 calendar days after the bid submission deadline of 4/1/2021.

PRICING ASSUMPTIONS

Please note that our pricing is based on various assumptions that we have outlined in the section below. To the extent that the assumptions we have outlined are incorrect or need to be modified, we will work with the City of Alhambra to refine our pricing to reflect the correct information. These assumptions include:

WAGE RATES & COLLECTIVE BARGAINING AGREEMENTS

Inter-Con has priced wages and benefits at the level we believe necessary to perform the work outlined in this RFP. Our wages are based on market research, our own experience operating in these markets for clients we serve today, and our state-of-the-art compensation database tool, which provides us with wage datapoints for every market in the United States.

MODIFICATIONS & COLLECTIVE BARGAINING CHANGES

In the event that Inter-Con experiences an increase in its costs resulting from any increase, whether or not anticipated, in or resulting from: (1) Federal, state or local taxes, levies, or required withholdings imposed or assessed on amounts payable to and/or by the City of Alhambra hereunder or by or in respect of Inter-Con to its personnel; (2) Federal, state or local minimum wage rates, mandated paid time off and/or sick leave, changes in overtime wage regulations, uniform maintenance expenses or other required employee allowances, licensing fees, or wage, medical, welfare and other benefit costs under collective bargaining agreements; and/or (3) costs related to medical and/or welfare benefits and other requirements, including without limitation costs incurred by Inter-Con pursuant to applicable federal, state and/or local law, the Fees set forth in in the Rate Table below and each subsequent Task Order shall be increased by percentage equal to the percentage increase in Inter-Con's costs resulting from the items set forth in this paragraph. Inter-Con will provide City of Alhambra notice of such change in the Rates. Notwithstanding anything to the contrary, Inter-Con may pass through the costs set forth in this paragraph to the City of Alhambra as incurred or accrued and the City of Alhambra shall pay CONSULTANT for such costs.

REST AND MEAL BREAKS

Inter-Con has not priced in the cost of a breaker force to relieve personnel. Our assumption is that all personnel will be allowed to take rest and meal breaks as mandated by state or local law. Rates are predicated upon the assumption that all personnel are either self-relieving or relieved by existing Inter-Con personnel on rotating basis where possible. To the extent that the City of Alhambra desires a full breaker force for all personnel we are happy to accommodate this and build this cost into our rates.

PROPOSED RATES

As discussed at the start of this narrative, we have priced wages at the level we believe necessary to perform the work outlined in this RFP. Our wages are based on market research and our own experience operating in these markets for clients we serve today. Because wage is such a large component of our cost, if the City of Alhambra feels that alternative wages are appropriate, we would welcome the opportunity to discuss compensation and revise our pricing accordingly.

RATE TABLES

Below, we provide our proposed bill rates.

Position	Year 1 Bill Rate	Year 2 Bill Rate	Year 3 Bill Rate
Night Parking Enforcement Supervisor	$39.52	$40.37	$41.24
Day Parking Enforcement Supervisor	$33.80	$34.50	$35.22
Night Parking Enforcement Representative	$38.72	$39.55	$40.39
Day Parking Enforcement Representative	$32.17	$32.82	$33.48

COMPONENTS OF INTER-CON'S BILL RATES

In the spirit of transparency, we have outlined the major components that comprise the rates presented above. Our pricing is customizable, and to the extent that the City of Alhambra desires an alternative approach to a specific cost item (such as Training, Vacation, Holiday, etc.), we are open to discuss and modify our rates accordingly.

COMPENSATION

Our wages are a factor of extensive market research into the level of compensation required by each position at each location to attract and retain high-caliber individuals who will thrive in the City of Alhambra environment and provide **the high-touch, high-quality, customer-service driven security that the City of Alhambra deserves.** These wages are based on market labor & wage data and our own experience in a variety of the listed markets.

Though we believe these are the optimal wages for each market, we would be happy to discuss and modify our rates accordingly to the extent that the City of Alhambra would like to realign compensation.

Position	Year 1 Compensation	Year 2 Compensation	Year 3 Compensation
Night Parking Enforcement Supervisor	$23.75	$24.34	$24.95
Day Parking Enforcement Supervisor	$18.75	$19.22	$19.70
Night Parking Enforcement Representative	$22.75	$23.32	$23.90
Day Parking Enforcement Representative	$17.75	$18.19	$18.64

PAID TIME OFF (PTO)

All full-time personnel will receive 40 hours of paid time off, and all part-time personnel will receive 24 hours of sick leave.

HOLIDAYS

All full-time personnel who work on a holiday will receive a holiday benefit aligned with holiday schedule below.

Recognized Holidays	
New Year's Day	**Memorial Day**
Independence Day	**Labor Day**
Thanksgiving Day	**Christmas Day**

MEDICAL INSURANCE

Inter-Con has included the cost of 60/40 Employer/Employee split individual medical insurance for Parking Enforcement Representative and Supervisors; however, we believe the most cost-effective solution to handling insurance premiums is to bill them as a separate passthrough. Because premiums are highly unpredictable across contracts, security providers must ultimately over-estimate the percentage of the population that will enroll in various insurance offerings to ensure that premiums are covered. When this figure is included in all-inclusive hourly rates, it leads to unnecessarily high costs for clients, who may end up paying for individuals who are not actually enrolled.

Under a direct passthrough, however, the City of Alhambra would only pay for employees that choose to enroll. We provide this service to many of our current clients and have found that it both protects our clients from unnecessary cost and provides further transparency into our rates.

PAYROLL TAXES & INSURANCE

Inter-Con has included the cost of all applicable federal, state, and local taxes in our fully loaded rates. These taxes include the Federal Insurance Contributions Act (FICA), the Federal Unemployment Tax Act (FUTA), State Unemployment Insurance (SUI), Worker's Compensation (WC), Liability Insurance, and Fidelity Bond.

TRAINING

Training will include the following hours, all fully burdened in our bill rates:

Position	Basic Training
Parking Enforcement Supervisor	4
Parking Enforcement Representative	4

In addition to the above training, all full-time personnel will receive 80 hours of training and all part-time personnel will receive 40 hours of training. As stated in the RFP, the City of Alhambra will compensate employees for the 40 hour and 80-hour training period.

UNIFORMS & EQUIPMENT

We have priced the following uniform, though we can work with the City of Alhambra to revise the uniform specification, if the City of Alhambra desires a different look.

Item	Qty.
Polo Shirt	3
Trousers	2
Bomber Jacket	1
Parking Safety Vest	1
Belt	1
Duty Belt	1
Keepers (4 Pack)	1
Shoes	1
Baseball Cap	1
Badge	1
Nametag	1
Flashlight	1

PHONES

Inter-Con has transitioned all our high-end work over to utilize current smartphone technology. These phones are installed with Inter-Con software that enables digital timekeeping, GPS tracking of security personnel, and Virtual Performance Inspections offered by our 24/7 Global Security Operations Center (GSOC) in Pasadena, CA.

While we can provide Inter-Con owned cell phones to our personnel, our experience is that our officers prefer to be reimbursed for use of their own smartphones. Given this, we have priced in a reimbursement for their phone data usage. **This approach to communications management is far less expensive and more effective than purchasing and managing an inventory of radios or supply of smartphones.**

VEHICLES

Inter-Con has included the cost of five vehicles, each equipped with a lightbar and a spotlight.

Type	Make	Model	Year	Estimated Annual Mileage per Vehicle	Quantity	Monthly Cost per Vehicle
Sedan	Nissan	Versa	2021	10,000	5	$839.30

SCREENING

Screening
Physical Exam
Drug Test
DOJ Fingerprinting
National Criminal Index Plus
Federal Criminal
County Criminal
Social Security Trace
Motor Vehicle Report

UNBILLABLE OVERTIME

While we strive to operate all contracts with zero overtime, unexpected call-offs can lead to unavoidable overtime because of holdovers to ensure that posts are covered 100% of the time. In our experience, this "unbillable overtime" typically averages at 2.00% of all contract hours. As such, we have priced the provision for this cost under this cost component.

COST OF CAPITAL

Our cost of capital is priced at 0.11% of total cost because of interest expense required to float payroll and other costs between time of payment and receipt of invoiced funds.

INDIRECT SUPPORT EXPENSE

In addition to our dedicated management and supervision, the City of Alhambra will receive the constant support provided by our training and administrative teams, including our 24/7 GSOC located in Pasadena, CA. The total cost of this indirect support is 6.00%.

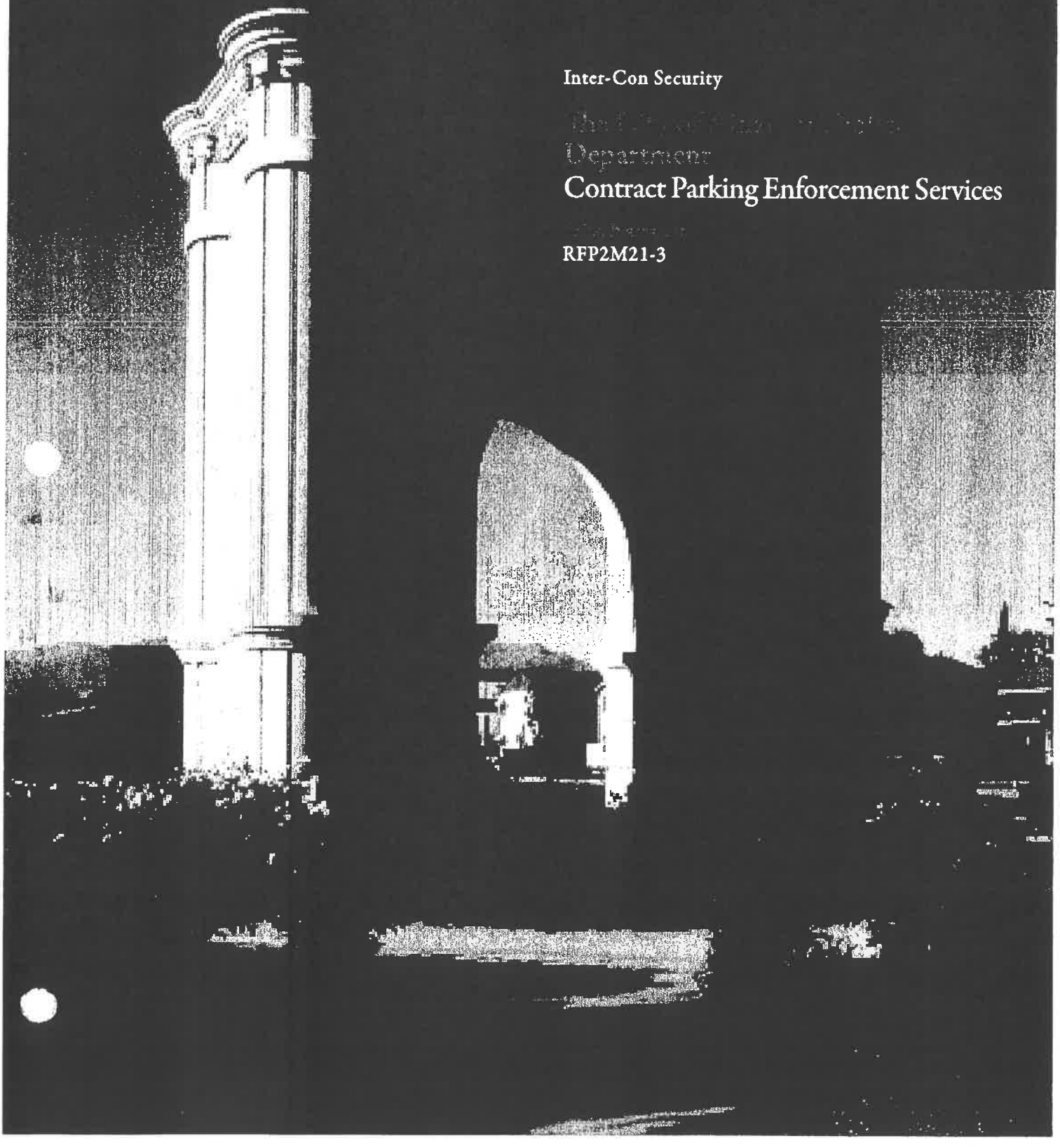
GENERAL & ADMINISTRATIVE EXPENSE

In addition to the dedicated overhead team that will run the day-to-day operations of this contract, the City of Alhambra has the full support of our Billing, Contracting, Recruiting, Payroll, Logistics, and Management teams. We have priced this corporate support cost at a discounted G&A rate of 6.00%.

PROFIT

Our targeted pre-tax profit is 9.3%.

IC INTER-CON SECURITY

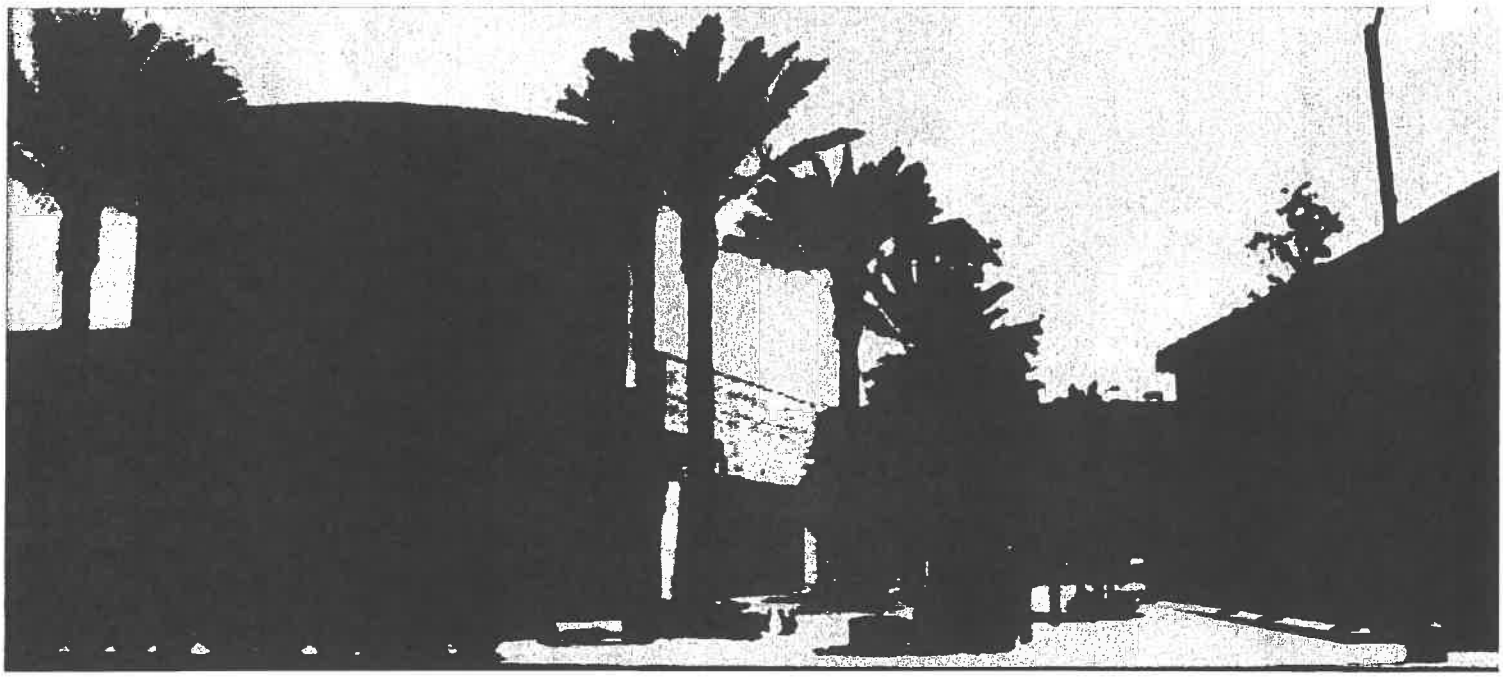


Inter-Con Security

Department

Contract Parking Enforcement Services

RFP2M21-3



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Inter-Con Clarification Response

1. ANNUAL COST OF THE CONTRACT, ITS TOTAL FOR ALL ASPECTS.

Below, we provide the estimated annual cost based on our proposed bill rates.

Position	Year 1 Bill Rate	Weekly Hours	Estimated Annual Hours	Estimated Annual Cost
Night Parking Enforcement Supervisor	$39.52	28.00	1,456.00	$57,541.12
Day Parking Enforcement Supervisor	$33.80	40.00	2,080.00	$70,304.00
Night Parking Enforcement Representative	$38.72	112.00	5,824.00	$225,505.28
Day Parking Enforcement Representative	$32.17	110.00	5,720.00	$184.012.40
			Year 1 Estimated Annual Cost	**$537,362.80**

Position	Year 2 Bill Rate	Weekly Hours	Estimated Annual Hours	Estimated Annual Cost
Night Parking Enforcement Supervisor	$40.37	28.00	1,456.00	$58,778.72
Day Parking Enforcement Supervisor	$34.50	40.00	2,080.00	$71,760.00
Night Parking Enforcement Representative	$39.55	112.00	5,824.00	$230,339.20
Day Parking Enforcement Representative	$32.82	110.00	5,720.00	$187,730.40
			Year 2 Estimated Annual Cost	**$548,608.32**

Position	Year 3 Bill Rate	Weekly Hours	Estimated Annual Hours	Estimated Annual Cost
Night Parking Enforcement Supervisor	$41.24	28.00	1,456.00	$60,045.44
Day Parking Enforcement Supervisor	$35.22	40.00	2,080.00	$73,257.60
Night Parking Enforcement Representative	$40.39	112.00	5,824.00	$235,231.36
Day Parking Enforcement Representative	$33.48	110.00	5,720.00	$191,505.60
			Year 3 Estimated Annual Cost	**$560,040.00**

Position	Year 4 Bill Rate	Weekly Hours	Estimated Annual Hours	Estimated Annual Cost
Night Parking Enforcement Supervisor	$42.13	28.00	1,456.00	$61,341.28
Day Parking Enforcement Supervisor	$35.95	40.00	2,080.00	$74,776.00
Night Parking Enforcement Representative	$41.26	112.00	5,824.00	$240,298.24
Day Parking Enforcement Representative	$34.18	110.00	5,720.00	$195,509.60
			Year 4 Estimated Annual Cost	**$571,925.12**

Position	Year 5 Bill Rate	Weekly Hours	Estimated Annual Hours	Estimated Annual Cost
Night Parking Enforcement Supervisor	$43.04	28.00	1,456.00	$62,666.24
Day Parking Enforcement Supervisor	$36.69	40.00	2,080.00	$76,315.20
Night Parking Enforcement Representative	$42.14	112.00	5,824.00	$245,423.36
Day Parking Enforcement Representative	$34.89	110.00	5,720.00	$199,570.80
			Year 5 Estimated Annual Cost	**$583,975.60**

2. YEARS 4 AND 5 TOTAL COSTS/ESCALATION

Below, we provide our proposed bill rates and compensation rates.

Position	Year 1 Bill Rate	Year 2 Bill Rate	Year 3 Bill Rate	Year 4 Bill Rate	Year 5 Bill Rate
Night Parking Enforcement Supervisor	$39.52	$40.37	$41.24	$42.13	$43.04
Day Parking Enforcement Supervisor	$33.80	$34.50	$35.22	$35.95	$36.69
Night Parking Enforcement Representative	$38.72	$39.55	$40.39	$41.26	$42.14
Day Parking Enforcement Representative	$32.17	$32.82	$33.48	$34.18	$34.89

Position	Year 1 Compensation	Year 2 Compensation	Year 3 Compensation	Year 4 Compensation	Year 5 Compensation
Night Parking Enforcement Supervisor	$23.75	$24.34	$24.95	$25.57	$26.21
Day Parking Enforcement Supervisor	$18.75	$19.22	$19.70	$20.19	$20.69
Night Parking Enforcement Representative	$22.75	$23.32	$23.90	$24.50	$25.11
Day Parking Enforcement Representative	$17.75	$18.19	$18.64	$19.11	$19.59

3. PG 25 MENTIONS PHONES, CAN WE EXPLAIN THAT WE ARE NOT PROVIDING PHONES FOR THIS CONTRACT AND THERE WILL BE NO ADDITIONAL CHARGES FOR ANY PHONES.

We apologize for the confusion here; however, this is included at no additional cost to the City. As stated in our proposal, while we can provide Inter-Con owned cell phones to our personnel, our experience is that our Officers prefer to be reimbursed for use of their own smartphones. In response, we have priced in a reimbursement plan for their phone data usage. As a result, the City will not be charged for these phones other than what is already in the loaded rate.

Please see a revised Price Narrative on the following pages which incorporates the changes noted above.

Price Narrative

Inter-Con submits this offer in response to the City of Alhambra's Request for Proposal. Per the RFP, Inter-Con's proposal is valid for 90 calendar days after the bid submission deadline of 4/1/2021.

PRICING ASSUMPTIONS

Please note that our pricing is based on various assumptions that we have outlined in the section below. To the extent that the assumptions we have outlined are incorrect or need to be modified, we will work with the City of Alhambra to refine our pricing to reflect the correct information. These assumptions include:

WAGE RATES & COLLECTIVE BARGAINING AGREEMENTS

Inter-Con has priced wages and benefits at the level we believe necessary to perform the work outlined in this RFP. Our wages are based on market research, our own experience operating in these markets for clients we serve today, and our state-of-the-art compensation database tool, which provides us with wage datapoints for every market in the United States.

MODIFICATIONS & COLLECTIVE BARGAINING CHANGES

In the event that Inter-Con experiences an increase in its costs resulting from any increase, whether or not anticipated, in or resulting from: (1) Federal, state or local taxes, levies, or required withholdings imposed or assessed on amounts payable to and/or by the City of Alhambra hereunder or by or in respect of Inter-Con to its personnel; (2) Federal, state or local minimum wage rates, mandated paid time off and/or sick leave, changes in overtime wage regulations, uniform maintenance expenses or other required employee allowances, licensing fees, or wage, medical, welfare and other benefit costs under collective bargaining agreements; and/or (3) costs related to medical and/or welfare benefits and other requirements, including without limitation costs incurred by Inter-Con pursuant to applicable federal, state and/or local law, the Fees set forth in in the Rate Table below and each subsequent Task Order shall be increased by percentage equal to the percentage increase in Inter-Con's costs resulting from the items set forth in this paragraph. Inter-Con will provide City of Alhambra notice of such change in the Rates. Notwithstanding anything to the contrary, Inter-Con may pass through the costs set forth in this paragraph to the City of Alhambra as incurred or accrued and the City of Alhambra shall pay CONSULTANT for such costs.

REST AND MEAL BREAKS

Inter-Con has not priced in the cost of a breaker force to relieve personnel. Our assumption is that all personnel will be allowed to take rest and meal breaks as mandated by state or local law. Rates are predicated upon the assumption that all personnel are either self-relieving or relieved by existing Inter-Con personnel on rotating basis where possible. To the extent that the City of Alhambra desires a full breaker force for all personnel we are happy to accommodate this and build this cost into our rates.

PROPOSED RATES

As discussed at the start of this narrative, we have priced wages at the level we believe necessary to perform the work outlined in this RFP. Our wages are based on market research and our own experience operating in these markets for clients we serve today. Because wage is such a large component of our cost, if the City of Alhambra feels that alternative wages are appropriate, we would welcome the opportunity to discuss compensation and revise our pricing accordingly.

RATE TABLES

Below, we provide our proposed bill rates.

Position	Year 1 Bill Rate	Year 2 Bill Rate	Year 3 Bill Rate	Year 4 Bill Rate	Year 5 Bill Rate
Night Parking Enforcement Supervisor	$39.52	$40.37	$41.24	$42.13	$43.04
Day Parking Enforcement Supervisor	$33.80	$34.50	$35.22	$35.95	$36.69
Night Parking Enforcement Representative	$38.72	$39.55	$40.39	$41.26	$42.14
Day Parking Enforcement Representative	$32.17	$32.82	$33.48	$34.18	$34.89

Below, we provide the estimated annual cost based on our proposed bill rates.

Position	Year 1 Bill Rate	Weekly Hours	Estimated Annual Hours	Estimated Annual Cost
Night Parking Enforcement Supervisor	$39.52	28.00	1,456.00	$57,541.12
Day Parking Enforcement Supervisor	$33.80	40.00	2,080.00	$70,304.00
Night Parking Enforcement Representative	$38.72	112.00	5,824.00	$225,505.28
Day Parking Enforcement Representative	$32.17	110.00	5,720.00	$184.012.40
			Year 1 Estimated Annual Cost	**$537,362.80**

Position	Year 2 Bill Rate	Weekly Hours	Estimated Annual Hours	Estimated Annual Cost
Night Parking Enforcement Supervisor	$40.37	28.00	1,456.00	$58,778.72
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			Year 3 Estimated Annual Cost	**$560,040.00**

Position	Year 4 Bill Rate	Weekly Hours	Estimated Annual Hours	Estimated Annual Cost
Night Parking Enforcement Supervisor	$42.13	28.00	1,456.00	$61,341.28
Day Parking Enforcement Supervisor	$35.95	40.00	2,080.00	$74,776.00
Night Parking Enforcement Representative	$41.26	112.00	5,824.00	$240,298.24
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			Year 5 Estimated Annual Cost	**$583,975.60**

COMPONENTS OF INTER-CON'S BILL RATES

In the spirit of transparency, we have outlined the major components that comprise the rates presented above. Our pricing is customizable, and to the extent that the City of

Alhambra desires an alternative approach to a specific cost item (such as Training, Vacation, Holiday, etc.), we are open to discuss and modify our rates accordingly.

COMPENSATION

Our wages are a factor of extensive market research into the level of compensation required by each position at each location to attract and retain high-caliber individuals who will thrive in the City of Alhambra environment and provide **the high-touch, high-quality, customer-service driven security that the City of Alhambra deserves.** These wages are based on market labor & wage data and our own experience in a variety of the listed markets.

Though we believe these are the optimal wages for each market, we would be happy to discuss and modify our rates accordingly to the extent that the City of Alhambra would like to realign compensation.

Position	Year 1 Compensation	Year 2 Compensation	Year 3 Compensation	Year 4 Compensation	Year 5 Compensation
Night Parking Enforcement Supervisor	$23.75	$24.34	$24.95	$25.57	$26.21
Day Parking Enforcement Supervisor	$18.75	$19.22	$19.70	$20.19	$20.69
Night Parking Enforcement Representative	$22.75	$23.32	$23.90	$24.50	$25.11
Day Parking Enforcement Representative	$17.75	$18.19	$18.64	$19.11	$19.59

PAID TIME OFF (PTO)

All full-time personnel will receive 40 hours of paid time off, and all part-time personnel will receive 24 hours of sick leave.

HOLIDAYS

All full-time personnel who work on a holiday will receive a holiday benefit aligned with holiday schedule below.

Recognized Holidays	
New Year's Day	**Memorial Day**
Independence Day	**Labor Day**
Thanksgiving Day	**Christmas Day**

MEDICAL INSURANCE

Inter-Con has included the cost of 60/40 Employer/Employee split individual medical insurance for Parking Enforcement Representative and Supervisors; however, we believe the most cost-effective solution to handling insurance premiums is to bill them as a separate passthrough. Because premiums are highly unpredictable across contracts, security providers must ultimately over-estimate the percentage of the population that will enroll in various insurance offerings to ensure that premiums are covered. When this figure is included in all-inclusive hourly rates, it leads to unnecessarily high costs for clients, who may end up paying for individuals who are not actually enrolled.

Under a direct passthrough, however, the City of Alhambra would only pay for employees that choose to enroll. We provide this service to many of our current clients and have found that it both protects our clients from unnecessary cost and provides further transparency into our rates.

PAYROLL TAXES & INSURANCE

Inter-Con has included the cost of all applicable federal, state, and local taxes in our fully loaded rates. These taxes include the Federal Insurance Contributions Act (FICA), the Federal Unemployment Tax Act (FUTA), State Unemployment Insurance (SUI), Worker's Compensation (WC), Liability Insurance, and Fidelity Bond.

TRAINING

Training will include the following hours, all fully burdened in our bill rates:

Position	Basic Training
Parking Enforcement Supervisor	4
Parking Enforcement Representative	4

In addition to the above training, all full-time personnel will receive 80 hours of training and all part-time personnel will receive 40 hours of training. As stated in the RFP, the City of Alhambra will compensate employees for the 40 hour and 80-hour training period.

UNIFORMS & EQUIPMENT

We have priced the following uniform, though we can work with the City of Alhambra to revise the uniform specification, if the City of Alhambra desires a different look.

Item	Qty.
Polo Shirt	3
Trousers	2
Bomber Jacket	1
Parking Safety Vest	1
Belt	1
Duty Belt	1
Keepers (4 Pack)	1
Shoes	1
Baseball Cap	1
Badge	1
Nametag	1
Flashlight	1

PHONES

Inter-Con has transitioned all our high-end work over to utilize current smartphone technology. These phones are installed with Inter-Con software that enables digital timekeeping, GPS tracking of security personnel, and Virtual Performance Inspections offered by our 24/7 Global Security Operations Center (GSOC) in Pasadena, CA.

While we can provide Inter-Con owned cell phones to our personnel, our experience is that our officers prefer to be reimbursed for use of their own smartphones. Given this, we have priced in a reimbursement for their phone data usage. **The City of Alhambra will not be charged for smartphones, other than what is included in the loaded rate for data reimbursement. This approach to communications management is far less expensive and more effective than purchasing and managing an inventory of radios or supply of smartphones.**

VEHICLES

Inter-Con has included the cost of five vehicles, each equipped with a lightbar and a spotlight.

Type	Make	Model	Year	Estimated Annual Mileage per Vehicle	Quantity	Monthly Cost per Vehicle
Sedan	Nissan	Versa	2021	10,000	5	$839.30

SCREENING

Screening
Physical Exam
Drug Test
DOJ Fingerprinting
National Criminal Index Plus
Federal Criminal
County Criminal
Social Security Trace
Motor Vehicle Report

UNBILLABLE OVERTIME

While we strive to operate all contracts with zero overtime, unexpected call-offs can lead to unavoidable overtime because of holdovers to ensure that posts are covered 100% of the time. In our experience, this "unbillable overtime" typically averages at 2.00% of all contract hours. As such, we have priced the provision for this cost under this cost component.

COST OF CAPITAL

Our cost of capital is priced at 0.11% of total cost because of interest expense required to float payroll and other costs between time of payment and receipt of invoiced funds.

INDIRECT SUPPORT EXPENSE

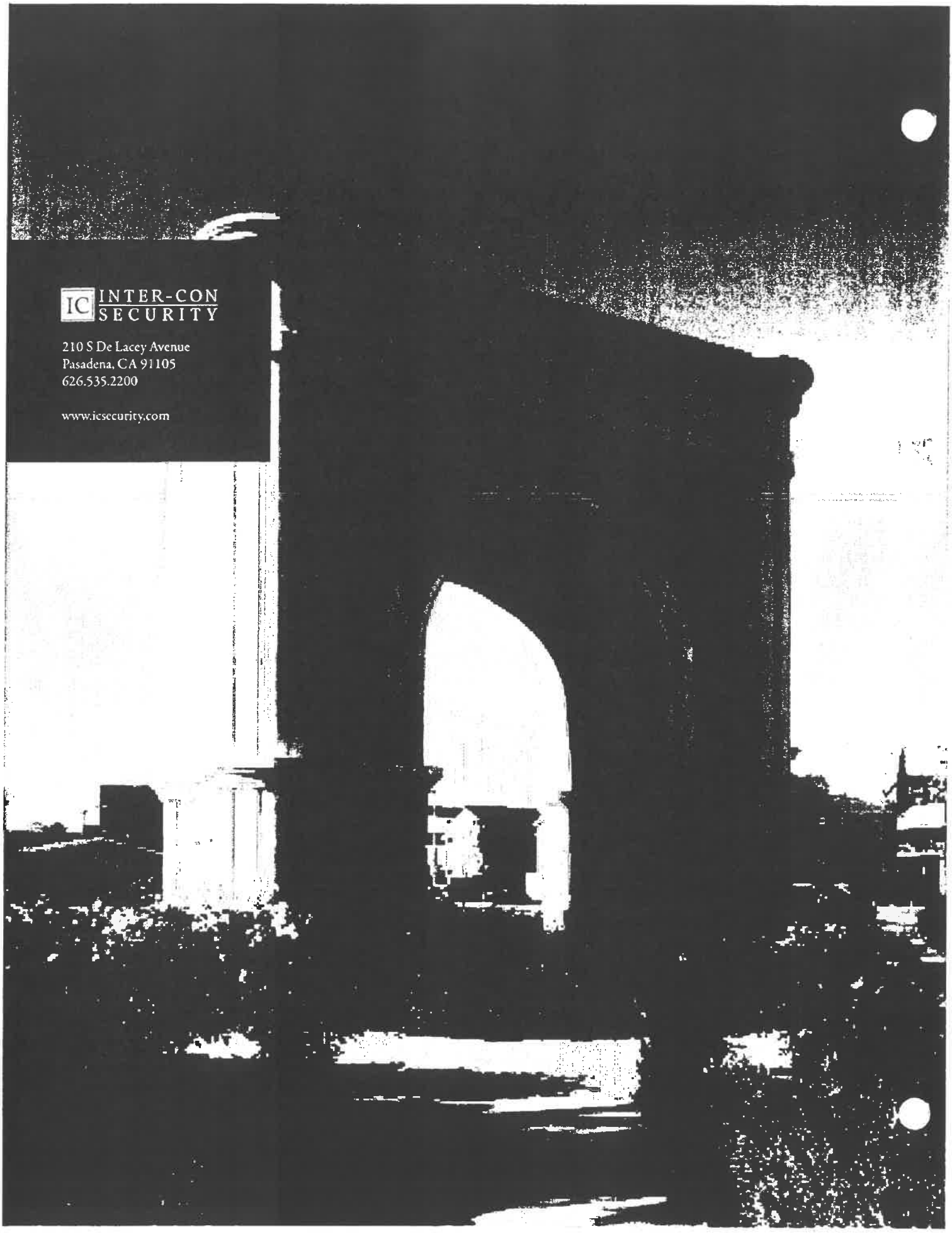
In addition to our dedicated management and supervision, the City of Alhambra will receive the constant support provided by our training and administrative teams, including our 24/7 GSOC located in Pasadena, CA. The total cost of this indirect support is 6.00%.

GENERAL & ADMINISTRATIVE EXPENSE

In addition to the dedicated overhead team that will run the day-to-day operations of this contract, the City of Alhambra has the full support of our Billing, Contracting, Recruiting, Payroll, Logistics, and Management teams. We have priced this corporate support cost at a discounted G&A rate of 6.00%.

PROFIT

Our targeted pre-tax profit is 9.3%.



IC INTER-CON SECURITY

210 S De Lacey Avenue
Pasadena, CA 91105
626.535.2200

www.icsecurity.com

CITY OF ALHAMBRA
Police Department

RFP2M21-3

CONTRACT DOCUMENTS

AND REQUEST FOR PROPOSALS

FOR

CONTRACT PARKING ENFORCEMENT SEVICES

IN THE CITY OF ALHAMBRA

CITY OF ALHAMBRA
Alhambra Police Department
211 SOUTH FIRST STREET
ALHAMBRA, CALIFORNIA 91801

KEY REQUEST FOR PROPOSAL DATES:

DATE ISSUED: February 11, 2021
Mandatory Proposer Conference: 10:30 A.M., March 11, 2021
Proposal Due Date: 10:30 A.M., April 1, 2021

Exhibit "B"

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REQUEST FOR PROPOSALS

FOR

CONTRACT PARKING ENFORMENT SERVICES

IN THE CITY OF ALHAMBRA

GENERAL INFORMATION:

The City of Alhambra Police Department invites proposals for the purpose of providing multi-year contract parking enforcement services within the City of Alhambra.

The proposals will be screened to determine the most qualified firm. Finalists may be asked to participate in a presentation and scoping session. Areas of specific expertise that will be particularly evaluated include experience in municipal parking enforcement and the ability to provide an effective and efficient program. The firm with the best qualifications and the most competitive fee proposal will be asked to negotiate a professional services agreement.

Send proposals to:

City Clerk's Office
City of Alhambra
111 South First Street
Alhambra, CA 91801

Proposals Due: Thursday, April 1, 2021 10:30 A.M.

Contact Person: Sgt. Rodney Castillo, Traffic Section Supervisor, (626) 300-1502

GENERAL REQUIREMENTS

- *Purpose* - The purpose of the Request for Proposals (RFP) is to solicit proposals from qualified companies interested in contracting with the City of Alhambra (hereinafter referred to *as "City")* to provide contract parking enforcement services within the City of Alhambra. Award of this contract will be made by the City Council.

- *City Option to reject all proposals* - The City may, at its sole discretion, reject any and all proposals submitted in response to this RFP. The City will not be liable for any costs incurred in connection with the preparation and submittal of any proposal. The City reserves the right to waive any irregularities in a submitted proposal.

- *Contract Sum* – All proposals will include specific proposals for any annual contract fee with unit prices broken out, based upon the description of services to be performed in the "Scope of Work" Section of this RFP. The first-year base bid will be from July 01, 2021 to June 30, 2024. The contract award for the next three years will go for the twelve-month fiscal year periods of July 1, 2021 through June 30, 2024.

  Note: Although a firm's fixed price proposal will be submitted, the terms and conditions of the contract are subject to negotiation.

- *Contract Payment* - Payment to contractor will be made in arrears on a monthly basis for services performed, provided that the contractor is not in default under any provisions of this agreement.

- *Term of Contract* - The term of contract will commence on July 01, 2021 and will remain and continue in effect for 3 years until June 30, 2024 with an option for two (2) additional one-year extensions, unless terminated earlier pursuant to the contract.

  Any contract entered into pursuant to this notice will incorporate the provisions of the State Labor Code. Compliance with the prevailing rates of wages and apprenticeship employment standards established by the State Director of Industrial Relations will be required.

  Affirmative action to ensure against discrimination in employment practices on the basis of race, color, national origin, ancestry, sex or religion will also be required.

  The City of Alhambra hereby ensures that minority business enterprises will be afforded full opportunity to submit proposals in response to this notice and will not be discriminated against on the basis of race, color, national origin, ancestry, gender, or religion in any consideration leading to the award of contract.

- *Discrepancies and Misunderstandings* - Contractors must satisfy themselves by personal examination of the work site, Specifications, and other contract documents, and by any other means as they may believe necessary, as to the actual physical conditions, requirements and difficulties under which the work must be performed. No contractor will at any time after submission of a proposal make any claim or assertion that there was any misunderstanding or lack of information regarding the nature or amount of work necessary for the satisfactory completion of the job. Any errors, omissions, or discrepancies must be called to the attention of the City of Alhambra and clarified prior to the submission of proposals.

- *Legal Responsibilities* - All proposals must be submitted, filed, made, and executed in accordance with State and Federal laws relating to proposals for contracts of this nature whether the same or expressly referred to herein or not. Any proposers submitting a proposal will by such action thereby agree to each and all of the terms, conditions, provision, and requirements set forth, contemplated, and referred to in the Specifications, and other contract documents, and shall agree to full compliance therewith.

- *Examination of site and Contract Document* – Each proposer will visit the sites of the proposed work and fully acquaint himself with the conditions relating to the construction and labor so that he may fully understand the facilities, difficulties, and restrictions attending the execution of the work under the contract. Proposer will thoroughly examine and be familiar with the specifications. The failure or omission of any bidder to receive or examine any contract documents, form, instruments, addendum or other document or to visit the site and acquaint himself with obligations with respect to his proposal or to the contract is not the responsibility of the City. The submission of a proposal will be taken as prima facie evidence of compliance with this section.

- *Interpretation of Documents* - If any person is in doubt as to the meaning of any part of the contract documents, or finds discrepancies in, or omissions from the specifications, he may submit to the City a written request for an interpretation or correction thereof. Any requests for interpretations or corrections must be submitted in writing to Sgt. Rodney Castillo, Traffic Section Supervisor and received no later than 5:00 p.m., Monday, March 22, 2021. Questions may be submitted electronically at rcastillo@alhambrapd.org. The person submitting the request will be responsible for its prompt delivery. Any interpretation or correction of the contract documents will be made only by addendum duly issued and a copy of such addendum will be faxed, mailed, e-mailed, or delivered to each person receiving a set of contract documents and who have attended the mandatory proposer's conference on Wednesday, March 3, 2021. No oral interpretation of any provision in the contract will be made to any proposer. Responses from the City to the proposers can be expected by 5:00 PM., Thursday, March 25, 2021.

- *Proposer Interested in More than One Proposal* - No person, firm, or corporation will be allowed to make or file, or be interested in more than one proposal for the same work unless alternate bids are specifically called for. This restriction does not apply to formal proposals as a prime contractor. No proposal will be accepted from a contractor who has not been licensed in accordance with the provisions of the State Business and Professional Code.

- *Listing Subcontractors:* Each proposer will submit a list of the proposed subcontractors of this project as required by the Subletting and Subcontracting Fair Practices Act (Govt. Code Sec. 4100 et seq.). Forms for this purpose are furnished with the contract documents and must be included as a part of any proposal submitted.

- *Equal Employment Opportunity Compliance*: Proposer shall certify that in all previous contracts or subcontracts, all reports, which may have been due under the requirements of any agency, Site, or Federal equal employment opportunity orders, have been satisfactorily filed, and that no such reports are currently outstanding.

- *Affirmative Action Certification:* Proposer shall certify that affirmative action has been taken to seek out and consider minority business enterprises for those portions of the work to be subcontracted, and that such affirmative actions have been fully documented, that said documentation is open to inspection, and that said affirmative action will remain in effect for the life of any contract awarded hereunder. Furthermore, proposer certifies that affirmative action will be taken to meet all equal employment opportunity requirements of the contract documents.

- *Non-Collusion Affidavit* - Proposer declares that the only persons or parties interested in this proposal as principals are those named herein: that no officer, agent, or employee of the City of Alhambra is personally interested, directly or indirectly, in this proposal; that his proposal is made without connection to any other individual, firm, or corporation making a bid for the same work and that this proposal is in all respects fair and without collusion or fraud.

- *Award of contract:* any contract resulting from the Request for Proposals process will be awarded to the firm whose proposal meets or exceeds the requirements of the Request for Proposal and who is evaluated as offering the best advantage to the City of Alhambra. The City of Alhambra is under no obligation to enter into discussions or negotiations with any proposer and may accept and award a contract on the basis of the offer received in the proposal. Award of contract will be made to the most qualified firm and will not be awarded solely on the basis of the lowest cost proposal. Cost, although an important component, is only one of several criteria being used to evaluate proposals. Criteria for award of contract will include but is not limited to qualifications and experience of the proposer; quality of technical approach; qualifications and availability of proposed staff; cost/price proposal; financial qualifications of the proposer; and thoroughness of the

proposal. Factors include competence, operational management, and experience. The contractor is selected through a competitive negotiation process. The information presented in the written proposal, oral interview and firm's presentation will all be considerations.

In addition, the City is looking for a progressive organization whose key players are creative and problem solvers, possess an innovative approach to service provision, can meet or exceed established performance standards, maintain a high level of customer service, and will work as a member of the "team" with City staff.

- The Alhambra City Council will make award of contract. An executed agreement between the parties will include the RFP documents, any addenda, the proposal, and subsequent submissions as may be presented.

- *City of Alhambra Business License:* The successful proposer shall acquire and maintain an annual City of Alhambra Business License prior to the start of the contract.

INSTRUCTIONS TO FIRMS SUBMITTING PROPOSALS

1.0 The City of Alhambra Police Department and the current status of Parking Enforcement Service:

The City of Alhambra Police Department serves a community of over 90,000 residents. The Police Department has contracted with a private vendor to provide parking enforcement since 1996.

An average of 3,750 citations are issued per month. The Department's twenty-five-year experience with outsourcing of parking enforcement has proved to be very productive and cost effective.

2.0 Objectives of the Request for Proposals for Parking Enforcement Services.

2.1 Scope of Work to be Performed:

The primary enforcement responsibilities are:

A. Overnight Parking – The City of Alhambra restricts parking on public streets between the hours of 2:00 a.m. and 6:00 a.m., seven-days-per-week. Residents may park during these times by permit and visitors may do so after obtaining temporary permits. The exception to this restriction is in specific streets designated by the Alhambra Municipal Code. Remaining hour from 5:00 am to 6:00 am, parking enforcement will respond to parking related radio calls for service, street sweeping routes, patrol assigned areas, and conduct any parking enforcement needed.

B. Night Time Street Sweeping – Street sweeping is conducted from 0400 a.m. to 6:00 a.m. Monday through Friday, primarily in commercial, industrial and major arterials throughout the City

C. City Owned Parking Lots – Restricted time zone parking in city-owned lots from 9:00 a.m. to 6:00 p.m., Monday through Saturday. (Generally, two to four hour limitations).

D. Day Time Street Sweeping – The City of Alhambra maintains 143.1 miles of roadway, operating two street sweepers, and five days a week (Monday through Friday). Each sweeper is assigned one route per day, covering 10 separate routes during a five-day period. Each sweeper maintains a speed 5-8 miles per hour, traveling approximately 30-40 miles per day. Street parking restrictions alternate between two time periods (8:00 a.m. to 11:30 a.m. and 12:00 p.m. to 3:00 p.m.).

E.

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Overnight Enforcement 2am to 6am	1 Supervisor 4 Officers 0200 - 0600	1 Supervisor 4 Officers 0200 - 0600	1 Supervisor 4 Officers 0200 - 0600	1 Supervisor 4 Officers 0200 - 0600	1 Supervisor 4 Officers 0200 - 0600	1 Supervisor 4 Officers 0200 - 0600	1 Supervisor 4 Officers 0200 - 0600
Daytime Street Sweeping	1 Supervisor 1 Officer 0730 -1530	1 Supervisor 1 Officer 0730 -1530	1 Supervisor 1 Officer 0730 -1530	1 Supervisor 1 Officer 0730 -1530	1 Supervisor 1 Officer 0730 -1530	None	None
Daytime City Lot Enforcement	1 Officer 0700 -1700	1 Officer 0700 -1700	1 Officer 0700 -1700	1 Officer 0700 -1700	None	None	None
Daytime Enforcement	None	None	1 Officer 0930 - 1700	1 Officer 0930 - 1700	1 Officer 0930 - 1700	1 Officer 0930 - 1700	None

Additional related duties include, but are not limited to, the following:

- Enforcing of California Vehicle Code Sections and Alhambra Municipal Code Sections related to on-street parking laws and regulations.

- Locating and reporting to designated City staff vehicles to be impounded or immobilized as a result of the vehicle's driver having a specified number of delinquent parking citations.

- Reporting to designated City staff any unlawful act or condition or deficiency, this may pose a hazard or danger to the general public.

- Patrolling in motor vehicles or on foot, on designated routes and staggered-time schedules, with primary responsibility of enforcing on-street parking laws and regulations. Participate in any hearing process or subsequent process involving a contested or challenged parking citation.

- Vendor will provide training for all replacement, and additional contract employees. Contract will provide retraining and continuing education for contract employees. Training shall be comprehensive and include information on parking enforcement statutes and ordinances, regulations, and resolutions enacted by the State of California and the City, parking enforcement programs, policies, and procedures adopted by the City. City will compensate part-time contract employees for a 40-hour training period and full-time contract employees for an 80-hour training period.

F.

2.1.1 Personnel Requirements Shall be met by the Vendor with the Following Criteria:

- Be at least 18 years of age.
- Be able to read, write and speak the English language and must be able to write intelligible reports.
- Have the ability to give and follow oral/written instructions in English.
- Have the ability to speak a second language, such as Spanish or any Asian dialect is highly desirable, but not required.
- Physically and mentally capable of performing parking enforcement duties.
- Have the ability to remain calm and use good judgment and initiative in a confrontational or emergency situation.
- Have the ability to establish and maintain effective working relationships with the public and City personnel.
- Possess a high school diploma or equivalent.
- Possess a valid class "C" State of California driver's license.
- Possess all current State of California, Consumer Affairs, guard requirements.
- Have passed a comprehensive background check (which includes a fingerprint check through the Department of Justice (D.O.J.) and National Crime Information Center (N.C.I.C.)), a drug-screening test and undergone a comprehensive medical examination to determine fitness to perform assigned duties. (The Police Department will provide training, as needed, to meet Department background requirements).
- Vendor shall have enough trained staff to provide backfill employees in the event of sick call out in order to maintain minimum staffing levels.

2.1.2 Equipment to be Provided by Vendor:

Vendors will provide essential uniforms and related equipment. The following is a list of standard equipment:

1. Light blue uniform shirt (or dark blue Polo style shirt) with dark blue trousers.

Uniform shirts shall have the words "Alhambra Parking Enforcement" placed on the front and the back.

2. Black leather boots/shoes or black tennis style shoes.

3. Black leather belt.

4. Silver color name plate or for Polo type shirts the name embroidered in silver.

5. Vendor identification badge.

6. Operable LED rechargeable flashlight for Night Shift Officers

7. High Visibility Traffic Vest.

2.1.3 Vehicles:

Vendor will provide a minimum of five clearly/visibly marked "City of Alhambra Parking Enforcement" subcompact vehicles not more than two years old and in good running order. Each vehicle will be equipped with an Amber Directional Lightbar (either on top of the vehicle or inside the rear window). Each contract employee shall arrive for duty in a properly designated vehicle. Vehicle shall be in a safe working order and in compliance with all applicable California Vehicle Code Sections. Vehicle shall be free from body damage, missing parts, or any other visible wear.

Vehicles that are damaged or disabled while in service for the City of Alhambra shall be replaced with an operable vehicle within one hour. In the event that a replacement vehicle is unavailable, contract personnel shall be relieved of duty for the remainder of the shift and contractor shall pay City prorated liquidated damages.

Vendor will be responsible for the cleanliness, repair and replacement of all vehicles that will be used by contract employees. All vehicle maintenance must be performed on Vendor's time, unless approved by the City.

2.1.4 Liquidated Damages:

The vendor shall agree to be held liable for $600.00 in liquidated damages if a scheduled 8-hour shift is unfilled due to short staffing, and to $300.00 in liquidated damages if a scheduled 4-hour shift is unfilled due to short staffing or $75.00 per hour shall be assessed for each unfilled hour.

2.1.4 City will Provide the Following Equipment:

1. Hand-held radios.

2. Hand-held, computerized ticket citation issuing equipment.

3. Parking citations and warning notices.

4. Alhambra Police Department Traffic Section training manuals.

5. City of Alhambra street maps.

6. Traffic chalk and chalk sticks.

Vendor will be financially responsible for all lost or damaged CITY property (i.e. ticket holders, radios, chalk sticks and citation devices) that are issued to vendor employees.

INSTRUCTIONS TO FIRMS SUBMITTING PROPOSALS

3.0 The Proposal Statement of Work to be Provided by Vendor:
The proposal must include, at a minimum, the following items:

A. A cover letter with a description of the overall program, including an executive summary of the major components or the proposal. Include a general description of the company, the proposed services and qualifying experience. State the location of the home office.

B. A table of contents clearly identifying all sections of the proposal.

C. An operations management plan. The proposal shall include a work plan to implement the objectives of the Police Department and the Traffic Section Parking Enforcement Program.

D. A detailed personnel staffing plan and deployment schedule.

E. A detailed costs analysis, identifying specific positions and detailed hourly rates and service rates for a three-year period, with costs for each of the three years.

F. An itemized list of dress standards, uniforms, equipment, and vehicles.

G. A list and description of in-service personnel training provided by vendor.

H. A list and description of subcontractor(s) who may be hired.

I. A list of qualifications and experience of your company in providing similar services in the past two years.

J. A list of references for recent projects, including the name, address, and telephone number for three different organizations for which similar services have been provided.

K. INSURANCE. CONSULTANT shall not commence work under this contract until CONSULTANT shall have obtained all insurance required by this AGREEMENT and such insurance shall have been approved by CITY as to form, amount and carrier, nor shall CONSULTANT allow any subcontractor of CONSULTANT to commence work on any subcontract until all similar insurance required of the subcontractor of CONSULTANT shall have been so obtained and approved.

a. COMPENSATION INSURANCE. CONSULTANT shall take out and maintain, during the life of this contract, Worker's Compensation Insurance for all of CONSULTANT'S employees employed to perform the SERVICES as described section 2 of the AGREEMENT; and, if any work is sublet, CONSULTANT shall require the subcontractor of CONSULTANT similarly to provide Worker's Compensation Insurance for all of the latter's employees, unless such employees are covered by the protection afforded by CONSULTANT. If any class of employees engaged in work under this AGREEMENT is not protected under any Workers' Compensation law, CONSULTANT shall provide and shall cause each subcontractor of CONSULTANT to provide adequate insurance for the protection of employees not otherwise protected. CONSULTANT shall indemnify CITY for any damage resulting to it from failure of either CONSULTANT or any subcontractor of CONSULTANT to take out or maintain such insurance.

b. COMPREHENSIVE GENERAL LIABILITY, PROFESSIONAL LIABILITY, COMPREHENSIVE AUTOMOBILE LIABILITY AND CONTRACTUAL GENERAL LIABILITY INSURANCE. CONSULTANT shall take out and maintain during the life of this contract comprehensive general liability, products/completed operations hazard, comprehensive automobile liability and contractual general liability insurance and shall protect CITY, its elective and appointive boards, officers, agents and employees, CONSULTANT, and any subcontractor of CONSULTANT performing work covered by this contract, from claims for damage for personal injury, including death, as well as from claims for property damage which may arise from CONSULTANT'S or any subcontractor of CONSULTANT'S operations under this contract, whether such operations be by CONSULTANT or by any subcontractor of CONSULTANT, or by anyone directly or indirectly

employed by either CONSULTANT or any subcontractor of CONSULTANT, and the amounts of such insurance shall be as follows:

(1) Commercial General Liability Insurance in an amount of not less than ONE MILLION DOLLARS ($1,000,000);

(2) Professional Liability Insurance in an amount of not less than ONE MILLION DOLLARS ($1,000,000);

(3) Comprehensive Automobile Liability Insurance in an amount of not less amount of not less than ONE MILLION DOLLARS ($1,000,000).

A combined single limit policy with aggregate limits in an amount of not less than TWO MILLION DOLLARS ($2,000,000) shall be considered equivalent to the said required minimum limits set forth in subsections (1),(2), and (3) above.

c. PROOF OF INSURANCE. The insurance required by this Agreement shall be with insurers which are Best A+ rated, and California-Admitted, or better. The CITY of Alhambra shall be named as "additional insured" on all policies required hereunder, except for Professional Liability Insurance, and CONSULTANT shall furnish the CITY Clerk, concurrently with the execution hereof, with satisfactory proof of carriage of the insurance required, and adequate legal assurance that each carrier will give CITY at least thirty (30) days' prior notice of the cancellation of any policy during the effective period of the contract.

NOTICE TO COMMENCE WORK. The CITY will not issue any notice authorizing CONSULTANT or any subcontractor to commence work under this AGREEMENT until CONSULTANT has provided to the CITY Clerk the proof of insurance as required by subparagraph (C) of this article.

L. A list of other related licenses/certifications (i.e., the State of California Department of Consumer Affairs guard/security requirements).

M. The signature of an official authorized to bind the offer and a statement to the effect that the proposal is a firm offer for a period of at least 90 calendar days from the date of required submission.

N. Provide the following information: Name, title, address, and telephone numbers of the individual(s) with the authority to negotiate and contractually bind the firm and who may be contacted during the period of the proposal evaluation.

Failure to submit a comprehensive proposal that includes all of the above elements, or the required forms not fully completed, may disqualify a company from further consideration, as the company's proposal could be deemed non-responsive.

4.0 Administrative Information

4.1 Questions of the City of Alhambra Police Department Regarding the Proposal:

Each firm responding to the proposal is encouraged to ask questions about or obtain clarification of the specific items in the Request for Proposals. Questions should be directed to Sgt. Rodney Castillo, Traffic Section Supervisor, at (626) 300-1502. If it appears desirable, the City may, at its option, schedule a general information meeting prior to the submission deadline for the proposal.

4.2 Selection Process:

The proposals will be screened to determine the most qualified firm. Finalists may be asked to participate in a presentation and scoping session. Areas of specific expertise that will be particularly evaluated include experience in municipal parking enforcement and the ability to provide an effective and efficient program. The firm with the best qualifications and the most competitive fee proposal will be asked to negotiate a professional services agreement. A City of Alhambra business license is required.

4.3 Term of the Contract:

It is anticipated that the City will award a contract for up to three years with an option for two (2) additional one-year extensions, although the City reserves the right to award a contract for a shorter period of time. Additionally, any such contract awarded shall be terminable by either party without cause upon forty-five days written notice.

4.4 Proposal and Interview Schedule:

A. Return proposal by Thursday, April 1, 2021, 10:30 A.M. PST. Submit four copies to:

City Clerk's Office
City of Alhambra
111 South First Street
Alhambra, Ca. 91801

1. Request for Proposals may not be withdrawn after the time for opening of Request for Proposals.

2. Request for Proposals may not be delivered by facsimile transmission or other

telecommunication or electronic means. Request for Proposals shall be delivered or mailed. Bidders assume the risk of the method of dispatch chosen.

3. Request for Proposals arriving after the deadline will be returned unopened to their senders.

B. Tentative Council approval date: April 26, 2021.

C. Tentative Contract agreement approval date: Upon approval by the City Council and signed executed contract.

D. Commencement of the program: July 1, 2021.

4.5 Conditions of Proposal Acceptance:

The Request for Proposals does not commit the City of Alhambra to award a contract, pay any costs incurred in the preparation of a proposal to this request, or to procure or contract for any services. The City reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with any qualified source or to cancel in part or in its entirety the Request for Proposals if it is in the best interest of the City. All information will become the property of the City of Alhambra. If any proprietary information is contained in the proposal, it should be clearly identified.

SAMPLE CONTRACT
AGREEMENT FOR PROFESSIONAL SERVICES
Contract No. _____

This AGREEMENT FOR PROFESSIONAL SERVICES ("AGREEMENT") is made and entered into effective as of the _____ day of _____, 20__, by and between the CITY OF ALHAMBRA, a charter law city, located at 111 South First Street, Alhambra, CA 91801, ("CITY") and _____ [inset corporation, LLC, partnership etc.], located at _____ ("CONSULTANT").

W I T N E S S E T H:

For and in consideration of the promises and of the mutual covenants and agreements herein contained, said parties hereby agree as follows:

RECITALS. This AGREEMENT is made and entered into with respect to the following facts:

CITY requires professional _____ services ("SERVICES"); and

On _____, 200_, CITY issued a Request for Proposals #_____ ("RFP") to obtain professional _____ services for the CITY's and based on review and rating of RFPs received CONSULTANT was selected; and

CONSULTANT is qualified to provide those certain services to the CITY necessary for said SERVICES; and, therefore, the Alhambra City Council has elected to engage the services of CONSULTANT upon the terms and conditions hereinafter set forth.

SCOPE OF SERVICES.

CONSULTANT shall furnish to the City all labor, materials, tools, equipment, services, and incidental customary work necessary to fully and adequately perform those services described in CONSULTANT's Proposal for Services dated _____, ("PROPOSAL") consistent with the CITY's Request for Proposals dated _____ ("RFP") attached hereto as Exhibits "A" and "B" respectively and hereby incorporated by reference.

Performance of the SERVICES specified herein is made an obligation of CONSULTANT under this AGREEMENT, subject to any changes made subsequently upon the mutual written agreement of the parties.

The scope of services to be performed by CONSULTANT under this AGREEMENT shall include, but not be limited to, those services specified in Paragraph 2A hereof.

PERFORMANCE STANDARDS. While performing this AGREEMENT CONSULTANT will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CONSULTANT shall cooperate with CITY if CITY opts to monitor CONSULTANT's services. CITY will notify CONSULTANT of any deficiencies and CONSULTANT will have fifteen (15) days after such notification to cure any shortcomings to CITY's satisfaction. Costs associated with curing the deficiencies will be borne by CONSULTANT.

FAMILIARITY WITH WORK.

By executing this AGREEMENT, CONSULTANT agrees that, to the best of CONSULTANT's knowledge and belief, CONSULTANT has

Carefully investigated and considered the scope of services to be performed;

Carefully considered how the services should be performed; and

Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

If services involve work upon any site, CONSULTANT agrees that CONSULTANT has or will investigate the site and is or will be fully acquainted with the conditions there existing, before commencing the services hereunder. Should CONSULTANT discover any latent or unknown conditions that may materially affect the performance of the services, CONSULTANT will immediately inform CITY of such fact and will not proceed except at CONSULTANT's own risk until written instructions are received from CITY.

CITY SUPERVISION. The Director of the Department of _____ of CITY, or the Director's designee, shall have the right of general supervision of all work performed by CONSULTANT and shall be the CITY's agent with respect to obtaining CONSULTANT's compliance hereunder. No payment for any services rendered under this AGREEMENT shall be made without the prior approval of the Director of _____ or the Director's designee.

FEE. Compensation to CONSULTANT for the total services to be rendered pursuant to this AGREEMENT shall be in an amount not to exceed $_____ to be billed in a manner described in CONSULTANT's PROPOSAL, consistent with the CITY's RFP. If any discrepancies exist between the RFP and the CONSULTANT's PROPOSAL exist, then the terms of the RFP shall control.

EXTRA SERVICES. Notwithstanding any other provision herein, no extra services shall be rendered by CONSULTANT under this AGREEMENT unless such extra services first shall have been authorized in writing by the CITY. Any such services so authorized shall be paid by the CITY at rates approved of by the CITY.

PAYMENT BY CITY. CONSULTANT shall send invoices to the City on a monthly basis, based upon the services already rendered at the time of the submission. City shall pay all proper costs within thirty (30) days of receipt of such invoice(s).

TERM. The term of this AGREEMENT shall be as provided for in the RFP from after the date on which the CITY issues CONSULTANT a Notice to Commence Work. CONSULTANT shall complete all those services set forth in its PROPOSAL by that certain date set forth in said Notice to Commence Work or until such time as the services have been completed by the CONSULTANT and accepted by the CITY, whichever occurs first. The CITY may extend said time of completion for delays caused by circumstances beyond the control of either party to this AGREEMENT. Should the consulting contract extend beyond the estimated time for completion of said services, CITY hereby reserves the right to continue CONSULTANT's services hereunder with any and all fees for such additional services to be compensated by the CITY at rates approved by the CITY.

DISPUTES AND REMEDIES.

Claims, disputes, and other matters in question between the Parties arising out of or relating to this AGREEMENT or the breach thereof, must be resolved by the following procedure:

CITY and CONSULTANT will exercise their best efforts to resolve disputes through the development of a consensus. A meeting may be requested by CITY or CONSULTANT at any time for the purpose of resolving a dispute. A determination by CITY'S Director of the Department of _____ will be made within two (2) weeks after a meeting to resolve the dispute;

If unresolved within thirty (30) days, then City Manager, or his designee, will make a final determination;

Following the City Manager's final determination, the Parties may submit any unresolved matters to non-binding mediation. The parties may, but are not required to be, represented by counsel in mediation;

If the Parties do not agree to mediation, or if mediation does not resolve the Parties' dispute, the matter may be pursued in Los Angeles County Superior Court, or the United States District Court, Central District of California, if federal jurisdiction exists.

The Parties' rights and remedies under this Agreement are in addition to any other rights and remedies provided by law.

PREVAILING WAGE. CONSULTANT is aware of the requirements of California Labor Code Section 1720, *et seq.*, and 1770, *et seq.*, as well as California Code of Regulations, Title 8, Section 1600, et seq., ("Prevailing Wage Laws"), which require the payment of

prevailing wage rates and the performance of other requirements on "public works" and "maintenance" projects. If the SERVICES are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is $1,000 or more, CONSULTANT agrees to fully comply with such Prevailing Wage Laws. The CITY shall provide CONSULTANT with a copy of the prevailing rates of per diem wages in effect at the commencement of this Agreement. CONSULTANT shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the SERVICES available to interested parties upon request, and shall post copies at the Consultant's principal place of business and at the project site. CONSULTANT shall defend, indemnify and hold the City, its elected officials, officers, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

TERMINATION OF AGREEMENT. The CITY may terminate this AGREEMENT upon giving a ten (10) day advance written notice of such termination to CONSULTANT. In that event, the City Manager, or his designee, based upon work accomplished by CONSULTANT prior to notice of such termination, shall determine the amount of fees to be paid to CONSULTANT for such services based upon accepted accounting practices. This finding by the City Manager, or his designee, shall be considered by the Alhambra City Council and the Council's determination shall be final and conclusive as to the amount of such fee.

INDEPENDENT CONTRACTOR. CONSULTANT shall act as an independent contractor in the performance of the services provided for in this AGREEMENT and shall furnish such services in CONSULTANT's own manner and method and in no respect shall CONSULTANT be considered an agent or employee of the CITY.

OWNERSHIP OF DOCUMENTS. All financial documents, data, studies, and reports prepared by CONSULTANT under this AGREEMENT are CITY's property. CONSULTANT may retain copies of said documents and materials as desired, but will deliver all original materials to CITY upon CITY's written notice. CITY agrees that use of CONSULTANT's completed work product, for purposes other than identified in this AGREEMENT, or use of incomplete work product, is at CITY's own risk. CITY will indemnify and hold CONSULTANT harmless for any use of the work product other than as contemplated by this AGREEMENT.

PUBLICATION OF DOCUMENTS. Except as necessary for performance of service under this AGREEMENT, no copies, sketches, or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by CONSULTANT to any other person or City without CITY's prior written approval. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CITY, unless otherwise provided by written agreement between the parties.

NONASSIGNMENT. This AGREEMENT is not assignable either in whole or in part by CONSULTANT without the written consent of CITY.

TAXPAYER IDENTIFICATION NUMBER. CONSULTANT will provide CITY with a valid Taxpayer Identification Number.

PERMITS AND LICENSES. CONSULTANT, at its sole expense, will obtain and maintain during the term of this AGREEMENT, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement.

INDEMNIFICATION.

CONSULTANT hereby agrees to the following:

Indemnification for Professional Services. CONSULTANT will save harmless and indemnify CITY and, at CITY's request, reimburse defense costs for CITY and all its officers, volunteers, employees and representatives from and against any and all suits, actions, or claims, of any character whatever, brought for, or on account of, any injuries, including death or damages sustained by any person or property resulting or arising from any negligent or wrongful act, error or omission by CONSULTANT or any of CONSULTANT's officers, agents, employees, or representatives, in the performance of this Agreement.

Indemnification for other Damages. CONSULTANT indemnifies and holds CITY harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising out of this Agreement, or its performance. Should CITY be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of this Agreement, or its performance, CONSULTANT will defend CITY (at CITY's request and with counsel satisfactory to CITY) and will indemnify CITY for any judgment rendered against it or any sums paid out in settlement or otherwise.

For purposes of this section "CITY" includes CITY's officers, officials, employees, agents, and representatives.

It is expressly understood and agreed that the foregoing provisions will survive termination of this Agreement.

CITY does not, and shall not, waive any rights against CONSULTANT which it may have by reason of the aforesaid hold-harmless AGREEMENT because of the acceptance by CITY or the deposit with CITY by CONSULTANT, of any of the insurance policies hereinafter described in this AGREEMENT.

The aforesaid hold-harmless AGREEMENT by CONSULTANT shall apply to all damages and claims for damages of every kind suffered, or alleged to have been suffered, by reason of any of the aforesaid operations of

CONSULTANT, or any subcontractor of CONSULTANT, regardless of whether such insurance policies shall have been determined to be applicable to any of such damages or claims for damages.

Notwithstanding any provision of this Agreement to the contrary, design professionals shall be required to defend and indemnify the City only to the extent allowed by Civil Code Section 2782.8, namely for claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the design professional. The term "design professional" includes licensed architects, licensed landscape architects, registered professional engineers, professional land surveyors and the business entities which offer such services in accordance with the applicable provisions of the Business and Professions Code.

The provisions of this section do not apply to Claims occurring as a result of the City's sole negligence or willful acts or omissions.

INSURANCE. CONSULTANT shall not commence work under this contract until CONSULTANT shall have obtained all insurance required by this AGREEMENT and such insurance shall have been approved by CITY as to form, amount and carrier, nor shall CONSULTANT allow any subcontractor of CONSULTANT to commence work on any subcontract until all similar insurance required of the subcontractor of CONSULTANT shall have been so obtained and approved.

COMPENSATION INSURANCE. CONSULTANT shall take out and maintain, during the life of this contract, Worker's Compensation Insurance for all of CONSULTANT'S employees employed to perform the SERVICES as described section 2 of the AGREEMENT; and, if any work is sublet, CONSULTANT shall require the subcontractor of CONSULTANT similarly to provide Worker's Compensation Insurance for all of the latter's employees, unless such employees are covered by the protection afforded by CONSULTANT. If any class of employees engaged in work under this AGREEMENT is not protected under any Workers' Compensation law, CONSULTANT shall provide and shall cause each subcontractor of CONSULTANT to provide adequate insurance for the protection of employees not otherwise protected. CONSULTANT shall indemnify CITY for any damage resulting to it from failure of either CONSULTANT or any subcontractor of CONSULTANT to take out or maintain such insurance.

COMPREHENSIVE GENERAL LIABILITY, PROFESSIONAL LIABILITY, COMPREHENSIVE AUTOMOBILE LIABILITY AND CONTRACTUAL GENERAL LIABILITY INSURANCE. CONSULTANT shall take out and maintain during the life of this contract comprehensive general liability, products/completed operations hazard, comprehensive automobile liability and contractual general liability insurance and shall protect CITY, its elective and appointive boards, officers, agents and employees, CONSULTANT, and any subcontractor of CONSULTANT performing work

covered by this contract, from claims for damage for personal injury, including death, as well as from claims for property damage which may arise from CONSULTANT'S or any subcontractor of CONSULTANT'S operations under this contract, whether such operations be by CONSULTANT or by any subcontractor of CONSULTANT, or by anyone directly or indirectly employed by either CONSULTANT or any subcontractor of CONSULTANT, and the amounts of such insurance shall be as follows:

Commercial General Liability Insurance in an amount of not less than ONE MILLION DOLLARS ($1,000,000);

Professional Liability Insurance in an amount of not less than ONE MILLION DOLLARS ($1,000,000);

Comprehensive Automobile Liability Insurance in an amount of not less amount of not less than ONE MILLION DOLLARS ($1,000,000).

A combined single limit policy with aggregate limits in an amount of not less than TWO MILLION DOLLARS ($2,000,000) shall be considered equivalent to the said required minimum limits set forth in subsections (i),(ii), and (iii) above.

PROOF OF INSURANCE. The insurance required by this Agreement shall be with insurers which are Best A+ rated, and California-Admitted, or better. The CITY of Alhambra shall be named as "additional insured" on all policies required hereunder, except for Professional Liability Insurance, and CONSULTANT shall furnish the CITY Clerk, concurrently with the execution hereof, with satisfactory proof of carriage of the insurance required, and adequate legal assurance that each carrier will give CITY at least thirty (30) days' prior notice of the cancellation of any policy during the effective period of the contract.

NOTICE TO COMMENCE WORK. The CITY will not issue any notice authorizing CONSULTANT or any subcontractor to commence work under this AGREEMENT until CONSULTANT has provided to the CITY Clerk the proof of insurance as required by subparagraph (C) of this article.

NON-DISCRIMINATION. CONSULTANT shall not discriminate in its recruiting, hiring, promotion, demotion or termination practices on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, martial status, sex, age, or sexual orientation in the performance of this AGREEMENT and shall comply with the provisions of the California Fair Employment and Housing Act as set forth in Part 2.8 of Division 3, Title 2 of the California Government Code; the Federal Civil Rights Act of 1964, as set forth in Public Law 88-352, and all amendments thereto; Executive Order 11246; and all administrative rules and regulations issued pursuant to such acts and order.

UNAUTHORIZED ALIENS. CONSULTANT hereby promises and agrees to comply with all of the provisions of the Federal Immigration and Nationality Act (8 USCA 1101, *et seq.*), as amended; and, in connection therewith, shall not employ unauthorized aliens as defined therein. Should CONSULTANT so employ such unauthorized aliens for the performance of work and/or services covered by this AGREEMENT, and should the Federal Government impose sanctions against the CITY for such use of unauthorized aliens, CONSULTANT hereby agrees to, and shall, reimburse CITY for the cost of all such sanctions imposed, together with any and all costs, including attorney's fees, incurred by the CITY in connection therewith.

CONFLICT OF INTEREST. CONSULTANT will comply with all conflict of interest laws and regulations including, without limitation, CITY's conflict of interest regulations.

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.

ATTORNEY'S FEES. 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, in addition to any other relief to which it may be entitled.

BINDING EFFECT. This AGREEMENT shall be binding upon the heirs, executors, administrators, successors and assigns of the parties hereto.

PROVISIONS, CUMULATIVE. The provisions of this AGREEMENT are cumulative and in addition to and not in limitation of any rights or remedies available to CITY.

NO PRESUMPTION RE: DRAFTER. The parties acknowledge and agree that the terms and provisions of this AGREEMENT have been negotiated and discussed between the parties and their attorneys, and this AGREEMENT reflects their mutual AGREEMENT regarding the same. Because of the nature of such negotiations and discussions it would be inappropriate to deem any party to be the drafter of this AGREEMENT; and, therefore, no presumption for or against validity or as to any interpretation hereof, based upon the identity of the drafter, shall be applicable in interpreting or enforcing this AGREEMENT.

ASSISTANCE OF COUNSEL. Each party to this AGREEMENT warrants to each other party as follows:

That each party either had the assistance of counsel or had counsel available to it, in the negotiation for, and execution of, this AGREEMENT, and all related documents; and,

That each party has lawfully authorized the execution of this AGREEMENT.

MODIFICATION. This AGREEMENT shall not be modified except by written agreement of the parties.

GOVERNING LAW. This AGREEMENT shall be interpreted and construed according to the laws of the State of California.

NOTICE. Whenever it shall be necessary for either party to serve notice on the other regarding this AGREEMENT, such notice may be furnished in writing by either party to the other and shall be served by personal service as required in judicial proceedings or by certified mail, postage prepaid, return receipt requested, addressed to the parties as follows:

CITY: _____

_____

City of Alhambra
111 South First Street
Alhambra, CA 91801

CONSULTANT: _____

_____

_____

Tel: _____

Fax: _____

FORCE MAJEURE. Neither party shall be responsible for delays or failures in performance resulting from acts beyond the control of the offending party. Such acts shall include, but not be limited to, acts of God, fire, flood, earthquake, or other natural disaster, nuclear accident, strike, lockout, riot, freight embargo, public regulated utility, or government statutes or regulations superimposed after the fact.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed on its effective date by their respective officers duly authorized on their behalf.

"CITY"

CITY OF ALHAMBRA, a Charter Law City

ATTEST:

By _____
_____, Mayor

_____
Lauren Myles, Acting City Clerk

APPROVED AS TO FORM:
JOSEPH M. MONTES, CITY ATTORNEY

By _____

"CONSULTANT"

FULL NAME OF CONSULTANT

TAXPAYER ID # _____

By _____
Print Name: _____
Title: _____

By _____
Print Name: _____
Title: _____

SAMPLE

FAITHFUL PERFORMANCE BOND

IN THE CITY OF ALHAMBRA

KNOW ALL MEN BY THESE PRESENTS that

_____as CONTRACTOR and _____, as SURETY, are held and firmly bound unto the City of Alhambra, in the penal sum of _____ dollars ($), which is one hundred percent of the total contract amount for the above stated project, for the payment of which SUM, CONTRACTOR and SURETY agree to be bound, jointly and severally, firmly by these presents.

THE CONDITIONS OF THIS OBLIGATION ARE SUCH that, whereas CONTRACTOR has been awarded and is about to enter into the annexed Contract with the City of Alhambra for the above stated project, if CONTRACTOR faithfully performs and fulfills all obligations under the contract documents in the manner and tile specified therein, then this obligation shall be null and void, otherwise it shall remain in full force and effect in favor of the City of Alhambra; provided that any alternations in the obligations or tile for completion lade pursuant to the terms of the contract documents shall not in any way release either CONTRACTOR or SURETY, and notice of such alternations is hereby waived by SURETY.

IN WITNESS WHEREOF the parties hereto have set their names, title, hands, and seals this _____ day of _____, 2021.

CONTRACTOR*

_____

_____

SURETY*

_____

_____

*Provide CONTRACTOR/SURETY name, address and telephone number and the name, title, address and telephone number for authorized representative.

Subscribed and sworn to this _____ day of _____, 2021.

NOTARY PUBLIC_____

CITY OF MONTEBELLO
PROFESSIONAL SERVICES AGREEMENT NO. 3956
WITH INTER-CON SECURITY SYSTEMS, INC.

THIS PROFESSIONAL SERVICES AGREEMENT ("Agreement") is made and entered into on_____, **2022** ("Effective Date"), by and between the CITY OF MONTEBELLO, a California municipal corporation (the "CITY") and **INTER-CON SECURITY SYSTEMS, INC.** (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 parking enforcement services in the CITY; and

WHEREAS, the CONSULTANT currently has a contract with the City of Alhambra for parking enforcement services (Contract No. C2M21-21); and

WHEREAS, the CONSULTANT was awarded this contract through an open, competitive process (City of Alhambra RFP No. 2M21-3); and

WHEREAS, the CONSULTANT grants the City authorization to make purchases using the same terms and conditions as those listed in the City of Alhambra contract.

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:

a. This Agreement and its Exhibits, including any and all addenda or supplemental agreements.
b. Proposal dated October 15, 2021
c. City of Alhambra Contract No. C2M21-21
d. Proposal referenced and Best Final Offer received by the successful proposer.
e. 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. All terms, conditions, requirements, and provisions of the services in Contract

No. C2M21-21 dated July 1, 2021, as such is set forth fully in **Exhibit "A"** hereto, are hereby incorporated fully herein by this reference and shall be binding on the Parties. 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 parking enforcement services, as such is set forth fully in **Exhibit "A"** 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 on March 31, 2025 from the Effective Date, unless terminated earlier as hereinafter provided. This Agreement may be extended for up to one (1), one-year extension 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 this agreement by 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 thirty (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 arisingout 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 oft h e 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 $1,000,000 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

g. 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.

h. **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).

i. 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.

j. 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 insured's. 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.

k. 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.

l. 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.

m. 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.

n. 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 thisAgreement 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: Rene Bobadilla, City Manager
1600 West Beverly Boulevard
Montebello, CA 90640
(323) 887-1200
Email: rbobadilla@cityofmontebello.com

With a copy to:
City of Montebello - Finance Department
Attn: Michael Solorza
1600 West Beverly Boulevard
Montebello, CA 90640
(323) 887 -1200 ext.412
Email: msolorza@cityofmontebello.com

If to Consultant: Inter-Con Security Systems, Inc.
Attn: Matthew Reeser
210 South De Lacey Avenue
Pasadena, CA 91105
(626) 535 - 2639
Email: mreeser@cityofmontebello.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 sendinq Electronic Notice receives verification of receipt by the receivinq party. Any party receivinq 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 resultof 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")	("CONSULTANT")
CITY OF MONTEBELLO	**INTER-CON SECURITY SYSTEMS, INC.**
René Bobadilla, City Manager	Neil Martau, Chief Executive Officer

ATTEST:

Christopher Jimenez, City Clerk

APPROVED AS TO FORM:

Arnold M. Alvarez-Glasman, City Attorney

EXHIBITS:

- Exhibit A - City of Alhambra (Contract No. C2M21-21)
- Exhibit B - Schedule of Compensation
- Exhibit C - Parking Enforcement Representative Scheduling

Exhibit “A”

(City of Alhambra Contract No. C2M21-21)

Exhibit "B"

Schedule of Compensation

(See Inter-Con Security Systems proposal dated October 15, 2021)

Year 1 Rates -April 1", 2022 to March 31", 2023			
Position	**Hours/ Week**	**Regular Bill Rate**	**Over1ime- / Holiday Bill Rate**
Parking Enforcement Representative- Day Shift	Up to 160	$32.17	$48.26
Parking Enforcement Representative- Grave Shift	Up to 160	$38.72	$58.08

Year 2 Rates -April1", 2023 to March31", 2024			
Position	**Hours/ Week**	**Regular Bill Rate**	**Overtime / Holiday Bill Rate**
Parking Enforcement Representative- Day Shift	Upto 160	$34.45	$51.68
Parking Enforcement Representative-Grave Shift	Up to 160	$41.45	$62.18

Year 3 Rates - April1", 2024 to March31", 2025			
Position	**Hours/ Week**	**Regular Bill Rate**	**Overtime / Holiday Blii Rate**
Parking Enforcement Representative - Day Shift	Up to 160	$35.30	$52.95
Parking Enforcement Representative- Grave Shift	Up to 160	$42.47	$63.71

Item	Qty	Year 1 Rate	Year 1 Cost	Year2 Rate	Year 2 Cost	Year3 Rate	Year 3 Cost
Day Shift	Up to 16- HPW	$32.17	$267,654.40	$34.45	$286,624.00	$35.30	$293,696.00
OR							
Grave Shift	Up to 16- HPW	$38.72	$322,150.40	$41.45	$344,864.00	$42.47	$353,350.40
Vehicles	4 units	S850.00	$40,800.00	$850.00	$40,800.00	S850.00	$40,800.00
C-0ntinnAnCY(10%)			$32,215.04		$34,486.40		$35,335.04
Maximum Annual Comoensation			$395,165.44		$420,150.40		$429,485.44

Annual Maximum Expenditure

Year 1 (April 1, 2022 - March 31, 2023)	$3g5,165.44
Year 2 (April 1, 2023 -March 31, 2024)	$420,150.40
Year 3 (April 1, 2024 -March 31, 2025)	$429,485.44

Exhibit "C"

Parking Enforcement Representative Scheduling

In order to allow sufficient time for the Consultant to perform scheduling, the City agrees to provide a minimum of thirty (30) day notice of the desired dates and times that parking enforcement representatives are required. The method in which scheduling will occur will be mutually agreed upon by the City and Consultant prior to any work commencing.

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: Joseph Palombi, Director of Planning and Community Development

SUBJECT: **Adopt Resolution No. 22-10 Directing the City Manager to extend the Temporary Outdoor Dining Program and direct staff to return to City Council within one-year with a permanent program to allow restaurants to utilize adjacent outdoor areas to serve food and drinks to customers pursuant to an Outdoor Dining Permit, and Notice of Exemption pursuant to CEQA "Common Sense exemption" Section 15061(b)(3)**

DATE: February 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Approve Resolution No. 22-10 directing the City Manager to extend the Temporary Outdoor Dining Program and direct staff to return to City Council within one-year with a permanent program to allow restaurants to utilize adjacent outdoor areas to serve food and drinks to customers pursuant to an Outdoor Dining Permit; and

2) Approve ENV-08--22-CE Notice of Exemption under (State California Environmental Quality Act (CEQA) Guidelines Section § 15061(b)(3)) "Common Sense Exemption" for the proposed project; and

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

FISCAL IMPACT

There is no fiscal impact related to the recommended actions.

BACKGROUND

On May 29, 2020, the County of Los Angeles was granted an approval from the California Department of Public Health to proceed to "Stage 2" of the four (4) Stages of Governor

Newsom's Pandemic Resiliency Roadmap for reopening in response to outbreak caused by the novel coronavirus ("COVID-19"). During that time, restaurants in the City of Montebello (the "City") were permitted to utilize their indoor dining areas subject to compliance with safety protocols from the Los Angeles County Public Health Officer (the "County Health Officer"). Restaurants were required to adhere to specific requirements of physical distancing between groups of customers, which limited their indoor in-person dining occupancy at the time.

When indoor dining was restricted by the State during COVID-19, many municipalities, including the City of Montebello, established a Temporary Outdoor Dining (TOD) Program to provide for the protection of life and property; and to allow businesses to continue to operate, primarily by allowing outdoor dining operations to exist either on public sidewalks and/or other public right-of-way, parking lots, and/or setback areas.

ANALYSIS

On June 24, 2020, the City Manager in his role as the Director of Emergency Services, issued an emergency order establishing and approving Temporary Outdoor Dining Permit (the "TOD Permit") guidelines for eating establishments. The TOD Permit was initiated to encourage "al fresco dining" and assist sit-down restaurants to boost their businesses after the in-person dining closures implemented from the "Safer at Home Orders" to help reduce the spread of COVID-19.

The Planning and Community Development Department established guidelines and developed a "no cost" TOD Permit, which temporarily allowed eating establishments with approval of the property owners, the flexibility to designate outdoor dining areas such as walkways, sidewalks, or parking stalls for shared outdoor dining areas to serve one or multiple establishments on a temporary basis with City review and approval.

The TOD Permit also allows eating establishments with indoor dining areas the opportunity to utilize the public sidewalks or street parking subject to meeting the safety standards and obtaining an encroachment permit. Eating establishments must provide barriers and separation from vehicular traffic, maintain accessibility and compliance with the Americans with Disabilities Act ("ADA"), and maintain the subject areas to ensure there is no trash and debris in and around the dining area. A fee has not been implemented for this permit and any encroachment permit would remain in effect concurrent with the temporary permit; unless extended or earlier terminated by the City.

In addition, establishments with an existing alcohol license permitted to serve on-site alcohol from the CA Department of Alcoholic Beverage Control (ABC) are permitted to serve alcohol to accompany meals with the TOD Permit subject to compliance with the

COVID-19 Temporary Catering Authorization Application (Form ABC-218 CV19). Most recently, on October 8, 2021, Governor Newsom signed SB 314 Alcoholic Beverages, which allows current licenses with expanded outdoor dining premises under ABC's emergency relief order to expand outdoor restaurant/bar seating with alcohol service, on parking lots, sidewalks, and/or public right-of-way, with the approval of the City.

As part of the established guidelines, the City would reserve the right, at any time during the operating hours, to conduct an inspection of any TOD Permit to ensure compliance with the guidelines. The City reserves the right to terminate a restaurant's use of a TOD Permit, without advance notice, if the operation is deemed a public nuisance, does not comply with applicable laws, violates fire safety or ADA accessibility requirements, or violates the TOD Permit Guidelines, the State Health Guidelines, or applicable local health orders.

Since the inception of the TOD Permit, the program has provided a way for businesses to remain open with COVID-19 restrictions in place. During the pandemic, a total of 21 businesses transformed public parking lots and other public right-of-way areas into al fresco dining. Furthermore, staff has received numerous inquiries from businesses, in particular the downtown area, as to whether the city would extend the TOD Permit or create a more permanent program that would allow businesses to maintain their outdoor dining area on a permanent basis.

Given the uncertainty of the pandemic and to avoid interruptions of business, eating establishments with active TOD permits were allowed to continue with their outdoor dining operations. In consideration of the livelihood of businesses in the city and to facilitate an economic development environment that supports wide variety of businesses, staff recommends the following:

1. Extend the Temporary Outdoor Dining Program until December 31, 2022 to allow eating establishments the ability to utilize outdoor areas, with property owner approval, for the purpose of outdoor dining, and allow recovery efforts to continue uninterrupted; and
2. Retroactively extend all active TOD Permits to December 31, 2021; and
3. Direct staff time to analyze the potential of establishing a long-term outdoor dining program and return to City Council within one-year for consideration.

ENVIRONMENTAL

Pursuant to the California Environmental Quality Act (CEQA), this project is exempt from CEQA under the common sense rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Because it can be seen with

certainty that there is no possibility that this project will have a significant effect on the environment, the project is not subject to CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the "Common Sense" exemption.

ATTACHMENTS:

Attachment A – Resolution No. 22-10
Attachment B – CEQA Notice of Exemption

ATTACHMENT A

RESOLUTION NO. 22-10

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, DIRECTING THE CITY MANAGER TO EXTEND THE TEMPORARY OUTDOOR DINING PROGRAM AND DIRECT STAFF TO RETURN TO CITY COUNCIL WITHIN ONE-YEAR WITH A PERMANENT PROGRAM TO ALLOW RESTAURANTS TO UTILIZE ADJACENT OUTDOOR AREAS TO SERVE FOOD AND DRINKS TO CUSTOMERS PURSUANT TO A TEMPORARY OUTDOOR DINING PERMIT; AND ADOPTING A NOTICE OF EXEMPTION PURSUANT TO CEQA SECTION 15061(B)(3) "COMMON SENSE EXEMPTION"

WHEREAS, On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency due to the threat of the novel coronavirus ("COVID-19"); and

WHEREAS, COVID-19 is a respiratory disease that may result in serious illness or death and is easily transmissible from person to person and poses conditions of extreme peril to the public health and safety of persons; and

WHEREAS, on March 16, 2020, the Los Angeles County Department of Public Health issued a Health Order prohibiting all indoor and private gatherings and all outdoor public and private events of no more than 50 people; and

WHEREAS, COVID-19 has and will continue to cause conditions of peril to the health, safety and welfare of persons and property in the City of Montebello (the "City"); and

WHEREAS, on March 12, 2020 and subsequent action on March 16, 2020 the City Council of the City of Montebello (the "City Council") adopted Resolution No. 20-22 proclaiming a local public health emergency to authorize the use of emergency powers in order to expand and expedite the City's response to the serious health and safety risks associated with the spread of an outbreak caused by COVID-19; and

WHEREAS, preparing for, responding to, mitigating, and recovering from the spread of COVID-19 requires the City to divert resources from normal day-to-day operations, and has and will continue to impose extraordinary requirements on and expenses to the City; and

WHEREAS, the Los Angeles County Department of Public Health on March 19, 2020 issued a Health Order prohibiting all indoor and private gatherings and all outdoor public and private events of no more than 10 people; and limiting indoor restaurant services, but allowing food facilities that prepare and serve food to only drive-through, delivery, and take out services; and

WHEREAS, on May 29, 2020 the County of Los Angeles announced the State's approval of the County's plan to move further into "Stage 2" of the State's "Resiliency

Roadmap" which permitted restaurants to utilize the indoor dining areas subject to safety protocols and reduce occupancy; and

WHEREAS, on June 4, 2020, the City Manager in his role as the Director of Emergency Services was authorized to establish the City's Temporary Outdoor Dining Program ("TOD Program") to provide for the protection of life and property; and to further provide for the economic recovery of local eating establishments with indoor dining areas, to allow and encourage outdoor dining within the City; and

WHEREAS, the City intends to assist local restaurant businesses with their loss of seating capacity by continuing the TOD Program to allow temporary utilization of outdoor areas on public and private property to serve food and drinks to customers, subject to operational standards set by the County of Los Angeles Public Health Officer and City of Montebello; and

WHEREAS, the Program is necessary to assist local dine-in restaurants as they will not be able to achieve normal occupancy levels given physical distancing requirements and other modifications deemed necessary for public health; and

WHEREAS, when the State retired the Blueprint for a Safer Economy on June 15, 2021, Governor Newsom encouraged cities to continue with outdoor dining programs through the end of the State's Emergency Order; and

WHEREAS, the TOD Program was continued until December 31, 2021; and

WHEREAS, on October 8, 2021, Governor Newsom signed SB 314, which allows current licensees with expanded outdoor dining premises under ABC's emergency relief order to expand outdoor restaurant/bar seating with alcohol services on parklets, sidewalks, or parking lots; and

WHEREAS, many businesses have requested that the City's outdoor dining program be extended into 2022, and staff and businesses see a continued demand for outdoor dining activity.

NOW THEREFORE, the City Council of the City of Montebello hereby resolves that:

SECTION 1. The foregoing recitals are true and correct and are hereby incorporated as findings as a substantive part of this Resolution.

SECTION 2. The City Manager is hereby authorized and directed to approve temporary, reasonable, guidelines to permit dining on public sidewalks and/or other public right-of-way, parking lot, setback or elsewhere not currently allowed under the Montebello Municipal Code and permitting process for the TOD Program as a direct result of the COVID-19 pandemic; provided that businesses would still be required to meet public, health and safety standards including the American with Disability Act (ADA).

SECTION 3. The City Manager is authorized to retroactively extend the Temporary Outdoor Dining Program until December 31, 2022; unless extended further by City Council action.

SECTION 4. City Council direct staff to analyze the potential of establishing a long-term outdoor dining program and return to City Council within one-year of adoption of this Resolution.

SECTION 5. Adoption of a Notice of Exemption is hereby approved pursuant to Section 15061(b)(3) of the California Environmental Quality Act ("CEQA") State Guidelines because the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment where it can be seen with certainty. It has been determined that continuation of the TOD Program will not have a significant effect on the environment.

SECTION 6. If any section, subsection, paragraph, sentence, clause, phrase, or portion thereof, of this Resolution is declared by a court of competent jurisdiction to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council declares that it would have adopted this Resolution, and each section, subsection, paragraph, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses, phrases, or portions thereof, be declared invalid or unconstitutional. To this end, the provisions of this Resolution are declared to be severable.

SECTION 6. the City Clerk shall certify to the adoption of this Resolution which shall be effective upon its adoption.

APPROVED AND ADOPTED 23rd 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 Resolution was adopted by the City Council of the City of Montebello at its meeting held on the 23rd day of February, 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Christopher Jimenez, City Clerk

ATTACHMENT B

To:

County of Los Angeles
Registrar-Recorder/County Clerk
12400 Imperial Highway
Norwalk, CA 90650

From:

City of Montebello
Planning & Community Development Department
1600 W. Beverly Blvd.
Montebello, CA 90640

Lead Agency: City of Montebello Planning and Community Development Department
Project Title: Temporary Outdoor Dining Program
Project Location: City of Montebello, California
Case Number(s): Resolution No. 22-10

Description of Nature, Purpose, and Beneficiaries of Project: The purpose of the project is to allow the extension of a temporary program while the City of Montebello analysis the potential of establishing a permanent outdoor dining program.

Name of the Public Agency Approving the Project: City of Montebello
Name of Person or Agency Carrying Out the Project: City of Montebello

Exempt Status (*check one*)
☐ Ministerial (Sec. 21080(b)(1); 15268(b)(3))
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☐ Categorical Exemption. State type and section number:
☐ Statutory Exemptions. State code or regulation number:
☒ The "common sense" exemption, CEQA Guidelines § 15061 (b)(3)

Justification for Project Exemption:
The project is exempt under the "common sense" exemption because it does not involve the construction or alteration of facilities that will have a significant effect on the environment. The purpose of the project is to allow the extension of a temporary program while the City of Montebello analysis the potential of establishing a permanent outdoor dining program. Because it can be seen with certainty that there is no possibility that this project will have a significant effect on the environment, the project is not subject to CEQA pursuant to State CEQA Guidelines Section 15061(b)(3), the "Common Sense" exemption.

Lead Agency Contact Person: Joseph Palombi, Director of Planning and Community Development

Area Code/Telephone/Extension: (323) 887-1200

If filed by applicant, attach certified document issued by the Planning and Community Development Department stating that the Department has found the project to be exempt.

Signature: _____ **Date:** _____ **Title:** _____

☐ Signed by Lead Agency ☐ Signed by Applicant

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: Michael Solorza, Director of Finance
Micah Herd, Sr. Management Analyst

SUBJECT: **Approve Cooperative Agreement No. 3958 with Montebello Unified School District (MUSD) for Crossing Guard Services**

DATE: February 23, 2022

RECOMMENDATIONS:

It is recommended that City Council take the following actions:

1) Approve Cooperative Agreement No. 3958 with the Montebello Unified School District (MUSD) for Crossing Guard Services allowing for reimbursement to the City of ten percent (10%) of actual costs of services; and

2) Authorize the City Manager to review and approve similar agreements in the future; and

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

FISCAL IMPACTS

The City has established an agreement with All City Management Services (ACMS) to provide crossing guard services near school zones. A first amendment to the original agreement (#3452) with ACMS was recently approved by the City Council (August 11, 2021). MUSD has agreed to reimburse the City ten (10) percent of the annual cost for crossing guard services (i.e., paying the City for ten percent of the cost of the services).

The following is a summary of the annual amount paid to All City Management Services for the past four fiscal years and the projected amount for the current fiscal year, along with MUSD's reimbursement amount they have paid to the City over the past four years:

Fiscal Year	Amount	MUSD Share
2021 – 22	$62,181	$6,218
2020 – 21*	$0	$0
2019 – 20	$52,488	$5,248
2018 – 19	$48,087	$4,808

*No service charge was incurred due to school closures

BACKGROUND

In July 2018, the City released Request for Bids (RFP) No. 19 – 58, searching for a vendor to provide crossing guard services. Through this process, the City selected All City Management Services. All City Management Services commenced providing services during the following school year. As part of the City's agreement with ACMS, MUSD has agreed to pay ten (10) percent of the annual estimated expenditure total for crossing guard services. This amount is paid directly to the City.

DISCUSSION

For the City to receive reimbursement from MUSD for a share of the cost of crossing guard services, MUSD has requested that the City review and approve the attached cooperative agreement. The agreement provides specific terms and conditions that the City must adhere to and provides MUSD the necessary authority to issue payments under the normal invoicing process.

In addition to authorizing the City Manager to sign the attached agreement, it is requested that City Council authorize the City Manager to sign similar agreements in the future without City Council approval. The primary objective is to ensure that future agreements are executed quickly, and the process of cost recovery occurs sooner.

SUMMARY

The City of Montebello partners with the MUSD to provide crossing guard services to ensure students, school staff, partners, and authorized visitors are safe from hazards caused by vehicle traffic near school zones. The City has established a multi-year agreement with All-City Management Services for crossing guard services. As part of this agreement, MUSD reimburses the City ten (10) percent of the annual estimated total cost for services. MUSD requires that the City sign a cooperative agreement to receive this payment. Furthermore, staff requests the City Manager be authorized to approve any future agreements received related to the service to ensure timely execution and payment.

ATTACHMENT:

A. Cooperative Agreement No. 3958 – Montebello Unified School District/City of Montebello

ATTACHMENT A

COOPERATIVE AGREEMENT NO. 3958

AGREEMENT

The Montebello Unified School District (hereinafter "MUSD" or "District"), 123 South Montebello Boulevard, Montebello, California 90640, hereby enters into this agreement ("Agreement") with the City of Montebello (hereinafter "City"), 1600 West Beverly Boulevard, Montebello, California 90640.

This Agreement is made and entered into this 2nd day of March, 2022 by and between the Montebello Unified School District and the City of Montebello.

1. **Term:** The District, commencing July 1, 2021, hereby engages the City to provide the referenced services through June 30, 2022.

2. **Description of Service(s):** The District recognizes that the City engages All City Management Services (ACMS) to provide crossing guard services for students attending schools in the City of Montebello, and the City recognizes its duty to monitor all crossing guards for compliance during the term hereof. The City shall conduct comprehensive background checks of ACMS' directors, officers, agents, and employees who will be engaged in providing crossing guard services for the students of the District within the City's boundaries, in compliance with the requirements described in Education Code Section 45125.1. The City, upon request of the District, shall provide the District copies of all Live Scan or other Department of Justice background check of ACMES directors, officers, agents, or employees engaged in crossing guard services in the City.

3. **Compensation:** The District shall pay the City the amount not-to-exceed six thousand two hundred eighteen dollars and ten cents ($6,218.10) to help defray costs associated with the provision of the services described in Section 2, as well as responding upon request for monitoring. Unless special arrangement are made with the District Superintendent or designee, payment terms are net thirty (30) day, after services(s) or receipt of the invoice, whichever occurs later. Invoices will be provided to the District no later than sixty (60) calendar days after the completion of the service. The City agrees to provide final fiscal year billing [for services no later than July 10, (for services up to and including June 30] to assure timely reimbursement at the closure of the fiscal year.

4. **Cooperation:** In order to facilitate the performance of services herein, the City agrees that it shall direct ACMS to assist and cooperate with all District agents, employees and officers. The District agrees that it shall assist and cooperate with all City agents, employees and officers.

5. **Control:** The rendition of all services performed hereunder, the standard of performance and other matters incidental to the performance of such services, and the control of personnel so employed, shall remain with the City and ACMS. In the event of dispute between the parties as to the extent of the duties and functions to be rendered hereunder, or the manner of performance of such services, the City shall determine the duties, function, and scope to be rendered.

6. **Independent Contractor:** The District has not formed an agency, employment or partnership relationship with the City, an independent public agency. District represents, and City recognizes, that the District does not provide any benefits or rights arising under disability or unemployment

insurance, workers' compensation, medical insurance, sick leave or any other employment benefits to City, including any related to ACMS's agents or employees. Also, the City agrees to require ACMS to provide workers' compensation insurance for related agents and employees and agrees to hold armless and indemnify the District for any and all claims arising out of any injury, disability or death of any of said employees or agents.

7. **Hold Harmless:** The City, at its or ACMS's expense, cost and risk, shall defend any and all actions, suits or other proceedings that may be brought or instituted against the District, its officers, agents, or employees on any such claim, demand, or liability arising from the City's negligent performance under this, and shall pay or satisfy any judgement that may be rendered against the District, its officers, agents or employees in any action, suit, or proceedings as result thereof.

8. **Assignment:** Neither this Agreement nor any duties or obligations herein may be assigned by the City without the prior, written consent of the .

9. **Indemnification:** The City agrees to indemnify, defend, and hold the District free and harmless from all claims, demands, losses, costs, expenses, obligations, liabilities, damages, recoveries, and deficiencies, including interest, penalties, attorneys' fees and costs, that the District may incur if the Agreement is breached by the City, or the City or ACMS engages in any negligent or tortious conduct.

10. **Termination:** Either party, at any time and for any reason, with our without cause, may give no less than ten (10) calendar days written notice of termination to the other party. District shall compensate the City only for the services rendered to the date of termination. The notice, after the day of mailing and three days, shall be deemed received.

11. **Merger:** This Agreement supersedes any and all agreements, either oral or written, between the parties with respect to the renewing of services by the City for the District and contains all of the agreements, covenants and representations. Each party to this Agreement acknowledges that no representations, inducements, promises or statements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which are not contained in this Agreement, and that no other agreement, statement or promise not contained herein shall be binding or valid. This Agreement may be amended or modified only in writing, and then only upon mutual execution by each party.

12. **Arbitration:** Any controversy or claim arising out of or relating to this Agreement or breach hereof will be settled by arbitration in accordance with the rules of the American Arbitration Association as administered by Endispute/JAMS, subject to the mutual selection of a mutual; and, an arbitrator's award may be confirmed by a court with jurisdiction to enter judgement thereon.

13. **Attorney's Fees:** In the event a suit should be brought for any sum due hereunder, or to interpret or enforce any provision of this Agreement, the parties shall each bear their own attorneys' fees and costs.

14. **Waiver:** No waiver of any breach of any provision of this Agreement by either party shall constitute a waiver of any other breach of such provision. Failure of either party to enforce at any

time, or from time to time, any provision of this Agreement shall not be construed as a waiver thereof. The remedies herein reserved shall be cumulative and additional to any other remedies in law or equity.

IN WITNESS WHEREOF, the board of education of the Montebello Unified School District as authorized this Agreement to be executed by Board Authorized signatures.

Date of Board Meeting: March 2, 2022

_____

Mark Skvarna, Interim Superintendent of Schools

CITY OF MONTEBELLO

By: _____

Rene Bobadilla, City Manager

By: _____

Brad Keller, Chief of Police

APPROVED AS TO FORM

By: _____

Arnold M. Alvarez-Glasman

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: Michael Solorza, Director of Finance

SUBJECT: **Adopt Resolution No. 22-11 Opposing a State Ballot Measure Restricting Voters' Input and Local Taxing Authority**

DATE: February 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Adopt Resolution No. 22-11 opposing Initiative 21-0042A1, also known as the "Taxpayer Protection and Government Accountability Act;" and

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

FISCAL IMPACT

There is no fiscal impact associated with the recommended actions.

BACKGROUND

In 2018, the "Tax Fairness, Transparency and Accountability Act" or AG# 17-0050 Amdt. #1, was circulated to qualify for the November 2018 ballot. This initiative would have drastically limited local revenue authority. Through the successful work and advocacy of the League of California Cities and its coalition partners, the measure's proponents, the California Business Roundtable (CBRT), withdrew the initiative from the ballot in June 2018.

On January 4, 2022, CBRT filed the "Taxpayer Protection and Government Accountability Act" or Initiative 21-0042A1. This measure is far more detrimental to cities than the measure filed in 2018, because it would decimate vital local and state services to the benefit of wealthy corporations. Below are highlights of clauses in the initiative that would provide tax loopholes for wealthy corporations while jeopardizing local public agencies' ability to fund critical services and infrastructure needs:

- Gives wealthy corporations a major loophole to avoid paying their fair share – forcing local residents and taxpayers to pay more
- Allows corporations to dodge enforcement when they violate environmental, health, public safety and other laws
- Jeopardizes vital local and state services
- Opens the door for frivolous law suits
- Undermines voter rights, transparency and accountability

The attached briefing from the League of California Cities (Attachment B) provides additional information on why this initiative must be defeated. Attachment C from the League's fiscal consultant Michael Coleman provides an in-depth analysis of the detrimental financial impacts should this initiative prevail.

During its December 23, 2021 meeting, the League of California Cities Board of Directors voted unanimously to oppose Initiative 21-0042A1. Following the Board's unanimous decision, a coalition of public safety, labor, local government and infrastructure advocates have joined together to fight against this measure. So far, locally the cities of Bell Gardens and Artesia have passed resolutions opposing this dangerous ballot initiative.

With the State Attorney General set to release the Title and Summary soon of this initiative, the coalition announced their opposition in a media release. The proponents (i.e., CBRT) will need to submit nearly one million signatures in order to qualify this initiative for the November 2022 ballot. The Secretary of State's recommended date to turn in signatures is only three months away, April 29, 2022, which is why a strong opposition must be mounted immediately.

Passage of the attached Resolution (Attachment A) indicates the City of Montebello's opposition to this initiative and its support for local control of revenues.

SUMMARY

The "Taxpayer Protection and Government Accountability Act" - Initiative No. 21-0042A1 limits the voters' input, adopts new and stricter rules for raising taxes and fees, and makes it more difficult to hold state and local law violators accountable. The City Council is being asked to approve a resolution indicating the City's opposition to this initiative and showing support for the broad coalition of public safety, labor and infrastructure advocates.

ATTACHMENTS:

A. Resolution No. 22-11
B. League of California Cities Briefing Summary
C. League of California Cities / Michael Coleman Fiscal Briefing

ATTACHMENT A

RESOLUTION NO. 22-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO OPPOSING INITIATIVE 21-0042A1, ALSO KNOWN AS THE "TAXPAYER PROTECTION AND GOVERNMENT ACCOUNTABILITY ACT"

WHEREAS, an association representing California's wealthiest corporations is behind a deceptive proposition aimed for the November 2022 statewide ballot; and

WHEREAS, the measure creates new constitutional loopholes that allow corporations to pay far less than their fair share for the impacts they have on our communities, including local infrastructure, our environment, water quality, air quality, and natural resources; and

WHEREAS, the measure includes undemocratic provisions that would make it more difficult for local voters to pass measures needed to fund local services and infrastructure, and would limit voter input by prohibiting local advisory measures where voters provide direction on how they want their local tax dollars spent; and

WHEREAS, the measure makes it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods; and

WHEREAS, the measure puts billions of dollars currently dedicated to state and local services at risk, and could force cuts to public schools, fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to support homeless residents, mental health services, and more; and

WHEREAS, the measure would also reduce funding for critical infrastructure like streets and roads, public transportation, drinking water, new schools, sanitation, and utilities.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO HEREBY FINDS, DECLARES AND RESOLVES AS FOLLOWS:

SECTION 1. The City of Montebello opposes Initiative 21-0042A1, also known as the "Taxpayer Protection and Accountability Act."

SECTION 2. The City of Montebello will join the "NO on Initiative 21-0042A1 coalition," a growing coalition of public safety, labor, local government, infrastructure advocates, and other organizations throughout the state.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution, which shall become effective immediately upon adoption.

PASSED, APPROVED and **ADOPTED** this 23rd 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. 21-11 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 23rd day of February 2022 and that said Resolution was adopted by the following vote, to-wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

_____
Christopher Jimenez, City Clerk

LEAGUE OF CALIFORNIA CITIES

ATTACHMENT B

Stop the Corporate Loopholes Scheme

Deceptive Proposition Allows Major Corporations to Avoid Paying their Fair Share and Evade Enforcement when they Violate Environmental, Health & Safety Laws

An association representing California's wealthiest corporations — including oil, insurance, banks and drug companies — is behind a deceptive proposition aimed for the November 2022 statewide ballot. Their measure would create major new loopholes that allow corporations to avoid paying their fair share for the impacts they have on our communities; while also allowing corporations to evade enforcement when they violate environmental, health, safety and other state and local laws. Here's why a broad coalition of local governments, labor and public safety leaders, infrastructure advocates, and businesses **oppose** the Corporate Loophole Scheme:

Gives Wealthy Corporations a Major Loophole to Avoid Paying their Fair Share - Forcing Local Residents and Taxpayers to Pay More

- The measure creates new constitutional loopholes that **allow corporations to pay far less than their fair share for the impacts they have on our communities**, including local infrastructure, our environment, water quality, air quality, and natural resources – shifting the burden and making individual taxpayers pay more.

Allows Corporations to Dodge Enforcement When They Violate Environmental, Health, Public Safety and Other Laws

- The deceptive scheme creates new loopholes that makes it much more difficult for state and local regulators to issue fines and levies on corporations that violate laws intended to protect our environment, public health and safety, and our neighborhoods.

Jeopardizes Vital Local and State Services

- This far-reaching measure **puts at risk billions of dollars currently dedicated to critical state and local services**.
- It could **force cuts** to public schools, fire and emergency response, law enforcement, public health, parks, libraries, affordable housing, services to support homeless residents, mental health services and more.
- It would also **reduce funding for critical infrastructure** like streets and roads, public transportation, drinking water, new schools, sanitation, utilities and more.

Opens the Door for Frivolous Lawsuits, Bureaucracy and Red Tape that Will Cost Taxpayers and Hurt Our Communities

- The measure will encourage **frivolous lawsuits, bureaucracy and red tape that will cost local taxpayers millions** — while significantly **delaying and stopping investments in infrastructure and vital services.**

LEAGUE OF CALIFORNIA CITIES

Undermines Voter Rights, Transparency, and Accountability

- This misleading measure changes our constitution to make it more difficult for local voters to pass measures needed to fund local services and local infrastructure.
- It also includes a hidden provision that **would retroactively cancel measures that were passed by local voters** — effectively undermining the rights of voters to decide for themselves what their communities need.
- It would **limit voter input** by prohibiting local advisory measures, where voters provide direction to politicians on how they want their local tax dollars spent.

CaliforniaCityFinance.Com

Fiscal and Program Effects of Initiative 21-0042A1 on Local Governments

If Initiative 21-0042A1 is placed on the ballot and passed by voters, it will result in:

- Billions of local government fee and charge revenues placed at heightened legal peril. Related public service reductions across virtually every aspect of city, county, special district, and school services especially for transportation, and public facility use.
- Hundreds of millions of dollars of annual revenues from dozens of tax and bond measures approved by voters between January 1, 2022 and November 9, 2022 subject to additional voter approval if not in compliance with the initiative.
- Indeterminable legal and administrative burdens and costs on local government from new and more empowered legal challenges, and bureaucratic cost tracking requirements.
- The delay and deterrence of municipal annexations and associated impacts on housing and commercial development.
- Service and infrastructure impacts including in fire and emergency response, law enforcement, public health, drinking water, sewer sanitation, parks, libraries, public schools, affordable housing, homelessness prevention and mental health services.

1. Local Government Taxes and Services Threatened

With regard to taxes, Initiative 21-0042A1:

- Prohibits advisory, non-binding measures as to use of tax proceeds on the same ballot.
    - Voters may be less informed and more likely to vote against measures.
- Eliminates the ability of special tax measures proposed by citizen initiative to be enacted by majority voter approval (*Upland*).
    - Because the case law regarding citizen initiative special taxes approved by majority vote (Upland) is so recent, it is unknown how common these sorts of measures might be in the future. This initiative would prohibit such measures after the effective date of the initiative. Any such measures adopted after January 1, 2022 through November 8, 2022 would be void after November 9, 2023.
- Requires that tax measures include a specific duration of time that the tax will be imposed. This seems to require that all tax increases or extensions contain a sunset (end date).
    - This would require additional tax measures to extend previously approved taxes at additional cost to taxpayers.
- Requires that a tax or bond measure adopted after January 1, 2022 and before the effective date of the initiative (November 9, 2022) that was not adopted in accordance with the measure be readopted in compliance with the measure or will be void twelve months after the effective date of the initiative (November 9, 2023).
    - If past election patterns are an indication, dozens of tax and bond measures approving hundreds of millions of annual revenues may not be in compliance and would be subject to reenactment. Most will be taxes without a specific end date. Because there is no regularly scheduled election within the 12 months following the effective date of the initiative, measures not in compliance would need to be placed on a special election ballot for approval before November 9, 2023 or the tax will be void after that date. General tax measures would require declaration of emergency and unanimous vote of the governing board.

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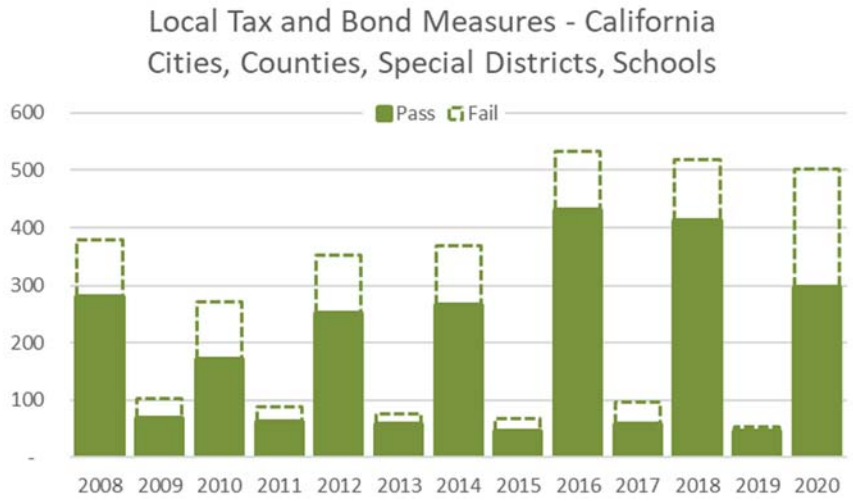
- Requires voter approval to expand an existing tax to new territory (annexations). This would require additional tax measures and would deter annexations and land development in cities.
    - If a tax is "extended" to an annexed area without a vote after January 1, 2022, it will be void 12 months later until brought into compliance. Because there is no regularly scheduled election within the 12 months following the effective date of the initiative, such extensions for general taxes would, under current law, each require unanimous vote of the agency board to be placed on a special election ballot or would be void after November 9, 2023.



1.a. Number of Measures and Value of Local Taxes at Risk[1]

In 2020, voters in California approved 293 local tax and bond measures for cities, counties, special districts and schools (95 in March and 198 in November). The approved measures enacted $3.85 billion in new annual taxes including $1.3 billion for cities, $302 million for counties, $208 million for special districts (fire, wastewater, open space and transit districts), and $2.037 billion for schools (including for school bonds).

Most tax measures go to the ballot during a presidential or gubernatorial primary or general election in an even year. However, some tax measures are decided at other times. During 2019, there were 45 approved tax and bond measures (24 city, 14 special district, 7 school) adopting $154.0 million in new annual taxes ($124.0 million city, $10.5 million special district and $19.2 million school).

Most tax and bond measures comply with the new rules in Initiative 21-0042Amdt#1 except:

- Dozens of taxes would require end dates. This would require additional measures in future years to extend the taxes further. Very few extensions of existing local taxes fail.
- Majority vote general tax measures could not be accompanied on the same ballot with an advisory, non-binding measure as to use of tax proceeds.
- Special taxes placed on the ballot via citizen initiative would require two-thirds voter approval.

Bond measures have fixed terms. Historically, about 20 percent of other tax measures have included specific durations (i.e. sunsets). Advisory measures as to use of revenues are uncommon. I do not expect the provisions of 21-0042A1 to have any substantial effect on passage rates. However, some 2022 approved measures would likely have to put back on the ballot.

Based on history, a reasonable estimate of the annualized tax revenues estimated to be approved by

[1] Source: Compilation and summary of data from County elections offices.

voters in 2022 and placed at risk by this initiative is at least **$1.5 billion, including $1.0 billion from cities and $500 million from counties and special districts**.[2]

1.b. Additional Costs and Public Service Effects of the Tax Provisions

In addition to service delays and disruption due to new tax revenues placed at greater legal risk, there will be substantial additional costs for legal defense. The deterrence of taxes for annexations will delay and deter municipal annexations.

2. "Exempt Charges" (fees and charges that are not taxes) and Services Threatened

With regard to fees and charges adopted after January 1, 2022, Initiative 21-0042A1:

- Subjects new fees and charges for a product or service to a new "actual cost" test defined as "(i) the minimum amount necessary to reimburse the government for the cost of providing the service to the payor, and (ii) where the amount charged is not used by the government for any purpose other than reimbursing that cost. In addition, subjects these same charges to a new, undefined, "reasonable" standard.
- Subjects fees and charges for entrance to local government property; and rental and sale of local government property to a new, undefined, "reasonable" test.
- Subjects a challenged fee or charge to new, higher burdens of proof if legally challenged.
- Prohibits a levy, charge or exaction regulating or related to vehicle miles traveled, imposed as a condition of property development or occupancy.

2.a. Value on New Local Government Fees and Charges at Risk[3]

Virtually every city, county, and special district must regularly (e.g., annually) adopt increases to fee rates and charges and revise rate schedules to accommodate new users and activities. Most of these would be subject to new standards and limitations under threat of legal challenge. Based on the current volume of fees and charges imposed by local agencies and increases in those fees simply to accommodate inflation, the amount of local government fee and charge revenue placed at risk is about **$1 billion per year including those adopted since January 1, 2022. Of this $1 billion, about $570 million is for special districts, $450 million is cities, and $260 million is counties.**[4]

Major examples of affected fees and charges are:

1. Nuisance abatement charges - such as for weed, rubbish and general nuisance abatement to fund community safety, code enforcement, and neighborhood cleanup programs.
2. Commercial franchise fees.
3. Emergency response fees - such as in connection with DUI.
4. Advanced Life Support (ALS) transport charges.
5. Document processing and duplication fees.
6. Transit fees, tolls, parking fees, public airport and harbor use fees.
7. Facility use charges, fees for parks and recreation services, garbage disposal tipping fees.

In addition to fees and charges, the measure puts fines and penalties assessed for the violation of state and

[2] This does not include citizen initiative special tax approved by majority but not two-thirds. Because this approach is new, the number of these measures and amount of revenue involved cannot be estimated.

[3] Source: California State Controller Annual Reports of Financial Transactions concerning cities, counties and special districts, summarized with an assumed growth due to fee rate increases (not population) of 2 percent annually.

[4] School fees are also affected but the amount is negligible by comparison.

local law at risk, making them taxes subject to voter approval under certain circumstances.

2.b. Additional Costs and Public Service Effects of the Fee/Charge Provisions

In addition to service delays and disruptions due to fee and charge revenues placed at greater legal risk, there would be substantial additional costs for legal defense. The risk to fees and charges will make infrastructure financing more difficult and will deer new residential and commercial development.

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ITEM NO. 13

RESOLUTION NO. 22-09

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.1525, consisting of 9 pages, and including:

Warrant No.

General: Checks No.595365 through; 595513
ACH No. 1591 through; 1669
Successor Agency: Check No. 1488

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 23RD day of February 2022.

_____
Kimberly A. Cobos-Cawthorne, Mayor

ATTEST: **APPROVED AS TO FORM:**

_____ _____
Christopher Jimenez, City Clerk 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. 22-09 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 23rd 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. 1525

From Payment Date: 02/03/22 - To Payment Date: 02/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR	VENDOR NAME
4331	- General Account				
1591	02/03/2022	$2,742.17	ADVERTISING/PRINTING SERVICES	3163	BANK OF AMERICA
1592	02/03/2022	$241.40	MAIL/ POSTAL EXPENSE	3163	BANK OF AMERICA
1593	02/03/2022	$4,592.51	SUPPLIES	3163	BANK OF AMERICA
1594	02/03/2022	$111.05	ADVERTISING/PRINTING SERVICES	3163	BANK OF AMERICA
1595	02/03/2022	$845.37	SUPPLIES	3163	BANK OF AMERICA
1596	02/03/2022	$90.17	SUPPLIES	3163	BANK OF AMERICA
1597	02/03/2022	$470.00	TRAINING	3163	BANK OF AMERICA
1598	02/03/2022	$724.58	SUPPLIES	3163	BANK OF AMERICA
1599	02/03/2022	$3,597.36	TRAVEL & MEETINGS	3163	BANK OF AMERICA
1600	02/03/2022	$936.42	SUPPLIES	3163	BANK OF AMERICA
1601	02/03/2022	$3,278.33	SUPPLIES	3163	BANK OF AMERICA
1602	02/03/2022	$644.13	TRAINING	3163	BANK OF AMERICA
1603	02/03/2022	$8,457.24	CONTRACT SERVICES	2689	ACRO PRINTING INC
1604	02/03/2022	$68,411.00	CONTRACT SERVICES	37720	ADVANCED APPLIED ENGINEERING INC
1605	02/03/2022	$728.10	SUPPLIES	2586	AMAZON CAPITAL SERVICES INC
1606	02/03/2022	$2,024.20	SUPPLIES	62880	AMERICAN MARKER
1607	02/03/2022	$39,706.61	CONTRACT SERVICES	3016	ANTARES GOLF LLC
1608	02/03/2022	$1,625.53	BUILDING IMPROVEMENTS	3780	JACOB CASTILLO
1609	02/03/2022	$998.80	SUPPLIES	2455	THE ILLINI COMPANIES INC
1610	02/03/2022	$1,100.00	CONTRACT SERVICES	71920	TOYETTA L BEUKES
1611	02/03/2022	$11,182.42	CONTRACT SERVICES	1175	GRAPHIC ELECTRIC INC
1612	02/03/2022	$30,687.48	MACHINERY & EQUIPMENTS	2793	IBE DIGITAL
1613	02/03/2022	$29.04	MAIL/ POSTAL EXPENSE	2704	JACQUELINE JAUREGUI
1614	02/03/2022	$2,847.50	CONTRACT SERVICES	16760	LIEBERT CASSIDY WHITMORE
1615	02/03/2022	$640.00	CONTRACT SERVICES	19250	N/S CORPORATION
1616	02/03/2022	$38,378.68	CONTRACT SERVICES	35250	NATIONWIDE ENVIRONMENTAL SERVICES
1617	02/03/2022	$35,960.39	FUEL INVENTORY	1059	AMBER RESOURCES LLC

City of Montebello

Register of Demands No. 1525

From Payment Date: 02/03/22 - To Payment Date: 02/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR	VENDOR NAME
1618	02/03/2022	$10.00	RECREATION CLASSES	3211	JESSICA SERRANO
1619	02/03/2022	$2,750.36	SUPPLIES	31270	STARBOARD TACK SUPPLY INC
1620	02/03/2022	$2,420.50	CONTRACT SERVICES	183	WECK LABORATORIES ENVIRONMENTAL SERVICES INC
1621	02/03/2022	$975.05	SUPPLIES	3163	BANK OF AMERICA
1622	02/03/2022	$861.10	SUPPLIES	3163	BANK OF AMERICA
1623	02/03/2022	$1,230.00	TRAINING	3163	BANK OF AMERICA
1624	02/03/2022	$60.00	TRAINING	3163	BANK OF AMERICA
1625	02/03/2022	$190.00	SUPPLIES	3163	BANK OF AMERICA
1626	02/03/2022	$478.23	SUPPLIES	3163	BANK OF AMERICA
1627	02/03/2022	$2,249.11	SUPPLIES	3163	BANK OF AMERICA
1628	02/03/2022	$2,533.41	SUPPLIES	3163	BANK OF AMERICA
1629	02/03/2022	$1,203.43	SUPPLIES	3163	BANK OF AMERICA
1630	02/10/2022	$5,834.40	SALES TAX LIABILITY	2307	CALIF DEPT OF TAX AND FEE ADMINISTRATION
1631	02/10/2022	$125,000.00	SETTLEMENTS	69730	DE LAGE LANDEN FINANCIAL SERVICES INC
1632	02/10/2022	$17.62	MACHINERY & EQUIPMENTS	3163	BANK OF AMERICA
1633	02/10/2022	$97.95	MAIL/ POSTAL EXPENSE	3163	BANK OF AMERICA
1634	02/10/2022	$8,040.50	SUPPLIES	3163	BANK OF AMERICA
1635	02/10/2022	$1,421.00	CONTRACT SERVICES	37720	ADVANCED APPLIED ENGINEERING INC
1636	02/10/2022	$528.50	VEHICLE MAINTENANCE/EXPENSES	269	ADVANCED ELECTRONICS SOLUTIONS INC
1637	02/10/2022	$74,337.93	CONTRACT SERVICES	16120	ALVAREZ-GLASMAN & COLVIN
1638	02/10/2022	$3,160.35	SUPPLIES	2586	AMAZON CAPITAL SERVICES INC
1639	02/10/2022	$512.13	VEHICLE MAINTENANCE/EXPENSES	47980	AMERICAN MOVING PARTS
1640	02/10/2022	$40.00	CARPOOL INCENTIVE	289	ANDREA ANDRADE
1641	02/10/2022	$40.00	CARPOOL INCENTIVE	61470	ERIKA L ANDRADE
1642	02/10/2022	$34,677.12	CONTRACT SERVICES	3016	ANTARES GOLF LLC
1643	02/10/2022	$334,594.40	CONTRACT SERVICES	40970	ARAKELIAN ENTERPRISES
1644	02/10/2022	$4,429.44	CONTRACT SERVICES	1237	AZTECA LANDSCAPE
1645	02/10/2022	$40.00	CARPOOL INCENTIVE	17880	ANI CHUKHURYAN

City of Montebello

Register of Demands No. 1525

From Payment Date: 02/03/22 - To Payment Date: 02/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR	VENDOR NAME
1646	02/10/2022	$10,576.21	SUPPLIES	10000	CLEAN SWEEP SUPPLY CO INC
1647	02/10/2022	$23,560.00	CONTRACT SERVICES	3025	COMPLETE LANDSCAPE CARE INC
1648	02/10/2022	$1,682.53	SUPPLIES	70920	DECALS BY DESIGN INC
1649	02/10/2022	$60.00	CONTRACT SERVICES	23660	DAIOHS USA
1650	02/10/2022	$37,370.34	MACHINERY & EQUIPMENTS	2654	GOLDEN STAR TECHNOLOGY INC
1651	02/10/2022	$40.00	CARPOOL INCENTIVE	3123	NEIRA YESSIE GRANADOS
1652	02/10/2022	$45,128.00	COPIER REPAIR/SERVICES	2793	IBE DIGITAL
1653	02/10/2022	$7,744.07	CONTRACT SERVICES	2152	JOHNSON CONTROLS INC
1654	02/10/2022	$331.88	SUPPLIES	1938	P & R PAPER SUPPLY COMPANY INC
1655	02/10/2022	$38,484.00	CONTRACT SERVICES	42180	PCAM LLC
1656	02/10/2022	$3,750.00	CONTRACT SERVICES	3147	PMC PLUMBING INC
1657	02/10/2022	$425.00	CONTRACT SERVICES	3285	DIANA E RAMIREZ
1658	02/10/2022	$73.38	VEHICLE MAINTENANCE/EXPENSES	1120	BLUETRITON BRANDS INC
1659	02/10/2022	$1,350.00	CONTRACT SERVICES	2874	RPW SERVICES INC
1660	02/10/2022	$21,051.43	CONTRACT SERVICES	2787	S & S LABARGE GOLF INCORPORATED
1661	02/10/2022	$27.99	SUPPLIES	33960	DAVID SOSNOWSKI
1662	02/10/2022	$59.83	SUPPLIES	31270	STARBOARD TACK SUPPLY INC
1663	02/10/2022	$3,090.00	CONTRACT SERVICES	217	TRACKIT LLC
1664	02/10/2022	$30,000.00	CONTRACT SERVICES	3133	ULTIMATE MAINTENANCE SERVICE
1665	02/10/2022	$92.15	CONTRACT SERVICES	3140	WEX HEALTH INC
1666	02/10/2022	$40.00	CARPOOL INCENTIVE	59960	JO ANN PANOSIAN
1667	02/10/2022	$40.00	CARPOOL INCENTIVE	69960	NICOLE I SAUCEDO
1668	02/10/2022	$30.00	CARPOOL INCENTIVE	3432	JOSEPHINE SERRANO
1669	02/10/2022	$40.00	CARPOOL INCENTIVE	24280	MARTIN SOLANO
	ACH TOTAL	**$1,093,829.82**			
595365	02/03/2022	$7,566.80	AFLAC OTHER	55860	AFLAC
595366	02/03/2022	$787.49	UTILITY SERVICES	2257	AIRESPRING INC

City of Montebello

Register of Demands No. 1525

From Payment Date: 02/03/22 - To Payment Date: 02/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR	VENDOR NAME
595367	02/03/2022	$370.88	CONTRACTORS	3484	RONEN ALTIT
595368	02/03/2022	$548.85	UTILITY SERVICES	38380	AT&T
595369	02/03/2022	$1,380.82	UTILITY SERVICES	39550	AT&T
595370	02/03/2022	$11,127.43	CONTRACT SERVICES	16710	ATKINSON ANDELSON LOYA RUUD & ROMO
595371	02/03/2022	$1,150.00	TRAINING	40510	BEHAVIORAL ANALYSIS TRAINING INC
595372	02/03/2022	$374.81	CONTRACTORS	3485	CA PERMITS
595373	02/03/2022	$1,730.03	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY
595374	02/03/2022	$250.25	CONTRACT SERVICES	40850	MARIA E CASAS
595375	02/03/2022	$5.00	RECREATION CLASSES	3472	NORMA CASTRO
595376	02/03/2022	$250.00	GENERAL GOVERNMENT	3475	SONIA CHAVEZ
595377	02/03/2022	$10.00	RECREATION CLASSES	3478	ELIZABETH CONTRERAS
595378	02/03/2022	$175.00	CONTRACT SERVICES	2759	D F POLYGRAPH
595379	02/03/2022	$850.08	PERMITS AND FEES	72580	LOS ANGELES COUNTY DEPARTMENT OF PUBLIC HEALTH
595380	02/03/2022	$15.00	RECREATION CLASSES	2009	CYNTHIA DIETZE
595381	02/03/2022	$197.05	CONTRACT SERVICES	3334	EAGLE PORTABLES SANITATION LLC
595382	02/03/2022	$16,800.00	CONTRACT SERVICES	2222	ELEVATOR SUPPORT SERVICES INC
595383	02/03/2022	$9,500.00	CONTRACT SERVICES	1168	EVERBRIDGE INC
595384	02/03/2022	$321.17	MAIL/ POSTAL EXPENSE	22400	FEDERAL EXPRESS CORPORATION
595385	02/03/2022	$4,460.63	VEHICLE MAINTENANCE/EXPENSES	29160	FORD OF MONTEBELLO
595386	02/03/2022	$20,000.00	BUILDING IMPROVEMENTS	2861	JOSE L GARCIA
595387	02/03/2022	$2,947.05	SUPPLIES	12	GEIGER BROS
595388	02/03/2022	$15.00	RECREATION CLASSES	3473	LESLIE GOODYEAR
595389	02/03/2022	$1,916.42	MISCELLANEOUS EXPENSE	48400	HOME DEPOT CREDIT SERVICES
595390	02/03/2022	$190.00	DUES & SUBSCRIPTIONS	8330	INTERNATIONAL ASSOCIATION OF
595391	02/03/2022	$1,150.00	CONTRACT SERVICES	2942	JAIROS PLUMBING INC
595392	02/03/2022	$40.00	CARPOOL INCENTIVE	3141	JAYLENNE VALLEJO
595393	02/03/2022	$13,095.00	CONTRACT SERVICES	3044	KAIZER RANGWALA
595394	02/03/2022	$2,031.25	PREPAID EXPENSES	43680	JJ KELLER & ASSOCIATES INC

City of Montebello

Register of Demands No. 1525

From Payment Date: 02/03/22 - To Payment Date: 02/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR	VENDOR NAME
595395	02/03/2022	$1,003.75	CONTRACT SERVICES	3138	KITTELSON & ASSOCIATES INC
595396	02/03/2022	$2,697.00	CONTRACT SERVICES	2156	LEED ELECTRIC INC
595397	02/03/2022	$120.00	PARKS AND RECREATION	3477	EUDIELIA LOPEZ
595398	02/03/2022	$45.00	RECREATION CLASSES	3486	ISEL LORENZO
595399	02/03/2022	$48.00	DUES & SUBSCRIPTIONS	9200	LOS ANGELES COUNTY ASSESSOR OFFICE
595400	02/03/2022	$616.56	CONTRACT SERVICES	37280	LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
595401	02/03/2022	$559.90	CONTRACT SERVICES	1627	KEITH S HOLLAND
595402	02/03/2022	$7,604.47	CONTRACT SERVICES	110	MICHELIN NORTH AMERICA INC
595403	02/03/2022	$472.68	CONTRACT SERVICES	74640	MISSION LINEN SUPPLY
595404	02/03/2022	$15,000.00	CDBG-CV	97	MONTEBELLO-COMMERCE YMCA
595405	02/03/2022	$10.00	RECREATION CLASSES	3470	AZUCENA MORENO
595406	02/03/2022	$4,054.48	VEHICLE MAINTENANCE/EXPENSES	2480	SOCAL AUTO & TRUCK PARTS INC
595407	02/03/2022	$8,950.00	CONTRACT SERVICES	3390	NATIONAL PLANT SERVICES INC
595408	02/03/2022	$68,590.85	IMPROVEMENTS OTHER THAN BUILDING	3399	NCM ENGINEERING CORP
595409	02/03/2022	$5.00	RECREATION CLASSES	3471	DAVID ORTEGA
595410	02/03/2022	$1,850.00	TRAINING	51460	RIO HONDO COMMUNITY COLLEGE
595411	02/03/2022	$240.00	TRAINING	47640	RIVERSIDE COUNTY SHERIFFS DEPARTMENT
595412	02/03/2022	$20.00	RECREATION CLASSES	3474	CORAL ROMERO
595413	02/03/2022	$215.00	TRAINING	24500	SAN BERNARDINO SHERIFFS DEPT
595414	02/03/2022	$53,606.97	UTILITY SERVICES	14730	SAN GABRIEL VALLEY WATER CO
595415	02/03/2022	$66,057.40	CONTRACT SERVICES	14730	SAN GABRIEL VALLEY WATER COMPANY
595416	02/03/2022	$377.31	CONTRACT SERVICES	36350	SHRED-IT USA
595417	02/03/2022	$11,584.27	CONTRACT SERVICES	2361	SIEMENS MOBILITY
595418	02/03/2022	$60.00	PARKS AND RECREATION	3483	JORGE SOLORIO
595419	02/03/2022	$190,655.49	UTILITY SERVICES	45630	SOUTHERN CALIFORNIA EDISON
595420	02/03/2022	$372.89	UTILITY SERVICES	40520	SOUTHERN CALIFORNIA GAS CO
595421	02/03/2022	$75,555.00	CONTRACT SERVICES	3439	SPORTFIVE GOLF LLC
595422	02/03/2022	$536.23	FRINGE BENEFITS	1990	STANDARD INSURANCE COMPANY

City of Montebello

Register of Demands No. 1525

From Payment Date: 02/03/22 - To Payment Date: 02/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR	VENDOR NAME
595423	02/03/2022	$3,177.02	UTILITY SERVICES	526	T-MOBILE USA INC
595424	02/03/2022	$1,060.41	BUILDING IMPROVEMENTS	3479	THERMA LLC
595425	02/03/2022	$1,125.00	CONTRACT SERVICES	65440	TIERRA WEST ADVISORS
595426	02/03/2022	$3,580.43	UTILITY SERVICES	72570	US TELEPACIFIC CORP
595427	02/03/2022	$300.00	CONTRACT SERVICES	387	TRANSUNION RISK AND ALTERNATIVE DATA SOLUTIONS INC
595428	02/03/2022	$15,475.25	CONTRACT SERVICES	3406	UNIVERSAL PROTECTION SERVICE LP
595429	02/03/2022	$5,187.00	CONTRACT SERVICES	37	US SECURITY ASSOCIATES INC
595430	02/03/2022	$7,000.00	CONTRACT SERVICES	3433	VECTIS DC LLC
595431	02/03/2022	$2,885.96	UTILITY SERVICES	23610	VERIZON WIRELESS
595432	02/03/2022	$6,647.85	OTHER GROUP INSURANCE PAYABLE	58990	VISION SERVICE PLAN
595433	02/03/2022	$3,577.62	VEHICLE MAINTENANCE/EXPENSES	25860	WAYNE HARMEIER INC
595434	02/03/2022	$250.00	GENERAL GOVERNMENT	3476	ASHLEE WOOLFOLK
595435	02/03/2022	$560.00	BUILDING IMPROVEMENTS	3459	WORKSITE INTERNATIONAL INC
595436	02/03/2022	$1,141.00	CONTRACT SERVICES	71170	YOUNG ELECTRIC SIGN COMPANY
595437	02/03/2022	$298.57	CONTRACT SERVICES	2905	ZUTRA WATER
595438	02/10/2022	$6,274.51	VEHICLE MAINTENANCE/EXPENSES	3333	A & A FLEET PAINTING INC
595439	02/10/2022	$59.03	UTILITY SERVICES	1732	AT&T CORP
595440	02/10/2022	$2,600.00	CONTRACT SERVICES	26580	APCO INTERNATIONAL INC
595441	02/10/2022	$1,972.88	CONTRACT SERVICES	50	APOLLO WOOD RECOVERY INC
595442	02/10/2022	$709.82	UTILITY SERVICES	39550	AT&T
595443	02/10/2022	$4.73	UTILITY SERVICES	39550	AT&T
595444	02/10/2022	$112.98	UTILITY SERVICES	73760	AT&T TELECONFERENCE SERVICES
595445	02/10/2022	$100.00	TRAINING	40510	BEHAVIORAL ANALYSIS TRAINING INC
595446	02/10/2022	$200.00	VEHICLE MAINTENANCE/EXPENSES	1101	BLACK AND WHITE EMERGENCY VEHICLES LLC
595447	02/10/2022	$163,159.55	INSURANCE	28120	STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS
595448	02/10/2022	$1,350.00	PERMITS AND FEES	28120	STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS
595449	02/10/2022	$330.00	DUES & SUBSCRIPTIONS	41840	CALIFORNIA PARK AND RECREATION SOCIETY (CPRS)
595450	02/10/2022	$5,241.76	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY

City of Montebello

Register of Demands No. 1525

From Payment Date: 02/03/22 - To Payment Date: 02/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR	VENDOR NAME
595451	02/10/2022	$890.26	UTILITY SERVICES	55830	CHARTER COMMUNICATIONS
595452	02/10/2022	$545.74	CONTRACT SERVICES	36870	CINTAS CORPORATION
595453	02/10/2022	$798.00	ADVERTISING/PRINTING SERVICES	1354	DAILY JOURNAL CORPORATION
595454	02/10/2022	$1,714.00	CONTRACT SERVICES	2019	DEWEY SERVICES INC
595455	02/10/2022	$213.00	SUPPLIES	3091	DOUBLE DIAMOND INVESTMENT GROUP INC
595456	02/10/2022	$198.68	CONTRACT SERVICES	1894	ECONOMY RENTAL INC
595457	02/10/2022	$100.00	ADVERTISING/PRINTING SERVICES	2123	ENDEAVOR BUSINESS MEDIA LLC
595458	02/10/2022	$11,350.00	CONTRACT SERVICES	3215	EVAN BROOKS ASSOCIATES INC
595459	02/10/2022	$298.39	SUPPLIES	7610	EWING IRRIGATION PRODUCTS
595460	02/10/2022	$7,500.00	CONTRACT SERVICES	3148	FIFTH ASSET INC
595461	02/10/2022	$4,066.52	VEHICLE MAINTENANCE/EXPENSES	29160	FORD OF MONTEBELLO
595462	02/10/2022	$16,400.00	CONTRACT SERVICES	2784	PHILLIP GALLEGOS
595463	02/10/2022	$4,223.00	VEHICLE MAINTENANCE/EXPENSES	28730	GARFIELD CAR WASH
595464	02/10/2022	$166.48	MACHINERY & EQUIPMENTS	3350	GARVEY EQUIPMENT COMPANY
595465	02/10/2022	$296.68	VEHICLE MAINTENANCE/EXPENSES	455	GOLDEN STATE FASTENERS & SUPPLY INC
595466	02/10/2022	$269.70	VEHICLE MAINTENANCE/EXPENSES	30190	IB AUTO PARTS INC
595467	02/10/2022	$3,962.50	CONTRACT SERVICES	46870	HDL COREN & CONE
595468	02/10/2022	$3,583.44	VEHICLE MAINTENANCE/EXPENSES	27480	R & M HANSEN ENT INC
595469	02/10/2022	$582.42	CONTRACT SERVICES	1357	IRON MOUNTAIN INC
595470	02/10/2022	$3,800.00	CONTRACT SERVICES	2942	JAIROS PLUMBING INC
595471	02/10/2022	$1,756.12	CONTRACT SERVICES	4810	LA COUNTY DEPT OF PUBLIC WORKS
595472	02/10/2022	$150.00	PERMITS AND FEES	58760	LOS ANGELES COUNTY REGISTRAR
595473	02/10/2022	$215.27	SUPPLIES	43370	MIRACLE RECREATION
595474	02/10/2022	$12,763.94	UTILITY SERVICES	4760	MONTEBELLO LAND & WATER CO
595475	02/10/2022	$900.00	DUES & SUBSCRIPTIONS	2355	MONTEBELLO ROTARY CLUB
595476	02/10/2022	$1,403.70	VEHICLE MAINTENANCE/EXPENSES	2480	SOCAL AUTO & TRUCK PARTS INC
595477	02/10/2022	$2,646.00	VEHICLE MAINTENANCE/EXPENSES	1625	NATIONWIDE TRANSIT SALES INC
595478	02/10/2022	$340.00	PARKS AND RECREATION	3493	PRAVIN PATIL

City of Montebello

Register of Demands No. 1525

From Payment Date: 02/03/22 - To Payment Date: 02/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR	VENDOR NAME
595479	02/10/2022	$48.04	UTILITY SERVICES	100	PICO WATER DISTRICT
595480	02/10/2022	$57,583.52	LEASE PAYMENT	2357	PNC BANK NATIONAL ASSOCIATION
595481	02/10/2022	$1,805.58	CONTRACT SERVICES	3279	PROCURE AMERICA INC
595482	02/10/2022	$157.92	SUPPLIES	56260	PRUDENTIAL OVERALL SUPPLY
595483	02/10/2022	$1,053.30	MAIL/ POSTAL EXPENSE	697	QUADIENT FINANCE USA INC
595484	02/10/2022	$4,350.00	CONTRACT SERVICES	3054	CHERYL L ROBERTS
595485	02/10/2022	$1,567.60	UTILITY SERVICES	14730	SAN GABRIEL VALLEY WATER CO
595486	02/10/2022	$2,050.00	CONTRACT SERVICES	15180	STEARNS CONRAD AND SCHMIDT CONSULTING ENG
595487	02/10/2022	$142.59	PERMITS AND FEES	28240	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
595488	02/10/2022	$440.15	PERMITS AND FEES	28240	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
595489	02/10/2022	$139,812.27	UTILITY SERVICES	45630	SOUTHERN CALIFORNIA EDISON
595490	02/10/2022	$155,955.92	CONTRACT SERVICES	3439	SPORTFIVE GOLF LLC
595491	02/10/2022	$876.54	CONTRACT SERVICES	1963	SUEZ WTS SERVICES USA INC
595492	02/10/2022	$3,783.83	UTILITY SERVICES	526	T-MOBILE USA INC
595493	02/10/2022	$371.39	SUPPLIES	52620	TALLEY COMMUNICATIONS
595494	02/10/2022	$1,584.75	CONTRACT SERVICES	9270	TANK SPECIALIST OF CALIFORNIA
595495	02/10/2022	$4,151.48	VEHICLE MAINTENANCE/EXPENSES	60710	THE AFTERMARKET PARTS COMPANY LLC
595496	02/10/2022	$200.00	CONTRACT SERVICES	2365	LETICIA TORRES
595497	02/10/2022	$281.23	CONTRACT SERVICES	131	UNITED SITE SERVICES INC
595498	02/10/2022	$7,217.44	COPIER REPAIR/SERVICES	2747	US BANK EQUIPMENT FINANCE
595499	02/10/2022	$10,000.00	MAIL/ POSTAL EXPENSE	68120	USPS-HASLER
595500	02/10/2022	$2,046.84	UTILITY SERVICES	23610	VERIZON WIRELESS
595501	02/10/2022	$65.00	RECREATION CLASSES	3325	NAMITA VIJAY
595502	02/10/2022	$53.53	SUPPLIES	9470	W W GRAINGER INC
595503	02/10/2022	$8,936.89	SUPPLIES	3088	WAXIES ENTERPRISES LLC
595504	02/10/2022	$80.00	CONTRACT SERVICES	328	ANNE L DONOFRIO
595505	02/10/2022	$240.00	PARKS AND RECREATION	3372	MARIA SALINAS
595506	02/10/2022	$110,755.12	CONTRACT SERVICES	3422	MIKE BUBALO CONSTRUCTION CO INC

City of Montebello

Register of Demands No. 1525

From Payment Date: 02/03/22 - To Payment Date: 02/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR	VENDOR NAME
595507	02/10/2022	$40.00	CARPOOL INCENTIVE	65330	WENDY PEREZ
595508	02/10/2022	$3,994.06	CONTRACT SERVICES	3279	PROCURE AMERICA INC
595509	02/10/2022	$60.00	PARKS AND RECREATION	3496	PATRICIA RODRIGUEZ
595510	02/10/2022	$17,143.22	OTHER GROUP INSURANCE PAYABLE	318	STANDARD INSURANCE COMPANY - TERM LIFE
595511	02/10/2022	$17,143.22	OTHER GROUP INSURANCE PAYABLE	25850	STANDARD INSURANCE COMPANY
595512	02/10/2022	$536.23	FRINGE BENEFITS	1990	STANDARD INSURANCE COMPANY
595513	02/10/2022	$1,221.00	CONTRACT SERVICES	3030	HENRY S DAVID
	CHECK TOTAL	**$1,481,428.13**			

6093 - Successor Agency

1488	02/10/2022	$8,555.31	RENTS AND CONCESSIONS FEES	3431	SONIC VET LLC
	S & A TOTAL	**$8,555.31**			
	GRAND TOTAL	**$ 2,583,813.26**			

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: Alicia Fernandez, Deputy City Clerk

SUBJECT: **Approval of Meeting Minutes**

DATE: February 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Approve City Council Meeting minutes for May 12, 2021, May 26, 2021, June 9, 2021, June 23, 2021, August 11, 2021, September 8, 2021, October 27, 2021, and January 26, 2022; and
2) Approve Special City Council Meeting minutes for May 1, 2021, August 18, 2021, August 24, 2021, September 1, 2021, October 27, 2021, November 13, 2021, and January 19, 2022; and
3) Approve Joint Regular City Council and Successor Agency Meeting minutes for July 28, 2021, November 13, 2021, and January 12, 2022; and
4) Approve Joint Special City Council and Planning Meeting minutes for June 1, 2021; and
5) Approve Adjourned City Council Meeting minutes for June 1, 2021 and June 3, 2021; and
6) Take such additional, related, action that may be desirable.

FISCAL IMPACT

There is no fiscal impact to the City.

DISCUSSION

As of January of 2021 the City Clerk's office underwent new staffing, including the Deputy City Clerk, Assistant to the Deputy City Clerk, and Records Coordinator. Since then, the City Clerk's office has been focused on special projects that have brought efficiency and

organization within the department. Some of the special projects include but are not limited to: organization of City Clerk files and templates, creating tracking logs for required FPPC forms and training, successfully launching the City's new Public Records Request GovQA portal, establishing records management/destruction procedures, establishing contract management procedures, updating the Rules of Order procedures, and updating the Conflict of Interest Code. Due to the above mentioned projects, the City Clerk's office has experienced a delay in creating the meeting minutes of record, since of May of 2021, for all City Council/Successor Agency and/or Joint Special Meetings since Staff must listen to each City Council Meeting numerous times to prepare the minutes.

The City Clerk's office has been working diligently to complete the backlog of minutes from May of 2021 through January of 2022. Attached for your approval are the meeting minutes from May of 2021 through November of 2021 presented under Attachment A. Staff anticipates completing the meeting minutes of December 8, 2021 and submitting them for the City Council's approval at the March 9, 2022 City Council Meeting.

ATTACHMENT:

A. Attachment A – Meeting Minutes (City Council Meetings, Special City Council Meetings, Joint Regular City Council and Successor Agency Meetings, Joint Special City Council and Planning Meeting, and Adjourned City Council Meetings)

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: Cobos- 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	**FAILED:** 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 23rd 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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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

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#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.

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#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

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#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

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#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

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#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.

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#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

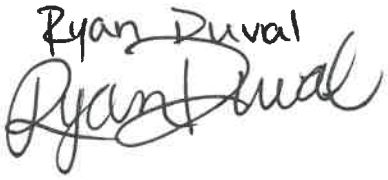
City Councilmembers,

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,

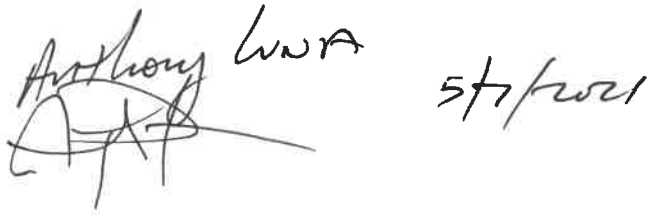
I think this TopGolf is one of the best things you can do for Montebello. I sometimes feel like I look around Montebello and wonder what year it is. Can't be 2021. It's like we've been stuck in the past for years, in serious need of something that would help revitalize us and move us forward into the 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.

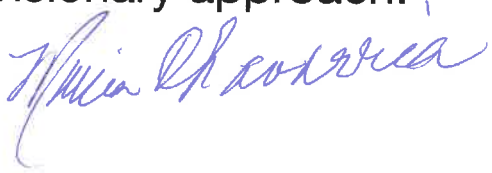
Montebello City Council,

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,

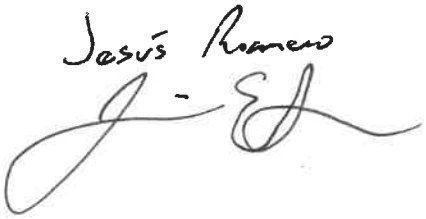
The TopGolf looks awesome. Everybody likes to spend time in cool places and TopGolf definitely looks cool. It's so high-tech! I'm super curious to find out how fast I can hit a golf ball and how far I can hit it. My friends are already guessing at which of us will be the best. I also know our country 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

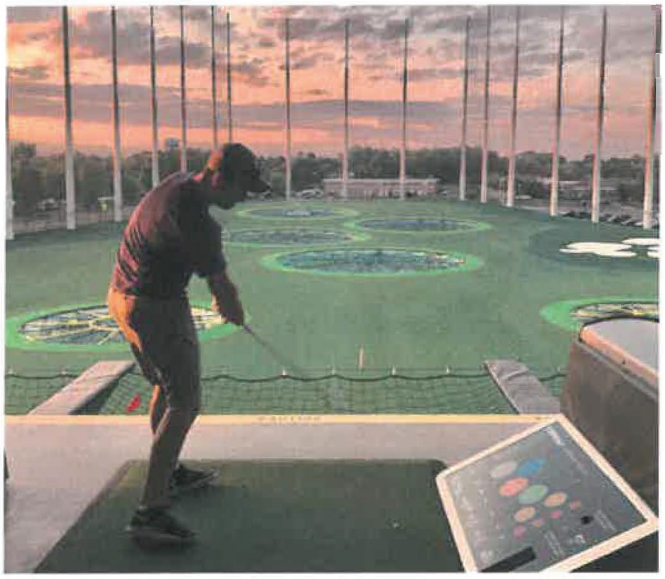
Natalie Romero started this petition to Montebello City Council

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...

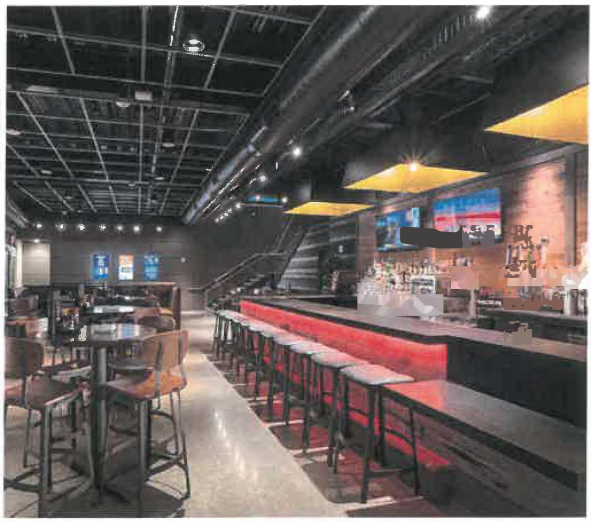
The City bringing new entertainment & recreational options for all City residents regardless of age and golfing status. I am very excited to visit one of the first Topgolf's in Southern California and look forward to seeing Montebello benefit longterm from an exciting development.

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...

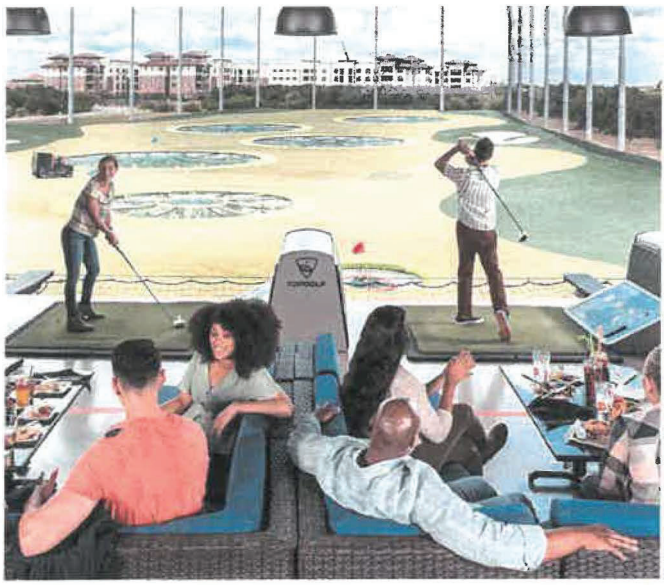
The City bringing new entertainment & recreational options for all City residents and travelers regardless of age and golfing status. I can't wait to visit one of the first Topgolf's in Southern California and look forward to seeing Montebello benefit longterm from an exciting recreation and hospitality 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 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,

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

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#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.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#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>
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Subject: Public Comments to be read at Montebello City Council meeting May 12, 2021

To: City Council, Staff and Departments

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~~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.~~

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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		

Motion approved 4-0-1-0.

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 23rd 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

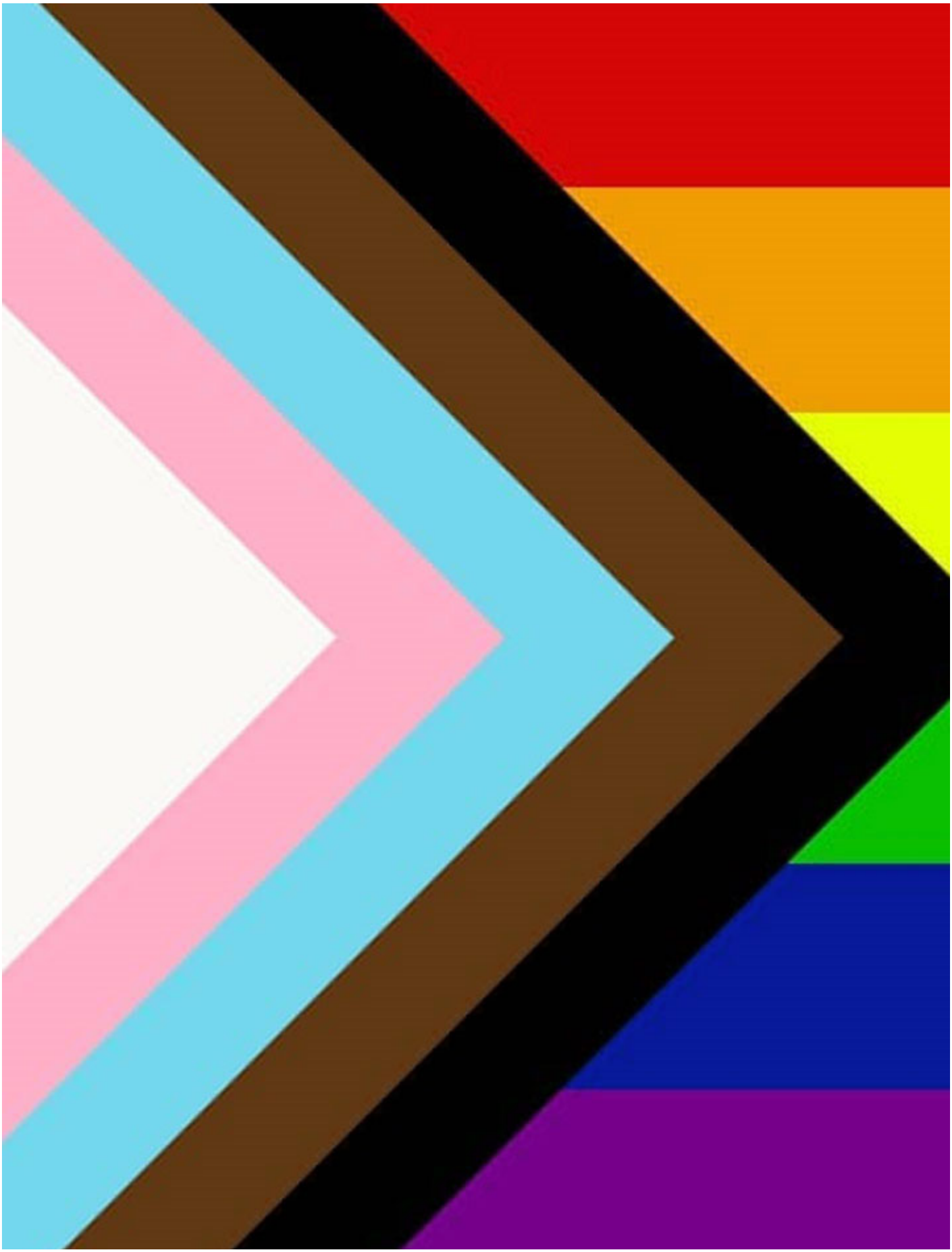
Good evening council and city staff, my name is Jocelyne Flores . Pronouns:they/ them

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

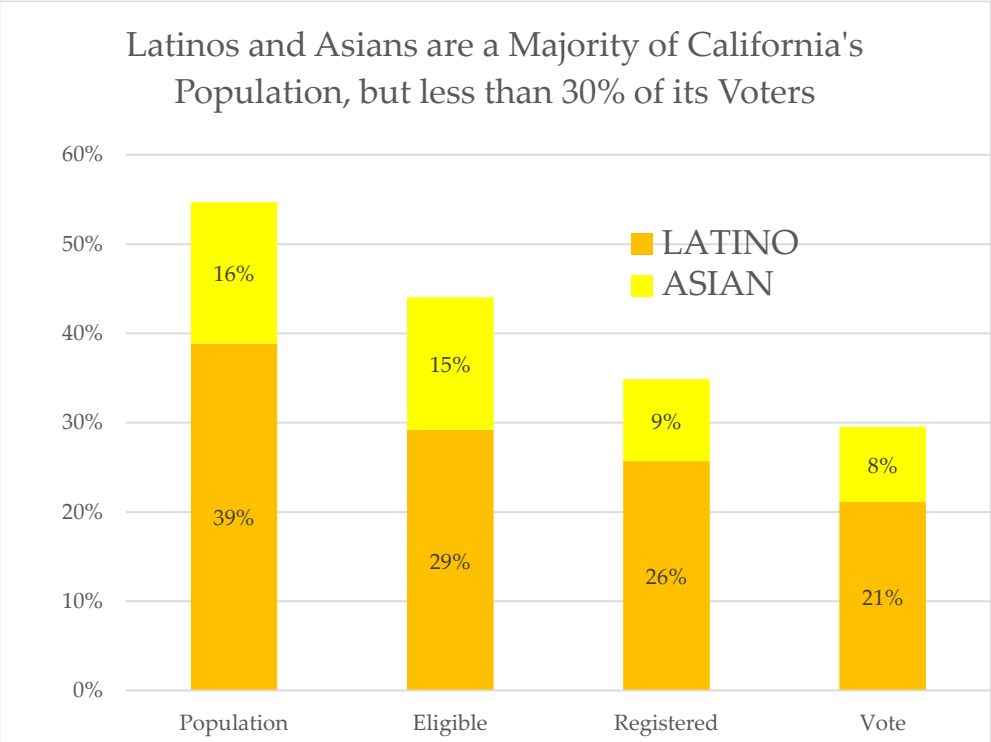
The late Don Edwards, congressman from California, was one of the most important sponsors of the Voting Rights Act of 1965. As chair of the House Subcommittee on Constitutional Rights, he was floor manager for most major civil rights legislation until he retired 30 years later. He surprised activists 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.

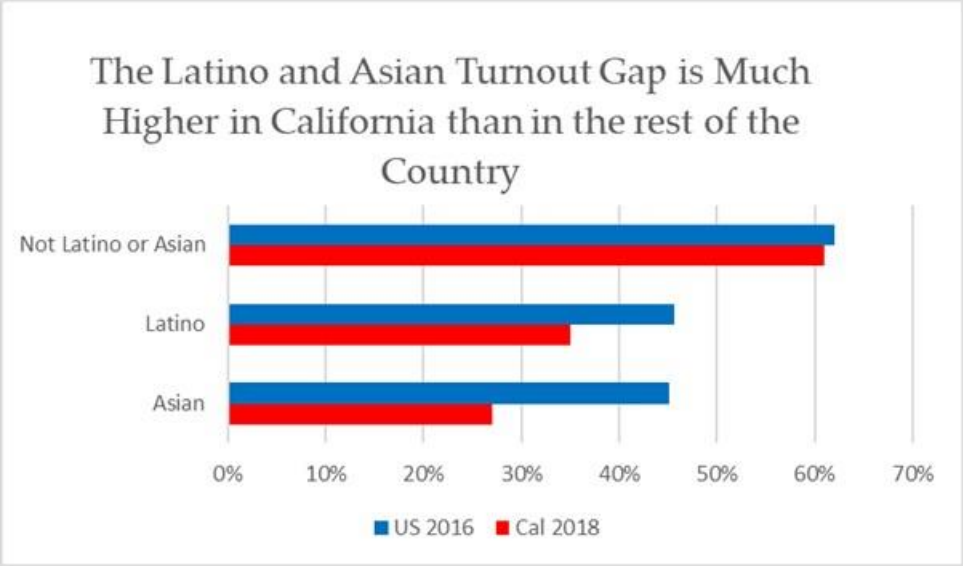
This disincorporation from local political life now faces both Asian and Latino communities where cities and school districts cling to undemocratic at-large elections. Former council member Christina Cortez recently told the Whittier Daily News that

"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.



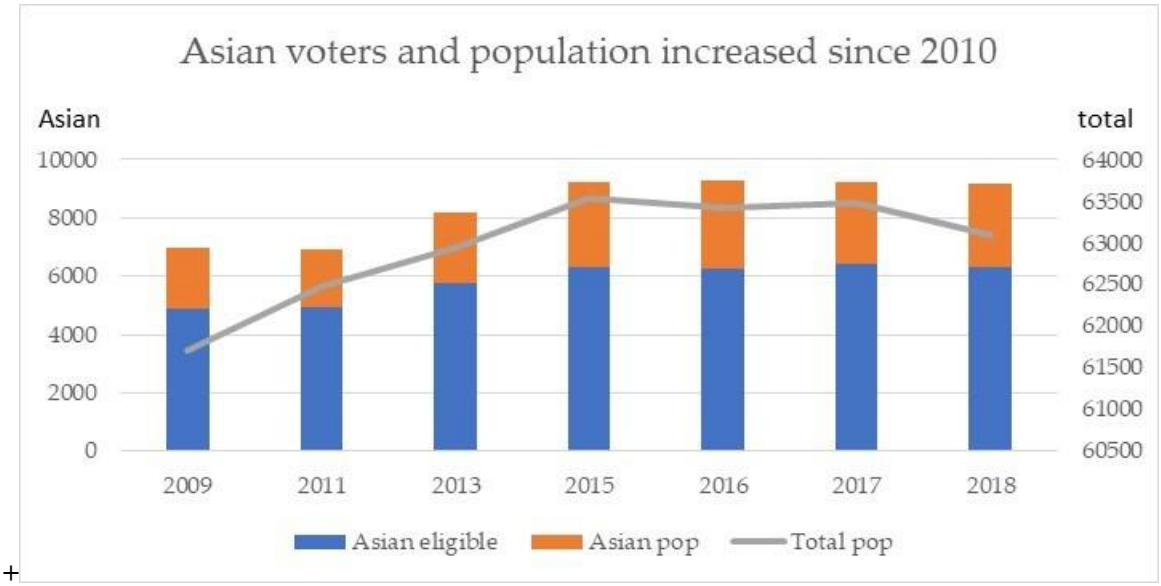
The political influence of Latino and Asian communities does not reflect demographic change. The continued use of at-large elections may explain the persistence of a gap in participation that has closed elsewhere in the country.



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.



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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%

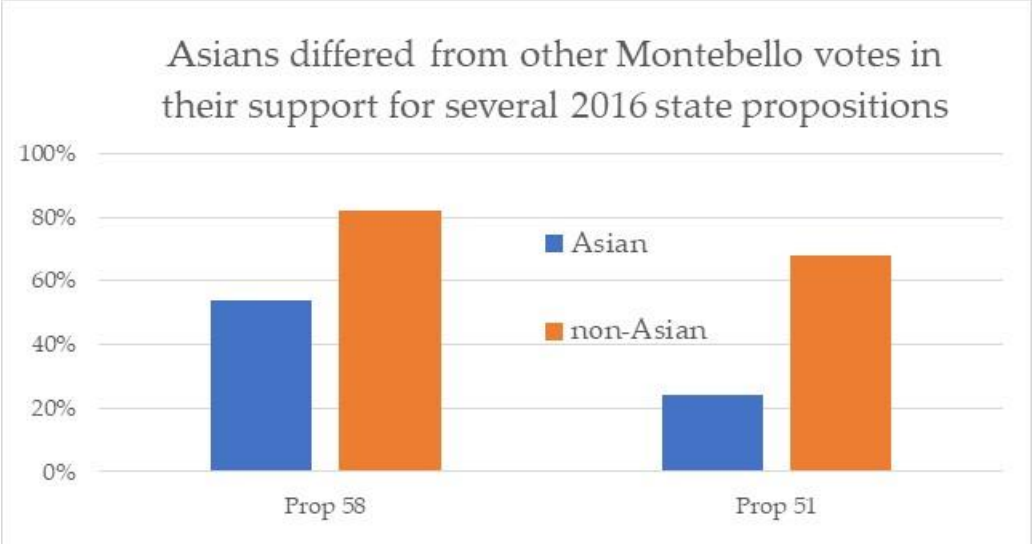
In 2018, the city moved its odd-year election to coincide with the election of state and federal legislators in November of even years. As attachment 2 shows, this reform was not successful in increasing participation in local elections. In the 2018

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

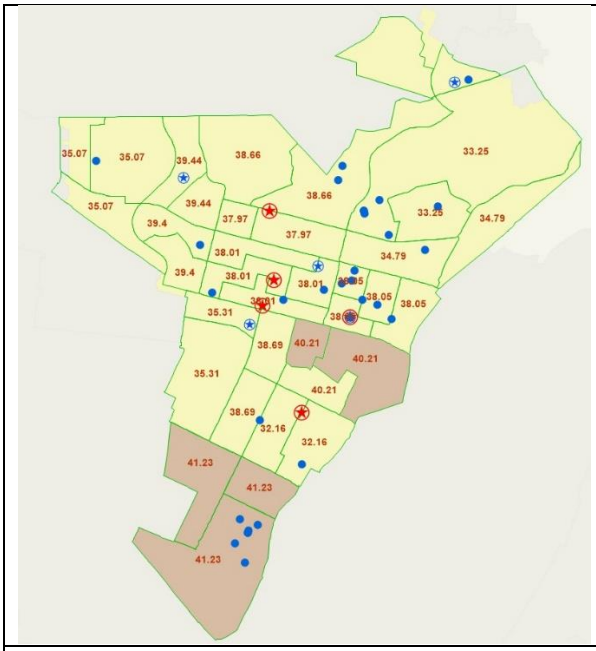
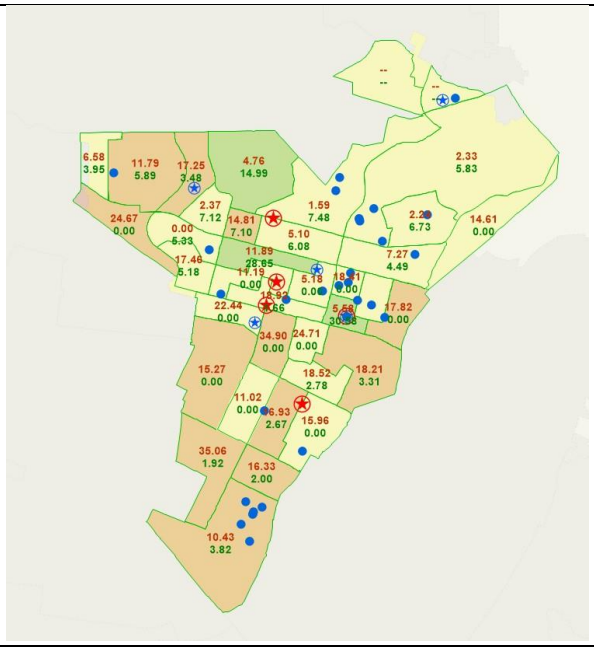
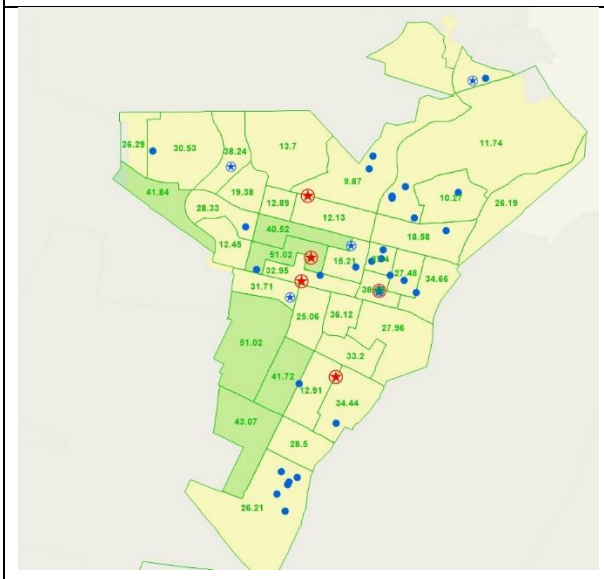
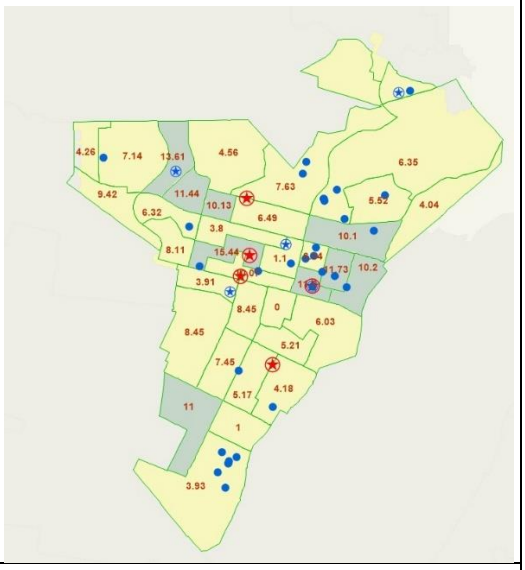
	
Over 40% of residents is foreign-born	High percentage of residents do not speak English well (red-speak Spanish, green Asian language
	
Over 40% of residents over 25 have not graduated high school	Over 10% of residents over 18 are unemployed

EXHIBIT 2. DEMOGRAPHIC INDICATORS OF DISENGAGED COMMUNITIES

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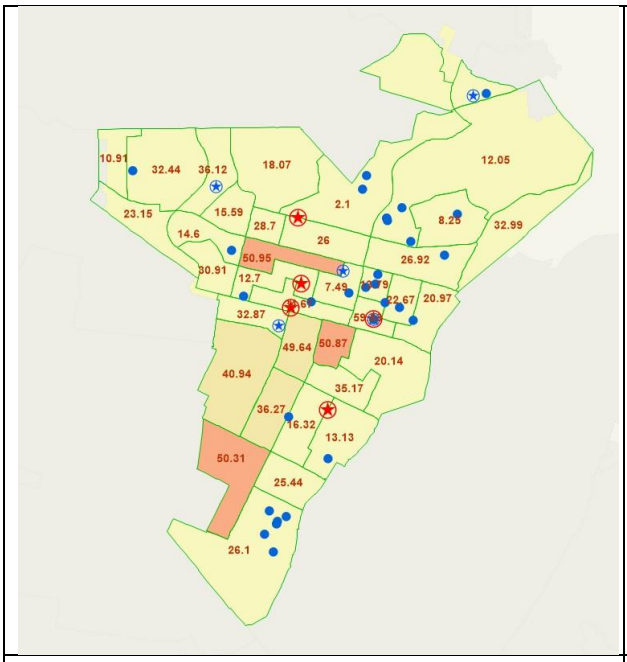
<td> 
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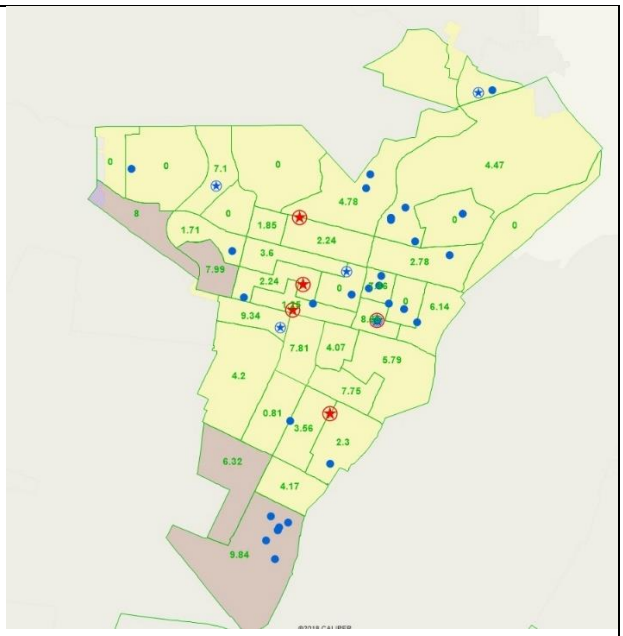
<td> 
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<td>More than 50% of household incomes are below 150% of poverty level</td>
<td>Over 8% of households receive welfare assistance</td>
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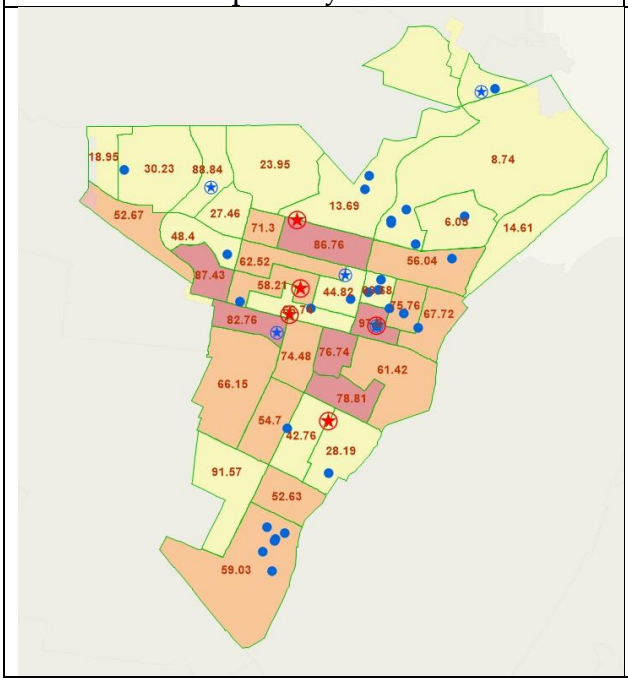
<td> 
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<td>High percentage of households rent (dark red >75%, light red >50%)</td>
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#2

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
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** – 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 23rd 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

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

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)

_____

(The instructions on the back will assist you in expressing your views)

CITY OF MONTEBELLO CITY COUNCIL
REGULAR MEETING AGENDA

MINUTES

WEDNESDAY, JUNE 23, 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 5:38 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, Councilmember Jimenez, Councilmember Melendez, Councilmember Peralta, City Clerk Jimenez, and City 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
The City Clerk's office acknowledged one (1) public comment for Item No. 4 submitted to the City's public comment email address. Said comment 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 5:42 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 – POTENTIAL LITIGATION**
   Government Code Section 54956.9(d)(2)
   Significant exposure to litigation in 1 case – CVRA

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: 112-132 S. 6th Street
Agency's Negotiator: René Bobadilla, City Manager
Negotiating Party: Cesar Chavez Foundation
Under Negotiation: Price and Terms

5. 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

Item 5a. was added to the agenda as a subsequent need matter pursuant to Government Code Section 54954.2(b)(2).

5a. AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE
California Government Code section 54956.75

Mayor Cobos-Cawthorne reconvened the meeting at 6:41 p.m. During Closed Session the City Council received a briefing from the City Attorney on Item No's. 1, 2, 3, 4, and 5; no final action was taken and there was nothing to report. It was noted that Item 5a. was added after the agenda was posted, as there was an immediate need to provide City Council with a briefing. There was no action taken and nothing further to report on Item 5a.

REGULAR SESSION – 6:30 P.M.

INVOCATION – City Clerk Jimenez

FLAG SALUTE – Jose Acosta, Transit Vehicle Maintenance Manager

CORRECTIONS TO THE AGENDA – CITY MANAGER – City Manager Bobadilla added one presentation item, Recognition of Noah Lopez as listed below.

PRESENTATION

RECOGNITION OF NOAH LOPEZ – Certificate presented by Mayor Cobos-Cawthorne; item was walked on.

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

The City Clerk's office called four (4) 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 five (5) 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

An update was provided on the drive-through Easter event, Grocers Association dismissal, and Stride for Pride event.

PUBLIC HEARING

6. CALIFORNIA VOTING RIGHTS ACT ("CVRA") TRANSITION FROM AN "AT-LARGE" TO A "BY-DISTRICT" ELECTION SYSTEM – PUBLIC HEARING 1

The City Clerk's office acknowledged two (2) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office. The City Attorney Alvarez-Glasman announced that the hearing would be postponed and the Public Hearing would serve as an orientation.

Councilmember Melendez stated his support with retaining a demographer, special counsel, establishing an Advisory Committee and moving forward in good faith. Mayor Pro Tem Torres stated that the City Council should provide direction to City Staff to establish and commit to a clear schedule, that timely notices be sent out to the public, requested guidance from the City Attorney and City Manager on an allowed time frame, and suggested holding some of the Public Hearings in person. Councilmember Peralta stated her support with establishing an Advisory Committee, the importance of ensuring the City receives input from residents, developing an engagement strategy to robustly promote the Public Hearings, with at the first one being held in person. Councilmember Jimenez stated her support with this item and suggested moving forward with retaining a demographer and stated she was in favor for an Advisory Committee.

Mayor Cobos-Cawthorne stated that she is not against districting but prefers to hear from the residents and asked for guidance on how to better education the public. Mr. Bobadilla suggested that the City Attorney send a memo of the proposed plan of communication and engagement strategy to the City Council. Mayor Pro Tem requested that the timeline be included in the proposed plan. City Attorney Alvarez-Glasman noted that a Public Hearing can be held at any time and more than five hearings can be held; furthermore, suggested scheduling the first Public Hearing in August.

Mayor Pro Tem Torres asked for clarification on the recommendation of special counsel. City Attorney stated that at the Council's direction, City Attorney Alvarez-Glasman can reach out to other skilled firm as desired. City Manager Bobadilla asked if Alvarez-Glasman's legal office holds the expertise to complete the job in-house, which Mr. Alvarez-Glasman confirmed.

Councilmember Melendez and Jimenez, and Mayor Cobos-Cawthorne were in support of using the City Attorney's for handling CVRA matters; rather than retaining special counsel.

Mayor Pro Tem Torres made a motion to provide direction to retain the recommended demographer, for the City to come back with more options as to special counsel for handling CVRA matters, commit to at least 30 days to public notices shared in detail, and commit to holding Public Hearings in person in various locations convenient to the resident. The motion was seconded by Councilmember Peralta. Councilmember Jimenez asked that the motion be amended to retain Alvarez-Glasman as the City Attorney office that handles CVRA.

Councilmember Jimenez made a substitute motion to approve retaining the recommended demographer and Mr. Alvarez-Glasman as the City's legal counsel for handling CVRA matters; seconded by Councilmember Melendez.

RECOMMENDATION: It is recommended that the City Council:

1) Continue the process of analysis regarding the City of Montebello's transition from an at-large to a by-district election system and provide Staff direction with respect to retaining a demographer and special counsel; and
2) Take such additional, related, action that may be desirable.

MOVED: Jimenez	**SECONDED:** Melendez	**APPROVED:** 4-1-0-0
AYES: Cobos-Cawthorne, Peralta, Jimenez, Melendez NOES: Torres ABSTAIN: None ABSENT: None		

7. PUBLIC HEARING – RESIDENTIAL SOLID WASTE COLLECTION AND RECYCLING CHARGES ANNUAL RATE ADJUSTMENT

Director of Finance, Michael Solorza, presented the Staff Report to City Council. No public comments were submitted to the City Clerk's office.

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

1) Conduct a Public Hearing and consider adopting Resolution No. 21-50 establishing the updated residential solid waste collection and recycling rate for Fiscal Year 2021 – 22 (Attachment A) per the 2020 settlement agreement between Arakelian Enterprises (dba Athens Services) and the City of Montebello; and
2) Direct staff to forward the Resolution to the Los Angeles County Auditor-Controller to place the revised charges on the property tax rolls.

Motion carried unanimously.

8. AMENDED AND RESTATED STATUTORY DEVELOPMENT AGREEMENT WITH M&M AT MONTEBELLO, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY FOR THE PROPERTY LOCATED AT 1345 N. MONTEBELLO BOULEVARD TO ALLOW THE EXISTING WAREHOUSE STRUCTURE (FORMER COSTCO BUILDING) TO BE USED AS A "LAST-MILE DELIVERY FACILITY" (SUCH AS AMAZON) AND RESERVING THE REMAINDER OF THE PROPERTY (COMPRISED OF APPROXIMATELY 3.63 ACRES) FOR A FUTURE MIXED-USE RETAIL AND/OR RESIDENTIAL DEVELOPMENT WITH PARKING FACILITIES THAT WILL BE SUBJECT TO AND CONDITIONED UPON FUTURE ENVIRONMENTAL ANALYSES AND DISCRETIONARY LAND USE APPROVALS BY THE CITY

City Manager Bobadilla provided an overview of the Staff Report to the City Council. No public comments were submitted to the City Clerk's office.

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

1) Introduction and the waiving of *First Reading* of Ordinance No. 2439 approving an Amended and Restated Statutory Development Agreement by and between the City of Montebello ("City") and M&M at Montebello, LLC, a California limited liability company to allow the existing warehouse structure (former Costco building) to be used as a "Last-Mile Delivery Facility" (such as Amazon) and reserving the remainder of the subject property for a future mixed-use retail and/or residential development with parking facilities that will be subject to and conditioned upon future environmental analyses and discretionary land use approvals by the City; and
2) Take such other additional, related, action that may be desirable.

Motion carried unanimously.

REGULAR BUSINESS

9. ADOPTION OF FISCAL YEAR 2021-22 OPERATING AND CAPITAL BUDGET

Director of Finance, Michael Solorza, presented an overview of the City's operating and Capital budget for Fiscal Year 2021-2022 to City Council. The City Clerk's office acknowledged two (2) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

It was moved by Councilmember Jimenez, seconded by Councilmember Melendez that the City Council:

1) Approve Resolution No. 21-53 adopting the Fiscal Year 2021-22 operating and capital budgets for all funds; and
2) Approve Resolution No. 21-54 adopting the compensation plan, table of organization and job classifications for Fiscal Year 2021-22; and
3) Approve Resolution No. 21-55 establishing a Fiscal Year 2021-22 appropriations limit per Government Code Section 7190 (Gann Limit).

MOVED: Jimenez	**SECONDED:** Peralta	**APPROVED:** 4-1-0-0

AYES: Cobos-Cawthorne, Peralta, Jimenez, Melendez
NOES: Torres
ABSTAIN: None
ABSENT: None

CONSENT CALENDAR

It was moved by Councilmember Jimenez, seconded by Mayor Pro Tem Torres that the City Council approve the recommendations for Items 10 through 25; motion carried unanimously.

10. ADOPT RESOLUTION NO. 21-49 APPROVING THE ENGINEER'S REPORT FOR THE FISCAL YEAR 2021-22 ANNUAL NATASHA LANE SEWER AND STORM WATER PUMP STATION ASSESSMENT DISTRICT NO. 2005-2 AND SETTING A DATE FOR THE PUBLIC HEARING

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-49 (Attachment A) approving the Fiscal Year 2021-22 Engineer's Report (Attachment B) for the Annual Natasha Lane Sewer and Storm Water Pump Assessment District No. 2005-2 and setting a date for a Public Hearing for the regular meeting scheduled on July 28, 2021 at 6:30 p.m.; and
2) Take such additional, related action that may be desirable.

11. ADOPT RESOLUTION NO. 21-51 APPROVING THE ENGINEER'S REPORT FOR THE FY 2021-2022 ANNUAL NATASHA LANE LANDSCAPE ASSESSMENT DISTRICT NO. 2005-1 AND SETTING A DATE FOR THE PUBLIC HEARING

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-51 (Attachment A) approving the Fiscal Year 2021-22 Engineer's Report (Attachment B) for the Annual Natasha Lane Landscape Assessment District No. 2005-1 setting a date for a Public Hearing for the regular meeting scheduled on July 28, 2021 at 6:30 p.m.; and
2) Take such additional, related action that may be desirable.

12. APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 3504 WITH INFRASTRUCTURE ENGINEERS FOR BUILDING AND SAFETY SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Approve Amendment No. 1 to Professional Services Agreement No. 3504 with Infrastructure Engineers for building and safety services in the aggregate amount not-to-exceed $125,000 annually for general building permits and $300,000 total for building permits associated with the Montebello Hills Development Project; and
2) Authorize the City Manager to execute the agreement on behalf of the City; and
3) Take such additional, related, action that may be desirable.

13. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 3891 FOR ENGINEERING SERVICES TO NCM ENGINEERING CORP FOR THE GARFIELD AVENUE AND VIA CAMPO BUS TURNOUT LANE PROJECT (RFP. NO. 21-27)

RECOMMENDATION: It is recommended that the City Council:

1) Award Professional Services Agreement No. 3891 to NCM Engineering Corp for Engineering Services for the Garfield Avenue and Via Campo Bus Turnout Lane Project (RFP No. 21-27) in an amount not-to-exceed $872,473; and
2) Authorize the City Manager to execute the agreement on behalf of the City; and
3) Take such additional, related, action that may be desirable.

14. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR ON-CALL ARCHITECTURAL AND ENGINEERING SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Authorize City Staff to issue a Request for Proposals (RFP) for on-call architectural and engineering services; and
2) Take such additional, related, action that may be desirable.

15. ADOPT RESOLUTION NO. 21-48 APPROVING SIGN LEASE AGREEMENT NO. 3893 FOR THE PROPOSED DIGITAL SIGN FOR THE PROPERTY LOCATED AT 820 N. GARFIELD AVENUE AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE SIGN LEASE AGREEMENT ON BEHALF OF THE CITY

RECOMMENDATION: It is recommended that the City Council:

1) Approving Sign Lease Agreement No. 3893 between The Roman Catholic Archbishop of Los Angeles, on behalf of Our Lady of Miraculous Medal, and the City of Montebello for the property located at 820 N. Garfield Avenue; and
2) Authorize the City Manager to execute Sign Lease Agreement No. 3893 for usage of a proposed digital sign at 820 N. Garfield Avenue; and
3) Take such additional, related, action that may be desirable.

16. ADOPT ORDINANCE NO. 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

RECOMMENDATION: It is recommended that the City Council:

1) Waive *Second Reading* of 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) 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
3) Take such additional, related action that may be desirable.

17. APPROVE AMENDMENT NO. 2 TO AGREEMENT NO. 3444 WITH JOHNSON CONTROLS FOR CITYWIDE HVAC MAINTENANCE AND REPAIRS AND AUTHORIZE PAYMENT TO F.M. THOMAS AIR CONDITIONING, INC. FOR EXTRA SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Approve Amendment No. 2 to Agreement No. 3444 with Johnson Controls for Citywide Heating, Ventilation, and Air Conditioning (HVAC) Maintenance and Repair; 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.

18. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 3892 FOR SECURITY AND FIRE ALARM MONITORING, MAINTENANCE AND REPAIR (RFP NO. 21-29) TO ION SECURITY SYSTEMS, LLC

RECOMMENDATION: It is recommended that the City Council:

1) Award Professional Services Agreement No. 3892 to Ion Security Systems, LLC in an amount not-to-exceed Fifty Thousand Dollars ($50,000) annually for Security and Fire Alarm Monitoring, Maintenance and Repair; 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.

19. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 3890 FOR GOLF COURSE MANAGEMENT WITH S&S LABARGE GOLF, INC.

RECOMMENDATION: It is recommended that the City Council:

1) Award Agreement No. 3890 with S&S LaBarge Golf, Inc (S&S LaBarge) with an initial three-year term in an annual not-to-exceed amount of Three Hundred Sixty Thousand Dollars ($360,000) to provide Golf Course Management and Golf Course Professional Services at the Montebello Golf Course; and
2) Authorize the Director of Recreation and Community Services to serve as the City Designee to have authority to act for and exercise any of the rights of the City including, but not limited to, vendor payment requests and reimbursements which may be necessary for the operation of the Golf Course; and
3) Authorize the City Manager to execute the Agreement on behalf of the City; and
4) Take such additional related action that may be desirable.

20. APPROVAL TO PURCHASE CITY COUNCIL CHAMBER SEATING THROUGH THE SOURCEWELL COMPETITIVE GOVERNMENT BIDDING PROCESS

RECOMMENDATION: It is recommended that the City Council:

1) Approve the purchase of upgraded City Council Chamber audience seating from Herk Edwards, Inc. in an amount not-to-exceed Fifty-Seven Thousand, Five Hundred Sixty-Six Dollars ($57,566); and
2) Authorize the City Manager to execute a Purchase Order on behalf of the City; and
3) Utilize the Sourcewell competitive bidding process; and
4) Take such additional, related, action that may be desirable.

21. APPROVE AN INCREASE TO THE BLANKET PURCHASE ORDERS ESTABLISHED WITH VALLEY POWER SYSTEMS, INC., SOCAL AUTO & AUTO PARTS, INC., AND FORD OF MONTEBELLO, INC., FOR THE PURCHASE OF MAINTENANCE RELATED BUS PARTS

RECOMMENDATION: It is recommended that the City Council:

1) Approve a change order to the blanket purchase order established with Valley Power Systems, Inc., to increase the total not-to-exceed amount to $63,918, for the purchase of maintenance related bus parts, for Fiscal Year 2020-21; and
2) Approve a change order to the blanket purchase order established with Socal Auto & Auto Parts, Inc., to increase the total not-to-exceed amount to $53,450 for the purchase of maintenance related bus parts, for Fiscal Year 2020-21; and
3) Approve a change order to the blanket purchase order established with Ford of Montebello, Inc., to increase the total not-to-exceed amount to $57,500 for the purchase of maintenance related bus parts, for Fiscal Year 2020-21; and
4) Take such additional, related action that may be desirable.

22. ADOPT RESOLUTION NO. 21-47 AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS TO OBTAIN FUNDS PROVIDED BY SENATE BILL 1 (SB1)

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-47 authorizing the City Manager to execute documents to obtain funds provided by Senate Bill 1(SB1); and
2) Take such additional, related, action that may be desirable.

23. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 3889 TO AIR & LUBE SYSTEMS, INC., FOR THE TRANSIT BUS LIFT (HOIST) REPLACEMENT, REQUEST FOR PROPOSAL NO. 21-30

RECOMMENDATION: It is recommended that the City Council:

1) Award Professional Services Agreement No. 3889 to Air & Lube Systems, Inc., in an amount not-to-exceed Four Hundred Ninety-Nine Thousand, Six Hundred Seventy-Five

Dollars ($499,675) for the Transit Bus Lift (Hoist) Replacement, Request For Proposal No. 21-30; 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.

24. ADOPT RESOLUTION NO. 21-45 APPROVING THE CITY'S INVESTMENT POLICY

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-45 approving the Investment Policy Statement for the City and Successor Agency as required by Government Code Section 53601 et al.

25. PAYMENT OF BILLS: RESOLUTION NO. 21-52 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED JUNE 23, 2021

RECOMMENDATION: It is recommended that the City Council:

1) Adopt the proposed Resolution approving the Warrant Register dated June 23, 2021.

ORAL COMMUNICATIONS - CONTINUED IF NECESSARY

COUNCIL ORALS

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

1. **Councilmember Melendez**
   a. Cafecito Event

   Councilmember Melendez provided an update on item 1.a.

2. **Councilmember Jimenez**
   a. Stride for Pride 5k – in partnership with Run Montebello Run
   b. Benefit Latino Equality Alliance & The Wall Las Memorias
   c. Set and establish a Pride Flag/banner policy for future
   d. Sister City follow-up
   e. Past Councilman Phil Ramos

   Councilmember Jimenez provided an update on items 2.a., 2.b., and 2.d.; asked for consensus to bring item 2.c. back for City Council consideration; and removed item 2.d. Item 2.c. passed unanimously.

3. **Councilmember Peralta**
   a. June Pride Activities
   b. Recognition of the Schurr High School AVID "Marcos Montes Dream Scholarship" recipients: Jonathan Sandoval, Alexis Rios, and Jennifer Lopez
   c. Request for Presentation on End of the Year Citywide Project Updates
   d. Cooling Centers

Councilmember Peralta provided an update on items a-d and asked for consensus on items c and d which were passed unanimously.

4. **Mayor Pro Tem Torres**
   a. Montebello Volunteer Corps.
   Mayor Pro Tem Torres provided an update on item 4.a.

5. **Mayor Cobos-Cawthorne**
   a. Update on outdoor dining – Al Fresco Program
   Mayor Cobos-Cawthorne provided an update on item 5.a.

ADJOURNMENT

Mayor Cobos-Cawthorne motioned to adjourn the meeting at 9:52 p.m., seconded by Councilmember Peralta motioned to adjourn the meeting. Motion carried unanimously.

THE MINUTES OF JUNE 23, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.

Alicia Fernandez, Deputy City Clerk

CLOSED SESSION COMMENTS
ITEM #4

#1

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, June 23, 2021 2:43 PM
To: comment, ccpublic
Subject: To be read at the Montebello City Council meeting-Wednesday, June 23, 2021

Emailed at 2:40 p.m. Wednesday, June 23, 2023-please let me know if this was received!
me

To: Mayor and City Council, City Manager, City Attorney, Director of Planning
From: Margot Eiser, citizen, person, resident, taxpayer, voter.

Public Comment for closed session Item 4.

I would like the details about what is the property at 112-132 S. 6th Street and how is it connected to the Cesar Chavaz Foundation and how much is it costing the city and where is the money coming from and what would the property be used for?

~~Public Hearing~~
~~Item 6.~~
~~Please do not make any decision to change to the election system at this time. Because of the lack of provision of any information prior to attempting to make the change in the election system and the limited ability of the public to participate in Public Hearings,~~
~~I request that you postpone any decision until after all aspects of what a change would entail are studied and discussed by all of us who would be affected. Many more actual public hearings are required.~~

~~Regular Session~~
~~Public Orals:~~

Moved to General Comments

~~To be entered into the Public Record.~~

~~Regarding the current destruction of the Montebello Hills for imposition of the much modified Toll Brothers Plan.~~
~~The viewscapes described in the Aesthetic Section of the Environmental Impact Report and the images shown in the visual representations in the MHSP are considerably different and not substantially compliant with those resulting from the current unapproved Toll Brothers grading activities.~~
~~This is intolerable and upsetting to the residents of the entire city~~

SPEAKER CARDS

GENERAL COMMENTS

(1)

Recv'd 6/22
11:17 AM
EM

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name George Vulalyan

Address *(optional)* _____

_____

Phone *(optional)* (310) 994-8053

Organization represented (if any) _____

Topic Excessive Fireworks

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(2)

Recv'd 6/22 @ 4:38pm KG.

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Octavio Martinez

Address *(optional)* _____

_____

Phone *(optional)* (562) 900 - 3788

Organization represented (if any) _____

Topic Recycling & recycling workers

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(3)

Recv'd 6/23/21
@10:25AM
EM

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Allen Lanuza

Address *(optional)* _____

_____

Phone *(optional)* (323) 440-7751

Organization represented (if any) _____

Topic General - PRIDE events - Opposed

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(4)

Reev'd 6/23/21 @ 12:12

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Rosa Tamayo (Spanish)

Address *(optional)* _____

_____

Phone *(optional)* (323) 724-6099

Organization represented (if any) _____

Topic Illegal Fireworks

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

GENERAL COMMENTS

#1

Guillen, Kimberly (Admin)

From: Ofelia Decipeda <Ofelia.Decipeda.456338092@p2a.co>
Sent: Wednesday, June 9, 2021 10:43 PM
To: comment, ccpublic
Subject: New Legislation Undermines Local Control

Dear Local Elected Official,

I'm writing to make you aware of a proposal by the California state legislature which would significantly undermine local control.

In its current form, SB 12 imposes a series of new and burdensome regulations on businesses, threatens thousands of housing-related jobs, and would increase the already high cost of living in Southern California.

SB 12 creates more state oversight and regulations on new housing construction, jeopardizing Governor Newsom's 1.3 million homes for the Southern California region. At a time when the state is facing a housing crisis of historic proportions, SB 12 would only worsen the situation.

The homebuilding industry has presented reasonable amendments to SB 12, which need to be incorporated into the bill. As such, I would respectfully request that your local government ask Governor Newsom and your respective state legislative delegation members to oppose SB 12 unless these necessary amendments are included in the bill.

I appreciate your consideration and thank you for your efforts to help end California's housing crisis.

Regards,
Ofelia Decipeda

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Comment #	Name
1	Ofelia Decipeda
2	Brian Terrell
3	Mary Greux
4	Edujives Smith
5	Gerald Mantonya
6	Joyce Chico
7	Glenna Becker
8	Christine Varney
9	Alexander John
10	Nathan Halevy

Comment #	Name
11	Bertha Marshall
12	Gregory Nuno
13	Bob Tremain
14	Joshua Jonesshanklin
15	Toni Magallanes
16	Ken Rizzo

#2

Guillen, Kimberly (Admin)

From: bikeguy@surewest.net
Sent: Saturday, June 12, 2021 2:50 PM
To: comment, ccpublic
Subject: Support for AB 122, bicycle safety yield

Dear Mayor and Councilmembers,

I urge the city to support AB 122.

Background
I'm volunteering with the California Bicycle Coalition (CalBike) on bicycle "stop as yield" legislation. AB 122 has passed the Assembly and will be heard next in the Senate Transportation Committee. For those unfamiliar with this bill, it changes the Vehicle Code and would allow bicyclists approaching a STOP sign to slow to a reasonable speed, yield to other traffic, and then proceed through the intersection without requiring to a complete stop if not necessary. That is, as a DePaul University study found, the existing behavior of 96 percent of the bike riders observed in Chicago. It has been the law in Idaho since 1982, so there is nearly forty years of successful experience with the concept's implementation. Crashes in Idaho (and now Delaware) decreased after the law was changed.

The safety benefit is real. Cycling is safer because bike riders spend less time in dangerous intersections, don't have to stop and awkwardly start up again, and streets with many stop -controlled intersections become a more attractive options than busy, higher speed arterials.

Reforming existing law would decriminalize rational behavior that is safe (performed millions of times a day by cyclists across the country). It would limit arbitrary and sometimes discriminatory enforcement. It would promote bicycling, and in my opinion, create a cultural change amongst the general public and political decision-makers by changing "scofflaw" bicyclists into respectable law-abiders.

Idaho no longer stands alone as the only state with this law. Since CalBike's last efforts on similar legislation in 2017, stop as yield laws have passed in Delaware, Arkansas, Oregon and Washington. Colorado passed standards for its city/county opt-in law. Already this year three additional states have passed stop as yield legislation: Utah, North Dakota and Oklahoma.

Currently, six states have stop as yield bills in process or soon will have. They are CA, CO, DE, NJ, NY, and VA, DE is seeking an extension since their law sunsets this year. CO is trying to make stop as yield the law statewide and replace the current opt-in law. The Virginia bill failed, although the legislation there called for a "review of the issues" with a report due Dec. 1, based on study led by the state police.

The California bill has the support of the League of American Bicyclists, Rails-to-Trails Conservancy, Adventure Cycling Association and PeopleforBikes, an industry organization. More than seventy other entities support the bill, including the city of Sacramento, Local Government Commission, Natural Resources Defense Fund, Vision Zero Network, the Yolo Solano Air Quality Management District, the Coalition for Clean Air, Public Health Advocates, numerous California bike clubs and advocacy groups, and pedestrian advocacy organizations.

We need more California cities to register their support, which may be done conveniently through the Legislature's Position Letter Portal.

There are opponents to the bill. Their arguments are based on fear and speculation, not evidence. Stop as yield laws have worked in other states. There is no doubt that momentum for the concept continues to build. California currently is

the only West Coast state that has not adopted stop as yield, and is one of only a handful of states in the entire Western United States that has not reformed its law.

If you have any questions, please let me know. This is a big deal for bicyclists. It would have immediate positive impacts, with no need for lengthy planning or costly infrastructure.

Thank you,

Walt Seifert
Sacramento Trailnet
(916) 455-7561

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Guillen, Kimberly (Admin)

From: Eddy.N@verizon.net
Sent: Wednesday, June 16, 2021 2:11 PM
To: comment, ccpublic
Subject: pay

Dear Montebello City Council

The people of Montebello demand hero pay ordinance to extend for another 180 days as it expired. Grocery store workers deserve fair compensation for all of 2021 after all they have done for us, because we all need to eat. Because of Montebello leadership other cities LA, LA County, Long Beach, Culver City, Santa Ana, Pomona, Buena Park, Coachella, West Hollywood, El Monte, Burbank, Glendale, Santa Monica, San Francisco, Irvine, Costa Mesa, Oakland, San Mateo, San Jose, Alameda, Berkeley have adopted a hazard pay policy. Cashiers, stockers, butchers, grocers, baggers and others have risked their lives so we have everything we need to stay home to get through this pandemic. While these companies have seen massive profits, it has not trickled down to their employees because of greedy CEOs and shareholders.

Greed is not good, companies like Kroger, Walmart can afford hazard pay, higher wages also benefit other city businesses, as more people would have extra money to buy additional goods, pay down debts and increase their savings. Grocery store workers continue to show up every day, serving customers and providing essentials that residents need to stay safer at home. Their greater risk of exposure to COVID is by definition hazardous work, and the money they earn must be commensurate with those risks associated. Mortality rate for workers in food and agriculture has gone up because of this pandemic so providing these workers with $5 hazard pay for another 180 days or until January 2022 is the least we can do.

Kathy Finn, secretary-treasurer for United Food and Commercial Workers Local 770, which represents 25,000 grocery and drug retail workers in Los Angeles, Ventura, Santa Barbara and San Luis Obispo counties, said daily conditions have drastically changed for the industry's employees. "The reality of being a grocery or drug store worker in 2020 and still in 2021 is that your job has fundamentally changed, the risk has increased exponentially, but the pay has stayed the same,'' she said. California Grocers Association filed federal lawsuits against Long Beach, West Hollywood and Montebello, seeking to declare hazard pay invalid and unconstitutional, contending that grocers will not be able to absorb the additional pay without raising prices, closing stores, reducing hours or laying off employees. But a federal judge denied the association's bid to overturn Long Beach ordinance, so we demand **permanent hero pay until pandemic is declared over by the governor**.

This message and any attached document is sent privately in the public interest and may contain candid, open, and truthful advice, recommendations, opinions, proposals, and information that is privileged, proprietary, non-public and exempt from disclosure, confidential or otherwise protected by law, and may be subject to executive, diplomatic, judicial, clerical, deliberative process or other privilege and is intended solely for the recipient and not for disclosure or distribution. If you are not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that you are prohibited from reviewing, retransmitting, printing, copying, scanning, disseminating, uploading or otherwise using in any manner this email or any attachments to it. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. Email transmission cannot be guaranteed to be secure or error-free as information could be intercepted, modified, corrupted, lost, destroyed, manipulated, incomplete, arrive late or contain viruses. The sender therefore does not accept liability for any errors, revisions or omissions in the contents of this message which arise as a result of email transmission or unauthorized disclosure or distribution.

#4

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, June 23, 2021 2:43 PM
To: comment, ccpublic
Subject: To be read at the Montebello City Council meeting-Wednesday, June 23, 2021

Emailed at 2:40 p.m. Wednesday, June 23, 2023-please let me know if this was received!
me

To: Mayor and City Council, City Manager, City Attorney, Director of Planning
From: Margot Eiser, citizen, person, resident, taxpayer, voter.

Moved to Closed Session Comments

Public Comment for closed session Item 4.

~~I would like the details about what is the property at 112-132 S. 6th Street and how is it connected to the Cesar Chavaz Foundation and how much is it costing the city and where is the money coming from and what would the property be used for?~~

~~Public Hearing~~
~~Item 6.~~
~~Please do not make any decision to change to the election system at this time. Because of the lack of provision of any information prior to attempting to make the change in the election system and the limited ability of the public to participate in Public Hearings,~~
~~I request that you postpone any decision until after all aspects of what a change would entail are studied and discussed by all of us who would be affected. Many more actual public hearings are required.~~

Regular Session
Public Orals:

To be entered into the Public Record.

Regarding the current destruction of the Montebello Hills for imposition of the much modified Toll Brothers Plan.
The viewscapes described in the Aesthetic Section of the Environmental Impact Report and the images shown in the visual representations in the MHSP are considerably different and not substantially compliant with those resulting from the current unapproved Toll Brothers grading activities.
This is intolerable and upsetting to the residents of the entire city

and are especially negatively affecting those in the La Merced area.
This is a violation of the California Environmental Quality Act
(CEQA).
The City as lead agency must remedy this immediately!!!!
Revise the Toll Brothers Plans to be fully compliant with the Lead Agencies
Approved EIR and MHSP
or Revise and Recirculate the EIR and MHSP or better yet, follow the will of us, the people, residents, taxpayers and voters and STOP the entire project completely!!!!

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#5

Guillen, Kimberly (Admin)

From: James Flournoy <flurnet@hotmail.com>
Sent: Wednesday, June 23, 2021 2:53 PM
To: comment, ccpublic
Subject: Stormwater

City of Montebello
Mayor and City Council

I would like an update on the City's Stormwater master plan.
As you know regulations on chemicals, fertilizers, pesticides, herbacides, as well as trash are increasing
and prevention/ cleanup will be expensive, we do not want to be caught napping

In addition stormwater runoff, recycling, Cisterns, green roof, etc. regulations have changed and are being changed more
Drought, Global Warming, Climate Change, Clean Water efforts will push

Here is another example, one of many being considered

Culver City Stormwater Quality Master Plan

2021.5.26-swqmp-draft.pdf (culvercity.org)

Jim Flournoy

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

ITEM NO. 6
CVRA - By-District Election System

#1

Guillen, Kimberly (Admin)

From: Alex Hilke <alex.hilke@yahoo.com>
Sent: Wednesday, June 23, 2021 1:51 PM
To: comment, ccpublic
Subject: Public Comment: Open Bid Contracts

Dear City Council,

First off, thank you for approving the transition to district-based elections beginning with the next election in 2022. District-based elections will ensure that every corner of Montebello will have a seat at the table and will have their voices heard. In the related memo on tonight's agenda, City Attorney Alvarez-Glasman sought early cost estimates from the National Demographics Corporation and Nielsen Merksamer to act as the demographer and legal counsel on this project respectively. The City Council has a fiduciary responsibility to the residents of Montebello to go beyond the first companies that Mr. Alvarez-Glasman was able to get into contact with and investigate other options.

The City Council should instead open the positions of Demographer and Election Law Counsel to a transparent open bid process. One where a public notice is posted on the city website with application instructions. Doing so would ensure that the City Council would be hiring the best demographer and legal counsel at their most affordable rate. The City Council could adopt the same hiring process that the California Citizens Redistricting Commission used in 2010 and this year to receive public bids. All applications should be publicly available online for the public to review and comment on at the close of the application period and before the City Council publicly approves a bid.

It is urgent that the city council begin the open bid process tonight as the Census Block Data will be released August 30th and the City must have a redistricting done during the month of September. Which means the City Council has two months to have staff in place. And one month to accept potential bids. Time is of the essence. The City Council, and the City Council alone, has the power to do the right. To open the Demographer and Election Law Counsel to open bid and public review. And we hope the City Council will use that power.

Sincerely,

Montebello-Pico Rivera Democrats

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, June 23, 2021 2:43 PM
To: comment, ccpublic
Subject: To be read at the Montebello City Council meeting-Wednesday, June 23, 2021

Emailed at 2:40 p.m. Wednesday, June 23, 2023-please let me know if this was received!
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To: Mayor and City Council, City Manager, City Attorney, Director of Planning
From: Margot Eiser, citizen, person, resident, taxpayer, voter.

Moved to Closed Session Comments

~~Public Comment for closed session Item 4.~~

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Public Hearing
Item 6.
Please do not make any decision to change to the election system at this time. Because of the lack of provision of any information prior to attempting to make the change in the election system and the limited ability of the public to participate in Public Hearings, I request that you postpone any decision until after all aspects of what a change would entail are studied and discussed by all of us who would be affected. Many more actual public hearings are required.

~~Regular Session~~
~~Public Orals:~~

~~To be entered into the Public Record.~~

~~Regarding the current destruction of the Montebello Hills for imposition of the much modified Toll Brothers Plan.~~
~~The viewscapes described in the Aesthetic Section of the Environmental Impact Report and the images shown in the visual representations in the MHSP are considerably different and not substantially compliant with those resulting from the current unapproved Toll Brothers grading activities.~~
~~This is intolerable and upsetting to the residents of the entire city~~

ITEM NO. 9
Fiscal Year 2021-22 Operating and Capital Budget

#1

Guillen, Kimberly (Admin)

From: Olga Montes <olgamkjs@yahoo.com>
Sent: Wednesday, June 23, 2021 1:14 PM
To: comment, ccpublic
Subject: 9.FY21-22 Budget

Honorable Mayor and City Counsel,
You represent the city residents for transparency and accountability. The FUND BALANCE let's city know the financial standing of the city. That is an important document to leave out of the budget. The same goes for the 16+ MILLION DOLLARS.
Thank you for caring and understanding the importance of this matter that affects our present residents and the future of our city.

Thank you,

O. Montes

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Guillen, Kimberly (Admin)

From: Katelyn munoz <kgonzales0404@gmail.com>
Sent: Wednesday, June 23, 2021 1:43 PM
To: comment, ccpublic
Subject: David N. Torres

New budget sounds good but where's the current budget balance ??? A fund balance report along with ARPA budget should also be transparent.
Transparency is key. ……a concerned Citizen

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

CITY OF MONTEBELLO CITY COUNCIL
REGULAR MEETING AGENDA

MINUTES

WEDNESDAY, AUGUST 11, 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.

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 5:27 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)
   Threat of litigation – One matter related to the CVRA

Mayor Cobos-Cawthorne reconvened the meeting at 6:31 p.m. During Closed Session the City Council received a briefing on Items 1, 2, and there was no direction or action taken. It was motioned

by Councilmember Jimenez, seconded by Councilmember Melendez to add Item 2b as a subsequent need matter pursuant to Government Code Section 54954.2(b)(2); motion carried unanimously. No action was taken on Item 2b.

REGULAR SESSION – 6:30 P.M.

INVOCATION – City Clerk Jimenez

FLAG SALUTE – Sergeant Armando Miranda, Air Force Veteran

CORRECTIONS TO THE AGENDA – CITY MANAGER
It was motioned by Councilmember Melendez, seconded by Councilmember Jimenez to add the following two below; motion carried unanimously:

- One (1) Presentation Item: "**RECOGNITION OF FATIMA RANJBAR OF ECOLOGICA ORGANIC SKIN CORP. AND COLLABORATING PARTNERS, ROSIE RIVERA AND CHISME EN VIVO**"

- One (1) Consent Calendar Item No. 24: "**APPROVE REFUND OF HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) GRANT FUNDS TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF $51,248**"

PRESENTATIONS

3. **CITIZEN OF THE MONTH – BETTY PERALTA** – Presented by Mayor Cobos-Cawthorne

4. **NATIONAL WELLNESS MONTH** – Presented by Mayor Cobos-Cawthorne

5. **CALIFORNIA VOTER RIGHTS ACT UPDATE** – Presented by City Attorney Alvarez-Glasman

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)
The City Clerk's office acknowledged four (4) 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 – None

PUBLIC HEARING

6. **PUBLIC HEARING TO CONSIDER APPROVING PROPOSED RESOLUTION NO. 21-75 NAMING THE LOG CABIN AT CITY PARK AFTER BILL WALTERS**

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.

Councilmember Melendez motioned, seconded by Councilmember Jimenez that the City Council:

RECOMMENDATION: It is recommended that the City Council conduct a public hearing and consider the following:

1) Approval of proposed Resolution No. 21-75 naming the log cabin at City Park after Bill Walters; and
2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

7. INTRODUCTION AND WAIVING FIRST READING OF ORDINANCE NO. 2441 APPROVING A ZONE CODE AMENDMENT TO AMEND THE MONTEBELLO MUNICIPAL CODE TO ESTABLISH AN ART IN PUBLIC PLACES PROGRAM AND ADVISORY COMMITTEE, MODIFY SECTION 17.62.050 OF THE MONTEBELLO MUNICIPAL CODE TO REMOVE "MURALS" FROM THE LIST OF PROHIBITED SIGNS; ADOPT A CEQA EXEMPTION UNDER § 15061(B)(3)

Mayor Pro Tem Torres offered suggestions to be incorporate into the proposed Ordinance. It was motioned by Mayor Pro Tem Torres to table this item and bring it back for consideration of introduction after Staff incorporates the suggestions made to the repairs and alteration of number of units and for Staff to provide a red-line version of the recommended changes for City Council's review; seconded by Councilmember Peralta; motion carried unanimously.

REGULAR BUSINESS

8. ESTABLISH MILITARY AD HOC COMMITTEE

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council appoint Mayor Cobos-Cawthorne and Councilmember Jimenez as members to the Ad Hoc and:

RECOMMENDATION: It is recommended that the City Council:

1) Take action to establish a Military Ad Hoc Committee; and
2) Take action to appoint two members; and
3) Take such additional, related action that may be desirable.

Motion carried unanimously.

9. CONSIDERATION OF APPOINTMENT FOR TWO (2) VACANT SEATS ON THE TRAFFIC COMMITTEE

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.

Councilmember Jimenez motioned, seconded by Councilmember Melendez that the City Council table this item to future meeting; motion carried unanimously.

10. CONSIDERATION OF APPOINTMENT FOR TWO (2) VACANT SEATS ON THE FISCAL ACCOUNTABILITY AND INVESTMENT COMMITTEE

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.

Councilmember Jimenez motioned, seconded by Councilmember Melendez that the City Council table this item to future meeting; motion carried unanimously.

11. AUTHORIZATION TO HOST A DIA DE LOS MUERTOS COMMUNITY ALTAR

Councilmember Peralta motioned, seconded by Councilmember Melendez

RECOMMENDATION: It is recommended that the City Council:

1) Authorize staff to schedule and host a Dia de los Muertos community altar; and
2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

12. AUTHORIZATION TO HOST A PET CARE FAIR AND PET VACCINATION CLINICS

Councilmember Peralta motioned, seconded by Councilmember Melendez

RECOMMENDATION: It is recommended that the City Council:

1) Authorize staff to schedule and host a Pet Care Fair in January of 2022; and
2) Authorize staff to schedule and host quarterly pet vaccination clinics beginning in January of 2022; and
3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

CONSENT CALENDAR

One member of the public submitted a written comment on Item No's 14, 16, and 17. Councilmember Jimenez motioned that Item No's. 13, 15, and 18-23 be approved, seconded by Councilmember Melendez; motion carried unanimously.

13. SECOND READING – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO ADDING CHAPTER 2.10 TO THE MONTEBELLO MUNICIPAL CODE ESTABLISHING CAMPAIGN CONTRIBUTION LIMITS FOR CITY ELECTIVE OFFICE

RECOMMENDATION: It is recommended that the City Council:

1) Approve the Second Reading and adoption Ordinance No. 2440 establishing a maximum campaign contribution limit of $5,000 per year for candidates for elective City office; and
2) Take such additional, related, action that may be required for the adoption of this Ordinance.

14. INTRODUCTION AND WAIVING FIRST READING OF ORDINANCE NO. 2442 AMENDING CHAPTER 10.32 - "STOPPING, STANDING AND PARKING" OF THE MONTEBELLO MUNICIPAL CODE AUTHORIZING ISSUANCE OF MONTHLY, OVERNIGHT AND WEEKEND PARKING PERMITS AT CITY OWNED OR OPERATED OFF-STREET LOTS AND PARKING FACILITIES

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.

Councilmember Jimenez motioned, seconded by Councilmember Melendez that the City Council:

1) Introduce, and waive First Reading of an Ordinance amending Chapter 10.32 – "Stopping, Standing and Parking" of the Montebello Municipal Code authorizing issuance of monthly, overnight, and weekend parking permits for residents at City-owned or operated off-street lots and parking facilities; and
2) Authorize, the City Manager or his designee(s), to erect the required signage per California Vehicle Code sections 21113 and 22519 giving notice of special conditions, regulations, prohibitions, restrictions and/or regulations ushered in by the proposed Ordinance; and
3) Take such additional, related action that may be desirable.

Motion carried unanimously.

15. AWARD A PROFESSIONAL SERVICES AGREEMENT TO SALLY SWANSON ARCHITECTS, INC. FOR THE PREPARATION OF THE AMERICANS WITH DISABILITY ACT (ADA) SELF-EVALUATION AND TRANSITION PLAN (RFQ 21-18)

RECOMMENDATION: It is recommended that the City Council:

1) Award a Professional Services Agreement to Sally Swanson Architects, Inc. for the Preparation of the Americans with Disability Act (ADA) Self-Evaluation and Transition Plan (RFQ 21-18) in a not-to-exceed amount of $162,345; and
2) Authorize the City Manager to execute and Agreement on behalf of the City (Attachment A); and
3) Take such additional, related, action that may be desirable.

16. CONCOURSE AVENUE IMPROVEMENT PROJECT (CP NO. 880) - AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION

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.

Councilmember Jimenez motioned, seconded by Councilmember Melendez that the City Council:

1) Approve the Plans, Specifications, and Estimate (PS&E) for the Concourse Avenue Improvement Project (CP No. 880); and
2) Authorize the City Clerk to publish the Notice Inviting Bids (Attachment A); and
3) Approve the Notice of Exemption (Attachment B) for the subject project and authorize the City Clerk to file the Notice of Exemption with Los Angeles County Registrar-Recorder; and
4) Approve the Total Project Budget (Attachment C).

Motion carried unanimously.

17. VARIOUS STREETS IMPROVEMENT PROJECT (CP NO. 881) - AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION

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.

Councilmember Jimenez motioned, seconded by Councilmember Melendez that the City Council:

1) Approve the Plans, Specifications, and Estimate (PS&E) for the Various Streets Improvement Project (CP No. 881); and
2) Authorize the City Clerk to publish the Notice Inviting Bids (Attachment A); and
3) Approve the Notice of Exemption (Attachment B) for the subject project and authorize the City Clerk to file the Notice of Exemption with Los Angeles Registrar-Recorder; and
4) Approve the Total Project Budget (Attachment C).

Motion carried unanimously.

18. APPROVE AMENDMENT NO. 2 TO AGREEMENT NO. 3697 WITH AVAIL TECHNOLOGIES, INC., FOR MAINTENANCE AND SUPPORT OF MONTEBELLO BUS LINES' INTELLIGENT TRANSPORTATION SYSTEM AND FIXED ROUTE PASSENGER INFORMATION SYSTEM

RECOMMENDATION: It is recommended that the City Council:

1) Approve Amendment No. 2 to Agreement No. 3697 with Avail Technologies, Inc. (Avail), to extend software maintenance and support services for a one-year term with Montebello Bus Lines (MBL) for its Intelligent Transportation System (ITS) and Fixed Route Passenger Information System; and
2) Authorize the City Manager and/or designee to execute Amendment No. 2 on behalf of the City; and
3) Take such additional, related, action that may be desirable.

19. ADOPT RESOLUTION NO. 21-69 APPROVING MONTEBELLO BUS LINES' FREE FARE SCHEDULE FOR FISCAL YEAR 2021-22

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-69 approving Montebello Bus Lines' (MBL) Free Fare Schedule for Fiscal Year 2021-22; and
2) Take such additional, related, action that may be desirable.

20. ADOPT RESOLUTION NO. 21-72 AUTHORIZING THE DIRECTOR OF FINANCE TO SUBMIT A CLAIM FOR FUNDING PROVIDED BY THE TRANSPORTATION DEVELOPMENT ACT THROUGH THE LOCAL TRANSPORTATION FUND AND THE STATE TRANSIT ASSISTANCE FUND FOR FISCAL YEAR 2021-22

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-72 authorizing the Director of Finance to submit a claim for funding provided by the Transportation Development Act through the Local Transportation Fund and the State Transit Assistance Fund for Fiscal Year 2021-22; and
2) Take such additional, related, action that may be desirable.

21. ADOPT RESOLUTION NO. 21-73 AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE FEDERAL TRANSIT ADMINISTRATION AREAS OF PERSISTENT POVERTY COMPETITIVE GRANT

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-73 authorizing the submission of an application for the Federal Transit Administration (FTA) Areas of Persistent Poverty Competitive Grant (Grant); and
2) Take such additional, related, action that may be desirable.

22. APPROVAL OF TELECOMMUNICATIONS AND UTILITIES COST SAVINGS AGREEMENT WITH PROCURE AMERICA

RECOMMENDATION: It is recommended that the City Council:

1) Approve a cost sharing agreement with Procure America for conducting a comprehensive review of the City's telecommunications and utilities billings and finding ongoing cost savings. The identified and confirmed annual savings are approximately $115,000 for utilities (e.g., electric, gas, water) and $150,000 for telecommunications. The annual cost sharing amount is calculated at fifty percent (50%) of the savings amount, which would be approximately $57,500 for utilities and $75,000 for telecommunications annually, for a period of three years.

23. PAYMENT OF BILLS: RESOLUTION NO. 21-74 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED AUGUST 10, 2021

Councilmember Jimenez motioned, seconded by Councilmember Melendez that the City Council adopt the proposed Resolution approving the Warrant Register dated August 10, 2021; motion carried unanimously.

24. APPROVE REFUND OF HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) GRANT FUNDS TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION IN THE AMOUNT OF $51,248

This item was added to the agenda during "Corrections to the Agenda". It was motioned by Councilmember Melendez, seconded by Councilmember Jimenez to add the item; motion carried unanimously.

Councilmember Melendez motioned, seconded by Councilmember Jimenez that the City Council:

1) Approve a refund payment to the California Department of Transportation (Caltrans) in the amount of $51,248 for HSIP grant fund expenses deemed disallowed in the November 2020 Incurred Cost Audit; and
2) Amend the Fiscal Year 2021-22 adopted budget by increasing appropriations by $51,248 in Account No. 100-30-330-7050 (General Fund, Public Works, Engineering, Miscellaneous Expense); and
3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

ORAL COMMUNICATIONS - CONTINUED IF NECESSARY

COUNCIL ORALS

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

1. **Councilmember Melendez** – None
2. **Councilmember Jimenez** – None
3. **Councilmember Peralta** – None
4. **Mayor Pro Tem Torres** – None
5. **Mayor Cobos-Cawthorne** – None

ADJOURNMENT

Mayor Cobos-Cawthorne motioned to adjourn the meeting at 7:43 pm., seconded by Councilmember Melendez; motion carried unanimously.

THE MINUTES OF AUGUST 11, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.

Alicia Fernandez, Deputy City Clerk

GENERAL COMMENTS

#1

Guillen, Kimberly (Admin)

From: Julian Cepeda <j.cepeda1296@gmail.com>
Sent: Wednesday, July 28, 2021 3:59 PM
To: comment, ccpublic
Subject: Public Comment 7/28

Dear Honorable Mayor and City Council:

The Rio Hondo Channel is a recreation space used for walking, running, and biking by people and pets of all ages. I have been sad to see the high amount of illegal dumping that happens there. I understand it is an ongoing battle, and that the city and the county have taken many steps to address issues there. Sadly, it is not enough. Trash is dumped daily, and clean up efforts offer only temporary relief.

That is why I am excited to see and participate in a resident-driven movement to clean up the area. I want to step up for my community where there is a need, and with the city's help volunteers can be empowered to take ownership and responsibility for keeping our own natural resources clean.

I understand that there are concerns about dangers in the area. They have been explained to me and I can see why there may be some hesitancy to endorse such a project. However, I believe with strict safety measures, rules, and guidelines, that volunteers can have a safe and fun experience while changing our community for the better.

Please vote in favor of directing the city to research liability coverage for a Rio Hondo Channel volunteer cleanup.

Sincerely,
Julian Cepeda

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Guillen, Kimberly (Admin)

From: Carlos Carrillo <Carlos.Carrillo.461773895@p2a.co>
Sent: Friday, July 30, 2021 8:26 AM
To: comment, ccpublic
Subject: New Legislation Undermines Local Control

Dear Local Elected Official,

I'm writing to make you aware of a proposal by the California state legislature which would significantly undermine local control.

In its current form, SB 12 imposes a series of new and burdensome regulations on businesses, threatens thousands of housing-related jobs, and would increase the already high cost of living in Southern California.

SB 12 creates more state oversight and regulations on new housing construction, jeopardizing Governor Newsom's 1.3 million homes for the Southern California region. At a time when the state is facing a housing crisis of historic proportions, SB 12 would only worsen the situation.

The homebuilding industry has presented reasonable amendments to SB 12, which need to be incorporated into the bill. As such, I would respectfully request that your local government ask Governor Newsom and your respective state legislative delegation members to oppose SB 12 unless these necessary amendments are included in the bill.

I appreciate your consideration and thank you for your efforts to help end California's housing crisis.

Regards,
Carlos Carrillo

*******Attached is a list of names that submitted the same comment. *******

General Comments - New Legislation

#	Name
1	Sherry Stephenson
2	Jana Van-Dyck
3	Lela Fernandez
4	Sheryl Sutterfield
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#3

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, August 11, 2021 1:11 PM
To: comment, ccpublic
Subject: Public Comments to be read at Montebello City Council Meeting Wednesday, August 11, 2021

To: Montebello City Council,staff, commissioners et al.

From: Margot Eiser, concerned citizen, person, resident, taxpayer voter.

Please have these comments read out loud and put into the Public Record. Responses would be appreciated and useful.

Public Comment on Non-Agenda Items:

Good evening.

I don't know if you are aware of this, but Montebello has been officially designated as a park poor city! As far as an alleged housing shortage, it is quite obvious that there are already lots of people living in existing houses, apartments and condos complexes, though many are probably deliberately being left vacant for tax credit or investment. Instead of more condos, apartments or investment housing, we the people of Montebello should have more parks and open space to protect our health and meet our recreational needs and the needs of threatened and endangered species that live in the Hills and to counteract catastrophic climate change. This parkland /open green space deficit should be remedied now by YOU as our representatives using your powers for our benefit . You should immediately consult an unbiased outside attorney familiar with hazardous developments and environmental matters, to stop the oil field condo project at its current phase to find out how recent legislation could allow you to modify an agreement that doesn't consider a number of hazardous elements that weren't addressed significantly in the Environmental Impact Report. Addressing a different park/open space deficiency problem, PLEASE don't let more buildings be put on to OUR Golf Course!

Public Hearing
Item 6
This building used to be the BOY Scout house and should be acknowledged as such. While it is very good that this one historically significant building has been saved, many, many others have been destroyed because the city currently does not have rules to prevent that. Any proposed destruction should immediately stopped and the new General Plan is made to include a strictly enforced Historical Designation and Preservation Element!!!

Items 9 and 10-Appointment for vacant seats on Traffic and Fiscal Accountability and Investment Commissions:

Because it appears that some recent decisions have been made which are not to the benefit of us, the citizens, people, residents, tax payers, voters, in order to serve us better, there must be only RESIDENTS of the city allowed to serve as members of these and other advisory commissions.

Item 14:
1)Recently when I called about continuous lack of access by street cleaners to a certain area because of cars

#4

Guillen, Kimberly (Admin)

From: Michael W. Popoff <madrussian90640@yahoo.com>
Sent: Wednesday, August 11, 2021 2:55 PM
To: comment, ccpublic; Linda Strong
Subject: City Council Comments

Please read the following during the Public Comment section of tonight's city council meeting.

Hello Honorable Mayor, councilmembers and city staff.

I would like to call your attention to the fact that this city has a very large parkland deficit and a very large, dangerous, and costly to the city budget hilltop oilfield condo development pending. With all the new and upcoming legislation and rules changes in regards to the placement of residences close to operating oil and gas wells, I believe it is time for you to retain an outside unbiased land use attorney to see if all the substantial irregularities associated with Toll Brothers grading, wildlife killing and development in the hills give you any leverage to make the proposed oilfield condo development into something that might actually benefit the current residents of Montebello. With all the questionable and costly contracts made by the City Manager in the last year, it should be no problem to pay $10,000 to get an expert second opinion on the largest development in Montebello history. Of course, that assumes that you have the best interests of Montebello residents as a priority. Your decision regarding this matter will show whether or not that is true. It may be possible to greatly increase the amount of open space parkland from the paltry 1% of the development area it currently envisions.

As far as I know, the issue of Environmental Justice has never been addressed in regards to any Montebello development, and it is high time that it was. The ability of moneyed, out of town interests to come into lower economic communities of color and ride roughshod over the needs of the residents to enrich corporations needs to be addressed, and this development is a great place to start.

Your truly, Michael W. Samarin-Popoff, 54+ year resident

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

ITEM NO. 6 - Naming the Log Cabin

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, August 11, 2021 1:11 PM
To: comment, ccpublic
Subject: Public Comments to be read at Montebello City Council Meeting Wednesday, August 11, 2021

To: Montebello City Council,staff, commissioners et al.

From: Margot Eiser, concerned citizen, person, resident, taxpayer voter.

Please have these comments read out loud and put into the Public Record. Responses would be appreciated and useful.

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Public Hearing
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Items 9 and 10-Appointment for vacant seats on Traffic and Fiscal Accountability and Investment Commissions:

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Item 14:
1)Recently when I called about continuous lack of access by street cleaners to a certain area because of cars

ITEM NO. 9 & 10 -
Appointments to Committees

#1

Guillen, Kimberly (Admin)

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ITEM NO. 14 -
Ordinance No. 2442

#1

Guillen, Kimberly (Admin)

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Sent: Wednesday, August 11, 2021 1:11 PM
To: comment, ccpublic
Subject: Public Comments to be read at Montebello City Council Meeting Wednesday, August 11, 2021

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Item 16:
It is imperative that the Concourse Avenue Improvement Project includes repair of severely damaged, long neglected Via Val Verde south from Beverly Blvd. to where it runs into Concourse. Please make sure to add this to the proposed Concourse Avenue project because all residents on the street and those of us who use it regularly need to have it be safe and looking good.

Item 17:
Please let us, the public, have access to a list the proposed projects before any authorization of funding etc. is approved so we can see if those we actually need or have needed for a long time are included and that they will be worked on!!!! For example, there has for a long time been a need for a disabled access curb modification at the corners of my street. I have been told these are 'on the list' yet maybe it is the 'DO NOT DO' list because nothing has been done though some already existing ones at another location on the same street were taken out and replaced when that section of the street was repaved. Please let me know how to get these onto the proper list.

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ITEM NO. 16 -
Concourse Avenue Improvement Project

#1

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, August 11, 2021 1:11 PM
To: comment, ccpublic
Subject: Public Comments to be read at Montebello City Council Meeting Wednesday, August 11, 2021

To: Montebello City Council,staff, commissioners et al.

From: Margot Eiser, concerned citizen, person, resident, taxpayer voter.

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ITEM NO. 17 -
Various Street Improvement Projects

#1

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
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From: Margot Eiser, concerned citizen, person, resident, taxpayer voter.

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CITY OF MONTEBELLO CITY COUNCIL
REGULAR MEETING AGENDA

M I N U T E S

WEDNESDAY, SEPTEMBER 8, 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 5:43 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 5:45 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)
Threat of litigation – One matter related to the CVRA

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9 (d)(1)
Workers' Compensation Claim Number: ADJ11069640 WCAB
Name of Case: Romo vs. City of Montebello

Item 3b. was added to the agenda as a subsequent need matter pursuant to Government Code Section 54954.2(b)(2). It was motioned by Councilmember Peralta, seconded by Councilmember Melendez, that the item be added; motion approved unanimously.

3b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code Section 54956.9(d)(2)
Threat of litigation – One matter

Mayor Cobos-Cawthorne reconvened the meeting at 6:44 p.m. During closed session the City Council received a briefing from the City Attorney on Item No's. 1 and 2; there was no final action taken and nothing to report. City Council also received a briefing on Item 3 and direction was provided to staff for a possible resolution with respect of the approval of the resolution consistent with items provided during closed session. City Council received a briefing on Item 3b and there was no reportable action.

REGULAR SESSION – 6:30 P.M.

INVOCATION – Keith Kuba, 1ST Vice Commander and Gunnery Sgt USMC and 1st US Army 40 years retired

FLAG SALUTE – Keith Kuba 1ST Vice Commander and Gunnery Sgt USMC and 1st US Army 40 years retired

CORRECTIONS TO THE AGENDA – CITY MANAGER – None

PRESENTATIONS

4. RECOGNITION OF CITIZEN OF THE MONTH – PAMALA SAKAMOTO – Presented by Mayor Cobos-Cawthorne

5. PROCLAMATION FOR AMERICAN LEGION DAY – Presented by Mayor Cobos-Cawthorne

6. RECOGNITION OF SO CAL DIRTBAGS YOUTH WORLD SERIES NATIONAL CHAMPIONS – Presented by Mayor Cobos-Cawthorne

7. **RECOGNITION OF NATIONAL HISPANIC HERITAGE MONTH, SEPTEMBER 15, 2021 – OCTOBER 15, 2021** – Presented by Mayor Cobos-Cawthorne

8. **RECOGNITION OF NATIONAL EMERGENCY PREPAREDNESS MONTH** – Presented by Mayor Cobos-Cawthorne

9. **GENERAL PLAN UPDATE STATUS REPORT AND REVIEW OF PRELIMINARY DRAFT HOUSING ELEMENT UPDATE (2021-2029)** – Presented by Mr. Kaiser Rangwala

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

The City Clerk's Office called eight (8) 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 twenty-six (26) 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 – City Manager Bobadilla reminded the public about the 20 year anniversary September 11th live Facebook event starting at 9 a.m. and invited the public to the Farmer's Market which is ongoing Thursday evenings for the month of October.

PUBLIC HEARING

10. **PUBLIC HEARING ADOPT A RESOLUTION APPROVING THE FISCAL YEAR 2020-21 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)**

No comments were submitted to the City Clerk's office.

It was motioned by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

1) Adopt a Resolution approving the Fiscal Year 2020-21 draft Consolidated Annual Performance and Evaluation Report (CAPER); and
2) Take such other additional, related, action that may be desirable.

Motion approved unanimously.

OLD BUSINESS

11. **FURTHER REVIEW OF A ZONE CODE AMENDMENT TO AMEND THE MONTEBELLO MUNICIPAL CODE TO ESTABLISH AN ART IN PUBLIC PLACES PROGRAM AND ADVISORY COMMITTEE, MODIFY SECTION 17.62.050 OF THE MONTEBELLO MUNICIPAL CODE TO REMOVE "MURALS" FROM THE LIST OF PROHIBITED SIGNS; ADOPT A CEQA EXEMPTION**

UNDER § 15061(B)(3) – INTRODUCTION AND WAIVING FIRST READING OF ORDINANCE NO. 2441

NOTE: This matter will be continued to the City Council Meeting of October 13, 2021 or at a date thereafter as determined by the City Council.

It was motioned by Councilmember Jimenez, seconded by Councilmember Melendez that the City Council table this matter to the City Council Meeting of October 13, 2021; motion approved unanimously.

REGULAR BUSINESS

12. AUTHORIZATION TO HOST A HEALTH FAIR AND 5K RUN

No public comments were submitted to the City Clerk's office.

City Manager Bobadilla presented this staff report to the City Council and since the City has not secured a site, Staff recommended tabling this item to a future Regular Meeting.

It was motioned by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council table this matter to a future Regular Meeting; motion approved unanimously.

CONSENT CALENDAR

No public comments were submitted to the City Clerk's office. Mayor Cobos-Cawthorne pulled Item No. 14 for discussion. It was moved by Councilmember Jimenez, seconded by Councilmember Melendez, that Item No's. 13, and 15-19 be approved; motion carried unanimously.

13. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP NO. 21-19) FOR ENGINEERING SERVICES TO ASSIST WITH THE DEVELOPMENT OF A SYSTEMIC SAFETY ANALYSIS REPORT PROGRAM (SSARP)

RECOMMENDATION: It is recommended that the City Council:

1) Authorize City Staff to issue a Request for Proposals (RFP No. 21-19) for engineering services to assist with the development of a Systemic Safety Analysis Report Program (SSARP); and
2) Take such additional, related, action that may be desirable.

14. BEACH STREET PAVEMENT AND STORM DRAIN REHABILITATION PROJECT - PHASE 1 (FROM VAIL AVENUE TO 5TH STREET), CP NO. 883 – AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION

Mayor Cobos-Cawthorne asked that staff discuss the storm drain issues and why the project took so long. Director Enriquez presented the staff report to City Council and explained the different phases of the project.

It was moved by Councilmember Jimenez, seconded by Councilmember Peralta that the City Council:

1) Approve the Plans, Specifications, and Estimate (PS&E) for the Beach Street Pavement Rehabilitation Project Phase 1 (Vail Avenue to 5th Street), CP No. 883); and
2) Authorize the City Clerk to publish the Notice Inviting Bids (Attachment A); and
3) Approve the Notice of Exemption (Attachment B) for the subject project and authorize the City Clerk to file the Notice of Exemption with Los Angeles Registrar-Recorder; and
4) Approve the Total Project Budget of $1,450,000 (Attachment C); and
5) Take such additional, related, action that may be desirable.

Motion carried unanimously.

15. APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 3399, WITH SAFE USA, INC. FOR ANNUAL STREET STRIPING, LEGENDS, AND ROAD MARKINGS SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Approve Amendment No. 1 to Agreement No. 3399, with Safe USA, Inc. for Annual Street Striping, Legends, and Road Markings Services exercising the 2-year extension at an additional cost not-to-exceed $265,700; and
2) Authorize the City Manager to Execute Amendment No.1 on behalf of the City; and
3) Take such additional, related, action that may be desirable.

16. UTILITY BOX BEAUTIFICATION PROGRAM ARTWORK APPROVAL

RECOMMENDATION: It is recommended that the City Council:

1) Approve artwork recommendations made by the Parks and Recreation Commission; and
2) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $6,400 in Account No. 100-70-710-6040.10 (General Fund, Recreation, Other Contract Services); and
3) Take such additional, related, action that may be desirable.

17. AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE NATIONAL FITNESS CAMPAIGN AND THE INSTALLATION OF A FITNESS COURT

RECOMMENDATION: It is recommended that the City Council:

1) Authorize the submission of an application to the National Fitness Campaign Grant Program; and

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

18. APPROVE AN AGREEMENT WITH NEW FLYER OF AMERICA, INC., TO PURCHASE NINE, FORTY-FOOT COMPRESSED NATURAL GAS TRANSIT BUSES

RECOMMENDATION: It is recommended that the City Council:

1) Approve an Agreement with New Flyer of America, Inc. (New Flyer), to purchase nine (9), forty-foot (40') Compressed Natural Gas (CNG) transit buses; and
2) Authorize the Acting Director of Transportation to approve change orders up to two percent of the contract amount; and
3) Take such additional, related action that may be desirable.

19. PAYMENT OF BILLS: RESOLUTION NO. 21-79 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED SEPTEMBER 8, 2021

RECOMMENDATION: Adopt Resolution No. 21-79 approving the Warrant Register dated September 8, 2021.

ORAL COMMUNICATIONS - CONTINUED IF NECESSARY

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).

City Attorney Alvarez-Glasman noted that all five members of the City Council attended the Independent Cities Conference held in Santa Barbara. Councilmember Peralta, Councilmember Melendez, Mayor Pro Tem Torres, and Mayor Cobos-Cawthorne provided an update.

COUNCIL ORALS

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

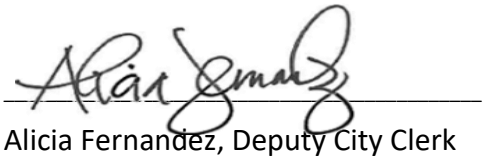
1. **Councilmember Jimenez** – made the announcements below:
   a. Hispanic Heritage Month – removed this item from her orals.
   b. Run Montebello Run – invited community to participate in 5k run and the Breast Cancer Awareness Run.
   c. Day of the Dead Community Altar – removed this item from her orals.
2. **Councilmember Peralta** – None
3. **Councilmember Melendez** – None
4. **Mayor Pro Tem Torres** – None
5. **Mayor Cobos-Cawthorne** – made the announcements below:
   a. ICA Conference update – provided during AB 1234 Report.
   b. Personal devices on dais – asked for support to no longer allow personal devices on the dais; consensus was received.

c. City sponsored events vs. Councilmember events/activities – Defined the difference between a City sponsored event vs. Councilmember event and asked for support to direct Staff to create an Administrative Policy that defines a City event versus a City Council sponsored event; consensus was received.

ADJOURNMENT

Councilmember Jimenez motioned to adjourn the meeting at 8:30 p.m.

THE MINUTES OF SEPTEMBER 8, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.



Alicia Fernandez, Deputy City Clerk

SPEAKER CARDS

GENERAL COMMENTS

(1)

Rec'd 9/7/21 @ 11:44 AM EM

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Matthew Ramos

Address *(optional)* _____

_____

Phone *(optional)* (213) 608-6818

Organization represented (if any) Puro Plants

Topic General Comment - Request to add Puro Plants to the City Council Agenda 10/13

(Please be specific)

(The instructions on the back will assist you in expressing your views)

(2)

Recv'd 9/7/21
@ 1:16pm EM

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Eugenia Falcon

Address *(optional)* _____

_____

Phone *(optional)* (323) 767 - 4307

Organization represented (if any) _____

Topic General comment RE: Railroad Gold Line

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(3)

Recvd 9/7/21 @ 12:50pm
EM

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Esther Burgion

Address *(optional)* _____

_____

Phone *(optional)* (323) 399-9105

Organization represented (if any) _____

Topic General comment

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(4)

9/8/21 12:20 pm

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Manuel Hernandez

Address *(optional)* _____

_____

Phone *(optional)* (562) 358-1595

Organization represented (if any) _____

Topic Murder of Jason Rodriguez and the torture of Manuel Hernandez

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(5)

9/8/21 @1:12pm

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Myrna Rojas

Address *(optional)* _____

_____

Phone *(optional)* (323) 695-9682

Organization represented (if any) _____

Topic Puro Plants - regarding their license terminating on Oct 3. by Edison.

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

6

9/8/21 @1:45pm

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Kathy Rangel

Address *(optional)* _____

_____

Phone *(optional)* (323) 947-9400

Organization represented (if any) _____

Topic Street parking @ Montebello Boulevard xst. Washington Blvd. / Tula

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

9/8/21
2:57 p.m.
K.G.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Tila Gregorian

Address *(optional)* _____

_____

Phone *(optional)* (323) 722-3521

Organization represented (if any) _____

Topic General Comment

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(8)

Recv'd 9/8/21
@ 2:57 pm.
K.G

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Frances Agienza

Address *(optional)* _____

_____

Phone *(optional)* (323) 578-6215

Organization represented (if any) _____

Topic COVID-19 Economic Relief: Portion for senior residents

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

GENERAL COMMENTS

#1

Guillen, Kimberly (Admin)

From: Yvette Wong <Yvette.Wong.456415500@p2a.co>
Sent: Saturday, August 14, 2021 6:40 PM
To: comment, ccpublic
Subject: New Legislation Undermines Local Control

Dear Local Elected Official,

I'm writing to make you aware of a proposal by the California state legislature which would significantly undermine local control.

In its current form, SB 12 imposes a series of new and burdensome regulations on businesses, threatens thousands of housing-related jobs, and would increase the already high cost of living in Southern California.

SB 12 creates more state oversight and regulations on new housing construction, jeopardizing Governor Newsom's 1.3 million homes for the Southern California region. At a time when the state is facing a housing crisis of historic proportions, SB 12 would only worsen the situation.

The homebuilding industry has presented reasonable amendments to SB 12, which need to be incorporated into the bill. As such, I would respectfully request that your local government ask Governor Newsom and your respective state legislative delegation members to oppose SB 12 unless these necessary amendments are included in the bill.

I appreciate your consideration and thank you for your efforts to help end California's housing crisis.

Regards,
Yvette Wong

The City Clerk's Office received the same comment from the following individuals:

- John Neville
- Kathy Bresman
- Rosemary Oswald
- Lisa Shabazian
- Kathy Bresman
- Ginger Shank
- Wayne Grantham

#2

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Tuesday, August 24, 2021 1:22 PM
To: comment, ccpublic
Subject: Montebello City Council Meeting-Wednesday, August 25, 2021

To: Montebello City Council, staff et al.
From: Margot Eiser, citizen, person, resident, taxpayer, voter
Re: Comments to be read aloud during meeting and entered into public record.

Margo Eiser called on August 24th and requested that the following comment be added to the record for the City Council Meeting of September 8, 2021.

Public Orals:
Have not yet been informed of what decision was made by City Council at the special meeting last week. The email announcement came less than twenty four hours beforehand, and unfortunately it started earlier than usual so many people could not get their comments in before the 2:00 p.m. deadline! Emergency Covid restrictions should not be used as an excuse to exclude us the public from our legal and proper notification and consultation rules!
~~**Point of information. According to the California Surplus Lands Act, only affordable housing is supposed to be built on actual Surplus Land. More significantly for this officially designated park poor city, land can be designated as surplus to be used for Open Space Purposes including PUBLIC RECREATION , enjoyment of scenic beauty or conservation or use of natural resources. Thus it makes no sense to even considerTop Golf's , a private for profit corporation, proposal to build expensive indoor driving range BUILDINGS on OUR publicly owned GOLF COURSE which would decrease the amount of open space available for recreational purposes!**~~

~~**Responses would be appropriate and appreciated.**~~

#3

Guillen, Kimberly (Admin)

From: Elizabeth Perez <boysgardening@gmail.com>
Sent: Tuesday, September 7, 2021 8:06 PM
To: comment, ccpublic
Subject: Community garden

Good evening,
I wanted to address the fact that montebello doesn't have a community garden or a place where a community can come together and grow, exchange grown food also where people can compost in a healthy soil. Some residents do not have space for a garden or yard to create a garden. Some are unable to garden due to the lack of knowledge also, by providing a safe educational environment for gardening residents can also get to know their neighbors.

Thank you for your time.
Liz from boysgardening
There's compostla expanding that can help with compost which is a great start to help the community get more involved in the climate crisis by reducing trash to the landfills and create healthy soil.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#4

Guillen, Kimberly (Admin)

From: carla escobar <cescoba8323@gmail.com>
Sent: Tuesday, September 7, 2021 8:20 PM
To: comment, ccpublic
Subject: City council meeting

Hello 👋,
I am interested in a community garden for montebello modeled after the El Sereno community garden. What do we need to do in order to get one started ?

General Comments - Puro Plants

#	Name
1	Felicia Marquez
2	Hilaria Larriva
3	Jennifer Tokash
4	Yesmin Cuevas
5	Sandra Davis
6	Ron Finley
7	Kendra Villa
8	Brian Espinoza
9	Emily Hu
10	Jacqueline Ramirez
11	Venessa Eubank
12	Benjamin Ramos
13	Odalys Zamora
14	Mariajose Santana
15	Annalis Flores

#1

Guillen, Kimberly (Admin)

From: Felicia Marquez <feliciamrun@gmail.com>
Sent: Wednesday, September 8, 2021 11:16 AM
To: comment, ccpublic
Cc: PuroPlants@gmail.com
Subject: Important Puro Plants

Dear City of Montebello,

In its simplicity Puro Plants is a breakthrough concept that we must support. While we may think picking and eating naturally grown fruits and vegetables is an innate right we have to live and nourish our bodies, it couldn't be further from the truth. I have experienced the journey of Matthew Ramos as he has used every moment of his days conceptualizing a vision that is pure and beneficial to the Montebello community bringing education, healing, and our natural rights closer in hand. This 360 lifecycle farm is not the answer to our future; it is the immediate solution we can no longer live without.

It's hard for us to see the greater vision as we bustle through our lives, running to Costco over purchasing; filing our gas tanks with overpriced gas, and being so tired with our routines that junk food is easier than eating clean. I know it's hard to slow down and strip away all our programming and get back to the most natural ways of living. That is what Puro Plants brings, that is what it stands for, and that is the entire point.

It would be a criminal action if we stopped the development and expansion of this farm. Closing Puro Plants would turn back the clock on the city of Montebello, proving its lack of innovation and refusal to step forward into a progressive globally focused point of view. Montebello has a great opportunity in Puro Plants, to set pace for other cities exemplifying powerful community participation for health and wellbeing. This change starts now, this change starts in you, make the decision to keep this farm thriving and give it water to grow.

Sincerely,

Felicia Marquez

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Guillen, Kimberly (Admin)

From: Hilaria Larriva <hlarriva@gmail.com>
Sent: Wednesday, September 8, 2021 11:34 AM
To: comment, ccpublic
Subject: I Love Puro Plants

Dear Council Members,

My name is Hilaria Larriva. I grew up in Montebello and I have never seen anything like Puro Plants in our city.

I have learned so much about health and gardening from Matthew Ramos and his team. I am honestly in disbelief that anyone would attempt to shut down the farm. Don't we need to learn more about health NOW more than ever?

Puro Plants has been therapeutic for me during this Pandemic. It was so nourishing to have an outdoor community space other than a park where I could learn something and be apart of my city which I love.

Please keep Puro Plants up and running. If you help don't save Puro Plants than it is a great loss to our community.

Thank you,
Hilaria Larriva
--

Hilaria Larriva
SAG-AFTRA

Create your own email signature

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Guillen, Kimberly (Admin)

From: JT <jennifertokash@gmail.com>
Sent: Wednesday, September 8, 2021 12:02 PM
To: comment, ccpublic
Cc: Puro Plants; publiccomment@cityofmontebello.com
Subject: Fwd: Save Puro Plants Montebello !

To the City of Montebello:

My name is Jennifer Tokash and I am a resident of East Los Angeles and a customer of Southern California Edison. I am a local community member writing in support of Puro Plants and their mission to offer organic plant food options and composting services.

I've lived here for 8 years and I'm a runner and run over to the Montebello Golf Course and have seen the vacant lots under the power lines and have dreamed of turning them into city parks or dog parks or literally anything except empty lots. One day I was running by and saw that Puro Plants had opened an urban garden and compost drop off. The dream came true!

I believe in their mission because...
-we need better food options in our community
-composting is a huge way to help the environment
-I like how the land is being utilized for the community

I request the City of Montebello take action to support this much needed organization in our community, whether it be the expedition of permits, exemption of fees or assistance in explaining code or zoning laws. Puro Plants is an asset to our community. I ask that you take immediate action to ensure they can continue being of service in Montebello.

Best regards,
Jennifer Tokash

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#4

Guillen, Kimberly (Admin)

From: Yezmin Bernal <yezbernal@gmail.com>
Sent: Wednesday, September 8, 2021 12:53 PM
To: comment, ccpublic
Cc: Puro Plants
Subject: Meeting Agenda for 9/13 - ADD PURO PLANTS

PLEASE ADD PURO PLANTS TO NEXT WEEK'S (9/13) CITY COUNCIL MEETING AGENDA

Dear City of Montebello,

My name is Yezmin Cuevas, I have been a resident of Montebello for over thirty years and am writing to you today to show my support for Puro Plants.

This past year I came across an Instagram post from a council member that highlighted the Puro Plants project. REALLY?! Here? In Montebello? These types of projects only happen in *nicer* areas, like Pasadena. Sadly, those were my thoughts as I read the post. Nevertheless, I was excited to find out more about this project that was happening in *my* community and drove over to the site that same weekend.

It's been amazing to see the transformation of the vacant lots and all that has flourished in its space. Not only has the garden started to grow, but the community it has touched has grown with it. This past year I've witnessed elders come by the garden and ask if they can volunteer to help because it provides a much-needed outlet where they can get fresh air and be a part of something. I have seen kids excited to grow strawberries and carrots. My children planted marigolds inside garden beds and learned that they help repel insects that might eat the crops. They also helped remove pests from broccoli plants by using soapy water instead of pesticides.

Fast forward to a year later and the impact this little garden has had on my life. For starters, I went from not really knowing what composting was, how to get started and why it's important. Now I'm the composting advocate in my family. So much so that I joked with Matthew and told him I was "breaking up with him" because he had inspired me to purchase my own composter. I still manage to drop off compost at Puro Plants when I take my thirteen-year-old godson to drop his compost off. Once he learned how compost recycles our food scraps and regenerates back into the earth to grow more food, he was eager to help. He asked why more people don't compost and I told him that they just don't know how or why, just like we didn't.

Over the past year I have posted about Puro Plants on my social media and the response is always positive. People ask where it is, comment on how awesome the garden looks, ask if they have kids' classes and how they wish they had something like Puro Plants in *their* city as well. It feels good to become *that* city. The one that enriches its community in health and promotes eating organically in a sustainable way, by growing it for our residents. My back yard now has an abundance of various herbs, trees and vegetables that have been planted since. I am by no means a pro and am grateful to have Puro Plants as a resource. For the record, I love Montebello! I know what it was, what it has endured and all that it can be. I see the changes beginning to happen in our beautiful city and truly feel Puro Plants is a part of it. I thank you for your time.

Sincerely,

Yezmin Cuevas

#5

Guillen, Kimberly (Admin)

From: Sandra Davis <sandraherc@gmail.com>
Sent: Wednesday, September 8, 2021 1:36 PM
To: comment, ccpublic
Cc: Puroplants@gmail.com
Subject: Puro Plants

Hello,
I am writing in as a resident of the ELA/Montebello area to voice my opinion on the importance of having and keeping Puro Plants in their current location. Having recently moved to the area, and raising two small children, i cannot stress enough how important having accessibility to fresh produce is as well as showing the future generations the process and involvement of food growth and sustainability. Having moved from a neighborhood that had various community gardens, farmers markets and composting workshops, seeing a place like Puro Plants in this community brings me comfort knowing we have those same resources in our new neighborhood. The community will only continue to thrive with Puro Plants providing fresh food, education and programs as well as bringing a significant environmental improvement to the area. With all the information we hear daily on the impact and effects of climate change, having this space in their current location is far more essential than a vacant, unused lot that will surely be filled with trash and debris if not properly maintained. Not only does this space provide food growth but brings knowledge with the hosting of workshops and community gatherings which in turn leads to more care and pride in one's neighborhood.
Having a resource like Puro Plants in the area for the future generation to take pride in and pride in the land should bring us all in the community delight and reassurance that we are all active and willing participants in the environmental improvement of our neighborhood and selves.
Best,
Sandra Davis

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#6

Guillen, Kimberly (Admin)

From: Ron Finley Project <info@ronfinley.com>
Sent: Wednesday, September 8, 2021 1:37 PM
To: comment, ccpublic
Cc: Puro Plants; Auri Jackson
Subject: Comment/Support for Puro Plants

To the City of Montebello,

I, Ron Finley, the CEO and Founder of the Ron Finley Project highly advise and recommend that Puro Plants be able to continue the great work they are doing for the community. Being able to provide fresh, locally grown produce to our communities is crucial during the times we live in now. We need to shift from fast food to home-grown food and that is a big part of what Puro Plants is doing. There needs to be action taken here to keep Puro Plants up and running, and this can be done by the city of Montebello reaching out to Southern California Edison (SCE), to stop the termination of Puro Plants' license. Until a time is scheduled with a city staff member to discuss the details of the claims, it is vital that they continue growing and providing fresh food to the community. How can we have a humane society when humanity isn't practiced in regard to supporting organizations like Puro Plants? There should be no question when it comes to the city supporting an organization such as this. I implore you to further look into this and do what you can and need to in order to support Puro Plants and the efforts they are making in your community, even if that entails you finding a new plot of land they can continue their work on.

AllGoodThings.
Ron Finley

RON FINLEY PROJECT

THE RON FINLEY PROJECT
info@ronfinley.com
www.ronfinley.com

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#7

Guillen, Kimberly (Admin)

From: Kendra Villa <kendrajvilla@yahoo.com>
Sent: Wednesday, September 8, 2021 1:45 PM
To: comment, ccpublic
Cc: Puro Plants
Subject: Save Puro Plants

To The City of Montebello,

My name is Kendra Villa, and I am a resident of Montebello and a customer of Southern California Edison. I am in full support of Puro Plants and their mission in our community.

Puro Plants is important for a variety of reasons. Not only does the City of Montebello (nor its neighboring cities, like East Los Angeles or Commerce, etcetera) not have access to many healthy options when it comes to grocery stores and restaurants, but it also does not have many outlets for its residents to learn about healthy living and sustainability. Puro Plants is successfully changing that. It has only been a year (if that) since Puro Plants begun its mission and involvement with our community, and it is understandably becoming a well-loved and valuable part of our community. Gardening and work-out classes, compost drop-off, a farmer's market where the community can engage with one another and be exposed not only to each other's knowledge of healthy living and sustainability but to other small businesses and vendors hoping to one day establish their own stores within the City of Montebello... These are just a few of the many benefits Puro Plants offers the community.

Puro Plants is essential to community building and to our well-being. The classes and volunteer opportunities offered allow individuals of any age to engage in enriching activities. Nature is healing; and the closer we are to the earth, the better we can begin to understand ourselves and our place on this planet. This is what Puro Plants offers us. Considering, as well, the effect this pandemic has had upon our health, both physical and mental, Puro Plants offers a healthy and supportive environment in which we can come together, feel less alone, and work together to heal ourselves and the planet. I'm sure that for many Puro Plants has been detrimental to their well-being during these unprecedented times.

Though I've yet to take the classes offered at Puro Plants, doing so has been on my list of wishes to fulfill. It is more than comforting to know that a place like Puro Plants exists within my community. I get a sense of relief knowing that there are other individuals around me who are interested in the health of our community and our planet, as well, and that Puro Plants will be there if I ever need advice on or guidance in my own efforts in gardening, sustainability, and overall well-being.

Puro Plants is an inspiration and a call to action, not just for ourselves, our health, and well-being but for the re-envisioning of a healthier planet. Recently, the Intergovernmental Panel on Climate Change (IPCC) found that we are currently in a Code Red. This means that our current industrial systems (i.e. the industrial food system) have, for too long, been allowed to wreak havoc on our environment, and we are now in a state where the damage might just be irreparable. There is slight hope, however, and taking the small steps at Puro Plants like growing our own food and composting to divert food from landfills certainly makes a difference and makes organizations like Puro Plants even more vital.

Something I believe to be true is that the City of Montebello can only gain from having Puro Plants within its community. Not only do Montebello residents take part in the activities and resources which Puro Plants offers, but individuals from outside of Montebello visit, also, as it is one of the only places

within our surrounding cities which is a center for composting and healthy living. In this way, if Puro Plants continues its mission with the support of the city, the City of Montebello has an opportunity to be a role model. It is not unknown that cities with marginalized communities more often than not do not have access to the same valuable resources, like healthy food or centers for nutrition and well-being (exercise classes, etc.), as do wealthier cities; but this is where the City of Montebello can help to create change. This is exactly what Puro Plants is doing for its community. The city of Bell has a sustainable farm called Grow Good, and South Los Angeles has Asante, a microfarm. This is just to name a few urban farms which are actively working toward change so that under-served communities not only have access to healthy foods but can become an important part of their community overall. This brings purpose and happiness to everyone involved. Puro Plants is and can continue to provide these same benefits to and be a major agent of change for Montebello, making, once again, the city a role model.

Puro Plants is an asset to our community. I ask that the City of Montebello and SCE take immediate action to support this much needed organization in our community, whether it be the expedition of permits, exemption of fees, or other supportive action.

Thank you for your time.

Sincerely,

Kendra Villa.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#8

Guillen, Kimberly (Admin)

From: Brian Espinoza <esp0624@yahoo.com>
Sent: Wednesday, September 8, 2021 1:54 PM
To: comment, ccpublic
Subject: Save Puro Plants

Hello City Council Members,

I write to you today in the hopes that the city will intervene in the situation going on at 3208 W. Beverly Blvd, the site of Puro Plants. Puro Plants is a community compost and farm that has the potential to make a huge impact on the health and sustainability on the city of Montebello as well as the greater Eastern Los Angeles area.

Composting is an essential climate solution because the largest component of landfilled municipal solid waste (MSW) is food scraps, accounting for approximately 22% of municipal discards in the landfill. Organic matter in the landfill decomposes anaerobically, meaning without access to oxygen. When food breaks down without oxygen, it produces greenhouse gases (primarily methane), which can escape the landfill and accumulate in the atmosphere, contributing to global warming. In fact, MSW landfills are the third-largest emitter of human-related methane gas in the United States. Aside from diverting waste from landfills, compost and mulch applied to many types of land may be the single greatest weapon in the fight to reduce the effects of climate change. The compost that Puro Plants creates can be used to sequester carbon in soil, improving air quality in Montebello.

The community farm is a crucial solution to the climate crisis and food accessibility problems. Community gardens can help filter out local air pollution, cool down cities in the summertime, and retain precipitation — avoiding storm-water runoff into nearby waterways. When designed well, urban gardens can also provide valuable habitats for wild bees and other pollinators. Puro Plants can be used to grow food which creates a localized food system, reducing the resources (primarily fossil fuels) used to package and transport food from farms to the homes of consumers. Accessible organic produce would improve the health outcomes of low income residents as fresh produce can be more expensive than cheap processed food that is bad for humans and the environment.

Lastly, Puro Plants was stopped from providing benefits to the community such as yoga/workout classes, markets with local vendors, and family friendly community events. A number of studies show that the presence of urban farms is associated with improved neighborhood aesthetics, reduced crime, and community cohesion. Puro Plants holds one of the major keys to creating a better future for the city.

Montebello deserves the right to clean air and healthy food. Please do good for your constituents by rezoning Puro Plants' land appropriately and working with SoCal Edison to bring them into compliance.

Best,

Brian Espinoza
(323) 246-3297

#9

Guillen, Kimberly (Admin)

From: Emily Hu <y.emily.hu@gmail.com>
Sent: Wednesday, September 8, 2021 2:07 PM
To: comment, ccpublic
Cc: puroplants@gmail.com
Subject: Puro Plants and composting

To whom it may concern,

I'm writing because I'm concerned about the recent reported treatment of Puro Plants, an organization in the community that is dedicated to composting and organic farming. I don't understand why they're not being allowed to continue to operate or why their license was recently terminated. Composting options are extremely rare in east Los Angeles, especially for household food waste. Waste Management doesn't provide these services and mobile composting delivery services like Compostable LA don't serve our area.

I'd been researching for months and had just discovered Puro Plants when I received news of their being shut down. As a long-time LA resident I want to express my severe disappointment with this turn of events. LA claims to be forward-thinking with regard to green initiatives and fighting climate change. Puro Plants is dedicated to doing so, and also seems passionate about establishing community and cooperation in the process. Why is the city of Montebello so unwilling to work with them? Community urban farms are common throughout Los Angeles. I used to work just down the street from one in Santa Monica. Why is Puro Plants getting so much grief?

Please explain.

Sincerely,
Emily Hu
Constituent in Hacienda Heights, CA

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#10

Guillen, Kimberly (Admin)

From: Jacqueline Ramirez <jacqueline.alicia@outlook.com>
Sent: Wednesday, September 8, 2021 2:12 PM
To: comment, ccpublic
Cc: puroplants@gmail.com
Subject: Please Keep Puro Plants Around

Dear Montebello City Council & City Manager Bobadilla,

I am 32 years old & have lived in the San Gabriel Valley all my life & is still where I am raising my family. In my time living throughout these cities- from Whittier, Covina, East LA, Monterey Park I have never seen something like Puro Plants and what they have been able to accomplish in a rather short time.

They should not be the only ones to do the work they are doing & by shutting them down it sends a clear message to anyone else trying to help their community here in our neighborhood- it says don't bother because the value of your work & the value to what is mostly a low income & low middle class neighborhood can be squashed.

I believe this is where local legislation & creative thinking & common sense need to come into play here City of Montebello. It is unfair to your constituents who have gotten behind Puro Plants in such a huge way as to participate in & defend this place. However it is also a let down to those same people by their own local government at a time when our country is so divided & depleted.

Sincerely,
Jacqueline Ramirez

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#11

Guillen, Kimberly (Admin)

From: Vennesa Eubank <vennesaeubank@yahoo.com>
Sent: Wednesday, September 8, 2021 2:50 PM
To: comment, ccpublic
Cc: Puro Plants
Subject: Puro Plants

To whom it may concern:

I'd like to comment on the revocation of Puro Plants' license. Puro plants is such an amazing asset to the community. Not only does it promote health, wellness, education, and mindfulness, but it also builds a community of people who will put thought and love into their environment, that is Montebello. Also, I'm addition to how meaningful Puro Plants will be to the people of the community, it is also an excellent way to bring money into the area. Property values will go up, which means more tax money will come in, which means cleaner streets, better schools, and safer communities for everyone. I ask that you please give the people of Montebello a chance, give Puro Plants a chance. Thank you for your time and have a wonderful evening.

Best Regards,

Vennesa Eubank, M.Ed, Ed.S, BCBA, PPSP

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#12

Guillen, Kimberly (Admin)

From: Yahoo Warning <benjamin.ramos@att.net>
Sent: Wednesday, September 8, 2021 2:53 PM
To: comment, ccpublic
Subject: puroplants.com

Dear Sirs, I am a lifelong resident of Montebello, and have never seen a private citizen try to provide a safe healthy public space..Go to Saturday compost collection one you will see beautiful crossection of your constituency, young, old, Latin, white and Asian faces coming together as a community. To deny the community this pace would be an abdication of your role as forward thinking community leaders, but then again, Montebello has never been known their forward thinking city council. Just to be clear, Matthew is my son and I am very proud of him. He has been forward thinking visionary and has changed our behavior as a family. Solar panels, electric vehicles, home water filter to cut down on plastic waste, in other words, trying to not add to climate change. Thank you for listening, Benjamin Ramos

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PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#13

Guillen, Kimberly (Admin)

From: Odalys Zamora <odalys.zamora1522@gmail.com>
Sent: Wednesday, September 8, 2021 2:58 PM
To: comment, ccpublic
Subject: Public Comment - Puro Plants

Hello City Council Members,

I write to you today in the hopes that the city will intervene in the situation going on at 3208 W. Beverly Blvd, the site of Puro Plants. Puro Plants is a community compost and farm that has the potential to make a huge impact on the health and sustainability on the city of Montebello as well as the greater Eastern Los Angeles area.

Composting is an essential climate solution because the largest component of landfilled municipal solid waste (MSW) is food scraps, accounting for approximately 22% of municipal discards in the landfill. Organic matter in the landfill decomposes anaerobically, meaning without access to oxygen. When food breaks down without oxygen, it produces greenhouse gases (primarily methane), which can escape the landfill and accumulate in the atmosphere, contributing to global warming. In fact, MSW landfills are the third-largest emitter of human-related methane gas in the United States. Aside from diverting waste from landfills, compost and mulch applied to many types of land may be the single greatest weapon in the fight to reduce the effects of climate change. The compost that Puro Plants creates can be used to sequester carbon in soil, improving air quality in Montebello.

The community farm is a crucial solution to the climate crisis and food accessibility problems. Community gardens can help filter out local air pollution, cool down cities in the summertime, and retain precipitation — avoiding storm-water runoff into nearby waterways. When designed well, urban gardens can also provide valuable habitats for wild bees and other pollinators. Puro Plants can be used to grow food which creates a localized food system, reducing the resources (primarily fossil fuels) used to package and transport food from farms to the homes of consumers. Accessible organic produce would improve the health outcomes of low income residents as fresh produce can be more expensive than cheap processed food that is bad for humans and the environment.

Lastly, Puro Plants was stopped from providing benefits to the community such as yoga/workout classes, markets with local vendors, and family friendly community events. A number of studies show that the presence of urban farms is associated with improved neighborhood aesthetics, reduced crime, and community cohesion. Puro Plants holds one of the major keys to creating a better future for the city.

Montebello deserves the right to clean air and healthy food. Please do good for your constituents by rezoning Puro Plants' land appropriately and working with SoCal Edison to bring them into compliance.

Best,

--
Odalys Zamora
(She/Her/Ella)
"Do work that matters. Vale la pena"
- Gloria Anzaldua

#14

Guillen, Kimberly (Admin)

From: Mariajose Santana <mariajosesantana092@gmail.com>
Sent: Wednesday, September 8, 2021 3:17 PM
To: comment, ccpublic
Cc: puroplants@gmail.com
Subject: Puro Plants

As a citizen of Montebello, California I find it odd and unfair that Edison is terminating Puro Plants Farm. Not only are they growing healthy organic food for the community, but helping to fight climate injustice. With Puro Plants, the community was taking 20 steps forward. Now we're taking 20 steps back. Don't you think as the city of Montebello we should help change the state of our environment? I'm currently the president of Save Our Planet Club at Montebello High School. Members from our club volunteer at Puro Plants every single Saturday from 9am-12pm. Three hours a week residents of Montebello get to compost and contribute to organic soil. I thought we as the youth were the future, but you're taking that away from us. We'll be the ones living in this world. I say this full confidence...You'll die of old age, we'll die of climate change.

Sincerely,
Mariajose Santana
High school senior

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#15

Guillen, Kimberly (Admin)

From: Annalis Flores <annalis.flores30@gmail.com>
Sent: Wednesday, September 8, 2021 3:26 PM
To: comment, ccpublic
Subject: Keep Puro Plants Open

Hello council members,

My name is Anna Rodriguez, I am a resident of Montebello and I just wanted to express the concern happening with Puro Plants. I believe that what Puro Plants is doing is helpful for the community and I would like to see it grow and become bigger as time goes on. Obviously, with your help only that is possible. Please consider the work that is being done and how this will be helpful for this community now and in the future. I hope you take into consideration the comments supporting Puro Plants and the residents and individuals who benefit from this. Even though I just started living in this city I would hope that it is ensuring beneficial programs and spaces that will help us and our community grow.

Thank you,

Anna Rodriguez

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

General Comments - Puro Plants

The following individuals stated the following comment and provided their contact information:

"Would like to request Puro Plants be added to the next City Council Meeting Agenda on October 13, 2021."

#	Name	Phone Number or Email
1	Marisela Salinas	(310) 403-6353
2	Mitchell Ida	(626) 824-4904
3	Vickie Jauregui	evilcurly9@gmail.com

CITY OF MONTEBELLO CITY COUNCIL
REGULAR MEETING AGENDA

M I N U T E S

WEDNESDAY, OCTOBER 13, 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 5:34 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.
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 LABOR NEGOTIATORS**
   Government Code Section 54957.6

Agency Negotiators: René Bobadilla, Nicholas Razo
Employee Groups: Various City employee groups including but not limited to MPMA, MFMA, MMMA, MSA, MPOA, MCEA, MFA and unrepresented employees.

3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Government Code Section 54956.9(D)(1)
NASA Services, Inc. v City of Montebello; Case No. 21STCP01969

4. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Government Code Section 54956.9(d)(2)
Threat of litigation – Two matters (City Attorney Arnold Alvarez-Glasman mentioned there was a typographical error changed to two matters instead of one matter)

5. **AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE**
Government Code Section 54956.75

Mayor Cobos-Cawthorne reconvened the meeting at 6:50 p.m. During Closed Session the City Council received a briefing from the City Attorney on Item No's. 1, 2, 3, and 4; no final action was taken and there was nothing to report. It was noted that Item 5 would be discussed after Council Orals.

REGULAR SESSION – 6:30 P.M.

INVOCATION – Sarkis Sandukhtyan, Montebello Reporter

FLAG SALUTE – Gil Espino, Montebello Reporter

CORRECTIONS TO THE AGENDA – CITY MANAGER – Section "AB 1234 Travel Reports" was added to the Agenda and Closed Session Item No. 4 was corrected to list "two matters" by City Attorney Arnold Alvarez-Glasman.

PRESENTATIONS

6. **RECOGNITION OF CITIZEN OF THE MONTH – NATHAN MCCUSKER, ANGRY HORSE BREWING** – Presented by Mayor Cobos-Cawthorne

7. **RECOGNITION OF POETRY WINNERS: ALEAH VARELA, GARFIELD ELEMENTARY; ADDISON BOYER, LA MERCED INTERMEDIATE; CIELO HERNANDEZ, SCHURR HIGH SCHOOL** – Presented by Mayor Cobos-Cawthorne

8. **RECOGNITION OF MONTEBELLO REPORTER – GIL ESPINO & SARKIS SANDUKHTYAN** – Presented by Mayor Cobos-Cawthorne

9. **RECOGNITION OF BREAST CANCER AWARENESS MONTH** – Presented by Mayor Cobos-Cawthorne

10. **RECOGNITION OF BULLYING PREVENTION MONTH** – Presented by Mayor Cobos-Cawthorne

11. **RECOGNITION OF DOMESTIC VIOLENCE AWARENESS MONTH** – Presented by Mayor Cobos-Cawthorne

12. **RECOGNITION OF DOWN SYNDROME AWARENESS MONTH** – Presented by Mayor Cobos-Cawthorne

13. **RECOGNITION OF SILVER AWARD** – Presented by Mayor Cobos-Cawthorne

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

The City Clerk's Office called two (2) 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 Office's acknowledged eighteen (18) 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

PUBLIC HEARING

14. **PUBLIC HEARING CALIFORNIA VOTING RIGHTS ACT ("CVRA") PUBLIC HEARING 1**

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.

The City Clerk's office acknowledged two (2) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

City Attorney Arnold Alvarez-Glasman presented this item to the City Council.

Mayor Pro Tem Torres asked for the status on the District Oversight Committee. City Attorney Alvarez-Glasman stated that the City Council did not provide consensus to create the committee. He also asked Deputy Director Michael Chee for clarification regarding the public outreach. Deputy Director stated that notices were mailed twice through the City newsletter that went out to the 24,000 City addresses and has advertised on social media outlets. Mayor Pro Tem Torres expressed his concerns regarding the lack of outreach and requested that the next meetings be held at various dates and times to make it accessible to all members of the public and that notices be mailed out.

Councilmember Peralta stated that she would like outreach to increase and that at least one Public Hearing be held on a Saturday.

Councilmember Jimenez had no comments.

Councilmember Melendez stated that City Council hasn't provided staff clear direction on how fast to move forward on this matter and supports increasing public outreach. Mayor Cobos-Cawthorne expressed her concern regarding the claim of lack of Asian representation within the City of Montebello when she is of Japanese descent. She also stated that the demographer hired by the City has not returned the City's calls and would like to continue the outreach once we have contact with the demographer, or can hire a new one. City Attorney Alvarez-Glasman stated that if we did not hear back from the demographer then the City would move forward and hire a new one and asked for Council direction on when to hold the next Public Hearing. The City Council decided to hold the next Public Hearing on Saturday, November 13, 2021 at 10:00 a.m.

Councilmember Melendez motioned, seconded by Councilmember Peralta to schedule the November 13, 2021 Public Hearing and:

1) Continue the process of the City of Montebello's ("City") transition from an at-large to a by-district election system and receive input from residents of the City regarding the potential composition of districts within the City; and
2) Take such additional, related, action that may be desirable.

MOVED: Melendez	**SECONDED:** Peralta	**APPROVED:** 4-0-0-1

AYES: Cobos-Cawthorne, Torres, Peralta, Melendez
NOES: None
ABSTAIN: None
ABSENT: Jimenez

OLD BUSINESS

15. INTRODUCTION AND WAIVING OF FIRST READING OF ORDINANCE NO. 2443 AMENDING AND RESTATING THE RULES OF ORDER AND PROCEDURE FOR THE CONDUCT OF ALL CITY COUNCIL AND SUCCESSOR AGENCY MEETINGS, PROCEEDINGS, AND BUSINESS

City Manager, René Bobadilla, presented the Staff Report to City Council.

Mayor Pro Tem Torres asked that this item be tabled to the Regular Meeting November 10, 2021 to allow more time to submit City Council feedback and requested that a Special Study Session be scheduled or Ad Hoc Committee be created to discuss this matter. Councilmember Peralta stated that she had some suggestions but can save them for a later time. Councilmember Melendez was in support of this item and stated that this item would provide structure to the agency, clear direction, and proper order.

Mayor Cobos-Cawthorne went over the numerous reminders sent to City Council to receive feedback. City Manager Bobadilla stated that the City Clerk's office made an effort since July 28, 2021 to receive feedback from the City Council and no additional feedback was submitted other than from the Mayor.

Councilmember Peralta commented that the time start of the meetings be re-considered or continue the start at 5:30 pm. Secondly, she suggested revising the Ordinance to summarize or reading written public comments aloud. City Manager Bobadilla suggested starting Closed Session at 5:00 p.m. and schedule Regular Session start time no later than 6:00 p.m.

City Manager Bobadilla also provided the City Council with an overview of the new Assembly Bill 361 that would allow the public to participate live and how the City would accommodate the public to comply with that bill.

Councilmember Melendez made a motion to approve the item with Staff's recommendations as listed below, including adding two additional recommendations to read the written public comments and starting Closed Session at 5:00 p.m. with Regular Session no later than 6:00 p.m. The motion was seconded by Mayor Cobos-Cawthorne; motion passed 4-1.

1) Rescind Resolution Nos. 89-70, 06-22, 11-89, and 19-124
2) Introduce and waive First Reading of Ordinance No. 2443 amending and Restating the Rules of Order and Procedure for the Conduct of all City Council and Successor Agency Meetings, Proceedings, and Business
3) Take such additional, related, action that may be desirable.

Motion to approve Staff's recommended, including adding reading the written public comments and starting Closed Session at 5:00 p.m. with Regular Session no later than 6:00 p.m.

MOVED: Melendez **SECONDED:** Cobos-Cawthorne **APPROVED:** 4-1-0-0

AYES: Peralta, Melendez, Cobos-Cawthorne, Jimenez
NOES: Torres
ABSTAIN: None
ABSENT: None

During the discussion of Item No. 17, Councilmember Melendez motioned to reconsidered Item No. 15, seconded by Councilmember Peralta; motion passed 4-0.

Motion to reconsider Item No. 15

MOVED: Melendez **SECONDED:** Peralta **APPROVED:** 4-0-0-1

AYES: Torres, Peralta, Melendez, Cobos-Cawthorne
NOES: None
ABSTAIN: None
ABSENT: Jimenez

City Attorney Alvarez-Glasman suggested that the City Council make a motion to introduce Ordinance No. 2444 and waive further reading, including revising the language pertaining to

written public comments in Ordinance No. 2444 to be consistent with Resolution No. 21-85 as just approved.

Councilmember Melendez motion, seconded by Councilmember Peralta; motion passed 3-1.

Motion to introduce Ordinance No. 2444 and waive further reading, including reconsider to revise the language, pertaining to written public comments, in Ordinance No. 2444 to be consistent with Resolution No. 21-85		
MOVED: Melendez	**SECONDED:** Peralta	**APPROVED:** 3-1-0-1
AYES: Peralta, Melendez, Cobos-Cawthorne NOES: Torres ABSTAIN: None ABSENT: Jimenez		

REGULAR BUSINESS

16. RIO HONDO CHANNEL VOLUNTEER CLEANUP EVENT ASSUMPTION OF LIABILITY RISK ASSESSMENT

Director of Human Resources, Nicholas Razo, presented the Staff Report to City Council.

It was moved by Councilmember Melendez, seconded by Mayor Pro Tem Torres that the City Council:

1) Receive and file the Risk Assessment Letter (Attachment "A") regarding Rio Hondo Channel Project assumption of liability assessment from the City's Third Party Administrator for Property and Liability ("Third Party"); and
2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

CONSENT CALENDAR

Mayor Pro Tem Torres pulled Item No's. 17, 22, and 30. Councilmember Melendez motioned to approved Item No's. 18-21, 23-29, and 31-22, seconded by Councilmember Jimenez.

MOVED: **Melendez**	**SECONDED:**	**APPROVED:** 4-0-0-1
AYES: Cobos-Cawthorne, Torres, Peralta, Melendez NOES: None ABSTAIN: None ABSENT: Jimenez		

17. ADOPT RESOLUTION NO. 21-85 AUTHORIZING THE CITY TO IMPLEMENT TELECONFERENCED OPEN MEETINGS PURSUANT TO ASSEMBLY BILL 361

Mayor Pro Tem Torres pulled this item to clarify the purpose of this item. City Manager Bobadilla explained the required mandates per Assembly Bill 361 and explained Staff's recommendations.

City Attorney Alvarez-Glasman explained the language stated in the proposed Resolution.

Mayor Pro Tem Torres motioned, seconded by Councilmember Peralta that the City Council approve Staff's recommendations as listed below, including striking out the language that states written comments "*will not be read aloud*". City Attorney clarified the conflicting language in Mr. Torres' motion as it pertain to Ordinance No. 2443 that was just introduced, Item No. 15., and that the proposed Ordinance No. 2443 would supersede any Resolution.

1) Approve and Adopt the following Resolution to the Montebello Municipal Code Authorizing the City to Implement Teleconferenced Meetings in Accordance to Assembly Bill 361; and
2) Direct staff to take appropriate action to implement the requirements to be in effect at the October 27, 2021 Council Meeting; and
3) Take such additional, related, action that may be desirable.

Councilmember Peralta suggested that the name, subject, and summary of the written comments should be read aloud.

Mayor Pro Tem Torres amended his motion to state that "*written comments may not be read aloud but will be entered into the record*"; Councilmember Peralta seconded the motion.

Motion to approve Item No. 17, with the amended language on written comments.
MOVED: Torres **SECONDED:** Peralta **APPROVED:** 4-0-0-1

AYES: Cobos-Cawthorne, Torres, Peralta, Melendez
NOES: None
ABSTAIN: None
ABSENT: Jimenez

City Attorney Alvarez-Glasman suggested that Item No. 15 be reconsidered so the written comments section is consistent with Ordinance No. 2444. City Council went back to reconsider the item.

18. AUTHORIZATION TO SECURE AND ACCEPT SPONSORSHIP AND DONATIONS TO HOST HOLIDAY EVENTS FOR CITY EMPLOYEES

RECOMMENDATION: It is recommended that the City Council:

1) Authorize staff to secure and accept sponsorships and donations to schedule and host a City Employee Halloween and a City Employee Holiday event; and
2) Take such additional, related, action that may be desirable.

19. ADOPT RESOLUTION NO. 21-81 SUMMARILY VACATING A PUBLIC SERVICE EASEMENT ALONG THE PROPERTIES AT 820 AND 816 E. AVENIDA DE LA MERCED, AND 908 AND 912 SAN ANGELO AVENUE WITHIN THE CITY OF MONTEBELLO

RECOMMENDATION: It is recommended that the City Council:

1) Approve a proposed Resolution summarily vacating a public service easement along the properties at 820 and 816 E. Avenida De La Merced, and 908 and 912 San Angelo Avenue within the City of Montebello; and
2) Take such additional, related, action that may be desirable.

20. AUTHORIZE THE CITY MANAGER TO EXECUTE MASTER RETAINER AGREEMENT NO'S. 3919-3922 FOR ON-CALL CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES IN RESPONSE TO RFP NO. 21-32

RECOMMENDATION: It is recommended that the City Council:

1) Authorize the City Manager to execute Master Retainer Agreements for On-Call Construction Management and Inspection Services with the following Consultants: 1) AIM Consulting Services; 2) Onward Engineering; 3) Transtech Engineers, Inc.; and 3) PSOMAS; and
2) Take such additional, related, action that may be desirable.

21. ARROYO DRIVE IMPROVEMENTS PROJECT FROM ASTRA DRIVE TO ROSE GLEN AVENUE (CP 858), FEDERALLY FUNDED PROJECT STP-L 5247(025) – NOTICE OF COMPLETION

RECOMMENDATION: It is recommended that the City Council:

1) Accept the Arroyo Drive Improvements Project from Astra Drive to Rose Glen Avenue (CP 858), Federally Funded Project STP-L 5247(025) as completed by Sequel Contractors, Inc.; and
2) Approve the Total Project Budget and Expenditures including change orders (Attachment B); and
3) Approve the final contract amount with Onward Engineering for construction management services in the amount of $90,856; and
4) Authorize the City Clerk to execute, verify and file the Notice of Completion with the Los Angeles County Registrar-Recorder; and
5) Authorize the City Manager to release the retention payment due to Sequel Contractors, Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
6) Take such additional, related, action that may be desirable.

22. CITYWIDE CATCH BASIN CONNECTOR PIPE SCREEN (CPS) INSERTS INSTALLATION PROJECT (CP NO. 877) – AWARD CONSTRUCTION CONTRACT

Mayor Pro Tem Torres pulled this item for clarifying questions.

Mayor Pro Tem Torres motioned, seconded by Councilmember Melendez that the City Council:

1) Award a Construction Contract for the Citywide Catch Basin Connector Pipe Screen (CPS) Inserts Installation Project (CP No. 877) – in the amount of $134,257 to United Storm Water, Inc.; and
2) Authorize the City Manager to execute the Contract Agreement (Attachment A), on behalf of the City; and
3) Approve the Total Project Budget (Attachment B); and
4) Authorize the Director of Public Works to review and approve change orders within a 25% contingency of the total contract amount; and
5) Take such additional, related, action that may be desirable.

MOVED: Torres	**SECONDED:** Melendez	**APPROVED:** 4-0-0-1
AYES: Cobos-Cawthorne, Torres, Peralta, Melendez NOES: ABSTAIN: ABSENT: Jimenez		

23. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP NO. 21-35) FOR ARCHITECTURAL DESIGN SERVICES FOR THE MONTEBELLO CITY HALL WEST RENOVATION PROJECT (CP NO. 886)

RECOMMENDATION: It is recommended that the City Council:

1) Authorize City Staff to issue a Request for Proposals (RFP No. 21-35) for architectural design services for the Montebello City Hall West Renovation Project; and
2) Take such additional, related, actions that may be desirable.

24. ADOPT RESOLUTION NO. 21-82 APPROVING APPLICATIONS FOR THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT MEASURE A COMPETITIVE GRANT PROGRAMS

RECOMMENDATION: It is recommended that the City Council:

1) Approve a Resolution approving the applications for Los Angeles County Regional Park and Open Space District Measure A Competitive Grant Programs.

25. ADOPT RESOLUTION NO. 21-83 APPROVING THE APPLICATION FOR THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION OUTDOOR EQUITY GRANTS PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1) Approve a Resolution authorizing the application for the State of California Department of Parks and Recreation Outdoor Equity Grants Program.

26. APPROVE FACILITY LICENSE AGREEMENT NO. 3924 FOR CITY FACILITIES WITH MONTEBELLO UNIFIED SCHOOL DISTRICT

RECOMMENDATION: It is recommended that the City Council:

1) Approve a Facility License Agreement with Montebello Unified School District ("MUSD") for a one-year term for use of Fremont Elementary Childcare Bungalow and Greenwood Elementary Childcare Bungalow; and
2) Authorize the City Manager to execute the Agreement on behalf of the City; and
3) Take such additional, related, action that may be desirable.

27. APPROVAL OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS), SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT FUNDS UTILIZATION

RECOMMENDATION: It is recommended that the City Council:

1) Approve the use of grant funding awarded to the Police Department by the California Office of Traffic and Safety (OTS) through the Selective Traffic Enforcement Program (STEP), Grant number PT22036, in the amount of $115,000; and
2) Amend the Fiscal Year 2021-22 budget and increase appropriations by $115,000 in grant Account No. 265-8013-800-5010.10, 6010.40 and 6020,- , OTS-STEP Grant, PT22036 FY 2021-22 (Overtime, Computer Software and Travel and Meetings); and Account No. 265-99-4198.97 (Miscellaneous Grants – OTS Grants); and
3) Take such additional, related, action that may be desirable.

28. APPROVAL OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS), TRAFFIC RECORDS IMPROVEMENT PROJECT (TRIP) GRANT FUNDS UTILIZATION

RECOMMENDATION: It is recommended that the City Council:

1) Approve the use of grant funding awarded to the Police Department by the California Office of Traffic and Safety (OTS) through the Traffic Records Improvement Project (TRIP), Grant number TR22003, in the amount of $45,000; and
2) Authorize amending the Fiscal Year 2021-22 budget and increase appropriations by $45,000 in Grant Fund Account No. 265-8014-800-6010.40, OTS-TRIP, OTS TR22003 FY

2021-22, Computer Software; and Account No. 265-99-4198.97 (Miscellaneous Grants – OTS Grants); and
3) Take such additional, related, action that may be desirable.

29. ADOPT THE TRANSPORTATION DEPARTMENT CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FISCAL YEAR 2021-22

RECOMMENDATION: It is recommended that the City Council:

1) Adopt the Transportation Department (Transportation) Capital Improvement Program (CIP) budget for Fiscal Year 2021-22, for a total amount of $29,181,524; and
2) Authorize Staff to amend the adopted Fiscal Year 2021-22 budget by increasing appropriations in the various accounts as detailed on Attachment A, "Transportation Capital Improvement Program;" and,
3) Take such additional, related, action that may be desirable.

30. REQUEST TO APPROVE ISSUANCE OF BLANKET PURCHASE ORDERS TO AMAZON AND HOME DEPOT FOR FISCAL YEAR 2021-22

Mayor Pro Tem Torres pulled this item for clarifying questions.

Mayor Pro Tem Torres motioned, seconded by Councilmember Melendez that the City Council:

1) Authorize issuing a Blanket Purchase Order to Amazon in an amount that shall not exceed $200,000; and
2) Authorize issuing a Blanket Purchase Order to Home Depot in an amount that shall not exceed $75,000; and
3) Authorize the City Manager to approve up to an additional $50,000 in expenditure to each vendor, if necessary during the same fiscal year; and
4) Take such additional, related, action that may be desirable.

Motion approved unanimously.

31. PAYMENT OF BILLS: RESOLUTION NO. 21-84 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED OCTOBER 13, 2021

RECOMMENDATION: Adopt Resolution No. 21-84 approving the Warrant Register dated October 13, 2021.

32. APPROVE MEMORANDUM OF UNDERSTANDING NO. 21-11 BETWEEN THE CITY OF MONTEBELLO AND THE CITY OF PICO RIVERA TO RESUME TRANSPORTATION SERVICE TO ROUTE 60

RECOMMENDATION: It is recommended that the City Council:

1) Approve a Memorandum of Understanding (MOU) between the City of Montebello and the City of Pico Rivera to resume transportation service to Route 60; and
2) Take such additional, related, action that may be desirable.

ORAL COMMUNICATIONS - CONTINUED IF NECESSARY

COUNCIL ORALS

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

1. **Councilmember Melendez**
   a. Art
   b. Community Garden – asked for consensus to direct staff to begin looking into having a Community Garden; consensus received.
2. **Councilmember Jimenez** – none
3. **Councilmember Peralta** – made the announcements below:
   a. Top 5 Best Spooktacular Homes in Montebello
   b. Halloween Pet Costume Contest
   c. Farmers market – item was added on
4. **Mayor Pro Tem Torres**
   a. Montebello Volunteer Corps report and invitation – extended invitation to Councilmembers to clean up areas of their interest in the community.
   b. Request for budget amendment appropriating funds for council initiatives and events – asked for consensus to direct staff to amend the Fiscal Year 2021-2022 to include an amount to be determined by City Council ("Council") for community events. City Manager Bobadilla stated that Staff currently take the community events in mind, but if the Council would agree then Staff could address this at the next City Council meeting to provide a quarterly update. This update will give the Council a snapshot of where the City is budget wise. Furthermore, he stated that as Staff develops the next Fiscal Year budget Staff could discuss with the Council, in more detail, how much is being put aside for the community events and receive feedback from Council. Mayor Cobos-Cawthorne asked Director Solorza if this request could affect the City negatively during an audit; Director Solorza stated that it should not be an issue. No consensus was received and the item would be discussed when the quarterly update would be given to Council.
   c. Discussion re emergency ordinance to protect residential property renters – asked for an emergency ordinance to be drafted for residential rental unit protections; consensus was not received
   d. Council procedures study session or ad hoc
   e. Discussion regarding ordinance prohibiting ADUs on SB9 split lots – asked for consensus to have Staff draft an Ordinance and bring back more information to require one off street parking space when the parcel is not within half mile of public transit or within one block of car share program and imposing objective zoning of subdivision and design review standards. City Attorney suggested that the City Attorney's office and the Planning Department send a memo to Council regarding this item if the consensus was received; consensus was not received. City Manager Bobadilla suggested that the memo should be drafted either way.

5. **Mayor Cobos-Cawthorne** – made the announcements below:
   a. State of the City
   b. City Parade

Mayor Cobos-Cawthorne recessed into Closed Session at 9:43 p.m. to discuss Closed Session Item No. 5.

Mayor Cobos-Cawthorne reconvened the meeting at 10:22 p.m. The City Council received a briefing on Item No. 5; no final action was taken and there was nothing to report.

ADJOURNMENT

Councilmember Peralta adjourned the meeting in memory of her late Step Grandmother, Antonia Toco, who passed away on October 8, 2021. Mayor Cobos-Cawthorne motioned to adjourn, seconded by Councilmember Peralta. Motion carried unanimously and the meeting was adjourned at 10:23 p.m.

THE MINUTES OF OCTOBER 13, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 23, 2022.

Alicia Fernandez, Deputy City Clerk

SPEAKER CARDS

GENERAL COMMENTS

Recv'd 10/13/21
@ 12:02 pm
E.M.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Manuel Hernandez

Address *(optional)* _____

_____

Phone *(optional)* (562) 358-1595

Organization represented (if any) _____

Topic General comment

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

recv'd 10/13/21
@ 2:19pm
A.P

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name maya chacon

Address *(optional)* _____

_____

Phone *(optional)* (626) 201 - 6702

Organization represented (if any) _____

Topic general - annoucement

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

GENERAL COMMENTS

#1

Guillen, Kimberly (Admin)

From: E. Trabaninoramirez <E.Trabaninoramirez.462141354@p2a.co>
Sent: Saturday, September 11, 2021 7:47 PM
To: comment, ccpublic
Subject: New Legislation Undermines Local Control

Dear Local Elected Official,

I'm writing to make you aware of a proposal by the California state legislature which would significantly undermine local control.

In its current form, SB 12 imposes a series of new and burdensome regulations on businesses, threatens thousands of housing-related jobs, and would increase the already high cost of living in Southern California.

SB 12 creates more state oversight and regulations on new housing construction, jeopardizing Governor Newsom's 1.3 million homes for the Southern California region. At a time when the state is facing a housing crisis of historic proportions, SB 12 would only worsen the situation.

The homebuilding industry has presented reasonable amendments to SB 12, which need to be incorporated into the bill. As such, I would respectfully request that your local government ask Governor Newsom and your respective state legislative delegation members to oppose SB 12 unless these necessary amendments are included in the bill.

I appreciate your consideration and thank you for your efforts to help end California's housing crisis.

Regards,
E. Trabaninoramirez

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

*******Attached is a list of names that submitted the same comment.*******

General Comments - New Legislation

#	Name
1	Karen Everton
2	Ryan Trembly
3	Carl Ezold
4	Kerry Trapp
5	Bill Wilkins
6	Azita Kerendian
7	
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#2

Guillen, Kimberly (Admin)

From: De La Cruz, Alice <a2delacr@lasd.org>
Sent: Wednesday, September 22, 2021 10:32 AM
To: comment, ccpublic
Subject: Schurr High School Drop-off

To Whom it may Concern

The student drop-off Situation is not working.
Today a school employee of Schurr High school yelled at me, for entering the Teachers entrance.
It was so unprofessional, he was angry, when I told him “Sorry I didn’t know. I proceed to ask him a question and He yelled” I’m not here to answer Questions”. It was early, no traffic or cars behind me. Why do you need 4 to 5 people guarding the teachers entrance and angry ones at that.

You can only drop-off students on Vail Street and Westmoreland. The Gate where the Buses drop students off is not open to regular students only those getting off the Bus.
I don’t know if because not enough staff or the Home owners are complaining.

The Bus entry gate should be opened for incoming and outgoing students to avoid problems for student and Parents dropping and picking up students.

It’s very frustrating, that Schurr High school Continues to make accommodations for teachers and school staff, but not the students and parents.

Why can’t it be easier and safer for parents and family members to drop-off students.

Please look into this dropping off situation to make it better for all .

Signed

Alice De La Cruz, Parent

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Guillen, Kimberly (Admin)

From: Ajemian, Richard D [US] (SP) <richard.ajemian@ngc.com>
Sent: Friday, September 24, 2021 12:04 PM
To: comment, ccpublic
Cc: 'richajem@gmail.com'
Subject: Tax Payer Pension Discussion

To whom it may concern –
My name is Richard and I was born and raised in Montebello.
I would like to obtain additional information regarding the Pension allocation that is displayed in the home owners Property taxes.
My interest pertains to history – How long is this effort going to continue and why hasn't it dropped off?
Other surrounding cities ARE NOT partaking in this sort of retirement collection and so why is this still continuing and how can this be transitioned to a more traditional retirement plan and cut away from us tax payers to support the pension? The city needs to keep the funds strictly pertaining to the city planning items (Parks, 911, Police, Fire and etc) and away from retirement funds. We should NOT be responsible to keep a retirement fund ongoing.

So I would like to bring this topic to the city forum as a discussion item – Please let me know what additional information you need from me.

Thank You,
Richard Ajemian

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#4

Guillen, Kimberly (Admin)

From: Rod Abe <dblbreak@hotmail.com>
Sent: Tuesday, October 5, 2021 1:10 PM
To: comment, ccpublic; comment, pcpublic
Cc: Kevin Soule
Subject: Observation
Attachments: Comparison.pdf

Montebello City Council
Planning Council

We have a complaint with Resurrection Cemetery (RC) which we would appreciate the City of Montebello address.

Recently, RC went through an extreme tree trimming which we feel is in violation of the legal requirements set and approved by the City of Montebello in 1995 which enabled RC to construct one mausoleum. The attached document shows pictures of the before and after extreme of unnecessary cutting that went on. The mitigation measure regarding view was brought about before construction approval as a result of the neighborhood's objections to the view and feel that RC needs to respect that.

To support this statement, we reference to:

FINAL ENVIORONMENTAL IMPACT REPORT on Resurrection Cemetery and Mausoleums, dated April 1995. This report recommended the, "...installation of major screening trees which will not be disturbed…"

REPORT from Director of Planning, Paul Deibel, to the Honorable Mayor and Members of the City Council dated May 2, 1995. In this document the Director recommends Alternative 3, one mausoleum, and adoption of all the EIR mitigation recommendations.

CITY COUNCIL MEETING MINUTES MAY 2, 1995 City Council adopts the recommendations of Planning as well as, "…adopting a Mitigation Monitoring Program pursuant to California Environmental Quality Act requirements;…". Where is the monitoring program?

Moving forward, please review the attached pictures taken before and after the tree trimming. We waited until the cutting was finished since we have no authority speaking directly to RC.

Something else is going on too and it's really obvious. We also want to understand what provisions stopped RC from cutting the trees along Potrero Grande Ave ONLY where RC faces the Encanto Walk development in Monterey Park. Was it because it was Monterey Park? Supervisor Gloria Molina was supportive of us back then and if necessary, we will go back to Supervisor Hilda Solis. Is there a legal mitigation agreement such as the one we have but ours is NOT being thought about because of maybe the age? We would like to have answers to these concerns as we fought hard for over 10 years for what little considerations we have today.

There are other measures which have also gone to the wayside over the years too. Any music was supposed to be limited to 15 minutes. We know this is a burial ceremony but the music continues for over an hour. The processions were not to be routed along Arryo Ave and this is occasionally disregarded. We have problems getting out of our street/driveways when it occasionally happens.

Yes, we are affected being in close proximity. In fact this year we had a fire start in an open field across Arroyo Ave from RC due to visitors firing off illegal skyrockets and causing property damage from the fire. Calls to the cemetery falls on deaf ears and/or RC security is not concerned enough to ask visitors to stop.

Representing the Neighborhood,

Rod Abe, resident (626)863-0527
Keviin Soule, resident (626)485-2302

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#5

Guillen, Kimberly (Admin)

From: Jose Barajas <jose5361@att.net>
Sent: Tuesday, October 5, 2021 1:44 PM
To: comment, ccpublic
Cc: eugeniasaucedo@yahoo.com; arpizakariaa@yahoo.com; bertabarajas55@att.net; glnpz92@gmail.com
Subject: Please add to meeting agenda

Montebello city council

- Mayor Kimberly Ann Cobos-Cawthorne
- Mayor Pro Tem David Torres
- Councilmember Angie Jimenez
- Councilmember Scarlet Peralta
- Councilmember Salvador Melendez

Subject: Reckless and dangerous activity - intersection Avenida De La Merced and Lincoln Avenue

The longtime residents and surrounding neighbors of Avenida De La Merced and Lincoln Avenue are very concerned by the continued reckless and dangerous activity of individuals performing car stunts in this intersection. Not only are they doing Burnouts, Drifting and Donuts in their cars, they have individuals standing on the corners or in the street filming them. This concern also includes the many car meets up at Lincoln Dam area, which then leads to racing down Lincoln to Grant Rae park without stopping at the intersection STOP sign.

The residents are fearful for their safety as it is not a matter of "if" one of these cars looses control, but rather when they do. They have come as close as a few feet from driving up on private property, hitting telephone poles, fences and inches from parked cars.

The Montebello Police Department has been called many times only to find by the time they get there all the cars are gone and there isn't much they can do.

The residents would like to make a suggestion of creating some sort of deterrent in the actual street such as speed bumps or even a "Turnaround" like our neighboring cities have done on "Hot corners". We are open to suggestions as we need some immediate help.

Thank you,

Jose & Berta Barajas
704 E Avenida De La Merced
Montebello Ca 90640

Angelina Padilla

From: Guillen, Kimberly (Admin)
Sent: Monday, October 11, 2021 3:46 PM
To: Angelina Padilla
Subject: FW: proposed Subdivision approval item

From: James Flournoy [mailto:flurnet@hotmail.com]
Sent: Monday, October 11, 2021 2:13 PM
To: Guillen, Kimberly (Admin)
Subject: proposed Subdivision approval item

Mayor and City Council

I wish to bring to your immediate attention that the Mitigation Monitoring and Reporting Program in your agenda package is virtually the same as the one approved with the approval of the project in 2015. It has been included in the Agenda packets for each subsequent Map approval including the Planning Commission agenda in November 2019 for the subsequent City Council meeting in January 2020.
The City has never audited or verified that the numerous requirements of the MMRP have been fulfilled prior to Council Actions.

Subsequent to the November Planning commission Hearing, on Dec 4, 2019 I submitted a California Public Records Act (PRA) request demand the production of each and every document required by the MMRP and the Engineers Conditions of Approval (COA) (for the project) based on the MMRP and COA in the November 2019 Planning Commission Hearing.
The City has never produced the documents and I can only conclude that they do not have them or else have not required the staff to keep track of them.
Staff (and attorney oversight) would be reimbursed by the project so lack of staff time is no excuse for the non production of documents or the admission that the City does not have them.
The date is way prior to Covid so that is not an excuse either.
I did get the usual 10 day request for an extension and was offered to look at a pile of unrelated documents in Planning.

The approval of subdivision maps and the issuance of grading and building permits depends on the City's possession and review of the requirements of the MMRP and COAs (which are reprinted in your agenda package and/ or in the Planning Commission Agenda Package).

You will find that the responsible parties are identified. Two of which are Planning which are City Employees and another is Engineering who are contractors under City control.
You will find that many documents are copies of documents required by Army Corps and Fish and Wildlife. Should you not have these documents you are required to ask the parties for them.

You must not make any further project approvals without fully auditing and vetting the MMRP and COA requirements,

My PRA request gives you a checklist but the MMRP and COA original approved documents are mandatory and controlling.

You will find many documents (which were obtained from Fish and Wildlife as well as a list of documents that they do not have) that are false and misleading.
For example, "focused surveys" are required however the record only has the observation that none of the subject species was observed. Problem is -is that the purported observation
was made during hibernation time instead of the required active time and is therefore worse than useless it is misleading. You can't say nothing is there if you do not look as required by the appropriate protocol. I personally have observed Horned Lizards and Roadrunners in the Montebello Hills.
There are reports that are backdated as to when they were supposed to have been made, etc.
The project was not surveyed and fenced prior to grading as required as proven by the project grading into Area B (the subject of this meeting) which could not have happened if fencing was up- It was not an accident!
Does the Area B shown on the subdivision map match the requirements of the USFW settlement agreement with the developer? Mere Substantial Compliance (close enough) does not count.
In addition, the runoff barriers were not in place prior to or at the start of grading resulting in mudflows into the projected streams and resulting in a Citation by California Department of Fish and Game.
There was oilfield brownfield mudflow onto City streets (Jan 2020)
Just a few of the many examples where the project is not in compliance with the MMRP and COA

I demand that you reject any and all approvals and you that your revoke or suspend any permits until the project is brought into full compliance

Sincerely yours

James I Flournoy

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

General Comments - Puro Plants

#	Name
1	Faith Kim
2	Karla Martinez
3	Catherine Salaiz
4	Celeste
5	Esther, Carlos, Logan and Emma Burgoin
6	Mari Salinas
7	Jennifer Payan

#1

Angelina Padilla

From: Faith Elizabeth Kim <fekim@uci.edu>
Sent: Wednesday, September 8, 2021 3:33 PM
To: comment, ccpublic
Cc: Puro Plants
Subject: MTB City Council Meeting

To the City of Montebello and Southern California Edison:

My name is Faith Kim and I am in full support of Puro Plants and their mission in their community.

I believe in their mission because everyone deserves equitable access to high-quality and healthier food in the community. I was born and raised in Montebello and my family didn't have a lot growing up. I remember my mom saving whatever money she had left after paying the rent, the bills, the car payments to buy high-quality food. It wasn't easy. Nonetheless, my mom believed that if we're going to put something in our bodies, we're only going to put in good food. If only we had something like Puro Plants growing up, my mom wouldn't have had to stress about the cost of feeding her children good-quality food. I believe Puro Plants can relieve the burden of costly food and make it easier for lower-income families to gain access to them.

Not only do families have access to high-quality food that they might not have been able to afford, Puro Plants' choice to compost is a huge benefit to the environment. Some of the benefits of composting are cutting down trash loads that inevitably build up and rot in landfills and creating nutrient-rich soil to grow healthy food in. Unfortunately, not every community practices composting. I'm not sure if anyone has read IPCC's recent report on climate change, but if we don't change our current habits soon, we are setting up future generations for a world of hurt. I'm well aware that climate change is a controversial topic and not everyone believes in it.

That being said, it doesn't mean we can't try. There is nothing wrong with trying to eliminate hunger and poverty. There is nothing wrong with trying to create a more equitable society and cleaner environment for future generations. Puro Plants isn't just a composting or a gardening site. It's a mission. And not supporting Puro Plants means not supporting the local community, the environment, and the future.

Puro Plants is an essential asset to the local community. I ask that you take immediate action to ensure they can continue being of service in Montebello.

Thank you for your time.

Best,

Faith Kim

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Angelina Padilla

From: Karla Martinez <KaMartinez@dmh.lacounty.gov>
Sent: Wednesday, September 8, 2021 4:16 PM
To: comment, ccpublic
Cc: puroplants@gmail.com
Subject: PLEASE SAVE PURO PLANTS

Hello Montebello City Manager and Council,

My name is Karla- I'm a Social worker in Mental Health for LA County (for the Montebello, Pico Rivera and ELA community).
I was born and raised and currently still reside in Montebello.

This email is to highly advocate for PURO PLANTS to still operate and to support their continuous services. I'm a huge advocate and believer of plants, nature and green areas.
Growing up in Montebello, I wished PURO PLANTS existed way back in 90's , but It's a fortunate and blessing for their present services and the positive impact they have made to enhance our community at a mental, physical and spiritual level. This is crucial specially since the start of the pandemic where we have seen a huge rise of cases in Anxiety and Depression.

Having anxiety myself and also helping clients in the community with anxiety, I have learned that exposure to plants/nature and green areas , it definitely decreases the levels of stress, anxiety and aggression.

Also the more nature of a setting, the more likely children diagnosed with ADHD are able to concentrate.

As minimal as a two 40-minute walks per week or being out in green nature can help prevent mild depression. (Plants/nature are known to release the same chemicals that anti-depressants do. So clients are always highly encouraged to go out in nature and to take anti-depressants as a last resource. The Serotonin chemical on anti-depressants is a mood stabilizer that is also organically released by having exposure with nature) .

There is a massive need for PURO PLANTS to still operate. As our community would still benefit from it, especially during these trying times. I believe PURO PLANTS is a safe outdoor family/community that brings social benefits. Generally more people are observed in green spaces than barren spaces, decreasing loneliness.

Studies have found that natural areas have the ability to increase socialization/connection among individuals, families and communities.

Every neighborhood should have a green space area like PURO PLANTS-it decreases the rates of attention difficulties, physical and emotional illnesses.

Kindly, please read the captures on the picture below on how plants, nature and green areas can heal our physical, emotional and spiritual state of mind.

With gratitude and hope,

Karla Martinez,
Medical Case Worker II
Roybal School-Based Program
C: (213) 266-3527

“Courage doesn’t mean you don’t get afraid.
It means you don’t let fear stop you.”

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Angelina Padilla

From: Catherine Salaiz <salaizcate@gmail.com>
Sent: Wednesday, September 8, 2021 4:22 PM
To: comment, ccpublic
Subject: Citizen Public Comment

Good afternoon,

I am writing today to show my support for Puro Plants. As a 20+ year member of this community I have never witnessed someone actively and consistently bringing so much attention to the health of our neighbors.

The City of Montebello was one of the first to mandate vaccines for the health and well being of staff, however is actively working on shutting down a community garden. Make it make sense.

Take care.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#4

Angelina Padilla

From: Celeste <celeste@lbcommunitycompost.org>
Sent: Wednesday, September 8, 2021 4:23 PM
To: comment, ccpublic
Cc: puroplants@gmail.com
Subject: Puro Plants

To the city of Montebello,

The wealth of America is only as rich as its soil. As a Southern California native having grown up in dense urban sprawls, I have come to understand the utter importance of connecting with local soil -- in these ongoing California droughts, it is not only important, it is essential for the local economy, my own health, and the health of the people around me.

Long Beach Community Compost supports Puro Plants and admires what they've been doing in your community to enrich Montebello residents' lives via sense, sight, the smell of regenerative agriculture. For these reasons, we hope you consider working closely to mediate with SCE and Puro Plants because there are indeed creative solutions -- it has been done in the past and can be done in this situation as well. We look forward to your thoughtful response.

Hope you help,
Celeste at LB Community Compost

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#5

Angelina Padilla

From: Esther Burgoin <soulonpaper.co@gmail.com>
Sent: Wednesday, September 8, 2021 5:09 PM
To: comment, ccpublic
Cc: Puro Plants
Subject: Please add Puro Plants to next city council Agenda.

City of Montebello,

Please add Puro Plants to next month's city council Agenda. Give OUR CommUNITY a chance to progress by learning how to grow our own veggies, how to compost, and help contribute to making our earth a better place. When we come together great things can happen. Our young family of four has enjoyed exploring the neighborhood garden. We've learned so much about composting and growing vegetables. We've made new friends there. We are saddened by your decision to shut down Puro Plants. Please give our beautiful commUNITY at Puro Plants a chance.

The following is our letter sent to you a few weeks ago.
Thank you for your time in reading this.

Esther, Carlos, Logan and Emma Burgoin

To the City of Montebello and Southern California Edison:

Our names are Carlos & Esther Burgoin and we are residents of Montebello and a customer of Southern California Edison. We are in full support of Puro Plants and their mission in our community. We were delighted when we found Puro plants earlier this year in our neighborhood!

It's great to have Puro plants offer organic plant based options and we've enjoyed learning about composting and started composting shortly after finding puro plants.

We love and believe in their mission because...

- we need better organic food options in our community
- Composting is a huge way to help the environment. It's also been a great way to learn and introduce our children to something that contributes to helping our earth
- We like how the land is being utilized for the community

Puro Plants has brought so many benefits to the community/our family, including meeting like minded individuals, Networking at the events they host, and Organic produce.
We request the City of Montebello and Southern California Edison take immediate action to support Puro Plants. They are an asset to our community. We ask that you take immediate action to ensure they can continue being of service in Montebello.

Thank you.

Carlos and Esther Burgoin
--
Esther & Carlos Burgoin

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#6

Angelina Padilla

From: Mari Salinas <vayaconfashion@gmail.com>
Sent: Wednesday, September 8, 2021 5:41 PM
To: comment, ccpublic; puroplants@gmail.com
Subject: Request Puro Plants

I request Puro Plants be placed on October 13th's agenda.

Marisela Salinas
310.403.6353
--

Mari Salinas
Fashion Stylist + Product Stylist

(c) 323.452.3250
Twitter | @vayaconfashion
Instagram | @vayaconfashion
Facebook page | vayaconfashion

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#7

Angelina Padilla

From: Jennifer Payan <payanjennifer9@gmail.com>
Sent: Wednesday, September 8, 2021 11:35 AM
To: comment, ccpublic
Cc: Email Administrator
Subject: Comment for City Council Meeting in regards to Saving Puro Plants

Dear City Council Members,

I have been a volunteer at Puro Plants since last December which was the first volunteer cohort to participate in Puro Plant's composting services. As a compost technician and first generation college student I shared my knowledge and skills on sustainability and composting to the community. Puro Plants came into the picture at the perfect time for me because I was searching for a place that connected to me to my community and create a stronger and healthier community. I support the mission of Puro Plants as a center to provide education on the science of composting and promote inclusion, diversity, and access to green spaces and healthy food. There is a problem in Los Angeles County and surrounding communities in which our communities are food deserts and lack access to nature and organic food. By terminating Puro Plant's license you will be doing a disservice to Montebello and surrounding areas that have found happiness, peace, and friendships at Puro Plants since they occupied the land last year. We NEED Puro Plants because we want to see hope in our community by connecting people through soil and food. Puro Plants has diverted tons of food waste from the landfill which in essence has not contributed to green house gases but instead it has been used as a resource to grown organic produce. Climate change is a problem we are facing NOW as we are seeing wildfires rage across our beloved state, country, and Earth. Composting is just one solution to the climate crisis and we need the city to support Puro Plants because it is more vital than ever to have an organization like Puro Plants to promote sustainability and advocate for access to organic food. Not only have they diverted food and yard waste but they have mentored high school and college students and supported the local environment by planting native plants which are drought tolerant and it helped build an environment to support native birds and pollinators. Puro Plants has grown and been supported by the community over the pandemic which many individuals reconnected with the Earth through community and healthy soil. I ask that you support Puro Plants so that future generations may have more opportunities to access healthy food, soil, and a biodiverse environment. Thank you for your time and consideration on this issue and I hope that you understand how important Puro Plants is as a community space.

Best regards,

Jennifer Payan

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

ITEM NO. 14 -
(CVRA PUBLIC HEARING)

recv'd 10/13/21
@ 2:32 pm
A.P

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Margot Eiser

Address *(optional)* _____

_____

Phone *(optional)* (323) 728-7066

Organization represented (if any) _____

Topic item 14

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

#1

Angelina Padilla

From: julie grigorian <trianglejulie@gmail.com>
Sent: Monday, October 11, 2021 11:21 AM
To: comment, ccpublic
Subject: District voting

Question: I assume the City will require Voter ID for proof of residential address. ID, Drivers license utility bill?

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Angelina Padilla

From: Adriana Garcia <a13garcia00@gmail.com>
Sent: Monday, October 11, 2021 2:55 PM
To: comment, ccpublic
Subject: switching from at-large City Council elections

> Good Afternoon,
>
> I am a homeowner in Montebello. How will this affect funding for our city? Will each newly represented district now have to compete for funds? What are the cons to this change? Thank you!
>
>
>
> Adriana Garcia
> 323-527-5662

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CITY OF MONTEBELLO CITY COUNCIL
REGULAR MEETING AGENDA

M I N U T E S

WEDNESDAY, OCTOBER 27, 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 6:24 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Jimenez, Councilmember Torres, 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
City Attorney Arnold Alvarez-Glasman acknowledged two (2) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

CLOSED SESSION – 5:30 P.M.
Mayor Cobos-Cawthorne moved the Closed Session to the end of the meeting.

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)
NASA Services, Inc. v. City of Montebello; Case No. 21STCP01969

REGULAR SESSION – 6:30 P.M.

INVOCATION – City Clerk Jimenez

FLAG SALUTE – Brad Keller, Chief of Police

CORRECTIONS TO THE AGENDA – CITY MANAGER – City Manager René Bobadilla announced one correction to the agenda. Staff revised the staff report for Item No. 13.

PRESENTATIONS

4. RECOGNITION LIFE LINE AMBULANCE – MAXIM GORIN – Presented by Mayor Cobos-Cawthorne

5. COMMUNITY CO-OP DISTRICT PROGRAM – Presented by Director of Recreation and Community Services, David Sosnowski

PUBLIC COMMENTS ON NON-AGENDA AND AGENDA ITEMS (30 MINUTES)
The City Clerk's office called fifteen (15) members of the public wishing to address the City Council on non-agenda and agenda items. The 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 twenty-nine (29) 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
City Manager Bobadilla invited the public to attend the Halloween Haunted Train Ride and the Día De Los Muertos Display events.

REGULAR BUSINESS

6. FISCAL YEAR 2021-22 FIRST QUARTER BUDGET REPORT

Michael Solorza, Director of Finance, presented the Staff Report to City Council. Director Solorza also presented a PowerPoint presentation where he provided the City Council with

an overview on adopted vs. projected, revenue highlights, expenditure updates, hotel operations update, Coronavirus State and Local Fiscal Recovery Funds, and staffing.

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Melendez that the City Council:

1) Receive and file this agenda report and the presentation on the Fiscal Year 2021-22 First Quarter Budget report; and
2) Approve the updated and amended new Resolution Adopting the Compensation Plan and Table of Organization (Attachment A) and the updated Master Position Control (Attachment B); and
3) Take whatever additional actions necessary.

Motion carried unanimously.

CONSENT CALENDAR

Item No. 7 was pulled by Councilmember Melendez and Mayor Cobos-Cawthorne. Mayor Pro Tem Jimenez motioned to approve Item No's. 8-21, seconded by Councilmember Melendez; motion carried unanimously.

7. ADOPT ORDINANCE NO. 2443 AMENDING AND RESTATING THE RULES OF ORDER AND PROCEDURE FOR THE CONDUCT OF ALL CITY COUNCIL AND SUCCESSOR AGENCY MEETINGS, PROCEEDINGS, AND BUSINESS – SECOND READING

Councilmember Melendez asked staff to provide an analysis to answer some of the concerns that the public addressed. In addition, provide a memo and analysis for e-comments separate from the Ordinance.

City Manager Bobadilla and City Attorney Alvarez-Glasman explained public comment procedures.

Mayor Cobos-Cawthorne informed the public that the City is in compliance with Assembly Bill No. 361 for teleconferences.

Councilmember Torres provided a synopsis of the Ordinance compared to previous Resolutions. Said synopsis is on file at the City Clerk's office.

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Melendez that the City Council:

1) Rescind Resolution Nos. 89-70, 06-22, 11-89, and 19-124; and
2) Waive Second Reading of Ordinance No. 2443 amending and Restating the Rules of Order and Procedure for the Conduct of all City Council and Successor Agency Meetings, Proceedings, and Business; and

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

MOVED: Jimenez	**SECONDED:** Melendez	**APPROVED:** 3-2-0-0

AYES: Melendez, Jimenez, Cobos-Cawthorne
NOES: Torres, Peralta
ABSTAIN: None
ABSENT: None

8. AUTHORIZE ISSUANCE OF A REQUEST FOR PROPOSAL (RFP) FOR CITY-WIDE GRAPHICS REFRESH AND REBRANDING AND PUBLIC SIGNAGE IMPROVEMENTS

RECOMMENDATION: It is recommended that the City Council:

1) Authorize staff to release a Request for Proposals (RFP) to solicit qualified graphic design consultants to assist Montebello in refreshing and updating its entire graphics and branding footprint.

9. PAVING THE WAY – PHASE 1 (CP 875) – NOTICE OF COMPLETION

RECOMMENDATION: It is recommended that the City Council:

1) Accept the Paving the Way – Phase 1 Project (CP 875) as completed by Sequel Contractors, Inc.; and
2) Approve the Final Construction Budget and Expenditures (Attachment A); and
3) Approve the final contract amount with Sequel Contractors, Inc. for the construction of the Project in the amount of $2,091,368, including change orders; and
4) Authorize the City Clerk to execute, verify and file the Notice of Completion (Attachment B) with the Los Angeles County Registrar-Recorder; and
5) Authorize the City Manager to release the retention payment due to Sequel Contractors, Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
6) Take such additional, related, action that may be desirable.

10. PAVING THE WAY – PHASE 3 (CP 879) – NOTICE OF COMPLETION

RECOMMENDATION: It is recommended that the City Council:

1) Accept the Paving the Way – Phase 3 Project (CP 879) as completed by ONYX Paving Co., Inc.; and
2) Approve the Final Construction Budget and Expenditures (Attachment A); and
3) Approve the final contract amount with ONYX Paving Co., Inc. for the construction of the Project in the amount of $3,009,704, including change orders; and

4) Authorize the City Clerk to execute, verify and file the Notice of Completion (Attachment B) with the Los Angeles County Registrar-Recorder; and
5) Authorize the City Manager to release the retention payment due to ONYX Paving Co., Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
6) Take such additional, related, action that may be desirable.

11. AWARD A CONSTRUCTION CONTRACT FOR N. CONCOURSE AVENUE STREET IMPROVEMENT PROJECT (CP NO. 880)

RECOMMENDATION: It is recommended that the City Council:

1) Award a Construction Contract for C.P. No. 880 – N. Concourse Avenue Street Improvement Project in the amount of $224,473 to All American Asphalt; and
2) Authorize the Director of Public Works to review and approve change orders within a 15% contingency of the contract amount as recommended by the City Engineer; and
3) Authorize the City Manager to execute the Contract Agreement, on behalf of the City; and
4) Take such additional, related, action that may be desirable.

12. AWARD A CONSTRUCTION CONTRACT FOR VARIOUS STREETS IMPROVEMENT PROJECT (CP NO. 881)

RECOMMENDATION: It is recommended that the City Council:

1) Award a Construction Contract for C.P. No. 881 – Various Streets Improvement Project in the amount of $771,461 to Sequel Contractors, Inc.; and
2) Authorize the Director of Public Works to review and approve change orders within a 25% contingency of the contract amount as recommended by the City Engineer; and
3) Authorize the City Manager to execute the Contract Agreement, on behalf of the City; and
4) Take such additional, related, action that may be desirable.

13. REQUEST TO PURCHASE DESKTOP COMPUTERS FOR ESSENTIAL PUBLIC SAFETY SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Approve the issuance of a Purchase Order to CDW-Government, LLC (CDW-G) to purchase sixty-three (63) desktop computers in an amount not to exceed $81,125.

14. APPROVE AGREEMENT NO. 3929 WITH MOTOROLA SOLUTIONS TO PROVIDE RADIO INFRASTRUCTURE AND RELATED COMMUNICATIONS SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Authorize the City Manager to enter into a sole source agreement with Motorola Solutions to provide radio infrastructure and related communications services in an amount that shall not exceed $185,568 annually through June 30, 2024 (total amount of $556,704); and
2) Authorize staff to issue payment for past due invoices in the amount of $61,856; and
3) Take such additional, related, action that may be desirable.

15. APPROVE AGREEMENT NO. 3930 BETWEEN THE CITY OF MONTEBELLO AND THE SAN GABRIEL VALLEY REGIONAL HOUSING TRUST (SGVRHT) TO DEVELOP AND OPERATE THE EMERGENCY NON-CONGREGATE SHELTER PILOT PROGRAM (OPERATION STAY SAFE)

RECOMMENDATION: It is recommended that the City Council:

1) Authorize the City Manager to enter into an Agreement between the City of Montebello and the San Gabriel Valley Regional Housing Trust (SGVRHT) to develop and operate emergency non-congregate shelter pilot program (Operation Stay Safe); and
2) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $250,000 in expenditure Account No. 265-85-853-6040.95 (Grants, Fire, SGVRHT Operation Stay Safe, Other Professional Services) and $250,000 in revenue Account No. 265-99-4198.99 (Grants, Miscellaneous Grants – SGVRHT Operation Stay Safe); and
3) Take such additional, related, action that may be desirable.

16. APPROVE DONATION OF FOUR (4) SURPLUS FIRE ENGINES/VEHICLES (WAIVER AND GENERAL RELEASE AGREEMENT NO. 3931)

RECOMMENDATION: It is recommended that the City Council:

1) Approve the donation of four (4) surplus fire engines/vehicles; and
2) Authorize the City Manager to sign the attached Waiver and General Release Agreement No. 3931 (Attachment B) with the Rio Hondo College Fire Academy (Academy) to donate one (1) of the surplus fire engines; and
3) Authorize the City Manager to sign any subsequent waivers and/or releases necessary to transfer the remaining three (3) surplus vehicles; and
4) Take such additional, related activities that may be desirable.

17. A REQUEST TO APPROVE ISSUANCE OF A BLANKET PURCHASE ORDER TO TYLER SOLUTIONS FOR FISCAL YEAR 2021-22

RECOMMENDATION: It is recommended that the City Council:

1) Authorize issuing a blanket purchase order to Tyler Solutions in the amount of $50,000 to purchase miscellaneous additional services related to the use of their software solutions during Fiscal Year 2021-22

18. ADOPT RESOLUTION NO. 21-80 APPROVING A ZERO-EMISSION BUS ROLLOUT PLAN FOR SUBMISSION TO THE CALIFORNIA AIR RESOURCES BOARD (CARB)

RECOMMENDATION: It is recommended that the City Council:

1) Adopt a Resolution approving a Zero-Emission Bus (ZEB) Rollout Plan for submission to the California Air Resources Board (CARB); and
2) Take such additional, related, action that may be desirable.

19. APPROVE PROFESSIONAL SERVICES AGREEMENT, NO. 3928, WITH JOHNSON CONTROLS, INC., TO PURCHASE AND INSTALL NEW ROOFING AND A HEATING, VENTILATION, AND AIR CONDITIONING SYSTEM FOR THE TRANSPORTATION DEPARTMENT

RECOMMENDATION: It is recommended that the City Council:

1) Approve Professional Services Agreement, No. 3928 (Agreement No. 3928), with Johnson Controls, Inc., to purchase and install new roofing and a Heating, Ventilation, and Air Conditioning (HVAC) system for the Transportation Department; and
2) Authorize the City Manager to execute Agreement No. 3928 on behalf of the City of Montebello (City); and
3) Utilize the Sourcewell Cooperative Purchasing Program, Contract No. 070121-JHN (effective August 12, 2021 to August 12, 2025); and
4) Amend the Fiscal Year (FY) 2021-2022 budget to increase appropriations by the amounts and in the accounts listed on page two, for a total not-to-exceed amount of $4,840,906; and
5) Take such additional, related, action that may be desirable.

20. QUARTERLY TREASURER'S REPORT FOR THE QUARTERS ENDING JUNE 30, 2020 AND JUNE 30, 2021 (FISCAL YEAR END REPORTS)

RECOMMENDATION: It is recommended that the City Council:

1) Receive and file the Quarterly Treasurer's Reports for the fiscal year ending periods of June 30, 2020 and June 30, 2021

21. PAYMENT OF BILLS: RESOLUTION NO. 21-86 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED OCTOBER 27, 2021

RECOMMENDATION: Adopt Resolution No. 21-86 approving the Warrant Register dated October 27, 2021.

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).

Councilmember Melendez provided a brief summary on the League of Cities Conference.

Councilmember Torres asked Finance Director Michael Solorza to provide a status on the following reports: monthly financial reports, report for the American Rescue Plan Act Funding, matrix of City contracts.

Director Solorza stated that the United States Department of Treasury does not provide a copy or confirmation of the ARPA report once it's submitted. The contract matrix is in progress and will be provided once completed.

City Manager Bobadilla stated that financial reports will be provided quarterly.

Councilmember Peralta reported on the League of California Conference.

COUNCIL ORALS

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

1. **Councilmember Melendez - None**
2. **Mayor Pro Tem Jimenez - made the announcement below**
   a. Dia De Los Muertos Event –
   Mayor Pro Tem Jimenez thanked Parks and Recreation Director David Sosnowski and staff for setting up the Dia De Los Muertos Alter and invited the public to visit the alter. She wished everyone a safe weekend.
3. **Councilmember Peralta - None**
4. **Mayor Pro Tem Torres - made the announcement below:**
   a. Financial Requests
   Councilmember Torres stated his orals during the AB 1234 Travel Reports.
5. **Mayor Cobos-Cawthorne - made the announcement below:**
   a. Montebello Fire Department Financial Hardship Program
   b. City Halloween events
   Mayor Cobos-Cawthorne invited the public to the City Halloween Events. She further stated that several residents called because they received a $581 call of service. The Fire Department offers a waiver for those that qualify and informed the public that more information was on the City Site.

Mayor Cobos-Cawthorne recessed into Closed Session at 9:02 p.m.

Mayor Cobos-Cawthorne reconvened the meeting at 9:54 p.m. During Closed Session City Council received a briefing on Item 1 there was no direction or action taken. City Council also received a briefing on Item 2, the City Council provided direction to retain a new demographer and release the previous demographer there was no further action taken. City Council received a briefing on Item 3 and provided direction to the City Attorney to not stipulate to the requested motion to intervene, no final action taken and nothing further to report.

ADJOURNMENT

Mayor Cobos-Cawthorne took moment of silence for MCAP's resident/client Monica Mona Perez who passed away.

Mayor Cobos-Cawthorne motioned to adjourn the meeting, seconded by Councilmember Melendez Motion carried unanimously and the meeting was adjourned at 9:56 p.m.

THE MINUTES OF OCTOBER 27, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23rd DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

GENERAL COMMENTS

Angelina Padilla

From: Louis McCarten <Louis.McCarten.456419290@p2a.co>
Sent: Monday, October 18, 2021 6:00 AM
To: comment, ccpublic
Subject: New Legislation Undermines Local Control

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Local Elected Official,

I'm writing to make you aware of a proposal by the California state legislature which would significantly undermine local control.

In its current form, SB 12 imposes a series of new and burdensome regulations on businesses, threatens thousands of housing-related jobs, and would increase the already high cost of living in Southern California.

SB 12 creates more state oversight and regulations on new housing construction, jeopardizing Governor Newsom's 1.3 million homes for the Southern California region. At a time when the state is facing a housing crisis of historic proportions, SB 12 would only worsen the situation.

The homebuilding industry has presented reasonable amendments to SB 12, which need to be incorporated into the bill. As such, I would respectfully request that your local government ask Governor Newsom and your respective state legislative delegation members to oppose SB 12 unless these necessary amendments are included in the bill.

I appreciate your consideration and thank you for your efforts to help end California's housing crisis.

Regards,
Louis McCarten

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Angelina Padilla

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, October 27, 2021 12:39 PM
To: comment, ccpublic
Subject: Fwd: Coment to be read aloud during Public Orals and entered into the public record.

To: City Council

From: Margot Eiser, resident, taxpayer voter, contact info on file.

If we are going to be forced to divide the city into districts and since there there are now so many more people living here, in my view it is imperative that we all work together and do what is necessary to ADD many more members to the City Council . This would result in smaller districts which it would make it easier and cheaper for candidates to campaign and get to know what constituents want and need from their elected city council member. This would give all of us who live in different parts of the city a chance to get adequate representation and would tend to motivate people to be more involved in all aspects of the running of our city and community. We need more city council members! Thank you for your consideration of and positive action on this important matter.

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Guillen, Kimberly (Admin)

From: Sandra Quinones <squinon@hotmail.com>
Sent: Wednesday, October 27, 2021 2:15 PM
To: comment, ccpublic
Subject: Public comment for city council meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,
First I would like to express I do not agree with the new rules for City meetings. I want to make sure that my concerns are being heard without restrictions.
Secondly, I would like to know what the city is doing to begin offering youth sports again. Parks and Recreation staff did a great job with outdoor basketball and t-ball during the summer despite covid so it was very disappointing that flag football was cancelled this fall season. Other cities continued with youth sports and other organizations are using city parks for practices and games so im confused as to why the city isn't offering similar programs. Our children should not be missing out in important social positive interactions that team sports offers. I hope the city responds proactively and develops a safe program for youth to learn and be involved in their own community.

Thank you for your time,
Sandra R.

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Maya Chacon <MayaC@socialmodel.com>
Sent: Wednesday, October 27, 2021 11:38 AM
To: comment, ccpublic
Subject: City Council Public Comment 10-27-21
Attachments: All Montebello Letters of Support as of 10.27.21.pdf; All Montebello Petition Signatures as of 10.27.21.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Dear members of the City Council,

My name is Maya Chacon, from the Tobacco-Free Partnership. I am submitting these documents to go on public record on behalf of our Coalition. We would like to present 256 Montebello constituents and stakeholders signatures, as well as 31 letters of support collected by concerned parents and local youth serving groups showing support for policies that reduce youth access to tobacco. We hope that this helps demonstrate that residents care about protecting youth from tobacco products and want change.

Sincerely,

Maya Chacón
Community Engagement Coordinator
Tobacco-Free Partnership Maywood/Montebello
A program of Social Model Recovery Systems

mayac@socialmodel.com
Telephone: 323-859-8443 Ext. 203
Cellphone: 626-201-6702
Fax: 323-859-8447

Please visit our website : www.socialmodel.com
Social Model Recovery Systems, Inc. is a multi-faceted human services organization.
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Date: 3-11-2020

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: Violeta Cervantes
113 California Ave Apt#4
Montebello CA 90640

Dear Honorable Members of the Montebello City Council,

I am writing in support of protecting the health and well-being of the youth and residents of the Montebello community. I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

I support policies that restrict the sale of all flavored tobacco products including menthol and hookah tobacco. Eight out of ten youth tobacco users start vaping with a flavored tobacco product. Flavored tobacco is attributed to an 135% increase in youth tobacco use between 2017 and 2019. There is growing evidence that e-cigarette use increases the frequency and intensity of cigarette smoking in the future. Menthol cigarettes are frequently used by youth and priority populations. Over half of youth smokers use menthol cigarettes and the rate is much higher among African American youth. Furthermore, hookah use has become increasingly popular among high school students and doubled between 2011 and 2015.

I encourage Montebello to follow the growing list of California cities that have restricted the sale of flavored tobacco products. Now is the time for Montebello to become a leader in saving lives by protecting residents from getting hooked on candy flavored tobacco products and a lifetime of nicotine addiction.

Thank you in advance for your consideration.

Sincerely,

Violeta Cervantes

Date: 03/09/20

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: Esmeralda Cervantes
113 California Ave Apt #4
Montebello, CA 90640

Dear Honorable Members of the Montebello City Council,

I am writing in support of protecting the health and well-being of the youth and residents of the Montebello community. I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

I support policies that restrict the sale of all flavored tobacco products including menthol and hookah tobacco. Eight out of ten youth tobacco users start vaping with a flavored tobacco product. Flavored tobacco is attributed to an 135% increase in youth tobacco use between 2017 and 2019. There is growing evidence that e-cigarette use increases the frequency and intensity of cigarette smoking in the future. Menthol cigarettes are frequently used by youth and priority populations. Over half of youth smokers use menthol cigarettes and the rate is much higher among African American youth. Furthermore, hookah use has become increasingly popular among high school students and doubled between 2011 and 2015.

I encourage Montebello to follow the growing list of California cities that have restricted the sale of flavored tobacco products. Now is the time for Montebello to become a leader in saving lives by protecting residents from getting hooked on candy flavored tobacco products and a lifetime of nicotine addiction.

Thank you in advance for your consideration.

Sincerely,

Date: 03-11-2020

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: Dante Cervantes
113 Calabria Ave. 2
Montebello CA
90640

Dear Honorable Members of the Montebello City Council,

I am writing in support of protecting the health and well-being of the youth and residents of the Montebello community. I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

I support policies that restrict the sale of all flavored tobacco products including menthol and hookah tobacco. Eight out of ten youth tobacco users start vaping with a flavored tobacco product. Flavored tobacco is attributed to an 135% increase in youth tobacco use between 2017 and 2019. There is growing evidence that e-cigarette use increases the frequency and intensity of cigarette smoking in the future. Menthol cigarettes are frequently used by youth and priority populations. Over half of youth smokers use menthol cigarettes and the rate is much higher among African American youth. Furthermore, hookah use has become increasingly popular among high school students and doubled between 2011 and 2015.

I encourage Montebello to follow the growing list of California cities that have restricted the sale of flavored tobacco products. Now is the time for Montebello to become a leader in saving lives by protecting residents from getting hooked on candy flavored tobacco products and a lifetime of nicotine addiction.

Thank you in advance for your consideration.

Sincerely, Dante Cervantes

Date: 02/1/2020

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: Esther Garza
113 California Ave #3
Montebello
C.A. 90640

Dear Honorable Members of the Montebello City Council,

I am writing in support of protecting the health and well-being of the youth and residents of the Montebello community. I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

I support policies that restrict the sale of all flavored tobacco products including menthol and hookah tobacco. Eight out of ten youth tobacco users start vaping with a flavored tobacco product. Flavored tobacco is attributed to an 135% increase in youth tobacco use between 2017 and 2019. There is growing evidence that e-cigarette use increases the frequency and intensity of cigarette smoking in the future. Menthol cigarettes are frequently used by youth and priority populations. Over half of youth smokers use menthol cigarettes and the rate is much higher among African American youth. Furthermore, hookah use has become increasingly popular among high school students and doubled between 2011 and 2015.

I encourage Montebello to follow the growing list of California cities that have restricted the sale of flavored tobacco products. Now is the time for Montebello to become a leader in saving lives by protecting residents from getting hooked on candy flavored tobacco products and a lifetime of nicotine addiction.

Thank you in advance for your consideration.

Sincerely, Esther A Garza

Fecha: _____

Para: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

De parte de: LIDIA GALLARDO
113 California AV
Montebello CA
90640

Estimados Honorables Miembros del Ayuntamiento,

Estoy comprometido/a a proteger la salud y el bienestar de los jóvenes y residentes de Montebello. Yo apoyo los esfuerzos de salud pública para prevenir las enfermedades y muertes relacionadas con el tabaco y la creciente epidemia del inicio del consumo por parte de los jóvenes debido a los productos de tabaco con sabores. Estos productos contienen nicotina y pueden producir efectos dañinos en el cerebro adolescente y causar adicción a largo plazo.

Yo apoyo políticas que limitan la venta de todos los productos de tabaco con sabores incluyendo mentol y el narguile (*hookah*) de tabaco. Ocho de diez jóvenes usuarios de tabaco empezaron a vapear con un producto de tabaco con sabores. Se estima que el tabaco con sabores contribuyó a un aumento del 135% en el consumo de tabaco en la juventud entre 2017 y 2019. Existe evidencia cada vez más fuerte que indica que el uso de los cigarrillos electrónicos aumenta la frecuencia y la intensidad de fumar en el futuro. Los cigarrillos de mentol son consumidos a menudo por los jóvenes y poblaciones prioritarias. Más de la mitad de los fumadores jóvenes fuman cigarrillos de mentol, y las cifras son mucho más altas entre los jóvenes afroamericanos. Además, el uso del narguile (*hookah*) está muy de moda entre los jóvenes de secundaria y se duplicó entre 2011 y 2015.

Yo sugiero que la ciudad de Montebello se una a la creciente lista de ciudades en California que han restringido la venta de productos de tabaco con sabores. Ahora es el momento para que Montebello se transforme en un líder en salvar vidas al proteger a los residentes de la adicción a los productos de tabaco con sabores a dulce y una adicción de por vida a la nicotina.

Agradesco de antemano su consideración.

Atentamente,

LIDIA GALLARDO

Fecha: 3/11/2020

Para: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

De parte de: Maria Gil
1512 W. Harding Ave
Montebello CA. 90640

Estimados Honorables Miembros del Ayuntamiento,

Estoy comprometido/a a proteger la salud y el bienestar de los jóvenes y residentes de Montebello. Yo apoyo los esfuerzos de salud pública para prevenir las enfermedades y muertes relacionadas con el tabaco y la creciente epidemia del inicio del consumo por parte de los jóvenes debido a los productos de tabaco con sabores. Estos productos contienen nicotina y pueden producir efectos dañinos en el cerebro adolescente y causar adicción a largo plazo.

Yo apoyo políticas que limitan la venta de todos los productos de tabaco con sabores incluyendo mentol y el narguile (*hookah*) de tabaco. Ocho de diez jóvenes usuarios de tabaco empezaron a vapear con un producto de tabaco con sabores. Se estima que el tabaco con sabores contribuyó a un aumento del 135% en el consumo de tabaco en la juventud entre 2017 y 2019. Existe evidencia cada vez más fuerte que indica que el uso de los cigarrillos electrónicos aumenta la frecuencia y la intensidad de fumar en el futuro. Los cigarrillos de mentol son consumidos a menudo por los jóvenes y poblaciones prioritarias. Más de la mitad de los fumadores jóvenes fuman cigarrillos de mentol, y las cifras son mucho más altas entre los jóvenes afroamericanos. Además, el uso del narguile (*hookah*) está muy de moda entre los jóvenes de secundaria y se duplicó entre 2011 y 2015.

Yo sugiero que la ciudad de Montebello se una a la creciente lista de ciudades en California que han restringido la venta de productos de tabaco con sabores. Ahora es el momento para que Montebello se transforme en un líder en salvar vidas al proteger a los residentes de la adicción a los productos de tabaco con sabores a dulce y una adicción de por vida a la nicotina.

Agradesco de antemano su consideración.

Atentamente,

Maria Gil

Fecha: _____

Para: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

De parte de: Aleida Oliva
_____
_____

Estimados Honorables Miembros del Ayuntamiento,

Estoy comprometido/a a proteger la salud y el bienestar de los jóvenes y residentes de Montebello. Yo apoyo los esfuerzos de salud pública para prevenir las enfermedades y muertes relacionadas con el tabaco y la creciente epidemia del inicio del consumo por parte de los jóvenes debido a los productos de tabaco con sabores. Estos productos contienen nicotina y pueden producir efectos dañinos en el cerebro adolescente y causar adicción a largo plazo.

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Agradesco de antemano su consideración.

Atentamente,

Aleida Oliva

Fecha: _____

Para: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

De parte de: Francisco Salgado
_____
_____

Estimados Honorables Miembros del Ayuntamiento,

Estoy comprometido/a a proteger la salud y el bienestar de los jóvenes y residentes de Montebello. Yo apoyo los esfuerzos de salud pública para prevenir las enfermedades y muertes relacionadas con el tabaco y la creciente epidemia del inicio del consumo por parte de los jóvenes debido a los productos de tabaco con sabores. Estos productos contienen nicotina y pueden producir efectos dañinos en el cerebro adolescente y causar adicción a largo plazo.

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Agradesco de antemano su consideración.

Atentamente,

Francisco Salgado

Fecha: _____

Para: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

De parte de: Jorge _____
_____
_____

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Agradesco de antemano su consideración.

Atentamente,

_____

Date: _____

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: Rameles
_____
_____
_____

Dear Honorable Members of the Montebello City Council,

I am writing in support of protecting the health and well-being of the youth and residents of the Montebello community. I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

I support policies that restrict the sale of all flavored tobacco products including menthol and hookah tobacco. Eight out of ten youth tobacco users start vaping with a flavored tobacco product. Flavored tobacco is attributed to an 135% increase in youth tobacco use between 2017 and 2019. There is growing evidence that e-cigarette use increases the frequency and intensity of cigarette smoking in the future. Menthol cigarettes are frequently used by youth and priority populations. Over half of youth smokers use menthol cigarettes and the rate is much higher among African American youth. Furthermore, hookah use has become increasingly popular among high school students and doubled between 2011 and 2015.

I encourage Montebello to follow the growing list of California cities that have restricted the sale of flavored tobacco products. Now is the time for Montebello to become a leader in saving lives by protecting residents from getting hooked on candy flavored tobacco products and a lifetime of nicotine addiction.

Thank you in advance for your consideration.

Sincerely,

Rameles C.

Fecha: _____

Para: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

De parte de: Socorro Martinez
_____
_____

Estimados Honorables Miembros del Ayuntamiento,

Estoy comprometido/a a proteger la salud y el bienestar de los jóvenes y residentes de Montebello. Yo apoyo los esfuerzos de salud pública para prevenir las enfermedades y muertes relacionadas con el tabaco y la creciente epidemia del inicio del consumo por parte de los jóvenes debido a los productos de tabaco con sabores. Estos productos contienen nicotina y pueden producir efectos dañinos en el cerebro adolescente y causar adicción a largo plazo.

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Agradesco de antemano su consideración.

Atentamente,

Date: _____

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: Yolanda

Dear Honorable Members of the Montebello City Council,

I am writing in support of protecting the health and well-being of the youth and residents of the Montebello community. I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

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I encourage Montebello to follow the growing list of California cities that have restricted the sale of flavored tobacco products. Now is the time for Montebello to become a leader in saving lives by protecting residents from getting hooked on candy flavored tobacco products and a lifetime of nicotine addiction.

Thank you in advance for your consideration.

Sincerely,

Yolanda

Date: _____

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: Socorro Morales
_____
_____
_____

Dear Honorable Members of the Montebello City Council,

I am writing in support of protecting the health and well-being of the youth and residents of the Montebello community. I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

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Thank you in advance for your consideration.

Sincerely,

Socorro Morales

Date: _____

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: _____
_____
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Dear Honorable Members of the Montebello City Council,

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Thank you in advance for your consideration.

Sincerely,

Yadira Ochoa

Date: _____

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: _____
_____
_____
_____

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Thank you in advance for your consideration.

Sincerely,

Fecha: _____

Para: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

De parte de: _____
_____
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Estimados Honorables Miembros del Ayuntamiento,

Estoy comprometido/a a proteger la salud y el bienestar de los jóvenes y residentes de Montebello. Yo apoyo los esfuerzos de salud pública para prevenir las enfermedades y muertes relacionadas con el tabaco y la creciente epidemia del inicio del consumo por parte de los jóvenes debido a los productos de tabaco con sabores. Estos productos contienen nicotina y pueden producir efectos dañinos en el cerebro adolescente y causar adicción a largo plazo.

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Agradesco de antemano su consideración.

Atentamente,

Jorge. F. T.

Fecha: _____

Para: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

De parte de: _____
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Agradesco de antemano su consideración.

Atentamente,

Francisco Salgado

Fecha: _____

Para: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

De parte de: Martha
_____
_____

Estimados Honorables Miembros del Ayuntamiento,

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Agradesco de antemano su consideración.

Atentamente,

Martha Ruiz

Fecha: 3/5/2020

Para: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

De parte de: Luis

Estimados Honorables Miembros del Ayuntamiento,

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Agradesco de antemano su consideración.

Atentamente,

Date: _____

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: Remedios Granados
_____
_____
_____

Dear Honorable Members of the Montebello City Council,

I am writing in support of protecting the health and well-being of the youth and residents of the Montebello community. I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

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I encourage Montebello to follow the growing list of California cities that have restricted the sale of flavored tobacco products. Now is the time for Montebello to become a leader in saving lives by protecting residents from getting hooked on candy flavored tobacco products and a lifetime of nicotine addiction.

Thank you in advance for your consideration.

Sincerely,

Remedios Granados

Date: _____

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: Violeta Ramirez
_____
_____
_____

Dear Honorable Members of the Montebello City Council,

I am writing in support of protecting the health and well-being of the youth and residents of the Montebello community. I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

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Thank you in advance for your consideration.

Sincerely,

Date: 8-21-21

To: Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From: Lin K Diaz
Bev. Hosp

Dear Honorable Members of the Montebello City Council,

I am writing in support of protecting the health and well-being of the youth and residents of the Montebello community. I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

I support policies that restrict the sale of all flavored tobacco products including menthol and hookah tobacco. Eight out of ten youth tobacco users start vaping with a flavored tobacco product. Flavored tobacco is attributed to an 135% increase in youth tobacco use between 2017 and 2019. There is growing evidence that e-cigarette use increases the frequency and intensity of cigarette smoking in the future. Menthol cigarettes are frequently used by youth and priority populations. Over half of youth smokers use menthol cigarettes and the rate is much higher among African American youth. Furthermore, hookah use has become increasingly popular among high school students and doubled between 2011 and 2015.

I encourage Montebello to follow the growing list of California cities that have restricted the sale of flavored tobacco products. Now is the time for Montebello to become a leader in saving lives by protecting residents from getting hooked on candy flavored tobacco products and a lifetime of nicotine addiction.

Thank you in advance for your consideration.

Sincerely,

M.Y.L.C.

MONTEBELLO YOUTH LEADERSHIP CLUB

LEADERSHIP. SERVICE. COMMUNITY

To:
Montebello City Council
1600 W. Beverly Blvd.
Montebello, CA 90640

From:
Oliver Jimenez
President
Montebello Youth Leadership Club
204 W. Olympic Lane
Montebello, CA 90640

November 18, 2020

Dear Honorable Members of the Montebello City Council,

Montebello Youth Leadership Club is committed to protecting the health and well-being of the youth and residents we serve in Montebello. As part of our mission, we/I support public health efforts to prevent tobacco-related disease and death and the growing epidemic of youth tobacco use initiation driven by flavored tobacco products. These products contain nicotine and can have damaging impact on the adolescent brain and cause long-term addiction.

Montebello Youth Leadership Club supports policies that restrict the sale of all flavored tobacco products including menthol and hookah tobacco. Eight out of ten youth tobacco users start vaping with a flavored tobacco product. Flavored tobacco is attributed to an 135% increase in youth tobacco use between 2017 and 2019. There is growing evidence that e-cigarette use increases the frequency and intensity of cigarette smoking in the future. Menthol cigarettes are frequently used by youth and priority populations. Over half of youth smokers use menthol cigarettes and the rate is much higher among African American youth. Furthermore, hookah use has become increasingly popular among high school students and doubled between 2011 and 2015.

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Thank you in advance for your consideration.

Sincerely,

Oliver Jimenez
Oliver Jimenez
Montebello Youth Leadership Club
President/Founder

Montebello Letter of Support

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Thank you in advance for your consideration.

Sincerely,

First and Last Name *

Efrain Gonzalez

Address *

138 S Taylor ave

Zip Code *

90640

Date *

MM DD YYYY

04 / 26 / 2021

This content is neither created nor endorsed by Google.

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Montebello Letter of Support

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Thank you in advance for your consideration.

Sincerely,

First and Last Name *

Jesús Gonzalez

Address *

128 S Taylor ave

Zip Code *

90640

Date *

MM DD YYYY

04 / 26 / 2021

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Montebello Letter of Support

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Thank you in advance for your consideration.

Sincerely,

First and Last Name *

Leticia Lozano

Address *

138 S Taylor Ave

Zip Code *

90640

Date *

MM DD YYYY

04 / 26 / 2021

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Thank you in advance for your consideration.

Sincerely,

First and Last Name *

Eriberto González

Address *

128 S Taylor Ave

Zip Code *

90640

Date *

MM DD YYYY

04 / 26 / 2021

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Thank you in advance for your consideration.

Sincerely,

First and Last Name *

Katia Valenzuela

Address *

128 S Taylor Ave

Zip Code *

90640

Date *

MM DD YYYY

04 / 28 / 2021

This content is neither created nor endorsed by Google.

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Thank you in advance for your consideration.

Sincerely,

First and Last Name *

Edgar Hernandez

Address *

820 N. Wilcox Ave.

Zip Code *

90640

Date *

MM DD YYYY

04 / 27 / 2021

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Montebello Carta de Apoyo

Estimados Honorables Miembros del Ayuntamiento,

Estoy comprometido/a proteger la salud y el bienestar de los jóvenes y residentes a quienes servimos en la ciudad de Montebello. Yo apoyo los esfuerzos de salud pública para prevenir las enfermedades y muertes relacionadas con el tabaco y la creciente epidemia del inicio del consumo por parte de los jóvenes debido a los productos de tabaco con sabores. Estos productos contienen nicotina y pueden producir efectos dañinos en el cerebro adolescente y causar adicción a largo plazo

Yo apoyo políticas que limitan la venta de todos los productos de tabaco con sabores incluyendo mentol y el narguile (hookah) de tabaco. Ocho de diez jóvenes usuarios de tabaco empezaron a vapear con un producto de tabaco con sabores. Se estima que el tabaco con sabores contribuyó a un aumento del 135% en el consumo de tabaco en la juventud entre 2017 y 2019. Existe evidencia cada vez más fuerte que indica que el uso de los cigarrillos electrónicos aumenta la frecuencia y la intensidad de fumar en el futuro. Los cigarrillos de mentol son consumidos a menudo por los jóvenes y poblaciones prioritarias. Más de la mitad de los fumadores jóvenes fuman cigarrillos de mentol, y las cifras son mucho más altas entre los jóvenes afroamericanos. Además, el uso del narguile (hookah) está muy de moda entre los jóvenes de secundaria y se duplicó entre 2011 y 2015.

Yo sugiero que la ciudad de Montebello se una a la creciente lista de ciudades en California que han restringido la venta de productos de tabaco con sabores. Ahora es el momento para que Montebello se transforme en un líder en salvar vidas al proteger a los residentes de la adicción a los productos de tabaco con sabores a dulce y una adicción de por vida a la nicotina.

Agradecemos de antemano su consideración.

Atentamente,

Nombre y Apellido *

ALICIA GODINEZ

Domicilio *

3641 E. 4TH. ST. LOS ANGELES, CA.

Código Postal *

90063

Fecha *

MM DD YYYY

03 / 30 / 2021

This content is neither created nor endorsed by Google.

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Montebello Letter of Support

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Thank you in advance for your consideration.

Sincerely,

First and Last Name *

Ana alvarenga

Address *

457 s evergreen ave Los Ángeles ca

Zip Code *

90033

Date *

MM DD YYYY

04 / 30 / 2021

This content is neither created nor endorsed by Google.

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Petition

TOBACCO-FREE PARTNERSHIP

Protect Montebello Youth from Tobacco!

Youth access to tobacco products is a serious health problem in Montebello. Although it is illegal to sell tobacco to youth, retailers continue to sell tobacco to minors at alarming rates.

17% of Montebello retailers were willing to sell flavored tobacco products to young adults (under the age of 21).
80% of youth who have ever used a tobacco product reported that their first product was flavored.

By signing this petition, you are showing your support for policies that reduce youth access to tobacco products. Together we can make a difference. Keep Montebello clean, family-friendly and safe!

	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Nancy Medina	Nancy Medina	(Yes) – No	90640
2	KATRICK ORTIZ	Katrick Ortiz	(Yes) – No	90640
3	Maria Rodriguez	Maria Rodriguez	(Yes) – No	90602
4	Mari Lopez Osorio	Mari Lopez	(Yes) – No	90640
5	MariAngel Vasquez	MariAngel Vasquez	(Yes) – No	90640
6	Yolanda Haro	Yolanda Haro	(Yes) – No	90640
7	Wendy Aragon	Wendy Aragon	(Yes) – No	
8	SHAMA DIAZ	SHAMA DIAZ	(Yes) – No	90640
9	Cynthia Manzur	Cynthia Manzur	(Yes) – No	90640
10	Jorge Manzur	Jorge Manzur	(Yes) – No	90640
11			Yes – No	
12			Yes – No	
13			Yes – No	
14			Yes – No	
15			Yes – No	

Reggie Rodriguez

Location: Park, montebello, CA

Date: 08/03/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Vanessa Velazquez		Yes - No	90640
2	Luis Velazquez	Luis Velazquez	Yes - No	90640
3	Edgar Ojeda	Edgar Ojeda	Yes - No	90640
4	Maria Marta		Yes - No	90640
5	Myra Reguena		Yes - No	90640
6	Angela Alvarez	Angela Alvarez	Yes - No	90640
7	Lora m Taylor	Lora m Taylor	Yes - No	90640
8	Emilio Gonzalez	Emilio Gonzalez	Yes - No	90640
9	JUANA Gonzalez	Juana Gonzalez	Yes - No	90640
10	Erika Rojas		Yes - No	90640
11	Teresa Puga	Teresa P	Yes - No	90640
12	Jorge Martinez	Jorge M. Martinez	Yes - No	90640
13	Gilbert Lopez	Gilbert	Yes - No	90640
14	David Gutierrez		Yes - No	90640
15	Carmen Gomez		Yes - No	90640

Location: Montebello 101 Festival Date: 10/16/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	David M Arco		Yes – No	90640
2	Maria M Arco		Yes – No	90640
3	Michelle Ibarra		Yes – No	90640
4	Victor Gil de Montes		Yes – No	90640
5	Blanca Vazquez		Yes – No	90640
6	VINCE LOPEZ		Yes – No	90640
7	Janet Alegre		Yes – No	90640
8			Yes – No	
9	Peggy Goldstein		Yes – No	90640
10	Blas Bueno		Yes – No	90640
11	BOB CASTILLO		Yes – No	90606
12	Yette Cervantes		Yes – No	90640
13	Miriam Cervantes		Yes – No	90022
14	Amelia Cervantes		Yes – No	90640
15	Ambre Sagayaray		Yes – No	90640

Location: Montebello 101 Festival

Date: 10/16/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Carlos D. Romero	Carlos D Romero	Yes - No	9333
2	America Cuara		Yes - No	90640
3	Maria Perez		Yes - No	90640
4	Lilia Perez	Lilia Perez	Yes - No	90640
5	Jesus Pera		Yes - No	90640
6	Laura Cuellar		Yes - No	90033
7	Andrew Morrish		Yes - No	90640
8	Hannah Morrish		Yes - No	90640
9	Roberto		Yes - No	90640
10	Flor		Yes - No	90640
11			Yes - No	91732
12			Yes - No	91732
13			Yes - No	91733
14			Yes - No	91733
15	Maria Belia Arellano	Maria Belia Arellano	Yes - No	90640

Location: Montebello 101 Festival

Date: 10/16/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	JULIA CERVANTES	Julia Cervantes	Yes – No	90640
2	Ruben Tejeda	Ruben Tejeda	(Yes) – No	91733
3	Stephanie Tejeda		(Yes) – No	90640
4	Karina Hernandez	Karina Hernandez	(Yes) – No	90640
5	Jose		(Yes) – No	90640
6	Rosario Reyes		(Yes) – No	90640
7	Maria G Merino	Maria G Merino	(Yes) – No	90024
8	Olga Torres	Olga Torres	(Yes) – No	90022
9	Gilbert Camacho		(Yes) – No	90660
10	JOSE SANCHEZ		(Yes) – No	90605
11	Michael Barnett	Michael Barnett	(Yes) – No	90640
12			Yes – No	
13			Yes – No	
14			Yes – No	
15			Yes – No	

Location: Montebello Festival

Date: 10/16/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Arianna Castillo	Arianna C	(Yes) - No	90022
2	Alberto Castillo	Alberto C	(Yes) - No	90022
3	Kelly Rauda		(Yes) - No	91706
4	Brian Rosa		(Yes) - No	90640
5	Jeneva Hawrylew		(Yes) - No	92835
6	JC AN		~~Yes~~ - No	
7	Miguel Ortiz		(Yes) - No	90640
8	Ana Carpio		(Yes) - No	902602
9	Cesar Aguirre		(Yes) - No	90037
10	CHRIS ZARATE		(Yes) - No	906096
11	Norma Monreal	Norma Monreal	(Yes) - No	90640
12	ERIKA CRUZ		(Yes) - No	90640
13	Susan Sauers		(Yes) - No	90604
14	Imelda Rodarte		(Yes) - No	92394
15	Blanca R. Rodarte		(Yes) - No	90640

Location: Montebello Street Fest

Date: 08/21/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Oscar Contreras		(Yes) - No	90022
2	Genesis Garcia		(Yes) - No	90640
3	Pilar Castillon		(Yes) - No	90022
4	Jorge Lopez		Yes - No	90640
5	Cecilia Martinez		(Yes) - No	90640
6	Martinez, Gloria		(Yes) - No	90640
7	Daisy Lopez		(Yes) - No	90022
8	Yenifer Cruz		(Yes) - No	90022
9	Jose Gonzalez		(Yes) - No	90640
10	Maria Manriquez		(Yes) - No	90640
11			(Yes) - No	90640
12	Robert Reyes	Robert Reyes	(Yes) - No	90606
13	Maria Echevarria		(Yes) - No	90640
14	Rosanna Garcia		(Yes) - No	90660
15	Roberto Aguilar		(Yes) - No	90022

Location: Montebello Street Fest

Date: 08/21/21

Petition

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Nella Semerenko		Yes - No	90063
2	Elizabeth Mercado		Yes - No	90640
3	Mayra Torres		Yes - No	91601
4	Rosa Magana		Yes - No	90640
5	Ana Oregel		Yes - No	90022
6	Norma Oregel		Yes - No	90022
7	Valentin Hernandez		Yes - No	90250
8	Maria Elena Martinez		Yes - No	90640
9	Daniel Martinez		Yes - No	90640
10	Gloria Portillo		Yes - No	91744
11	Sarah Medina		Yes - No	90640
12	Karla Cano		Yes - No	91640
13	Evelyn Marquez		Yes - No	90640
14	Giselle Chavez		Yes - No	90640
15	Jessica Palomo		Yes - No	90063

Location: Montebello Street Fest

Date: 08/21/21

Petition

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Patricia Moreno		Yes - No	90605
2	Tenderly Moreno		Yes - No	91745
3	Lim Dian		Yes - No	90640
4	Christina L Berumen		Yes - No	90640
5	Laurie Lusk		Yes - No	90670
6	Salvador Bernal		Yes - No	90640
7	chris Montoya		Yes - No	90640
8	Marissa Carillo		Yes - No	90640
9	Carmen Arellano		Yes - No	90640
10			Yes - No	
11	Carlos Gon		Yes - No	90640
12	Rosa Munoz		Yes - No	90640
13	Carolina Benitez		Yes - No	90640
14	Myrtle S. Nierras		Yes - No	91748
15	Holly Burges		Yes - No	90804

Location: montebello street fest

Date: 08/21/21

Petition

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17% of Montebello retailers were willing to sell flavored tobacco products to young adults (under the age of 21).
80% of youth who have ever used a tobacco product reported that their first product was flavored.

By signing this petition, you are showing your support for policies that reduce youth access to tobacco products. Together we can make a difference. Keep Montebello clean, family-friendly and safe!

	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Guillermo Garcia		Yes – No	90640
2	Donald Aragon		Yes – No	90640
3	Maria Rodriguez		Yes – No	90640
4	Carmen Rodriguez		Yes – No	90640
5	John Pinto		Yes – No	90640
6	Perry Carranza	Perry Carranza	Yes – No	81007
7	Arianne Emerson		Yes – No	90640
8	Jacob Baca	Jacob Baca	Yes – No	90640
9	Brianna Lopez	Brianna Lopez	Yes – No	90640
10	Rosalinda Islas		Yes – No	9180
11	Andrew Rincon		Yes – No	90640
12	Aida Jauregui	Aida Jauregui	Yes – No	90640
13	Rocio Viramontes		Yes – No	90723
14	Veronica Cisneros		Yes – No	90640
15			Yes – No	

Location: Montebello Street Fest

Date: 08/24/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Maria E Lopez		Yes - No	90640
2	Pamela Hernandez		Yes - No	90640
3			Yes - No	
4			Yes - No	
5			Yes - No	
6			Yes - No	
7			Yes - No	
8			Yes - No	
9			Yes - No	
10			Yes - No	
11			Yes - No	
12			Yes - No	
13			Yes - No	
14			Yes - No	
15			Yes - No	

Location: Montebello Street Fest

Date: 08/21/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Lupe Salazar		Yes - No	90640
2	Valerie Vasquez		Yes - No	90063
3	Karen Valencia		Yes - No	90606
4	Holly Cruz		Yes - No	90063
5	Monica Velasco		Yes - No	90640
6	Jasmine Marquez		Yes - No	91732
7	Darlene Cabadas		Yes - No	90640
8	Gonzo Sonsenko		Yes - No	90063
9	Carla Gonzalez		Yes - No	90660
10	Valerie Diaz		Yes - No	90023
11	Beatriz Galleg		Yes - No	9033
12	Jeannette Herrera		Yes - No	90640
13	Elizabeth Medina		Yes - No	90063
14	Melissa Lopez		Yes - No	90606
15	Lucia Aquino		Yes - No	90640

Location: montebello christian school

Date: 08/27/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Diana Gonzalez	Diana Gonzalez	Yes – No	90640
2	Estrella Elizalde		Yes – No	90650
3	Arlene Rodriguez	Arlene Rodriguez	Yes – No	90640
4	Claudia Ramos		Yes – No	90022
5	ANDREW TELLEZ		Yes – No	90640
6	Luis Martinez		Yes – No	90640
7	Zulema Velasquez		Yes – No	90640
8	Cristina Sinshui	Cristina Sinshui	Yes – No	90640
9	Magia Navarro		Yes – No	90640
10	Irene Matos	Irene Matos	Yes – No	90022
11	Veronica Ananiyan	Veronica Ananiyan	Yes – No	90640
12	Maria Ceja		Yes – No	90660
13	Denise Bautista		Yes – No	90640
14	Christina Rosales	Christina Rosales	Yes – No	90640
15	Olivia Vasquez	Olivia Vasquez	Yes – No	90640

Location: Community at Large

Date: 10/26/2021

Petition

TOBACCO-FREE PARTNERSHIP

Protect Montebello Youth from Tobacco!

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Erika Corrillo	Erika Corrillo	Yes – No	90640
2	Sonia Barajas	Sonia Barajas	Yes – No	90640
3	Jesse Orozco	Jesse Orozco	Yes – No	90640
4	Jorge Tovar		Yes – No	90640
5	EMILIO TORRES		Yes – No	90640
6	Ramedas Conedes		Yes – No	90640
7	Isabel G.		Yes – No	90640
8	Socorro Ortiz		Yes – No	90640
9			Yes – No	
10			Yes – No	
11			Yes – No	
12			Yes – No	
13			Yes – No	
14			Yes – No	
15			Yes – No	

Location: Community at Large

Date: 10/26/2021

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	JOSE AQUINO		~~Yes~~ – No	90640
2	Ariana Esquibel		Yes – No	90601
3	Augustine Esquibel		Yes – No	90601
4	Diana Calderon		Yes – No	90601
5	Sheila Pan		Yes – No	90601
6	Lupe Calderon		Yes – No	90022
7	Darlene Gamez		Yes – No	91604
8			Yes – No	
9			Yes – No	
10			Yes – No	
11			Yes – No	
12			Yes – No	
13			Yes – No	
14			Yes – No	
15			Yes – No	

Location: Montebello Armstrong School

Date: 08/29/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Esther Garza		(Yes) - No	90640
2	Mabel Mancera		(Yes) - No	90640
3	Dante Cervantes		(Yes) - No	90640
4	Esmeralda Cervantes		(Yes) - No	90640
5	Mario Zamora		(Yes) - No	90640
6	Violeta Cervantes		(Yes) - No	90640
7			Yes - No	
8			Yes - No	
9			Yes - No	
10			Yes - No	
11			Yes - No	
12			Yes - No	
13			Yes - No	
14			Yes - No	
15			Yes - No	

Location: community at large

Date: 08/07/20

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Estela Ulloa		(Yes) – No	90022
2	Maria Del C Hernandez		(Yes) – No	90022
3	Leticia Zaragoza		Yes – No	
4	Victor Solorio		(Yes) – No	90605
5	Sara Romero		(Yes) – No	90640
6	Ali		(Yes) – No	90640
7			Yes – No	
8			Yes – No	
9			Yes – No	
10			Yes – No	
11			Yes – No	
12			Yes – No	
13			Yes – No	
14			Yes – No	
15			Yes – No	

Location: Community at large

Date: 08/07/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Medarda Hernandez	Medarda Hernandez	Yes – (No)	90640
2	Claudia Mendez		(Yes) – No	90640
3	Remedios Cervantes	Remedios.	(Yes) – No	90640
4			Yes – No	
5			Yes – No	
6			Yes – No	
7			Yes – No	
8			Yes – No	
9			Yes – No	
10			Yes – No	
11			Yes – No	
12			Yes – No	
13			Yes – No	
14			Yes – No	
15			Yes – No	

Location: Community at large

Date: 08/07/21

Petición

TOBACCO-FREE PARTNERSHIP

¡Proteja a los jóvenes de Montebello del tabaco!

El acceso que los jóvenes tienen a los productos de tabaco es un problema serio de salud en Montebello. Aunque la ley prohíbe la venta de tabaco a los jóvenes, los comercios siguen vendiendo tabaco a menores de edad a niveles alarmantes.

El 17% de los comercios de Montebello estaban dispuestos a vender productos de tabaco con sabores a adultos jóvenes.
El 80% de los jóvenes que ya han probado un producto de tabaco reportaron que su primer producto fue de sabores.

Al firmar esta petición, usted está demostrando su apoyo a políticas que reducen el acceso de los jóvenes a productos de tabaco. Juntos podemos marcar la diferencia. ¡Mantengamos a Montebello limpio, familiar y seguro!

	Nombre *(en letra de molde)*	Firma	¿Es mayor de los 18 años de edad?	Código postal del residente
1	Maria Gil	Maria Gil	(Sí) – No	90640
2	LIDIA GALLARDO	LIDIA GALLARDO	(Sí) – No	90640
3			Sí – No	
4			Sí – No	
5			Sí – No	
6			Sí – No	
7			Sí – No	
8			Sí – No	
9			Sí– No	
10			Sí – No	
11			Sí – No	
12			Sí – No	
13			Sí – No	
14			Sí – No	
15			Yes – No	

Ubicación: Community at Iaroff Fecha: 08/07/21

Petición

24- Marzo.

TOBACCO-FREE PARTNERSHIP

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	Nombre *(en letra de molde)*	Firma	¿Es mayor de los 18 años de edad?	Código postal del residente
1	Martha Ramirez	Martha Ramirez	(Sí) No	90640
2	Leticia Tellez	[illegible]	(Sí) No	90640
3			Sí – No	
4			Sí – No	
5			Sí – No	
6			Sí – No	
7			Sí – No	
8			Sí – No	
9			Sí– No	
10			Sí – No	
11			Sí – No	
12			Sí – No	
13			Sí – No	
14			Sí – No	
15			Yes – No	

Ubicación: community at large Fecha: 08/07/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Jorge Torres		(Yes) No	90640
2			Yes – No	
3			Yes – No	
4			Yes – No	
5			Yes – No	
6			Yes – No	
7			Yes – No	
8			Yes – No	
9			Yes – No	
10			Yes – No	
11			Yes – No	
12			Yes – No	
13			Yes – No	
14			Yes – No	
15			Yes – No	

Location: Community at large

Date: 08/07/21

Petition

TOBACCO-FREE PARTNERSHIP

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Erika Carrillo	Erika Carrillo	(Yes) – No	90640
2	Esther Cortez	Esther Cortez	(Yes) – No	90640
3	Gilma Cuellar	Gilma Cuellar	(Yes) – No	
4	Erika Carrillo	Voce	(Yes) – No	90648
5	Maria Marquez	Maria Marquez	(Yes) – No	90640
6	Maria I. Gonzalez	Maria I. Gonzalez	(Yes) – No	90640
7	Margarita Diaz	[illegible]	(Yes) – No	90640
8	Yaniea Ochoa	[illegible]	Yes – (No)	90640
9	Asia Miranda	[illegible]	(Yes) – No	90640
10	Katherine Miranda	Katherine Miranda	Yes – (No)	90640
11	Kyndra Miranda	Kyndra Miranda	Yes – (No)	90640
12	Khloe Miranda	Khloe Miranda	Yes – (No)	90640
13	Jorge L Andrade	Jorge L Andrade	Yes – (No)	90640
14	Joshi I Andrade	Joshi I Andrade	Yes – (No)	90640
15	Melissa Andrade	Melissa Andrade	Yes – (No)	90640

Location: community at large

Date: 08/07/2021

Petition

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	Name *(please print)*	Signature	Over 18?	Resident Zip Code
1	Katy Gittisriboongul		Yes - No	92833
2	JACQUELINE HERNANDEZ		Yes - No	90640
3	LUISA LOPEZ		Yes - No	90640
4	Miriam Santana		Yes - No	90640
5	JORGE TORRES		Yes - No	90640
6	FRANCISCO SOSA		Yes - No	90640
7	Socorro martinez	Socorro martinez	Yes - No	90640
8	Juan Martinez		Yes - No	90640
9	Alida Oliva		Yes - No	90640
10	Patricia Martinez		Yes - No	90640
11	Kate granados		Yes - No	90640
12	lupe granados		Yes - No	90640
13	Amy granados		Yes - No	90640
14	Eder martinez		Yes - No	90640
15	Valeria martinez		Yes - No	90640

Location: community at large

Date: 08/07/21

Electronic Signatures collected thrugh change.org

Name	City	State	Postal Code	Country	Signed On
Tobacco-Free Partnership				US	4/23/2020
Jackie Hernandez	Montebello	CA	90640	US	4/30/2020
Natalie Lopez	Maywood	CA	90270	US	7/22/2021
Melina Garcia	Anaheim	CA	92801	US	10/13/2021
Joseph Campos	Los Angeles	CA	90023	US	10/13/2021
Angel Cabrera	Buena Park	CA	90621	US	10/13/2021
Abraham Hernandez	Bellflower	CA	90706	US	10/13/2021
Jhonny Caro	Los Angeles	CA	90002	US	10/13/2021
Summer Amaro	Los Angeles	CA	90002	US	10/13/2021
Fuego Chompie	Los Angeles	CA	90001	US	10/13/2021
Francis Cardenas	Los Angeles	CA	90001	US	10/13/2021
Alondra G	Los Angeles	CA	90018	US	10/13/2021
Daniel Guerra	Montebello	CA	90640	US	10/13/2021
Beatriz Alaniz	Los Angeles	CA	90003	US	10/13/2021
Ashwin Fuentes	Los Angeles	CA	90001	US	10/13/2021
Tamer Bou Hassan	Montebello	CA	90640	US	10/13/2021
Najwa Wehbe	Montebello	CA	90640	US	10/13/2021
Demmi Torres	Los Angeles	CA	90002	US	10/13/2021
Dania Briseno	Los Angeles	CA	90023	US	10/13/2021
Ximena Romero	Los Angeles	CA	90022	US	10/13/2021

Recv'd 10/27 @ 11:30 KG.

7 ✓

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Manuel Hernandez.

Address *(optional)* _____

_____

Phone *(optional)* (562) 358-1595

Organization represented (if any) _____

Topic General Comment - Murder of Jason Rodriguez

(Please be specific) and torture of Manuel Hernandez

_____

(The instructions on the back will assist you in expressing your views)

14

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name william cervera

Address *(optional)* _____

_____

Phone *(optional)* (323) 353-2626

Organization represented (if any)_____

Topic _____

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

15

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Golden Sheard

Address *(optional)* _____

_____

Phone *(optional)* (858) 309-2633

Organization represented (if any) _____

Topic concerned neighbor - general

(Please be specific)

no answer - left voicemail

(The instructions on the back will assist you in expressing your views)

ITEM NO. 7 - ADOPT ORDINANCE FOR COUNCIL CONDUCT

Angelina Padilla

From: Adriana Ruiz Alvarado <aruiz711@gmail.com>
Sent: Wednesday, October 27, 2021 11:42 AM
To: comment, ccpublic
Subject: Concern about new rules for meetings

Dear Council,

I'm writing to express my concern about what seems to be an attempt to silence the community. In approving agenda item #7, you would be actively limiting the community's input on important topics.

As elected officials, it is your responsibility to listen to your constituents, even if that takes more than 30 minutes at a bimonthly meeting. That shouldn't be too big of an inconvenience for you. If it is, then that is a real problem and we will work to elect new officials who truly value transparency and democracy.

Adriana Alvarado
Montebello resident

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Bradley Stevenson <bjsprojm@gmail.com>
Sent: Monday, October 25, 2021 3:17 PM
To: comment, ccpublic
Subject: 10-27-2021 council meeting statement

Follow Up Flag: Follow up
Flag Status: Completed

I am appalled that this city council would consider restricting the voice of the public, avoiding responsibility and accountability to this city's community. Anyone on the city council that would vote to limit our voices should be eliminated from their seat at this council. We voted you in to assure our cities best interests and this is far from that. I grew up here inMontebello. My father was very involved with the city when I was growing up. I am in agreement with Pro tem Mayor David Torres in this matter and highly urge the rest of the council to vacate their seats if they intend to vote yes on this limiting of our voices and rights!.

--
Rev. Dr, Bradley J Stevenson
714-476-5149

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Catherine Salaiz <salaizcate@gmail.com>
Sent: Wednesday, October 27, 2021 10:48 AM
To: comment, ccpublic
Subject: 10/27

Follow Up Flag: Follow up
Flag Status: Flagged

~~I would like to voice my concern over the possible removal of David Torres as Mayor Pro Tem. Mr. Torres has done an exemplary job serving our community, I believe he is the Council Member that addresses our concerns and is always available to our community members.~~

The newly imposed time limitations on public and council comment is also a concern, this is a step backwards for our city. Limiting public comment sends a message that our voices are only worth a timed response. When we are addressing issues that directly concern us, time should not be constrained to the first 30 minutes of a meeting, we should address our concerns with a Consent or Agenda Item at the time they are brought to our attention. In order to further the suppression of the community's voice, written comments are not addressed at the time of the meeting. These policies seem to curtail any momentum that community members may gain.

Thank you for your time.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Vargas, Chris <chris.vargas@morganlewis.com>
Sent: Wednesday, October 27, 2021 1:52 PM
To: comment, ccpublic
Subject: #7 - New Rules for Meeting

Good afternoon. I saw Mr. Torres FB post re: *new rules for meeting* earlier this afternoon. I am not sure on the specifics, but I want to go on the record to state that any curtailing of speech and /or voicing one's opinion at MTB City Council sessions is not a positive move for our democracy and our city. I oppose any such rule that prevents all voices from being heard about the direction our city. I would hope that our *millennial* city council would have better judgment after four years of a very destabilizing administration. Thank you for your attention.

Chris Vargas
Senior Paralegal
Morgan, Lewis & Bockius LLP
300 South Grand Avenue, Twenty-Second Floor | Los Angeles, CA 90071-3132
Direct: +1.213.612.2509 | Main: +1.213.612.2500 | Fax: +1.213.612.2501
chris.vargas@morganlewis.com | www.morganlewis.com

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PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Clara Montes Nuño <theclaramn@gmail.com>
Sent: Wednesday, October 27, 2021 11:15 AM
To: comment, ccpublic
Subject: Vote Against Item #7

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,
I am a resident of Montebello.
I am against item #7 - New Rules for Meetings. The public should have every opportunity to participate at council, commission, committee, and agency meetings.
I do not feel that the proposed meeting rules are in line with, or similar to, the meeting rules of our neighboring cities.
Please vote against item #7!

Clara Montes Nuño

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: david matanga <dematanga@hotmail.com>
Sent: Wednesday, October 27, 2021 10:48 AM
To: comment, ccpublic
Subject: New Rules for meetings

Follow Up Flag: Follow up
Flag Status: Flagged

I voted for transparent city council. This action (item #7) will take us to dictatorial way of doing business. We must not silence the public for their concern for the common good. After all we are still a Democracy.
I encourage a No vote on item # 7

Your truly
David Matanga

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Griselda Jauregui <gris0211@gmail.com>
Sent: Wednesday, October 27, 2021 2:48 PM
To: comment, ccpublic
Subject: Item#7

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening,

I am writing this email as I am oppose of #7. I don't understand how you the city council would like to impose on our freedom of speech.

City council most if you reached out to us the community when you were running for the seat with wanting a better montebello, with making montebello transparent by wanting the corruption to stop. By you not allowing our voice to be heard you are doing the opposite of what you claimed.

City council remember that you were elected to represent us the residents and city attorney remember you are an employee and work for the residents/ homeowners/ taxpayers. Why would you like to hurt us? Why not hear our voice? What are you afraid of? Remember the reason you ran for your seat and don't allow the money and corruption to change what you stand for.

From a very disappointed resident of over 40 years in the city of montebello

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Jack Morgan <morganjack03@gmail.com>
Sent: Monday, October 25, 2021 9:24 AM
To: comment, ccpublic
Subject: Public Comments

I oppose item #7 New Rules for Meetings of the agenda. I do not agree with my rights being taken away as a taxpayer of Montebello.

Jack Morgan
Montebello resident

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: jmeoff11@yahoo.com
Sent: Wednesday, October 27, 2021 8:47 AM
To: comment, ccpublic
Subject: Item #7

I am against item #7 on the agenda. I have the right to speak with no time limit on issues in the city I live in.

Jaime Ofelia

Resident of Montebello

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Louise Samaniego <samaniegolouise77@gmail.com>
Sent: Wednesday, October 27, 2021 9:04 AM
To: comment, ccpublic
Subject: Item #7 new rules for meetings

I am against this proposed change and against removing David Torres as mayor pro tem. He was elected and deserves this position.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Magda Madrigal <magdamadrigal@earthlink.net>
Sent: Wednesday, October 27, 2021 10:15 AM
To: comment, ccpublic
Subject: Public Comment?

520 West Lincoln

The City's plan to limit public comment to 30 minutes is draconian, fascist, unconstitutional, and it violates the Brown Act.
If you do not want to hear comments from the public, get another job. Like a data entry job somewhere.

Just like when City Mangers are not properly vetted, are hired, are escorted out and are later paid hundreds of thousands of dollars because the City did not do things right, the City will spend $$$ to defend itself from lawsuits by citizens.

Please do not waste my tax dollars correcting your mistakes. Do not make mistakes.

Magda Madrigal

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Nellie Ortiz <nellieortiz08@gmail.com>
Sent: Wednesday, October 27, 2021 3:00 PM
To: comment, ccpublic
Subject: Item #7

I am a concerned member of Montebello, I recently learned of item # 7 on the agenda. I am against Item #7 - New Rules for Meetings. As a resident and homeowner of Montebello I believe each person has a right to voice concerns.

Manuela Ortiz

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Maria Panetta <mariapfbc1479@gmail.com>
Sent: Monday, October 25, 2021 3:25 PM
To: comment, ccpublic
Subject: 10/27/21 Council Meeting

Follow Up Flag: Follow up
Flag Status: Completed

I am very disappointed with the fact that the City Council of Montebello would consider restricting the voice of the public. Anyone on the city council that would vote to limit our voices should be eliminated from their seat at this council. We voted you in to take care of our cities best interests and this would go against that. We make this city what it is and the council needs to listen to what we want. I have been in this city for the last 55 years. I am in agreement with Pro tem Mayor David Torres in this matter and highly urge the rest of the council to vacate their seats if they intend to vote yes on this limiting of our voices and rights!.

Antonia M Panetta
323 270-2583

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: marlene ramirez <marlene.lechuga.ramirez@gmail.com>
Sent: Monday, October 25, 2021 11:47 AM
To: comment, ccpublic
Subject: Concerns regarding restriction of public comments at public meetings

Follow Up Flag: Follow up
Flag Status: Completed

Hello Montebello Council and honorable Mayor Cobos,

I would like to express my concerns regarding limiting public comments at public hearings and Council meetings. The Montebello residents should always have the right to express concerns and comments at public meetings. Restricting the time allowance and submittal window would create an unfair advantage to commenters that know how to submit in time and create a possible situation for Montebello lobbyists who may take these speaking slots away. An unequal playing field to comment is dangerous for our city where residents will be turned away from commenting simply because they haven't "learned" how to get in the speaker window. If the meetings run too long, it is up to the Chairperson or Mayor to facilitate the meeting by continuing it or consolidating comments that are all the same or similar and noting their names and number of comments. It is the trust of the residents that keep the community's faith in our elected officials. Limiting their voice compromises this trust and our community will start fragmenting away from each other instead of working together as a stronger Montebello.

Thank you,

Marlene L. Ramirez

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: melissa ortiz <ortizmelissa482@gmail.com>
Sent: Wednesday, October 27, 2021 2:58 PM
To: comment, ccpublic
Subject: Item Number 7

Good Afternoon,

I wanted to voice my concern as a resident of Montebello that I am against item #7- *New Rules for Meetings*. It is a restriction of our rights as a community to be able to voice out all of our concerns.

Best,
Melissa Ortiz

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Michele Chau <piggywigee@yahoo.com>
Sent: Wednesday, October 27, 2021 9:14 AM
To: comment, ccpublic
Subject: Item 7 - New rules for meetings

Hello,
I am against item 7 of today's meeting agenda. The rules should be more open rather than more restrictive. The public should not have their right to publicly speak be diminished in any way. Thanks.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Mikey Fia <mikeyfia2022@gmail.com>
Sent: Wednesday, October 27, 2021 8:49 AM
To: comment, ccpublic
Subject: Item #7

I am against this item #7 because it is taking my right to speak away with no time limit.

Mike Fiate
Montebello Resident for 56 years

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Randy Kobaissi <rkobaissi@yahoo.com>
Sent: Wednesday, October 27, 2021 8:44 AM
To: comment, ccpublic
Subject: Item #7

I am gainst Item #7 - New Rules for Meetings. As a lifetime Montebello resident I feel I should have the right to speak without a time limit. As elected officials, you should not try to take my right away.

Randy Kobaissi
Montebello Resident

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Robert Portillo <robertp90640@gmail.com>
Sent: Wednesday, October 27, 2021 11:54 AM
To: comment, ccpublic

I oppose the new ordinance for public comments at City Council meetings.

Please submit my comment request to oppose.

Thank you.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Saira Soto <sairagsoto@gmail.com>
Sent: Wednesday, October 27, 2021 2:49 PM
To: comment, ccpublic
Subject: Public Comment: Council meeting Agenda Item #7

Good afternoon council. My name is Saira Soto and I am writing to ask each one of you to delay a decision on "new council procedures".

The current proposal will deeply impact community participation in the city's decision-making process. Consider that these are challenging times for us all and you as an elected body should strengthen, not weaken or stifle the process to hear from and connect with your constituents. Doing so is essential to making sure that we can meet the needs of the community. Stay true to a democratic process.

Thank you,

Saira

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Sandy Olesen <siolesen@gmail.com>
Sent: Monday, October 25, 2021 1:58 PM
To: comment, ccpublic
Subject: Item 7 of this Wednesdays meeting 10-27-21

Follow Up Flag: Follow up
Flag Status: Completed

I will be short—do not pass item 7 which severely restricts public input and discussion. In a day and age when too many rights are being ignored the right to be heard could nd should not be restricted as you propose.

All of you ran on the idea of helping Montebello and listening to our citizens. Passing this would put you into the realm of "we know better than you ". We have too much of that on the Federal level. I know the locals can sometimes be winded but so can the government. Please listen to what we have to say and make decisions based on what the people want—not what you might think we want.

Thank you Sandy Olesen
Masser Place

Sent from my iPad

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Vanessa Palomarez <vanessa.palomarez@yahoo.com>
Sent: Wednesday, October 27, 2021 2:48 PM
To: comment, ccpublic
Subject: Item #7

Follow Up Flag: Follow up
Flag Status: Flagged

I am ***against Item #7 - New Rules for Meetings***. I have been a resident of Montebello my entire life of 38 years. I was born at the Beverly Hospital, attended Montebello schools and work and shop here. My vote contributed to the election of most of you. I've seen the citizens swindled in the past with budgets unaccounted for and corruption in the council and we will not go back there. We deserve a voice in the changes that affect the very community we live in. We can be a progressive and prosperous city but not by silencing us.

Sincerely,

Vanessa Palomarez

Sent from Yahoo Mail on Android

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Recv'd 10/26 @ 4:02p.m. K.G.

1 ✓

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name William Moreno

Address *(optional)* _____

_____

Phone *(optional)* (213) 804-5901

Organization represented (if any) _____

Topic General Comments + Item #7- In regards to Public Comment

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

Recv'd 10/27/21
@ 8:47 AM
EM

9 ✓

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Veronica Rodriguez Cabrera

Address *(optional)* _____

_____

Phone *(optional)* (323) 697-0256

Organization represented (if any) _____

Topic Item No. 7

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

Recv'd 10/27/21
@ 8:52am
AP

City of Montebello

SPEAKER REQUEST CARD

4

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Michael Frausto

Address *(optional)* _____

_____

Phone *(optional)* (323) 595-5301

Organization represented (if any) _____

Topic item #7

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

Recv'd 10/27/21
@ 9:53 AM
EM

(5) ✓

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Erika Cabrera Moriyama

Address *(optional)* _____

_____

Phone *(optional)* (323) 680-0528

Organization represented (if any) _____

Topic Item No. 7

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

Rec'd 10/27/21
@ 12:14
AP

City of Montebello

SPEAKER REQUEST CARD

8

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Mayra Jimenez

Address *(optional)* _____

_____

Phone *(optional)* (323) 083-4687

Organization represented (if any) _____

Topic item #7

(Please be specific)

N/A left voicemail

(The instructions on the back will assist you in expressing your views)

recv'd 10/27
@ 1:54pm
AP

9 ✓

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Margot Eiser

Address *(optional)* _____

_____

Phone *(optional)* (323) 728-7066

Organization represented (if any) _____

Topic Item #7

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

ITEM NO. 11 - CP No. 880

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, October 27, 2021 10:58 AM
To: comment, ccpublic
Subject: Public Comment on Agenda Item 11

To: City Council, City, Engineer, City Manager, Director of Public Works,

From: Margot Eiser, long time resident, tax payer voter. Contact information on file.

Re: Agenda Item 11-Contract to re-pave North Concourse Avenue.

Since many of those negotiating this contract appear to not live in the city, they seem unaware that VIA VAL VERDE going SOUTH from Beverly Blvd. is heavily traveled and thereby extremely damaged because where it joins Concourse Ave. at Madison , it provides a direct route to Whittier Blvd. Unless they made a mistake and thought VIA VAL VERDE is Concourse, to provide for public safety of drivers and residents along the street and be practical, this project MUST include repaving of this important section of VIA VAL VERDE.

I urge you to please take the necessary actions to insure that this is done!

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

ITEM NO. 15 Tiny Homes

Angelina Padilla

From: Parzik, Paul <PaulParzik@ymcala.org>
Sent: Wednesday, October 27, 2021 10:27 AM
To: comment, ccpublic
Subject: endorsement of Operation Stay Safe, Tiny Homes

Follow Up Flag: Follow up
Flag Status: Flagged

Greetings, Fellow Montebellans!

My name is Paul Parzik, and I have the privilege of serving our community as the Executive Director of the Montebello-Commerce YMCA located at 2000, West Beverly Boulevard here in Montebello.

Good evening Madame Mayor, distinguished City Councilmembers, community leaders, and my fellow, community stakeholders. I offer my enthusiastic endorsement of the Operation Stay Safe, Tiny Homes, initiative before the city council this evening. As a leader of a public agency charged with providing services and assistance to all community members, including those suffering financial challenges, both throughout my career and especially since the emergence of the pandemic, I have seen with my own eyes the growing need for public assistance everywhere and within in our own, local community. At the YMCA, since the beginning of the pandemic, we've served over half a million meals to thousands of struggling families and individuals of all ages week over week. We've also seen our local challenge with homelessness increase over time and, with increasing regularity, in recent months.

Being familiar with similar, Operation Stay Safe, Tiny Homes, projects in other communities including those here in Los Angeles County, this initiative seems to be an incredibly necessary, positive, measured, thoughtful solution to address some of our most pressing and present challenges, and I hope that our collective City of Montebello leadership and our Montebello community may embrace this effort to provide much needed help in a time when help is greatly needed. Thank you for considering my appeal.

Best Regards,
Paul S. Parzik
Executive Director,
YMCA OF METROPOLITAN LOS ANGELES
Montebello-Commerce YMCA
2000 W Beverly Boulevard, Montebello, CA 90640
(P) 323 887 9622 **(F)** 323 722 5354
(E) PaulParzik@ymcala.org **(W)** www.ymcala.org
(FB) www.facebook.com/MontebelloCommerceYMCA

The Y: We're for youth development, healthy living and social responsibility.

Please help us care for our neighbors, community, and Y family during these difficult days.

YMCA OF METROPOLITAN LOS ANGELES

HEALTHY LIVING SPORTS EDUCATION TEEN CIVIC ENGAGEMENT ADDRESSING FOOD INSECURITY

TOGETHER, WE MAKE POSSIBLE HAPPEN.

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Angelina Padilla

From: Teresa Lopez <montebellobluehearts charity@gmail.com>
Sent: Tuesday, October 26, 2021 10:17 PM
To: comment, ccpublic; montellobluehearts charity@gmail.com
Subject: To be read during Public Orals - Item .15 - I am in Support the City of Montebello Operation Stay Safe Project (Tiny Homes) Teresa Lopez - Montebello Blue Hearts Charity

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening Mayor and Councilmembers,

I am Teresa Lopez, a 47 year Montebello Resident and 17 Years Montebello Community Activist, I am the President and founder of Montebello Blue Hearts Charity. Former Montebello Business owner and my profession is a realtor. I really love my community and I am looking forward to finding a solution to successfully relocate the homeless community. I personally had help relocate Senior Citizens in our community due to the increase of rent, I also see that some homeless are Veterans our Fire Department help me relocate one in their program, there are also families(during a pandemic) They all need help and this program can help them to find permanent housing.
The Grant Rea Park has been recently used as an R.V parking, it will be great and safer if they can be allowed to park at the same location of the Montebello Operation Stay Safe Project (Tiny Homes).

I want to express my sincere appreciation to the entire City Council for listening to my email. The reason for my email is to speak in favor of item.15 in the agenda for Wednesday, October 27, 2021. I Support the City of Montebello Operation Stay Safe Project (Tiny Homes). I have personally been a volunteer for counting homeless people for the county in Montebello in the past. As of the last homeless count, Montebello had 170 homeless residents. We all know they are here. We all know we have a problem and we need a solution, ignoring the problem is not the solution. With over 66,000 people experiencing homelessness in the County, every city must be a part of the solution.

By providing stable interim housing, our unhoused neighbors can begin to get the stability, safety, and services needed to get on the path to permanent housing. We need more housing and shelter to help get people off the streets and into a safe living environment. By voting in support of Operation Stay Safe, the Montebello City Council will be

showing other cities in the region what a compassionate response to homelessness can look like and we will be part of the solution.

Thank you to the Montebello City Council for taking this item up for a vote today. Your leadership has helped to launch and shape this much-needed project. I now urge that the council vote in favor of Operation Stay Safe to support our unhoused neighbors.

Thank You
Kindness Regards,

Teresa Lopez
Montebello Blue Hearts Charity
President and Funder
Email:montebelloblueheratscharity@gmail.com
(323)482-2642

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Rec'd 10/26 @ 4:30pm

✓ (2)

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Daniela Urdina

Address *(optional)* _____

_____

Phone *(optional)* (323) 447-6807

Organization represented (if any) Office of Supervisor Hilda Solis

Topic Item #15 - Reading a letter from Hilda Solis in support of the agreement. *(Please be specific)*

(The instructions on the back will assist you in expressing your views)

Recv'd 10/27
@ 10:38 am
AP

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

(6) ✓

Name Reggie Clark

Address *(optional)* _____

_____

Phone *(optional)* (909) 634-4495

Organization represented (if any) _____

Topic Item #15

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

Recv'd 10/27
3:23 pm
AP

10 ✓

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Kevin Ezeh

Address *(optional)* _____

_____

Phone *(optional)* (562) 213-5164

Organization represented (if any) _____

Topic Item 15

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

recv'd 10/27
5:31 pm
AP

11

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Susan Burton

Address *(optional)* _____

_____

Phone *(optional)* (323) 391-9211

Organization represented (if any) _____

Topic _____

(Please be specific)

Item 15

(The instructions on the back will assist you in expressing your views)

recv'd 10/27
5:57 pm
AP

12

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Maria Martinez

Address *(optional)* _____

_____

Phone *(optional)* (323) 829-6279

Organization represented (if any) _____

Topic item 15

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

rec'd 10/27
6:14 pm
AP

13

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Mel Tillekeratne

Address *(optional)* _____

_____

Phone *(optional)* (310) 926-6675

Organization represented (if any) _____

Topic item 15

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

WRITTEN COMMENTS RECIEVED AFTER DEADLINE

Angelina Padilla

From: Cecilia Lopez <cezdiaz0004@gmail.com>
Sent: Wednesday, October 27, 2021 3:31 PM
To: comment, ccpublic
Cc: Cobos-Cawthorne, Kimberly Ann; DAVID TORRES; Peralta, Scarlet; Jimenez, Angie; Melendez, Salvador
Subject: Fairness

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening Mayor, City Council Officials and City staff…

Thank you honorable Mayor Kim Cobos for all your hard work in and outside of the community and diligence you've demonstrated by appreciating and acknowledging others hard work as well throughout our great City.

We're also excited to see David Torres both on city council , and as Mayor pro tem I implore the city council to either vote to allow the Mayor Pro Tem to retain his position, or if the purpose of this meeting is to to advance the reorganization scheduled for December, decides to make him mayor as he has a great demonstrated great service to our community and leadership in our community as well, thank you for your time and support.

Cecilia Lopez
Local chairwoman 1701

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Elizabeth Quiroz <quiroz.e@hotmail.com>
Sent: Wednesday, October 27, 2021 3:40 PM
To: comment, ccpublic
Subject: OPPOSITION TO ITEM #7 on TODAYS "SPECIAL" MEETING

Follow Up Flag: Follow up
Flag Status: Flagged

Some of us appreciate the time and effort David Torres has made throughout his term with the city. Very few people take the time to speak to the community and are transparent about the ongoing issue the city faces. Transparency is rarely seen in politics, and he's been more than forthcoming with information however grave the matter is. He hasn't denied the cities shortcomings like the city has. We cannot move forward as a community if we don't acknowledge the error in our ways.
I am opposed to item #7 on tonight's [hidden] agenda. It further exemplifies the cities lack of community involvement; our voices are not being heard. Elections are around the corner Mayor Kimberly Ann Cobos-Cawthorne.

Thank you

Elizabeth Quiroz

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Olga Montes <olgamkjs@yahoo.com>
Sent: Wednesday, October 27, 2021 5:33 PM
To: comment, ccpublic
Subject: Cancel procedures

Follow Up Flag: Follow up
Flag Status: Flagged

To the Mayor and City Counsel,
Approving these council procedures goes against who the council represents.

Thanks for giving attention to public comments and interest. Our city is our children's future too.

O. Montes

Sent from Yahoo Mail on Android

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Scott Rafferty <rafferty@gmail.com>
Sent: Wednesday, October 27, 2021 4:43 PM
To: comment, ccpublic
Cc: Arnold Alvarez-Glasman; Melinda Arredondo; Nvair G. Ozonian
Subject: Re: City of Montebello CVRA - Agreement

Follow Up Flag: Follow up
Flag Status: Flagged

I understand that your new policy precludes reading this at your closed or open session.
This process should have been done months ago and the procedural burden of multiple extensions and other negotiations has now exceeded the fee cap. The proposed extension agreement does not reflect the early February date proposed by Mr. Glasman at our meeting is extended further, and without even the modest increment to the fee cap that he proposed to enable me to support my clients in the actual hearings.
At this point, we do not have an agreement. You have a demographer. You need to get this done before Christmas.

Angelina Padilla

From: Teresa Collaso <Teresa.Collaso.456419993@p2a.co>
Sent: Wednesday, October 27, 2021 7:43 PM
To: comment, ccpublic
Subject: New Legislation Undermines Local Control

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Local Elected Official,

I'm writing to make you aware of a proposal by the California state legislature which would significantly undermine local control.

In its current form, SB 12 imposes a series of new and burdensome regulations on businesses, threatens thousands of housing-related jobs, and would increase the already high cost of living in Southern California.

SB 12 creates more state oversight and regulations on new housing construction, jeopardizing Governor Newsom's 1.3 million homes for the Southern California region. At a time when the state is facing a housing crisis of historic proportions, SB 12 would only worsen the situation.

The homebuilding industry has presented reasonable amendments to SB 12, which need to be incorporated into the bill. As such, I would respectfully request that your local government ask Governor Newsom and your respective state legislative delegation members to oppose SB 12 unless these necessary amendments are included in the bill.

I appreciate your consideration and thank you for your efforts to help end California's housing crisis.

Regards,
Teresa Collaso

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: William Cervera <wcervera82@gmail.com>
Sent: Wednesday, October 27, 2021 4:06 PM
To: comment, ccpublic
Subject: Special meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Hello council and staff.

I'm emailing about the removal of Mayor Pro tem, now I don't know the full story about this but with about 3 or 4 council meetings left, I don't see the rush to remove him at this point and then cut another council persons time down as pro tem. Obviously you have the votes, so with that being said wouldn't it be easier to just not elect him mayor? Regardless if he is removed he will still be able to voice his concerns weather you agree with him or not, so does it really change anything vs showing our council truly can't get along even with all new council. Well thank you for hearing me out.

Sincerely
Will Cervera

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: William Cervera <wcervera82@gmail.com>
Sent: Wednesday, October 27, 2021 4:02 PM
To: comment, ccpublic
Subject: Comment for public emails and comments

Follow Up Flag: Follow up
Flag Status: Flagged

Hi council and staff,

Currently I'm dealing with personal health issues and my mother is being released from the hospital at 6pm. So I am emailing in instead of calling because I wouldn't be available for a call. I wish to state my concerns about changing the written comments to just solely being entered into the record with the name of who wrote the comment.
I spoke to 2 council members and they stated there concerns and I agree mass emailing like puro plants that are a template is to much to get through. And I agree that reading one and giving the name for the rest should be changed. I also understood and agreed like the situation that happened with over 500 emails regarding a previous council member would also not be in the best interest to staff or council and in those situations to enter them into the record. How ever residents typically do not bombarde you with emails for council meetings. So if this must change and restrictions need to be made, can it please be with a vote of adjusting after you and staff have come to a conclusion with out silencing residents voices. In my opinion Entering into the record wouldn't allow viewers to hear out other residents points and concerns. I also agree even if I need to send a picture of my license due to fake emails being sent to prove who I am I'm fine with that. I do worry that if this goes into effect brining it back won't happen unless it's to fix the issues. Example when it's something unions want it gets pushed on to the agendas but when it comes to residents it get lost in the shuffle. Also another concern is to make sure the emails are read exactly as they are written and not paraphrased. Thank you

Sincerely
Will Cervera

Sent from my iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Joseph Sanchez <jsanchez4mtbcity@gmail.com>
Sent: Wednesday, October 27, 2021 9:12 PM
To: comment, ccpublic
Subject: USB ports for chamber chairs

Hello
Thank you for sharing the picture of the chambers. When they install the new chairs is it possible to see if we can have some of these chamber chairs with USB ports or electricity for laptops to plug-in.

Thank you
Joseph Sanchez
(323)864-9509

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Edward Alva <alvaea@yahoo.com>
Sent: Thursday, October 28, 2021 10:14 AM
To: comment, ccpublic
Subject: Item #7 - New Rules for Meetings

Follow Up Flag: Follow up
Flag Status: Flagged

I am against these changes to council meeting rules to be more restricted.

Ed Alva
500 via Altamira
Mtb. CA

Sent from Yahoo Mail on Android

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Guillen, Kimberly (Admin)
Sent: Thursday, October 28, 2021 8:03 AM
To: Angelina Padilla
Subject: FW: Please convey this message to the City Council and Mr. Glasman.

Follow Up Flag: Follow up
Flag Status: Flagged

From: mde4peace [mailto:mde4peace@gmail.com]
Sent: Wednesday, October 27, 2021 8:02 PM
To: Guillen, Kimberly (Admin)
Subject: Please convey this message to the City Council and Mr. Glasman.

Since the comment on Agenda Item 11 and and the text of my public Oral was not conveyed in their entirety by Mr. Glasman, I am sending them for you to read so you better understand the clarification I intended to convey to you via the phone call. Oh, now hearing the word 'transparency' used In reference to financial reports...this conveys that many things would be seen through and thus not visible...suggest using word and actually REVEAL all details!
Will appreciate your attention to and action on these matters!

Margot Eiser

Good evening- I am Margot Eiser, long time resident, taxpayer, voter.
Please give me more time because the public Oral I sent in today was not read in it's entirety- in it I expressed a suggestion that of we had to have districts that the city increase the number of city council members to accommodate the now increased population. Having council members elected from many smaller districts would decrease the costs of campaigning and allow candidates to be able to contact more people to find out more directly what are the needs and wants of constituents.
And, regarding Via Val Verde I pointed out that because it connects with Concourse and provides a direct route to Whittier Blvd. it is heavily travelled which caused severe damage so it is now also in need of repaving! !
Now-Regarding Item 7 tonight- I am surprised that you let the city staff who are OUR employees, formulate these proposals for New Rules for Meetings which seem to be seeking to deprive us, the people of our right to freely communicate with YOU who are supposed to be our representatives!
Please take back your power! We expect, want and need all of YOU to be willing and available to hear our concerns.

We need to recognize and find solutions to problems and explore ways we can make OUR city and community a better place to live.
Glad to hear many others urging you to Please Vote NO on Item 7 and instead find ways to communicate and work WITH us to EXPAND and IMPROVE the ways we the people can easily, unlimitedly and effectively communicate with each other and with you , our ELECTED officials!

P.S. Great things get done for the good of all when people are persistent and work together!

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CITY OF MONTEBELLO CITY COUNCIL
REGULAR MEETING AGENDA

MINUTES

WEDNESDAY, JANUARY 26, 2022 AT 5:00 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 5:03 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Jimenez, Councilmember Peralta, Councilmember Melendez, and Councilmember Torres. 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, Assistant to Deputy City Clerk Kimberly Guillen, and Records Coordinator Angelina Padilla.

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS

The City Clerk's Office acknowledged two (2) written public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

CLOSED SESSION – 5:30 P.M.

Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:09 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)
   Threat of litigation – One matter related to the CVRA

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code Section 54956.9(d)(2)
Threat of Litigation – CIFAC letter

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code Section 54956.8
Property: 901 Via San Clemente, Montebello
Agency Negotiator: René Bobadilla, City Manager
Negotiating Parties: Topgolf USA MB LLC
Under Negotiation: Terms of Lease

Item 4b. and 4c. were added to the agenda as subsequent need matters pursuant to Government Code Section 54954.2(b)(2). It was motioned by Councilmember Melendez, seconded by Mayor CobosCawthorne, that the items be added; motion approved unanimously.

4b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code Section 54956.9(d)(2)
Threat of litigation – One matter

4c. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(d)(1)
Francesca Tucker-Schuyler v. City of Montebello
Los Angeles Superior Court Case No. 20STCV22180

REGULAR SESSION – 6:00 P.M.

CLOSED SESSION REPORT

Mayor Cobos-Cawthorne reconvened the meeting at 6:08 p.m. During Closed Session the City Council received a briefing on Item No.'s 1 - 4c. no action taken; nothing to report.

INVOCATION – City Attorney Arnold Alvarez-Glasman

PLEDGE OF ALLEGIANCE – Director Nicholas Razo

CORRECTIONS TO THE AGENDA – CITY MANAGER – None

CEREMONIAL/PRESENTATIONS

5. RECOGNITION OF M & M FOR FIRE TRAINING SUPPORT – Presented by Mayor Cobos-Cawthorne

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

The City Clerk's 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
None

REGULAR BUSINESS

6. FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2446 AMENDING MONTEBELLO MUNICIPAL CODE CHAPTERS 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

Finance Director Michael Solorza provided a presentation of the item.

It was moved by Councilmember Melendez, seconded by Mayor Pro Tem Jimenez that the City Council:

1) Conduct the First Reading of and Introduce Ordinance No. 2446 Amending Chapters 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.

MOVED: Melendez	**SECONDED:** Jimenez	**APPROVED:** 4-1-0-0
AYES: Peralta, Jimenez, Melendez, Cobos-Cawthorne,		
NOES: Torres		
ABSTAIN: None		
ABSENT: None		

CONSENT CALENDAR
Councilmember Peralta motioned, seconded by Mayor Pro Tem Jimenez, that Item No's. 7-12 be approved; motion carried unanimously.

7. AB 361 FINDINGS

RECOMMENDATION: It is recommended that the City Council:

1) Receive and file this report and make the following findings: (a) The City Council has reconsidered the circumstances of the state of emergency; and (b) the following circumstances exist, (i) the state of emergency continues to directly impact the ability of the members to meet safely in person and (ii) the City Council continues to provide measures such as remote or hybrid meeting participation to promote social distancing.
2) Take such additional, related, action that may be desirable.

8. 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 or alternative action that may be desirable.

9. APPROVE ISSUING A CITYWIDE FLEET VEHICLE MAINTENANCE AND REPAIR SERVICES REQUEST FOR PROPOSAL, NO. 22-1

RECOMMENDATION: It is recommended that the City Council:

1) Approve issuing a Citywide Fleet Vehicle Maintenance and Repair Services Request for Proposal, No. 22-1 (RFP No. 22-1); and
2) Take such additional, related, action that may be desirable.

10. APPROVAL TO SUBMIT APPLICATION FOR THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CAL FIRE) FIRE PREVENTION GRANTS PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1) Approve the submission of the grant application for the California Department of Forestry and Fire Protection (CAL FIRE) Fire Prevention Grants Program; and
2) Take such additional, related, action that may be desirable.

11. TREASURER'S REPORT FOR THE QUARTER ENDING DECEMBER 31, 2021

RECOMMENDATION: It is recommended that the City Council:

1) Receive and file the Quarterly Treasurer's Report for the quarter ending December 31, 2021.

12. PAYMENT OF BILLS: RESOLUTION NO. 22-07 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED JANUARY 26, 2022

RECOMMENDATION: Adopt Resolution No. 22-07 approving the Warrant Register dated January 26, 2022.

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).

Mayor Cobos-Cawthorne requested staff to explain an email from Counclil received regarding a financial breakdown.

COUNCIL ORALS

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

1. **Councilmember Torres** – None

2. **Councilmember Melendez** – None

3. **Councilmember Peralta**
   Councilmember Peralta announced the Valentine's Day Senior Candy Drive hosted by the Hearts of Montebello. The organization is requesting donations for the gifts baskets at Polly's Pie on Saturday.

4. **Mayor Pro Tem Jimenez** – None

5. **Mayor Cobos-Cawthorne** – None

ADJOURNMENT

Mayor Cobos-Cawthorne wished Mayor Pro Tem Jimenez a Happy Birthday.

Councilmember Peralta motioned to adjourn, seconded by Councilmember Melendez. Motion carried unanimously and the meeting was adjourned at 6:47 p.m.

THE MINUTES OF JANUARY 26, 2022 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

CLOSED SESSION COMMENTS

Angelina Padilla

From: marlene ramirez <marlene.lechuga.ramirez@gmail.com>
Sent: Tuesday, January 25, 2022 10:16 AM
To: comment, ccpublic
Subject: Closed Session item no. 4 - Topgolf USA MB LLC negotiation lease

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Montebello Mayor, Mayor pro tem, and councilmembers,

I am writing to you today regarding the negotiation to lease a portion of the Montebello Golf Course with Topgolf USA MB LLC. I would hope that open space and sustainable practices are highly considered when negotiating the amount of land Topgolf will be building on. The other consideration is the recent housing element update which includes 15 acres to be rezoned for affordable housing development along Garfiled Ave inside the golf course behind the Armenian Genocide Martyrs monument and Home2Suites hotel.

Now that development is inevitable at our golf course, do understand that according to data presented to us by Rangwala Associates, Montebello is ranked with having some of the poorest air quality in southern California. The mature trees in this golf course filter the air coming from the 60 fwy to the residential neighborhoods south of the 60 fwy. Although most of our community is not benefiting from this golf course recreationally, we are benefiting from it environmentally.

Please limit the amount of physical building at this site as 80 affordable housing units are also being assigned to the golf course for potential development in our latest housing development that will come to you for approval in the near future. Do enforce sustainable building practices that exceed the CA green building code, and please do replace all trees that will be demolished by any development. To make this space economically viable, it is only our duty to also make it environmentally and recreationally beneficial to Montebello residents.

Thank you,

Marlene L. Ramirez

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, January 26, 2022 2:38 PM
To: comment, ccpublic
Subject: Fwd: Comments for January 26 City Council Meeting to be read in entirety and entered into public record!!!!

Follow Up Flag: Follow up
Flag Status: Flagged

Re: Public Comment for Closed Session Item 4. Conference with real property negotiations.

To: City Council of Montebello

From: Margot Eiser, Concerned Citizen, resident, tax payer, voter. Address and contact information on file.

I and many others object to having this matter discussed in Closed Session by a highly paid city employee and a private corporation which seeks only to make a profit. Since the Montebello GOLF COURSE is a PUBLIC entity, NO decision should be made until all factual information is presented to us, the public, with open discussions to determine if any negotiations should take place or decision made. Please let US, the people, determine how the results of such a lease would affect OUR Golf Course. WE must be the ones to decide whether to proceed or to stop the process. Your prompt action on OUR behalf will be appreciated and remembered during the next election!!!

Re: Public Comments On Non-Agenda and Agenda Items
To: City Council
From: Margot Eiser

Good Evening. I am Margot Eiser, long time resident whose address is on file.

First, during this time of shut down, it is extremely important to not have any important decisions on the agenda till we can again meet in person. Another solution would be to change to using Zoom to broadcast all meetings so everyone can participate more directly with the video or using phone only.

There is another matter which has been bothering me and others for a long time. Please let us know what we have to do or pay you to get you, who are supposed to be our representatives, to do what we need and want you to do for us, the people, residents, tax payers, visitors and voters? It seems that neither petitions, reports with pertinent factual information nor passionate pleas get you to stop destructive projects or to allow for ones that will actually benefit us and the city. Answers are welcome when permitted.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Agenda and Non-Agenda Comments

Angelina Padilla

From: Rubi Mondragon <rubimondragon562@gmail.com>
Sent: Saturday, January 15, 2022 7:35 PM
To: comment, ccpublic
Subject: Montebello Bus Lines

Follow Up Flag: Follow up
Flag Status: Flagged

After having a pleasant conversation with Timmothy Rodriguez the Transporation Manage. He informed me about many of the problems they are encountering. One of them is the biggest issue that no one can control and that is people not wanting to get vaccinated because of personal reasons. Unfortunately, people feel that way and it could reduce the amount of covid 19 transmission since the company requires that for the safety of the public.

The second reason is that the pandemic forced people to reevaluate either working from home or looking for employment elsewhere. Maybe a solution for that would be that maybe it needs to advertise more either on the buses, job posting on indeed, or letting people know beforehand that they need to have a good driving record.

There are many drivers whom I spoke with regarding them quitting their jobs with a severance package meaning they had the option of either working for the next 3 years or having the option to retire early. Therefore there would be more job openings but then again due to the pandemic, it is difficult to hire new drivers especially with experience, clean record, and willingness to start with decent pay which might not match older veterans.

As they explained to me the company is trying to prioritize the amount of demand over routes most frequently used rather than the routes less used. That is understandable but regardless of which lines are being occupied people still need to get to work, and on, time. As of right now, the line that is less used is the 70 but when the time comes both high schools will soon require that and they don't have the means to otherwise get themselves there. If anything it gives parents a break and trust in the company to let the children get to school safely.

There is another option that maybe you the company haven't been made aware of or maybe might not want to admit because that would mean losing business is, and that is partnering with the Metro Bus Lines? There is no other option than taking the Montebello Bus lines other than maybe walking or riding a bike.

What exactly can the city do? Or what can we do to receive a much-needed service?

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Paul Castillo <pc3721367@gmail.com>
Sent: Wednesday, January 26, 2022 2:13 PM
To: comment, ccpublic
Subject: Montebello's bus line service

My name is Paul Castillo and I live in downtown Los Angeles I know the Montebello bus lines are short-handed on bus operators due to the covid-19 is there any way to change your management your current Transit director is not running the bus system correctly I have experience in the transportation do you want your transasia correct way please give me the opportunity to bring this to your mare and if she cancelled I tried calling the offices the transit Mall by bus on offices and get no response from them and this is not fair to the to the come ride the buses everyday the term for the mirror to seek us at Montebello to get rid of this traffic director you have now and bring me into the next transit to rector I growed up in Montebello l.a. I went to schurr high School I will be the perfect person to run your Transit agency please give me the opportunity I'm sorry to say this but you need to get rid of your Transit director and give me the opportunity to run your agency the correct way it should be run and hire more people I know you're I know the bus agencies short-handed right now dudes the covid-19 and it don't have enough bus operators I can't change that for you and the City

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PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, January 26, 2022 2:38 PM
To: comment, ccpublic
Subject: Fwd: Comments for January 26 City Council Meeting to be read in entirety and entered into public record!!!!

Follow Up Flag: Follow up
Flag Status: Flagged

~~Re: Public Comment for Closed Session Item 4. Conference with real property negotiations.~~

~~To: City Council of Montebello~~

~~From: Margot Eiser, Concerned Citizen, resident, tax payer, voter. Address and contact information on file.~~

~~I and many others object to having this matter discussed in Closed Session by a highly paid city employee and a private corporation which seeks only to make a profit. Since the Montebello GOLF COURSE is a PUBLIC entity, NO decision should be made until all factual information is presented to us, the public, with open discussions to determine if any negotiations should take place or decision made. Please let US, the people, determine how the results of a such lease would affect OUR Golf Course. WE must be the ones to decide whether to proceed or to stop the process. Your prompt action on OUR behalf will be appreciated and remembered during the next election!!!~~

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To: City Council
From: Margot Eiser

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There is another matter which has been bothering me and others for a long time. Please let us know what we have to do or pay you to get you, who are supposed to be our representatives, to do what we need and want you to do for us, the people, residents, tax payers, visitors and voters? It seems that neither petitions, reports with pertinent factual information nor passionate pleas get you to stop destructive projects or to allow for ones that will actually benefit us and the city. Answers are welcome when permitted.

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Angelina Padilla

From: Paul Castillo <pc3721367@gmail.com>
Sent: Wednesday, January 26, 2022 2:42 PM
To: comment, ccpublic
Subject: Hello I'm Paul Castillo I am for resident of Montebello and a bus rider of the Montebello bus lines

I hope you could send this to the mayor and the city council I tried clicking to the on the website I cannot send them an email I have pics. As I your transportation industry for over more in 6 years and read books on Prince the operation and management your current Transit director is doing a huge Silverstein cuts and cut their hours the bus and respect I think it's very unfair to the residents of Montebello and the Los Angeles area please give me the opportunity to become your next transit director I have experience and I want to share high school and Montebello intermediate School in Montebello please give me the opportunity to become your new Transit director I will restore your bus system packed away party pre-closing I will need you to help the council the change of policy to if we could hire people and Kim train them I know the city right now doesn't want people unless you have your proof you already had your license credentials I think it's kind of unfair metro on the all the transit agencies are giving people the chance to get trained and get their learner's permit so I don't want to look into this if you see will be blowing it to me please give me the opportunity this is my email address you can reach me at please give me the opportunities please forward this email to the mayor and the city council thank you

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PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

CITY OF MONTEBELLO
SPECIAL CITY COUNCIL MEETING

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 23rd DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

CITY OF MONTEBELLO
SPECIAL CITY COUNCIL MEETING

MINUTES

WEDNESDAY, AUGUST 18, 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 4:06 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, Councilmember Jimenez, Councilmember Melendez, and Councilmember Peralta. Treasurer Gutierrez was 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 ON AGENDA ITEMS (30 MINUTES)
City Attorney Arnold Alvarez-Glasman acknowledged two (2) public comment submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

CLOSED SESSION
City Attorney Alvarez-Glasman stated that the Closed Session was listed in the event that any member of the City Council wishes to discuss this matter in Closed Session prior to discussing it in Regular Session. Council did not recess into Closed Session.

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code Section 54956.8

Property:	901 Via San Clemente, Montebello CA
Agency's Negotiator:	René Bobadilla, City Manager
Negotiating Party:	Topgolf
Under Negotiation:	Price and Terms

REPORT FROM CLOSED SESSION – None.

REGULAR BUSINESS

2. ADOPT RESOLUTION NO. 21-76 DECLARING A CITY-OWNED PORTION OF THE MONTEBELLO GOLF COURSE TO BE "SURPLUS LAND" FOR PURPOSES OF CALIFORNIA'S SURPLUS LANDS ACT SUBJECT TO CONDITIONS AND RESTRICTIONS ON ITS DEVELOPMENT

City Attorney Arnold Alvarez-Glasman presented the Staff Report to the City Council.

It was moved by Councilmember Jimenez, seconded by Councilmember Melendez that the City Council:

RECOMMENDATION: It is recommended that the City Council:

1) Adopt the attached Resolution to declare approximately a 10-12 acre portion of the Montebello Golf Course "surplus land" pursuant to the Surplus Land Act.

Motion carried unanimously.

Councilmember Melendez asked to speak to provide a report on the Homeless Ad Hoc Committee. The Operation Stay Meeting would be held on August 18, 2021 from 5:30 p.m. – 7:30 p.m. at the Montebello Commerce Metro link Station and invited the community to attend.

ADJOURNMENT

Councilmember Melendez motioned to adjourn the meeting at 4:15 p.m., seconded by Councilmember Jimenez.

THE MINUTES OF AUGUST 18, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.

Alicia Fernandez, Deputy City Clerk

Public Comments

Closed and Regular Session

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>

Sent: Wednesday, August 18, 2021 12:45 PM
To: comment, ccpublic
Cc: publisher@scng.com; msprague@scng.com
Subject: Special meeting Montebello City Council August 18, 2021

To: City Council, City Staff etc.
From: Margot Eiser, citizen, person, resident, tax payer, voter
Re: Closed and Open Session Items

Please read aloud and enter into public record.

Good evening.

The closed session item states that you are proposing to sub divide our publicly owned golf for residential and or commercial developmemt and then vote to approve this resolution in open session. If this is the case, instead of only five member of the city council making this decision, let the voters decide about the fate of our golf course or tell a judge why we the voters were not allowed to do so . Montebello Concerned Citizens Committee is hereby requesting a special meeting with you.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

CITY OF MONTEBELLO
SPECIAL CITY COUNCIL MEETING

MINUTES

TUESDAY, AUGUST 24, 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 5:32 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 – Assistant City Attorney Norma Copado, 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
Assistant City Attorney Norma Copado 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.

CLOSED SESSION – 5:30 P.M.
Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:36 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 54957.9(d)(1)
   a. Camacho v. Montebello (JAMS 1220070833)
   b. NASA v. City of Montebello (LA Superior Court case no. 21STCP01969)

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Government Code section 54957.9(d)(2)
One matter of anticipated litigation involving HCD

Mayor Cobos-Cawthorne reconvened the meeting at 6:37 p.m. During Closed Session the City Council discussed items in the following order: Item 3, Item 2, and Item 1. City Council received a briefing on Items 1, 2, and 3 there was no action taken, nothing further to report.

REGULAR SESSION – 6:30 P.M.

INVOCATION – City Clerk Jimenez

FLAG SALUTE – Human Resources Director Nicholas Razo

CORRECTIONS TO THE AGENDA – CITY MANAGER – None

PRESENTATIONS – None

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES) – None

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST – None

OLD BUSINESS

4. FURTHER REVIEW OF A ZONE CODE AMENDMENT TO AMEND THE MONTEBELLO MUNICIPAL CODE TO ESTABLISH AN ART IN PUBLIC PLACES PROGRAM AND ADVISORY COMMITTEE, MODIFY SECTION 17.62.050 OF THE MONTEBELLO MUNICIPAL CODE TO REMOVE "MURALS" FROM THE LIST OF PROHIBITED SIGNS; ADOPT A CEQA EXEMPTION UNDER § 15061(B)(3) – INTRODUCTION AND WAIVING FIRST READING OF ORDINANCE NO. 2441

NOTE: This matter will be continued to the City Council Meeting of September 8, 2021 or at a date thereafter as determined by the City Council.

REGULAR BUSINESS – None

CONSENT CALENDAR
Councilmember Peralta motioned that all items be approved in a single motion, seconded by Councilmember Jimenez. Such approval will also waive the reading of any ordinance. Motion carried unanimously.

5. SECOND READING - ADOPT ORDINANCE NO. 2442 AMENDING CHAPTER 10.32 - "STOPPING, STANDING AND PARKING" OF THE MONTEBELLO MUNICIPAL CODE AUTHORIZING ISSUANCE OF MONTHLY, OVERNIGHT AND WEEKEND PARKING PERMITS AT CITY OWNED OR OPERATED OFF-STREET LOTS AND PARKING FACILITIES

It was moved by Councilmember Peralta, seconded by Councilmember Jimenez that the City Council:

1) Waive Second Reading of Ordinance No. 2442 amending Chapter 10.32 – "Stopping, Standing and Parking" of the Montebello Municipal Code authorizing issuance of monthly, overnight, and weekend parking permits for residents at City-owned or operated off-street lots and parking facilities; and
2) Authorize, the City Manager or his designee(s), to erect the required signage per California Vehicle Code sections 21113 and 22519 giving notice of special conditions, regulations, prohibitions, restrictions and/or regulations ushered in by the proposed Ordinance; and
3) Take such additional, related action that may be desirable.

Motion carried unanimously.

6. APPROVE LEASE AGREEMENT FOR ASHIYA PARK WITH SOUTHERN CALIFORNIA EDISON

It was moved by Councilmember Peralta, seconded by Councilmember Jimenez that the City Council:

1) Approve a Lease Agreement with Southern California Edison ("Edison") for a five-year term for use of Ashiya Park for public recreation purposes; and
2) Authorize the City Manager to execute the Agreement on behalf of the City; and
3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

7. APPROVE A SOLE-SOURCE AGREEMENT NO. 3903 WITH REMIX SOFTWARE, INC., FOR ADD-ON SCHEDULING SOFTWARE LICENSES AND SUPPORT SERVICES

It was moved by Councilmember Peralta, seconded by Councilmember Jimenez that the City Council:

1) Approve a sole-source agreement with Remix Software, Inc. (Remix), for add-on scheduling software licenses and support services; and
2) Authorize the City Manager and/or his designee to execute an agreement on behalf of the City; and
3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

8. APPROVE ISSUING A VEHICLE BODY REPAIR AND PAINTING SERVICES REQUEST FOR QUOTE, NO. 21-55

It was moved by Councilmember Peralta, seconded by Councilmember Jimenez that the City Council:

1) Approve Issuing a Vehicle Body Repair and Painting Services Request for Quote, No. 21-55 (RFQ No. 21-55); and
2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

9. PAYMENT OF BILLS: RESOLUTION NO. 21-77 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED AUGUST 24, 2021

It was moved by Councilmember Peralta, seconded by Councilmember Jimenez that the City Council:

Adopt Resolution No. 21-77 approving the Warrant Register dated August 24, 2021.

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. Fireworks.

Councilmember Melendez requested Council consensus to direct staff to research policies for legal and illegal fireworks; consensus was received unanimously. City Manager Bobadilla stated that staff would look into different options for the City Council.

2. **Councilmember Jimenez**

Councilmember Jimenez announced that Assemblywoman Garcia was hosting a Movie Night on Friday, August 27, at Montebello City Park. She invited the public to attend and asked the public to contact Betty Peralta to volunteer.

Councilmember Jimenez also recognized City Staff: Zoraida Caltitla, Alicia Fernandez, and Kimberly Guillen for going above and beyond at the Downtown Street Fest.

3. **Councilmember Peralta**
   a. Seek Council consensus for a partnership between the City of Montebello and Mexican American Opportunity Foundation for the nation's premier annual Hispanic family physical activity and healthy lifestyle event: Vive tu Vida! Get Up! Get Moving! Health Fair.
   b. Montebello Farmers Market Thursday's 5-8 pm at 6th St. south of Whittier Blvd. Opens on August 26, 2021. Come out and have some fun!

Councilmember Peralta requested Council consensus for a partnership between the City and Mexican American Opportunity Foundation, a non-profit organization, for the nation's premier annual event, Vive tu Vida! Get Up! Get Moving! Health Fair. The event is scheduled for November 2021; consensus was received unanimously.

Councilmember Peralta invited the public to attend the Montebello Farmers Market.

4. Mayor Pro Tem Torres

a. Transit Ad Hoc Committee Report.
b. Appointment to Parks and Recreation Commission – Erika Cabrera Moriyama.

Mayor Pro Tem Torres provided a brief summary of the Transit Ad Hoc Committee Meeting. He announced his appointment to the Parks and Recreation Commission, Erika Moriyama.

5. Mayor Cobos-Cawthorne

Mayor Cobos-Cawthorne stated that she met with Pico Rivera Mayor and discussed the closure of Pico Rivera Golf Course. She invited Pico Rivera residents to the Montebello Golf Course at the Montebello resident rate.

Mayor Cobos-Cawthorne also thanked City Staff including the Police Department and Fire Department for a well-organized and memorable Downtown Street Fest.

ADJOURNMENT

Councilmember Jimenez adjourned in the memory of U.S. Army Sergeant William Sanchez who passed away on August 23, 2021. Councilmember Melendez motioned to adjourn the meeting, seconded by Mayor Pro Tem Torres. Motion carried unanimously and the meeting was adjourned at 7:13 p.m.

THE MINUTES OF AUGUST 24, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.

Alicia Fernandez, Deputy City Clerk

CLOSED SESSION COMMENTS

Angelina Padilla

From: mde4peace <mde4peace@gmail.com>
Sent: Tuesday, August 24, 2021 1:54 PM
To: comment, ccpublic
Subject: Montebello City Council Meeting-Wednesday, August 24, 2021

To: Montebello City Council, staff et al.
From: Margot Eiser, citizen, person, resident, taxpayer, voter
Re: Comments to be read aloud during meeting and entered into public record.
Closed Session Item 1-Threat to PUBLIC services or FACILITIES.

There is a danger to our PUBLIC GOLF COUSE which must be addressed and removed!

Point of information. According to the California Surplus Lands Act, only affordable housing is supposed to be built on actual Surplus Land. More significantly for this officially designated park poor city, land can be designated as surplus to be used for Open Space Purposes including PUBLIC RECREATION , enjoyment of scenic beauty or conservation or use of natural resources. Thus it makes no sense to even considerTop Golf's , a private for profit corporation, proposal to build expensive indoor driving range BUILDINGS on OUR publicly owned GOLF COURSE which would decrease the amount of open space available for recreational purposes!

Please include this in your discussion of this important matter!

Responses would be appropriate and appreciated.

P.S. It's not the world that is screwed up, it's horrible, mean, greedy, cruel people lying, stirring up divisiveness and war mongering for profit causing all the problems!

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

CITY OF MONTEBELLO
SPECIAL CITY COUNCIL MEETING

M I N U T E S

WEDNESDAY, SEPTEMBER 1, 2021 AT 5:30 P.M.

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA 90640

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 5:36 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 ON AGENDA ITEMS (30 MINUTES)
City Clerk's Office acknowledged two (2) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

CLOSED SESSION
Mayor Cobos-Cawthorne recessed 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. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
   Government Code Section 54956.9(d)(2)
   Agency Negotiators: René Bobadilla
   Significant exposure to litigation in one matter which facts and circumstances need not be disclosed under Government Code Section 54956.9(e)

REPORT FROM CLOSED SESSION

Mayor Cobos-Cawthorne reconvened the meeting at 6:35 p.m. During Closed Session the City Council received a briefing and presentation on Items 1 and 2; no final action was taken, nothing further to report. City Attorney also notated that Agency Negotiators from Item No. 2 should be deleted.

OPEN SESSION

PRESENTATIONS

3. **AMERICAN RESCUE PLAN ACT/CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS OVERVIEW AND DISCUSSION** – Presented by Director of Finance, Michael Solorza where he provided the City Council an overview of the American Rescue Plan Act (ARPA), Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), unmet needs, planned projects, and the next steps.

   Mayor Cobos-Cawthorne motioned to approve the recommended use of CSLFRF for the project categories of IT Network Backbone for $4,100,000; IT Productivity Software for $1,500,000; Fleet Replacement/Upgrades for $6,850,000; and Sewer Maint/Capital Repairs for $4,150,000, as listed on page 28 of the presentation, seconded by Councilmember Melendez; motion approved unanimously.

4. **ARTS IN PUBLIC PLACES PROGRAM ORDINANCE** – Presented by Planning Manager, Jessica Serrano, where she provided an overview on the public process, the proposed Art in Public Places Program, examples of public artwork, proposed Art in Public Places Advisory Committee, the fee structure as originally proposed, and a fee structure revised per City Council direction.

   Councilmember Jimenez suggested holding off on this project.

   Councilmember Melendez suggested having a conversation with the City's Chamber of Commerce on how this project would impact the business communities. He also suggested holding off until more feedback is received from community.

   Mayor Pro Tem Torres expressed his concerns about the fee impacts on businesses and the possibility of how the fees can be relieved. He stated that he would be supporting moving forward with this item if City Council can decide on the two issues he expressed.

   Councilmember Peralta agreed that although there is a concern about the fees, she is open to taking a look at the way the fees can be restructured or working with waiving fees for those that will be impacted negatively with the fees. She is in support of moving forward with this project.

   Mayor Cobos-Cawthorne expressed her concerns about burdening businesses with the fees and recommended tabling this item.

Councilmember Melendez made a motion to table this item for further discussion at a later date once staff can present further information, seconded by Councilmember Jimenez; motion carried unanimously.

ADJOURNMENT

Mayor Cobos-Cawthorne adjourned the meeting in memory of the 13 brave American soldiers who were killed oversees in an attack. The soldiers are as follows:

Marine Corps Lance Cpl. David Espinoza, 20, of Rio Bravo, TX

Marine Corps Sgt. Nicole Gee, 23, of Roseville, CA

Marine Corps Staff Sgt. Darin Taylor Hoover, 31, of UT

Army Staff Sgt. Ryan Knauss, 23, of Corryton, TN

Marine Corps Cpl. Hunter Lopez, 22, of Indio, CA

Marine Corps Lance Cpl. Rylee McCollum, 20, of Jackson, WY

Marine Corps Lance Cpl. Dylan R. Merola, 20, of Rancho Cucamonga, CA

Marine Corps Lance Cpl. Kareem Nikoui, 20, of Norco, CA

Marine Corps Cpl. Daegan William-Tyeler Page, 23, of Omaha, NE

Marine Corps Sgt. Johanny Rosario, 25, of Lawrence, MA

Marine Corps Cpl. Humberto Sanchez, 22, of Logansport, IN

Marine Corps Lance Cpl. Jared Schmitz, 20, of Wentzville, MO

Navy Hospital Corpsman Max Soviak, 22, of Berlin Heights, OH

Councilmember Jimenez motioned to adjourn the meeting. Motion carried unanimously and the meeting was adjourned at 8:17 p.m.

THE MINUTES OF SEPTEMBER 1, 2022 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

CLOSED SESSION COMMENTS

#1

Guillen, Kimberly (Admin)

From: mde4peace <mde4peace@gmail.com>
Sent: Wednesday, September 1, 2021 10:56 AM
To: comment, ccpublic
Subject: Public Comments for Special City Council Meeting, September 1, 2021-

Submitted 10:55 a.m. September 1, 2021

To: City Council, city staff et al

From: Margot Eiser, resident. Contact information already on file and utilized.

Re: Comments to be read aloud and entered into the public record. Because of current circumstances limiting access to communication, getting direct responses to each would be appropriate and appreciated.

Re:

Closed Session Item 1
Please let us the citizenss, people, residents, tax payers, voters know what besides the one I brought up last time, are the other ongoing threats to OUR public services and facilities which you are again discussing in closed session.

Closed Session Item 2
Objecting that no information is given about this matter and the reason for the alleged threat of litigation. I am concerned because though it could result in negative consequences for us the people, it is being discussed and negotiated in closed session by a highly paid city employee instead of by you, the city council, who are supposed to represent us, the people! The agenda of a previous city council meeting of the city of Los Altos, California, indicates that the City Council itself were the ones to deal with this specific issue and other closed session items. We need to know the subject of the discussion in our city and have input on how it is resolved.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

CITY OF MONTEBELLO
SPECIAL CITY COUNCIL MEETING

M I N U T E S

WEDNESDAY, OCTOBER 27, 2021 AT 5:00 P.M.

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA 90640

CALL MEETING TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 5:12 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 ON AGENDA ITEMS ONLY (30 MINUTES)

The City Clerk's office called six (6) members of the public wishing to address the City Council. The 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 six (6) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

OPEN SESSION

REGULAR BUSINESS

1. CONSIDERATION OF REORGANIZATION FOR THE POSITION OF MAYOR PRO TEM

Councilmember Melendez, Mayor Cobos-Cawthorne, and Councilmember Jimenez were in support of the reorganization for the position of Mayor Pro Tem. Mayor Pro Tem Torres and Councilmember Peralta were not in support of the reorganization for the position of Mayor Pro Tem.

Councilmember Melendez made a motion to remove Mayor Pro Tem Torres from his current position, seconded by Councilmember Jimenez. A roll call vote was taken and motion passed by 3-2.

MOVED: Melendez	**SECONDED:** Jimenez	**APPROVED:** 3-2-0-0

AYES: Cobos-Cawthorne, Jimenez, Melendez
NOES: Torres, Peralta
ABSTAIN: None
ABSENT: None

Councilmember Melendez made a motion to nominate Councilmember Jimenez for the position of Major Pro tem, a second was not needed. No further nominations were received and nominations were closed. Mayor Cobos-Cawthorne asked for a motion to confirm Councilmember Jimenez' appointment as Mayor Pro Tem. Councilmember Melendez made a motion to confirm the appointment, motion seconded by Councilmember Jimenez. A roll call vote was taken and motion passed by 3-2.

MOVED: Melendez	**SECONDED:** Jimenez	**APPROVED:** 3-2-0-0

AYES: Cobos-Cawthorne, Jimenez, Melendez
NOES: Torres, Peralta
ABSTAIN: None
ABSENT: None

ADJOURNMENT

Mayor Cobos-Cawthorne adjourned to the Regular Meeting at 6:24 p.m.

THE MINUTES OF SPECIAL MEETING HELD ON OCTOBER 27, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

ITEM NO. 1 - CONSIDERATION OF REORGANIZATION

Angelina Padilla

From: Adriana Tachiquin <adriee97@gmail.com>
Sent: Wednesday, October 27, 2021 2:24 PM
To: comment, ccpublic
Subject: Today's Special Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

I have been a resident of Montebello for 42 years and I am voicing my disagreement with Mayor Kimberly Cobo's attempting to remove Mayor Pro Tem David Torres. As a citizen of this community I am asking that David is allowed to finish his role. I think it's extremely important that he continues to voice his opinion and calling out certain issues and/or council members for their lack of putting the city first.

I am also asking for our voices as residents to be continued to be heard. Our voices our votes are what matters. Why is there urgency to take our voices away? What is the Mayor scared of that she no longer wants to be transparent? We need to know what is going on and we as citizens need to be able to oppose any procedures that council is attempting to change.

I also urge Mayor Cobo's to start thinking for herself as opposed to her mother making and influencing decisions made. I didn't vote for your mother. I voted for you because I trusted you would do right for our city. You lost all future votes in my household and I am positive that I am not the only resident that feels this way.

Sincerely,

Adriana Tachiquin

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Catherine Salaiz <salaizcate@gmail.com>
Sent: Wednesday, October 27, 2021 10:48 AM
To: comment, ccpublic
Subject: 10/27

Follow Up Flag: Follow up
Flag Status: Flagged

I would like to voice my concern over the possible removal of David Torres as Mayor Pro Tem. Mr. Torres has done an exemplary job serving our community, I believe he is the Council Member that addresses our concerns and is always available to our community members.

~~The newly imposed time limitations on public and council comment is also a concern, this is a step backwards for our city. Limiting public comment sends a message that our voices are only worth a timed response. When we are addressing issues that directly concern us, time should not be constrained to the first 30 minutes of a meeting, we should address our concerns with a Consent or Agenda Item at the time they are brought to our attention. In order to further the suppression of the community's voice, written comments are not addressed at the time of the meeting. These policies seem to curtail any momentum that community members may gain.~~

Thank you for your time.

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Angelina Padilla

From: Elias Rangel <rangel538@gmail.com>
Sent: Tuesday, October 26, 2021 9:14 PM
To: comment, ccpublic
Subject: Disagree with Notice of Special Meeting Scheduled for 10/27

Follow Up Flag: Follow up
Flag Status: Flagged

The topic of a reorganization specifically with the intent to change current Mayor Pro Tem seems hasty and unsubstantiated.

From my knowledge and experience current Mayor Pro Tem, David Torres, is an amazing and caring individual with the approach and perspective to have a positive and lasting affect on the City of Montebello. As someone who has lived in Montebello for 20+ years his opinion and forward thinking is something we need more of. Please consider this my opposition to any sort of early reorganization of said position.

Best,

Elias Rangel
Proud Montebello Resident

Sent from my iPhone

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Angelina Padilla

From: Pat Duran <pduran4321@gmail.com>
Sent: Wednesday, October 27, 2021 3:23 PM
To: comment, ccpublic
Subject: Citizen comments and concerns of today's meeting

City of Montebello

I completely disagree with the removal of

David Torres for Montebello's Mayor for 2022.

David is an amazing person, and his skills are far

the best for the job.

If this is for personal reasons, then this should be dismissed.

If this is for political reasons, or for political gain,

then David Torres should remain as Mayor Pro Term.

Marta Perez

Citizen of Montebello

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Angelina Padilla

From: dede <ddd1way@earthlink.net>
Sent: Wednesday, October 27, 2021 2:55 PM
To: comment, ccpublic
Subject: special meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening,

I would like to comment the special meeting of reorganization of Mayor.

Why the rush to a special meeting for the re-organization of Mayor, Is it because you do not agree on everything, This Council has made some questionable decisions that are not the will of the people, I am sure you have been told that rushing into decisions that will affect our city is not wise.

You each have been voted in to make decisions and bring forth the wishes of the people of this City. Not your own wishes!

Figure it out like grown ups and please stop the back bitting!!!

Delia & Danny Delgado

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Angelina Padilla

From: Julian Cepeda <j.cepeda1296@gmail.com>
Sent: Wednesday, October 27, 2021 1:33 PM
To: comment, ccpublic
Subject: Public Comment Regarding Reorganization of Mayor Pro Tem

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

I am writing today in support for Mayor Pro Tem David Torres. He has been an excellent leader in the community and has always put his responsibility as an elected representative first. I hope the council chooses to keep David Torres in his position as Mayor Pro Tem and elects him as Mayor at the scheduled reorganization later this year.

Thank you for your time,

Julian Cepeda

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Special Meeting

Rec'd 10/27 @ 9:59 KG.

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

(1)

Name Erika Cabrera Moriyama

Address *(optional)* _____

_____

Phone *(optional)* (323) 680 - 0528

Organization represented (if any) _____

Topic Item # 1

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

RECV'd 10/27/21
@10:12am
AP

(2) ✓

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Veronica Rodriguez Cabrera

Address *(optional)*

Phone *(optional)* (323) 697-0256

Organization represented (if any)

Topic Item #2

(Please be specific)

(The instructions on the back will assist you in expressing your views)

Recv'd 10/27/21
@ 12:14pm
AP

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Mayra Jimenez

Address *(optional)* _____

_____

Phone *(optional)* (323) 683-4687

Organization represented (if any) _____

Topic Item #1

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

Recv'd 10/27/21
@ 11:07am
AD

3

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Arlene Andrade

Address *(optional)* _____

_____

Phone *(optional)* (323) 910-3915

Organization represented (if any) _____

Topic Special Meeting item #1

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

Recv'd 10/27
@ 3:30 PM
AP

5

City of Montebello

SPEAKER REQUEST CARD

PLEASE NOTE: *ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Marlene Ramirez

Address *(optional)* _____

_____

Phone *(optional)* (626) 378-5673

Organization represented (if any) _____

Topic Item 1

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

Recv'd 10/27
@ 4:02p.m.
K.G.

(6)

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Margita Uyere

Address *(optional)* _____

_____

Phone *(optional)* (323) 304-0661

Organization represented (if any) _____

Topic - Special Meeting: Talking in support of keeping Mayor Pro Tem Torres

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

CITY OF MONTEBELLO
SPECIAL CITY COUNCIL MEETING

M I N U T E S

SATURDAY, NOVEMBER 13, 2021 AT 10:00 A.M.

MONTEBELLO SENIOR CENTER
115 S. TAYLOR AVENUE
MONTEBELLO, CALIFORNIA 90640

OPENING CEREMONIES

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 10:05 a.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Councilmember Torres, Councilmember Melendez, and Councilmember Peralta; City Clerk Jimenez was also present. Mayor Pro Tem Jimenez arrived at 10:14 a.m.

STAFF PRESENT – City Attorney Arnold Alvarez-Glasman, City Manager René Bobadilla, Deputy City Clerk Alicia Fernandez, Assistant to Deputy City Clerk Kimberly Guillen, and Records Coordinator Angelina Padilla.

REGULAR SESSION

PUBLIC HEARING

1. CALIFORNIA VOTING RIGHTS ACT ("CVRA") PUBLIC HEARING 2

City Attorney, Arnold Alvarez-Glasman, presented a PowerPoint on CVRA.

Demographer, Claudio Gallegos, presented a PowerPoint on the districting process.

City Attorney Arnold Alvarez-Glasman acknowledged one (1) public comment submitted to the City's public comment email address. Said comments are on file at the City Clerk's office. Deputy Director Michael Chee walked around the room as various members of the Public requested to comment and address the City Council on this item.

Councilmember Torres expressed his concerns in moving forward with the districting process without an outside committee. He also stated that he personally is not in support of districting but as a Councilmember he would rather the City use money, which would be used if challenging the CVRA lawsuit, to benefit the City and community; however, if the City's legal counsel believes the City can challenge the lawsuit he is open to consider litigation.

Councilmember Peralta stated that as a resident she is opposed for districting because as a Councilmember she wants to help the entire community, but understands that the law is not on the City's side and is in support of moving forward with a fair and equitable process. She stated that she is opposed to rushing through the district process and doesn't feel that a district map should be adopted by March of 2022.

Councilmember Jimenez stated that she cannot state whether she is in support or opposed to districting process as it's a learning process for everyone and there is a lot of missing information.

Councilmember Melendez stated that unfortunately the law is not in the City's favor and the City has to provide the burden of truth that it's not discriminating against the Asian community and if the City challenges this litigation it could cost millions of dollars. He stated that if the community would like to challenge the lawsuit and spend those millions of dollars then Council can make that consideration. Councilmember Melendez stated that he welcomes the feedback from the public as we have future Public Hearings.

Mayor Cobos-Cawthorne stated that a ping was sent out to thousands of members of the community through the My Montebello application and only a room filled of people attended the hearing. She also stated that she prefers the districting process continues until after the state and county re-districting process is completed in order to save money.

After City Council discussion, a motion was not made on this matter.

City Clerk Jimenez asked for the public to submit their email information to receive information about future Public Hearings.

ADJOURNMENT

Mayor Cobos-Cawthorne asked for a motion to adjourn. Councilmember Melendez motioned, seconded by Mayor Pro Tem Jimenez. Motion carried unanimously and the meeting was adjourned at 12:23 p.m.

THE MINUTES OF NOVEMBER 13, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

PUBLIC HEARING COMMENTS

Angelina Padilla

From: William Moreno <billmoreno@gmail.com>
Sent: Monday, November 8, 2021 12:02 PM
To: comment, ccpublic
Subject: Fwd: REDISTRICTING
Attachments: MONTEBELLO DISTRICTS PROPOSAL.Moreno11.8.21.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Melendez, Salvador <SMelendez@cityofmontebello.com>, Scarlet Peralta <speralta@cityofmontebello.com>, René Bobadilla <rbobadilla@cityofmontebello.com>, David Torres <dtorres@cityofmontebello.com>, Angie Jimenez <ajimenez@cityofmontebello.com>

Greetings: I won't be in town for the meeting so here is my stab at 4 Districts (and one at-large).
I don't support adding more council members since we're small and it can make consensus more difficult.
Thank you.

Montebello District Proposal

1. My assumption is that we keep the same number of 5 Council members;
2. That Council members must live in the district they represent;
3. This proposal gives two reps each for North and South Montebello.
4. I've added "historic" terms to distinguish the 4 districts.

District 1 Historic South Montebello

1. South of WHITTIER to WASHINGTON
2. East to BLUFF ROAD
3. West to CITY LIMITS

District 2 South Montebello

- South of WASHINGTON to the 5 Freeway
- East to BLUFF ROAD
- West to CITY LIMITS

District 3 Historic North Montebello

- South of BEVERLY BLVD (inclusive) to WHITTIER BLVD (inclusive)
- East to BLUFF ROAD
- West to GARFIELD/CITY LIMITS

District 4 North Montebello Hills

- North of BEVERLY to the 60 (and adjacent)

- East to CITY LIMITS
- West to CITY LIMITS

#5 - At Large

One At-Large Council Person who represents the entire city.

###

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

William Moreno
North Montebello Resident

Montebello District Proposal

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- South of WASHINGTON to the 5 Freeway
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- West to CITY LIMITS

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- East to BLUFF ROAD
- West to GARFIELD/CITY LIMITS

District 4 North Montebello Hills

- North of BEVERLY to the 60 and adjacent
- East to CITY LIMITS
- West to CITY LIMITS

#5 - At Large

One At-Large Councilperson who represents the entire city.

###

CITY OF MONTEBELLO
SPECIAL CITY COUNCIL MEETING

M I N U T E S

WEDNESDAY, JANUARY 19, 2022 AT 5:00 P.M.

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA 90640

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 5:08 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Jimenez, Councilmember Torres, 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 ON AGENDA ITEMS ONLY
City Clerk's Office acknowledged two (2) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

CLOSED SESSION – 5:00 P.M.
Mayor Cobos-Cawthorne recessed into Closed Session at 5:14 p.m. to consider the following Closed Session Item:

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

2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
   Government Code Section 54956.9(d)(2)
   One matter

REPORT FROM CLOSED SESSION

Mayor Cobos-Cawthorne reconvened the meeting at 7:14 p.m. During Closed Session the City Council received a briefing on Items 1 and 2; no final action was taken and there was nothing further to report.

OPEN SESSION - NONE

ADJOURNMENT

Councilmember Melendez motioned to adjourn the meeting, seconded by Mayor Pro Tem Jimenez. Motion carried unanimously and the meeting was adjourned at 7:01 p.m.

THE MINUTES OF JANUARY 19, 2022 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.

Alicia Fernandez, Deputy City Clerk

CLOSED SESSION COMMENTS

Angelina Padilla

From: Alberto Pimentel <pime512@usc.edu>
Sent: Wednesday, January 19, 2022 2:24 PM
To: comment, ccpublic
Subject: Special Meeting Public Comment (If Possible, Please Read Publicly)

Good evening,
My name is Dr. Alberto Pimentel Jr and I am submitting this public comment in support of a transition from an at-large election system to a district-based election system. I have spoken to a majority of the city council members to express my desire for the City of Montebello to adhere to the California Voting Rights Act and also, to prioritize the inclusion and representation of the Asian American Pacific Islander (AAPI) community in future elections. Recently, I authored an article titled, "Defining DEI in Montebello's Future Elections" in the Montebello Reporter. In this article, I addressed the transition to a district-based election system from a Diversity, Equity, and Inclusion angle. I won't repeat the article's arguments in this public comment but I will use the remaining minutes to advocate for greater public outreach, specifically focused on the benefits of a district-based election system and also, increased efforts to engage the AAPI community.

The misinformation campaigns on popular social media pages have misrepresented the benefits of districting and have shown the prejudices held by some of our fellow residents. To combat this ill-informed propaganda, I believe the City of Montebello must commit itself to financially investing in educating residents about the CVRA and districting through additional public meetings, mailers, etc. In addition, the confidence and comfort of residents with this transition to a district-based election system is contingent on the messaging shared by our elected officials. Therefore, rather than attempting to discredit an attorney or arguing that we have sufficient diversity on council, a unified approach in support of districting is necessary.

In closing, the California Voting Rights Act is an extension of the federal Voting Rights Act of 1965. We celebrated Dr. Martin Luther King's birthday a few days ago and as you may know, Dr. King was a strong advocate for the Voting Rights Act and on his birthday, it was comforting to see members of the city council share his beautiful and powerful words. That being said, please remember this, "a right delayed is a right denied".

Thank you.

Alberto Pimentel Jr, Ed.D, M.P.A, M.A
P: 323.309.3439
E: Albertopimenteljr@alumni.usc.edu
Instagram: @Soctalkwiththedoc

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Montebello-Pico Rivera Democrats <mprdemocrats@gmail.com>
Sent: Wednesday, January 19, 2022 2:31 PM
To: comment, ccpublic
Subject: Public Comment for the Special City Council Meeting from the MPR Democrats

On behalf of the Montebello-Pico Rivera Democrats, we present this public comment in full support of a district-based election system.

We strongly believe a district-based election system will create a pathway toward achieving inclusion and representation for Asian American Pacific Islander (AAPI) residents and the greater community overall in future local elections.

We strongly encourage the Montebello City Council to adhere to the laws established in the California Voting Rights Act and foster equal possibilities for all residents. We prompt the City of Montebello to commit itself to greater outreach efforts and further educate Montebello residents on the transition from the current at-large election to a district-based election system.

In speaking with several members of the City Council, we have heard their concerns and would like to offer our assistance in expanding outreach efforts. The outreach efforts are not the sole responsibility of the city's staff and council, therefore, we offer our support and availability in engaging the community and promoting civic interest in the matter of redistricting.

We call upon our elected council to stand up for equal access and opportunity for minority groups previously disenfranchised. We urge the council to approve and continue with the process for a district-based election system that supports diversity and inclusion for all.

Now is not the time to let outreach concerns limit future progress. An abstention or opposition to the item for a district-based election system is a huge step back in the progress of our City and a crutch to the growth of our community. Please do not stand in the way of progress but lead Montebello into a new era of opportunity.

-Montebello-Pico Rivera Democratic Club

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CITY OF MONTEBELLO CITY COUNCIL/SUCCESSOR AGENCY
JOINT REGULAR MEETING AGENDA

MINUTES

WEDNESDAY, JULY 28, 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 5:39 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
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.

CLOSED SESSION – 5:30 P.M.
Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:44 p.m. to consider the following closed session items:

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
   Government Code Section 54956.9(d)(1)
   One matter related to California SWRCB compliance

2. **CONFERENCE WITH LABOR NEGOTIATORS**
   Government Code Section 54957.6
   Agency Negotiators: René Bobadilla, Nicholas Razo

Employee Groups: Various City employee groups including but not limited to MPMA, MFMA, MMMA, MSA, MPOA, MCEA, MFA and unrepresented employees.

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

4. 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

5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(D)(1)
NASA Services, Inc. v City of Montebello; Case No. 21STCP01969

Items 5a. and 5b. were added after the agenda was posted, as there was an immediate need to take action, pursuant to Government Code Section 54954.2(b)(2). It was motioned by Councilmember Melendez, seconded by Councilmember Jimenez, that the items be added; motion approved unanimously.

5a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Amelia Nava v. City of Montebello
Los Angeles County Superior Court Case No. 20STCV08949

5b. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
Government Code Section 54956.8
Property: 112-132 S. 6th Street
Agency's Negotiator: René Bobadilla, City Manager
Negotiating Party: Cesar Chavez Foundation
Under Negotiation: Price and Terms

Mayor Cobos-Cawthorne reconvened the meeting at 6:47 p.m. During Closed Session the City Council received a briefing on Items 2 and 5 there was no direction or action taken. Items 1, 2, 4, 5a., and 5b. will be discussed after Council orals.

REGULAR SESSION – 6:30 P.M.

INVOCATION – Alex Vargas

FLAG SALUTE – Jraven Booth Ayala

CORRECTIONS TO THE AGENDA – CITY MANAGER – Mayor Cobos-Cawthorne asked to that Item 6 of the agenda be corrected to reflect NAVY instead of ARMY.

PRESENTATIONS

6. **RECOGNITION OF JRAVEN BOOTH AYALA – ACCEPTANCE INTO THE UNITED STATES ~~ARMY~~ NAVY** – Presented by Mayor Cobos-Cawthorne

7. **RECOGNITION OF JUVENILE ARTHRITIS AWARENESS MONTH – ZACHARY BOOTH AYALA** – Presented by Mayor Cobos-Cawthorne

8. **PARKS AND RECREATION MONTH** – Presented by Mayor Cobos-Cawthorne

9. **CALIFORNIA VOTER RIGHTS ACT UPDATE** – Presented by City Attorney Alvarez-Glasman

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

The City Clerk's office called three (3) member 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 fourteen (14) 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 Parks and Recreation, David Sosnowski, provided an update of future upcoming activities and events.

PUBLIC HEARING

10. **PUBLIC HEARING TO APPROVE BILL WALTERS NAMING OF A FACILITY**

City Attorney Alvarez-Glasman requested that this item be continued to August 11, 2021 or a date thereafter.

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council continue this item to August 11, 2021 or a date thereafter; motion carried unanimously.

NOTE: This Public Hearing will be continued to the City Council Meeting of August 11, 2021 or at a date thereafter as determined by the City Council.

11. **PUBLIC HEARING TO APPROVE RESOLUTION NO. 21-65 TO ADOPT THE PARKS MASTER PLAN AND FACILITIES NEEDS ASSESSMENT**

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.

Director of Recreation and Community Development, presented the Parks Master Plan and Facilities Needs Assessment to the City Council.

It was moved by Mayor Pro Tem Torres, seconded by Councilmember Melendez that the City Council:

1) Approve proposed Resolution No. 21-65 to adopt the Parks Master Plan and Facilities Needs Assessment; and
2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

12. PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION NO. 21-56 CONFIRMING THE FY 2021–2022 ENGINEER'S REPORT FOR THE ANNUAL NATASHA LANE LANDSCAPE ASSESSMENT DISTRICT NO. 2005-1 AND LEVYING SUCH ASSESSMENTS

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 moved by Councilmember Jimenez, seconded by Councilmember Melendez that the City Council:

1) Conduct a Public Hearing and consider adopting Resolution No. 21-56 (Attachment A) confirming the FY 2021-2022 Engineer's Report (Attachment B) for the Annual Natasha Lane Landscape Assessment District No. 2005-1; and
2) Authorize the Levying of the FY 2021-2022 Assessments; and
3) Take such additional, related action that may be desirable.

Motion carried unanimously.

13. PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION NO. 21-57 CONFIRMING THE FY 2021–2022 ENGINEER'S REPORT FOR THE ANNUAL NATASHA LANE SEWER AND STORM WATER PUMP STATION ASSESSMENT DISTRICT NO. 2005-2 AND LEVYING SUCH ASSESSMENTS

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 moved by Councilmember Jimenez, seconded by Councilmember Melendez that the City Council:

1) Conduct a Public Hearing and consider adopting Resolution No. 21-57 (Attachment A) confirming the FY 2021-2022 Engineer's Report (Attachment B) for the Annual Natasha Lane Sewer and Storm Water Pump Assessment District No. 2005-2; and
2) Authorize the Levying of the FY 2021-2022 Assessments; and
3) Take such additional, related action that may be desirable.

Motion carried unanimously.

OLD BUSINESS

14. APPROVE A RESOLUTION ADOPTING A COMPREHENSIVE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO POLICE MANAGEMENT ASSOCIATION, A RESOLUTION ADOPTING A COMPREHENSIVE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO FIRE MANAGEMENT ASSOCIATION, A RESOLUTION ADOPTING A COMPREHENSIVE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO MID-MANAGEMENT ASSOCIATION, A RESOLUTION ADOPTING A COMPREHENSIVE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO SUPERVISORS' ASSOCIATION, A RESOLUTION ADOPTING A COMPREHENSIVE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO POLICE OFFICERS' ASSOCIATION, A RESOLUTION ADOPTING A COMPREHENSIVE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO CITY EMPLOYEES' ASSOCIATION, AND A RESOLUTION ADOPTING A COMPREHENSIVE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO FIREFIGHTERS' ASSOCIATION

Director of Human Resources, Nicholas Razo, presented the Staff Report to the City Council. It was moved by Councilmember Jimenez, seconded by Councilmember Melendez that the City Council:

1) Approve Resolution No. 21-29 adopting a Comprehensive Memorandum of Understanding between the City and the Montebello Police Management Association; and
2) Approve Resolution No. 21-30 adopting a Comprehensive Memorandum of Understanding between the City and the Montebello Fire Management Association; and
3) Approve Resolution No. 21-31 adopting a Comprehensive Memorandum of Understanding between the City and the Montebello Mid-Management Association; and
4) Approve Resolution No. 21-32 adopting a Comprehensive Memorandum of Understanding between the City and the Montebello Supervisors' Association; and
5) Approve Resolution No. 21-33 adopting a Comprehensive Memorandum of Understanding between the City and the Montebello Police Officers' Association.
6) Approve Resolution No. 21-67 adopting a Comprehensive Memorandum of Understanding between the City and the Montebello City Employees' Association.
7) Approve Resolution No. 21-68 adopting a Comprehensive Memorandum of Understanding between the City and the Montebello Firefighters' Association.

MOVED: Jimenez	**SECONDED:** Melendez	**APPROVED:** 4-1-0-0

AYES: Cobos-Cawthorne, Peralta, Jimenez, Melendez
NOES: Torres
ABSTAIN: None
ABSENT: None

REGULAR BUSINESS

15. APPROVE EXECUTION OF A CITY SERVICES REQUEST WITH THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS FOR ANNUAL SEWER MAINTENANCE SERVICES (FISCAL YEAR 2021-22) PROVIDED BY THE LOS ANGELES COUNTY CONSOLIDATED SEWER MAINTENANCE DISTRICT

It was moved by Councilmember Jimenez, seconded by Councilmember Melendez that the City Council:

1) Authorize the City Manager to execute a City Service Request with the Los Angeles County Department of Public Works' Consolidated Sewer Maintenance District (CSMD) in an amount not-to-exceed $600,000 for annual sewer system maintenance services for Fiscal Year 2021-22; and,
2) Amend, the Fiscal Year 2021-22 budget by increasing appropriations by $600,000 in Account No. 100-30-340-6040.10, General Fund, Public Works, Sewer Operations, Other Contract Services; and,
3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

16. CONSIDER ADOPTING ORDINANCE NO. 2440 A/B SETTING CAMPAIGN CONTRIBUTION LIMITS TO CANDIDATES FOR ELECTIVE CITY OFFICE IN COMPLIANCE WITH AB 571

City Attorney Alvarez-Glasman presented the Staff Report to the City Council.

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council adopt Ordinance No. 2440 A as shown below.

~~1) Adopt Ordinance No. 2440 B establishing a "no limit" campaign contribution limit for candidates for elective City office; or~~
2) Adopt Ordinance No. 2440 A establishing a maximum campaign contribution limit of $5,000 or other amount per year for candidates for elective City office; or
~~3) Take no action and allow the State default campaign contribution limits to apply to elections for elective City office.~~

Motion carried unanimously.

17. REVIEW OF PROPOSED ORDINANCE AMENDING AND RESTATING THE RULES OF ORDER AND PROCEDURE FOR THE CONDUCT OF ALL CITY COUNCIL AND SUCCESSOR AGENCY MEETINGS, PROCEEDINGS, AND BUSINESS

City Manager Bobadilla presented the Staff Report to the City Council stating that the intent of this item is to receive feedback from the City Council to bring back at a future meeting.

Mayor Pro Tem Torres asked for clarification between an Ordinance, Resolution, and Administrative Policy. City Attorney Alvarez-Glasman stated that some cities do adopt such policies as an Ordinance while others use a Resolution.

Councilmember Melendez asked to clarify Staff's recommendation. City Manager Bobadilla stated that the action is to receive and file and Staff welcomes feedback from the City Council regarding this matter. Mayor Cobos-Cawthorne stated that this item would bring all previous Resolutions and combine them as one Ordinance. Mr. Bobadilla confirmed that best practices from other cities were also incorporated into the Ordinance to make sure that there is uniformity in the City's protocols and standards. Furthermore he explained how the time, minutes, and items in question by Mayor Pro Tem Torres can all change at the City Council's direction. City Attorney Alvarez-Glasman suggested that the City Council individually submit their suggestions/recommendations to either the City Manager, City Attorney, or City Clerk's office; and the matter can be revisited and be brought to Council.

Councilmember Melendez made a motion to receive and file the Ordinance, seconded by Councilmember Jimenez, that the City Council:

1) Review and discuss rescinding Resolution Nos. 89-70, 06-22, 11-89, and 19-124 and adopting the proposed Ordinance amending the Rules of Order and Procedure for the Conduct of City Council Meetings at the next regularly scheduled City Council meeting; and
2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

18. CONSIDERATION OF APPOINTMENT FOR TWO (2) VACANT SEATS ON THE TRAFFIC COMMITTEE

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.

Mayor Cobos-Cawthorne made a motion, seconded by Councilmember Jimenez, that the City Council table this item to a future meeting. Motion carried unanimously.

19. CONSIDERATION OF APPOINTMENT FOR TWO (2) VACANT SEATS ON THE FISCAL ACCOUNTABILITY AND INVESTMENT COMMITTEE

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.

Mayor Cobos-Cawthorne made a motion, seconded by Councilmember Jimenez, that the City Council table this item to a future meeting. Motion carried unanimously.

CONSENT CALENDAR

One member of the public submitted a written comment on Item No. 29. Items No's. 33 and 34 were pulled by Mayor Pro Tem Torres. Councilmember Melendez motioned that Item No's. 20-28, 30-32, 35-40 be approved, seconded by Councilmember Jimenez; motion carried unanimously.

20. FUTURE MEETING CANCELLATION

RECOMMENDATION: It is recommended that the City Council:

1) Cancel the regularly scheduled City Council meeting on September 22, 2021

21. ADOPT RESOLUTION NO. 21-71 IN SUPPORT OF CITY OF SOUTH GATE ANNUAL CONFERENCE CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO PROVIDE NECESSARY FUNDING FOR CUPC TO FULFILL ITS OBLIGATION TO INSPECT RAILROAD LINES TO ENSURE THAT OPERATORS ARE REMOVING ILLEGAL DUMPING, GRAFFITI AND HOMELESS ENCAMPMENTS THAT DEGRADE THE QUALITY OF LIFE AND RESULTS IN INCREASED PUBLIC SAFETY CONCERNS FOR COMMUNITIES AND NEIGHBORHOODS THAT ABUT THE RAILROAD RIGHT-OF-WAY

RECOMMENDATION: It is recommended that the City Council:

1) Approve the proposed Resolution.
2) Take such additional or alternative action that may be desirable.

22. REPORT OF EMERGENCY SEWER REPAIR AT TAYLOR RANCH PARK BY THE LOS ANGELES COUNTY CONSOLIDATED SEWER MAINTENANCE DISTRICT

RECOMMENDATION: It is recommended that the City Council:

1) Receive and file the City Manager's report of an emergency sewer repair at Taylor Ranch Park by the Los Angeles County Consolidated Sewer Maintenance District pursuant to Montebello Municipal Code Section 3.20.140 and Public Contracts Code Section 22050; and
2) Take such additional, related, action that may be desirable.

23. CITYWIDE CATCH BASIN CONNECTOR PIPE SCREEN (CPS) INSERTS INSTALLATION PROJECT (CP NO. 877) - AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION

RECOMMENDATION: It is recommended that the City Council:

1) Approve the Plans, Specifications, and Estimate (PS&E) for the Citywide Catch Basin Connector Pipe Screen (CPS) Inserts Installation Project (CP No. 877); and
2) Authorize the City Clerk to publish the Notice Inviting Bids (Attachment A); and
3) Approve the Notice of Exemption (Attachment B) for the subject project and authorize the City Clerk to file the Notice of Exemption with Los Angeles County Registrar-Recorder; and

4) Approve the Total Project Budget (Attachment C).

24. VARIOUS STREET IMPROVEMENTS PROJECT, CP 872 – NOTICE OF COMPLETION

RECOMMENDATION: It is recommended that the City Council:

1) Accept the Various Street Improvements Project, (CP 872) – FY 2018-2019 as completed by Sequel Contractors, Inc.; and
2) Approve the final contract amount for Sequel Contractors, Inc. in the amount of $503,967, including change orders; and
3) Authorize the City Clerk to execute, verify and file the Notice of Completion with the Los Angeles County Registrar-Recorder; and
4) Authorize the City Manager to release the retention payment due to Sequel Contractors, Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
5) Take such additional, related, action that may be desirable.

25. VARIOUS STREET IMPROVEMENTS PROJECT, CP 873 – NOTICE OF COMPLETION

RECOMMENDATION: It is recommended that the City Council:

1) Accept the Various Street Improvements Project, (CP 873) – FY 2018-2019 as completed by Sequel Contractors, Inc.; and
2) Approve the final contract amount for Sequel Contractors, Inc. in the amount of $759,441; and
3) Authorize the City Clerk to execute, verify and file the Notice of Completion with the Los Angeles Registrar-Recorder; and
4) Authorize the City Manager to release the retention payment due to Sequel Contractors, Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
5) Take such additional, related, action that may be desirable.

26. APPROVAL OF THE FISCAL YEAR 2021-22 ANNUAL PLAN FOR THE LOS ANGELES REGION MEASURE W (SAFE, CLEAN WATER PROGRAM) EXPENDITURES

RECOMMENDATION: It is recommended that the City Council:

1) Approve the Fiscal Year 2021-22 Annual Plan for Los Angeles Region Measure W (Attachment A) that programs expenditures for the fiscal year.

27. ADOPT RESOLUTION NO. 21-58 APPROVING THE LIST OF PROJECTS FOR FISCAL YEAR 2021-22 FUNDED BY SENATE BILL 1 – THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-58 Approving the List of Projects for Fiscal Year 2021-22 Funded by Senate Bill 1 – The Road Repair and Accountability Act of 2017.

28. SECOND READING OF ORDINANCE NO. 2439 FOR THE AMENDED AND RESTATED STATUTORY DEVELOPMENT AGREEMENT WITH M&M AT MONTEBELLO, LLC, A CALIFORNIA LIMITED LIABILITY COMPANY FOR THE PROPERTY LOCATED AT 1345 N. MONTEBELLO BOULEVARD TO ALLOW THE EXISTING WAREHOUSE STRUCTURE (FORMER COSTCO BUILDING) TO BE USED AS A "LAST-MILE DELIVERY FACILITY" (SUCH AS AMAZON) AND RESERVING THE REMAINDER OF THE PROPERTY (COMPRISED OF APPROXIMATELY 3.63 ACRES) FOR A FUTURE MIXED-USE RETAIL AND/OR RESIDENTIAL DEVELOPMENT WITH PARKING FACILITIES THAT WILL BE SUBJECT TO AND CONDITIONED UPON FUTURE ENVIRONMENTAL ANALYSES AND DISCRETIONARY LAND USE APPROVALS BY THE CITY

RECOMMENDATION: It is recommended that the City Council:

1) Hold the second reading of Ordinance No. 2439 approving an Amended and Restated Statutory Development Agreement by and between the City of Montebello ("City") and M&M at Montebello, LLC, a California limited liability company to allow the existing warehouse structure (former Costco building) to be used as a "Last-Mile Delivery Facility" (such as Amazon) and reserving the remainder of the subject property for a future mixed-use retail and/or residential development with parking facilities that will be subject to and conditioned upon future environmental analyses and discretionary land use approvals by the City; and
2) Take such additional, related, action that may be desirable.

29. ADOPT CITY RESOLUTION NO. 21-62/SUCCESSOR AGENCY RESOLUTION NO. 21-01 APPROVING THE PURCHASE AND SALE AGREEMENT FOR THE PROPOSED DISPOSITION OF REAL PROPERTY LOCATED AT 310 W. WHITTIER BOULEVARD AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT ON BEHALF OF THE CITY OF MONTEBELLO; ADOPT CITY RESOLUTION NO. 21-63/SUCCESSOR AGENCY RESOLUTION NO. 21-02 PURSUANT TO SURPLUS LAND ACT

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.

Mayor Pro Tem Torres motioned, seconded by Jimenez that the City Council approve Staff's recommendations as shown below; motion carried unanimously.

Councilmember Jimenez motioned, seconded by Mayor Pro Tem Torres that the Successor Agency approve Staff's recommendations as shown below; motion carried unanimously.

RECOMMENDATION: It is recommended that the City Council / Successor Agency to the former Community Redevelopment Agency of the City of Montebello adopt City Resolution No. 21-62/Successor Agency Resolution No. 21-01:

1) Approving the Successor Agency's disposition of the real property located at 310 W. Whittier Boulevard in the City of Montebello, California identified as Los Angeles County Assessor's Parcel Nos. 6346-022-900, 6346-022-901, 6346-023-900, and 6346-023-901 for $8,300,000; and
2) Approving the form and material terms of the Purchase and Sale Agreement, and authorize the Executive Director (i.e. City Manager) and Agency Counsel (i.e. City Attorney) to finalize negotiations and the agreement (provided that no material changes to the purchase price or property are made); and
3) Authorize the Executive Director to execute the final Purchase and Sale Agreement between the Successor Agency to the Redevelopment Agency of the City of Montebello and Sonic Vet LLC, and any related documents necessary to reasonably complete the proposed disposition in accordance with the final agreement; and
4) Take such additional, related, action that may be necessary to implement the approved transaction.

Councilmember Jimenez motioned to adjourn the Successor Agency portion of the meeting, seconded by Councilmember Peralta.

30. APPROVE FIFTH AMENDMENT TO AND REINSTATEMENT OF THE MEMORANDUM OF UNDERSTANDING WITH PLAINS EXPLORATION AND PRODUCTION COMPANY (AGREEMENT NO. 2207)

RECOMMENDATION: It is recommended that the City Council:

1) Approving the Fifth Amendment to and Reinstatement of the Memorandum of Understanding (MOU) with Plains Exploration and Production ("PXP") (Agreement No. 2207); and
2) Authorize the City Manager to execute the MOU between the City of Montebello and Plains Exploration and Production ("PXP") and any related documents; and
3) Take such additional, related, action that may be desirable.

31. ADOPT RESOLUTION NO. 21-64 AMENDING THE BUDGET TO THE FISCAL YEAR 2021-2022 ANNUAL ACTION PLAN TO INCORPORATE ADDITIONAL COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-64 amending the budget to the Fiscal Year 2021-22 Community Development Block Grant (CDBG) and Home Investment Partnerships Annual Action Plan to incorporate additional CDBG funding; and
2) Take such additional, related action that may be desirable.

32. APPROVE THREE (3) AMENDMENTS TO COMMERCIAL CANNABIS BUSINESS DEVELOPMENT AGREEMENTS NOS. 3718 (DA 23-19), 3654 (DA 07-19), AND 3721 (DA 27-19)

RECOMMENDATION: It is recommended that the City Council:

1) Approve, in substantially the form as presented, three (3) Amendments to Cannabis Business Development Agreement Nos. 23-19, 07-19, and 27-19 (collectively referred to as the "Amendments") for the operation of commercial cannabis activities in the City of Montebello, and authorize the City Attorney's Office to make final and technical edits or revisions, if any, prior to execution; and
2) Condition the approval of the three (3) Amendments on the respective owner(s) and operator(s) clearing the requisite background checks, providing all exhibits to the development agreement amendments and missing information, if any, to the City of Montebello in a form acceptable to the City Attorney's Office no later than August 27, 2021, and on a case-by-case basis, authorize the Director of Planning and Community Development or his designee discretion to provide the applicant(s) additional time if necessary in light of the current COVID-19 logistical limitations; and
3) Adopt findings contained herein exempting the three (3) Amendments from further CEQA review under CEQA Section 15301, and direct staff to prepare and file the applicable Notices of Exemption for each project recommended for approval; and
4) Take such additional, related action that may be desirable, and/or provide the City Attorney's office and/or staff with additional or alternative directive(s).

33. ADOPTION OF RESOLUTION NO. 21-66 FOR PARTICIPATION IN THE INSTITUTE FOR LOCAL GOVERNMENT'S BEACON PROGRAM

Mayor Pro Tem Torres pulled this item for a clarifying question regarding City's designated contact.

Mayor Pro Tem Torres motioned, seconded by Councilmember Peralta that the City Council:

1) Adopt Resolution No. 21-66 supporting the City of Montebello's participation in the Institute for Local Government's Beacon Program; and
2) Take such additional, related, action that may be desirable.

Motion carried unanimously

34. APPROVAL TO PURCHASE GENERATOR AND BACKUP BATTERY SYSTEM FOR FIRE DEPARTMENT COMMUNICATION SITE

Mayor Pro Tem Torres pulled this item for a clarifying question regarding downtime that could affect public safety and what revenues and expenditures look like in terms of those operations.

Mayor Pro Tem Torres motioned, seconded by Peralta that the City Council:

1) Authorize the City Manager to approve the emergency purchase of a replacement backup generator for the City of Montebello Fire Department's Communication Site located at the Montebello Reservoir; and

2) Forego the formal bidding procedure per Montebello Municipal Code (MMC) 3.20.050, requiring a super-majority (four-fifths) approval by the City Council of this item; and
3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $128,480 in the General Fund, Account No. 100-85-880-6010.10 (Fire Department, Communications, Machinery and Equipment) and $47,520 in the Transit Fund, Account No. 600-90-900-6010.10 (Transit Administration, Machinery and Equipment); and,
4) Take such additional, related, action that may be desirable.

Motion carried unanimously

35. APPROVE ESTABLISHING A SOLE-SOURCE BLANKET PURCHASE ORDER WITH AMERICAN MOVING PARTS, NAPA AUTO PARTS, NEW FLYER PARTS, AND WAYNE ELECTRIC COMPANY TO PURCHASE MAINTENANCE-RELATED BUS PARTS AND VEHICLE FLEET PARTS

RECOMMENDATION: It is recommended that the City Council:

1) Approve establishing a sole-source blanket purchase order with American Moving Parts, for the total not-to-exceed amount of $65,000, to purchase maintenance-related bus parts for Montebello Bus Lines (MBL) and vehicle fleet parts for the Montebello Fire Department (MFD) for Fiscal Year 2021-22; and
2) Approve establishing a sole-source blanket purchase order with Napa Auto Parts, for the total not-to-exceed amount of $85,000, to purchase maintenance-related bus parts for the Fiscal Year 2021-22; and
3) Approve establishing a sole-source blanket purchase order with New Flyer Parts, for the total not-to-exceed amount of $185,000, to purchase maintenance-related bus parts for Fiscal Year 2021-22; and
4) Approve establishing a sole-source blanket purchase order with Wayne Electric Company, for the total not-to-exceed amount of $75,000, to purchase maintenance-related bus parts for the Fiscal Year 2021-22; and
5) Take such additional, related, action that may be desirable.

36. ADOPT RESOLUTION NO. 21-59 AUTHORIZING THE USE OF TRANSIT FUNDING FROM THE AMERICAN RESCUE PLAN ACT TO SUPPORT THE FARELESS SYSTEM INITIATIVE PROJECT

RECOMMENDATION: It is recommended that the City Council:

Councilmember Melendez motioned, seconded by Councilmember Jimenez that the City Council:

1) Adopt Resolution No. 21-59 authorizing Montebello Bus Lines (MBL) to participate in the Fareless System Initiative Project (FSI); and
2) Authorize the submission of a grant application to the Federal Transit Administration (FTA) to use funding from the American Rescue Plan Act of 2021 (ARPA) to support the FSI; and
3) Take such additional, related, action that may be desirable.

37. APPROVE A SOLE SOURCE PURCHASE WITH ENTERPRISE INTEGRATION PARTNERS, LLC TO RENEW AND PURCHASE INTERNATIONAL BUSINESS MACHINES CORPORATION ANNUAL SOFTWARE SUBSCRIPTION AND SUPPORT LICENSES

RECOMMENDATION: It is recommended that the City Council:

Councilmember Melendez motioned, seconded by Councilmember Jimenez that the City Council:

1) Approve a sole source purchase with Enterprise Integration Partners, LLC, (EIP) for the total not-to-exceed amount of $118,757, to renew fifteen (15) and purchase thirty (30) new International Business Machines Corporation (IBM) annual software subscription and support licenses; and
2) Take such additional, related, action that may be desirable.

38. ADOPT RESOLUTION NO. 21-60 AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION TO RECEIVE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS FUNDING FOR TRANSIT OPERATING ASSISTANCE

RECOMMENDATION: It is recommended that the City Council:
Councilmember Melendez motioned, seconded by Councilmember Jimenez that the City Council:

1) Adopt Resolution No. 21-60 authorizing the submission of an application to the Federal Transit Administration (FTA) to receive Coronavirus Response and Relief Supplemental Appropriations funding for operating assistance in the amount of $1,000,000 (49 U.S.C. Section 5307 CRRSA Act funding); and
2) Take such additional, related, action that may be desirable.

39. APPROVAL AMENDMENT NO. 1 TO AGREEMENT NO. 3452 WITH ALL CITY MANAGEMENT SERVICES FOR SCHOOL CROSSING GUARD SERVICES

RECOMMENDATION: It is recommended that the City Council:

Councilmember Melendez motioned, seconded by Councilmember Jimenez that the City Council:

1) Approve Amendment No. 1 to Agreement No. 3452 with All City Management Services for School Crossing Guard Services; 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.

RECOMMENDATION: Adopt the proposed Resolution approving the Warrant Register dated March 10, 2021.

40. PAYMENT OF BILLS: RESOLUTION NO. 21-71 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED JULY 28, 2021

RECOMMENDATION: It is recommended that the City Council:

Councilmember Melendez motioned, seconded by Councilmember Jimenez that the City Council adopt the proposed Resolution approving the Warrant Register dated July 28, 2021.

ORAL COMMUNICATIONS - CONTINUED IF NECESSARY

COUNCIL ORALS

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

1. **Councilmember Melendez – None**
2. **Councilmember Jimenez**
   a. CWA – Carpenters: provided an update.
   b. Day of the Dead events: asked for Council consensus to give Staff direction to either form a committee or work with the Parks and Recreation Department to create a Day of the Dead community alter; consensus was received.
3. **Councilmember Peralta**
   a. Thank you to the Southwest Regional Council of Carpenters for their support at our City Service Saturdays: extended her appreciation for the work done.
   b. Partnership with Vetcare Mobile Clinic for monthly/quarterly low-cost pet vaccine services to our community: asked Council consensus to ask Staff to work with Vetcare on launching these services throughout Montebello with first clinic launching in September; consensus was received.
   c. Consideration of a one-time Pet Fair in September to launch the 1st Vetcare Mobile Clinic series: asked for consensus from Council to consider a Pet Fair; consensus was received.
   d. Development of a Montebello Community Workforce Agreement with the Building and Construction Trades Council: Provided an update on the latest process and requesting consensus for staff and legal counsel to analyze the CWA agreement, work with the parties involved, receive council input, and present their report, feedback, and recommendations at a future council meeting; consensus was received.
4. **Mayor Pro Tem Torres**
   a. Assumption of liability for Rio Hondo Channel volunteer cleanup events – asked for City Council Consensus requesting that the City study and find out what liability issues there would be for any volunteer group that would like to organize a cleanup event. Councilmember Melendez clarified if a memo with that information would be sufficient; consensus was received unanimously.
5. **Mayor Cobos-Cawthorne**
   a. Military Task Force-Recognition Program – asked for consensus to establish a Task Force to coordinate a variety of displays to acknowledge Veterans; consensus was received unanimously.
   b. Update on Montebello Cares nonprofit formation – provided an update.

City Attorney Alvarez-Glasman recessed back into Closed Session at 9:38p.m. to discuss Item No's. 1, 3, 4, 5a., and 5b.

Mayor Cobos-Cawthorne reconvened the meeting at 10:30 p.m. During Closed Session the City Council received a briefing on Items 1, 3, and 4 and there was no direction or action taken. City Council authorized a settlement authority consistent with the terms as expressed in Closed Session for Item No. 5a.; no final action was taken and nothing further to report. City Council received a briefing on Item No. 5b., direction was provided and this matter will return back at a future date; nothing further to report.

ADJOURNMENT

Mayor Cobos-Cawthorne motioned to adjourn the meeting at 10:27 p.m., seconded by Councilmember Peralta motioned to adjourn the meeting.

THE MINUTES OF JULY 28, 2021 ARE HEREBY APPROVED AND ADOPTED ON 23RD DAY OF FEBRUARY 2022.

CLOSED SESSION COMMENTS

Guillen, Kimberly (Admin)

From: Margot Eiser <savemontebellohills@gmail.com>
Sent: Wednesday, July 28, 2021 3:29 PM
To: comment, ccpublic
Subject: Public Comments for Montebello City Council meeting Wednesday, July 28, 2021

~~Public Comments for Montebello City Council meeting Wednesday, July 28, 2021 to be read out loud for each of the stated items and entered into the public record. Responses and and answers to questions should be given if not at the meeting than afterward in an easily accessed format. And please explain why my calls to a City Council member and a department head were not returned? Is it not allowed for them to speak with the residents?~~

To:
Montebello City Council, Staff, Commissioners and Committee Members
From:
Margot Eiser
Resident of city.
323 728 7066
Thanking you in advance for your answers and attention to these important matters.

Closed Session
Item 4.
You must acknowledge that the people of Montebello did not want the Montebello Water Company to be sold. We wanted the city to do what was necessary to repair the system and work out a financially responsible way to run it so that Montebello could have a functioning water company and bring income to the city! This disregard of what we, the people want is wrong and must be remedied and not be done in the future.

~~Public Orals~~
~~The City Council has not been providing voters sufficient information nor answering questions about all the aspects involved with several important issues and has been making many significant decisions without giving us, the citizens, people, residents, tax payers a chance to let them know what we want and need. An example is that we were led to believe that Golf Pro was going to be responsible only for managing the various functions of our publicly owned GOLF COURSE for the benefit of the city. You did not let us know that Golf Pro would be able to propose changes which would destroy this special, long time landmark and historically valuable place by eliminating 9 holes and putting up phony driving range buildings instead of refurbishing the existing driving range. Such an intrusion is unnecessary and must be stopped because it would destroy this precious open space in our city, deprive golfers of exercise and recreation in fresh air and degrade the actual function and value and attractiveness of the GOLF COURSE to people from all over. Note that there is already dancing and food and alcohol available at the Quiet Cannon and probably prostitution at the Parasitic Hiltons. We do not need nor want any more venues for these.~~

~~Public Hearing~~
~~Item 11~~
~~Please do not approve Resolution No. 21-65. Do not approve this. The public was not notified in advance that there would be a Public Hearing. We have not been provided with enough information~~

SPEAKER CARDS

GENERAL COMMENTS

(1)

Recv'd 7/19 @ 6:20 p.m. K.G.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Vasyl Ghanimian

Address *(optional)* _____

_____

Phone *(optional)* (562) 445-4364

Organization represented (if any) _____

Topic General Comment - Will be providing a summary of written comment #6

(Please be specific)

(The instructions on the back will assist you in expressing your views)

(2)

Rec'd 7/28/21
@ 11:02
K.G.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Joanna Barreras

Address *(optional)* _____

_____

Phone *(optional)* (323) 387 - 4949

Organization represented (if any) _____

Topic Rio Hondo Channel:

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

(3)

Recv'd 7/28/21
@ 12:14
KG.

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Manuel Hernandez

Address *(optional)* _____

_____

Phone *(optional)* (562) 358-1595

Organization represented (if any) _____

Topic General Comment - murder of Jason Rodriguez

(Please be specific)

_____

(The instructions on the back will assist you in expressing your views)

GENERAL COMMENTS

#1

Guillen, Kimberly (Admin)

From: Sotelo, Brissa <Brissa.Sotelo@valero.com>
Sent: Wednesday, July 28, 2021 3:31 PM
To: comment, ccpublic
Subject: Public Comment on Rio Hondo Channel

Good Evening Members of the City Council,

I want to personally thank the members that have taken the time to continue to listen to the residents of the city as well as those that make use of the Rio Hondo Channel Public Space.

I especially want to thank councilmembers Sal Melendez and David Torres for working so hard to make this a safe environment to enjoy and feel safe in. This work has not been easy and it isn't perfect but what is appreciated is the time and commitment you have taken to listen and act. Councilmember Melendez, our city Manager and staff, I want to thank you for working diligently with the offices of Senator Archuleta in secure a safe, durable wrought iron fence and continuing to stay on top of this so that it is installed.

Councilman Torres, I applaud you for trying to think of outside the box to keep this space clean and engaging community members and the county.

I do want to express that while keeping this space clean is important, it is equally important that we are safe in doing so. There is still some debris but a lot of the items have cleared. WE need to make sure those cleaning are prepared and safe in doing so, so I ask that professional are considered in doing this sort of job.

Thank you,

Brissa Sotelo-Vargas

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#2

Guillen, Kimberly (Admin)

From: Mia Thompson <mia@alzheimersupport.com>
Sent: Wednesday, June 23, 2021 9:41 PM
To: comment, ccpublic
Subject: Montebello Alzheimer Support

Dear Mr. Jimenez,

My name is Mia and I am contacting you on behalf of Alzheimer Support (https://www.alzheimersupport.com/memory-care/california/). Alzheimer Support is a free service that assists Montebello families who have loved ones with Alzheimer's disease or dementia. Through our free search tool and database of Alzheimer's care facilities, families in need of care for their loved ones can locate licensed care homes and communities in the Montebello area that are best equipped to provide care for their loved ones. I was wondering, would it be possible for you to let your residents know about Alzheimer Support via your website at https://www.cityofmontebello.com/quickfaq.html?

I would really appreciate it if you could do that. Thank you very much in advance. I am looking forward to hearing from you soon.

Sincerely,
Mia

AlzheimerSupport.com
Your caregiving journey will be made easier

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#3

Guillen, Kimberly (Admin)

From: Carrie Scott <Carrie.Scott.461767090@p2a.co>
Sent: Thursday, June 24, 2021 3:26 AM
To: comment, ccpublic
Subject: New Legislation Undermines Local Control

Dear Local Elected Official,

I'm writing to make you aware of a proposal by the California state legislature which would significantly undermine local control.

In its current form, SB 12 imposes a series of new and burdensome regulations on businesses, threatens thousands of housing-related jobs, and would increase the already high cost of living in Southern California.

SB 12 creates more state oversight and regulations on new housing construction, jeopardizing Governor Newsom's 1.3 million homes for the Southern California region. At a time when the state is facing a housing crisis of historic proportions, SB 12 would only worsen the situation.

The homebuilding industry has presented reasonable amendments to SB 12, which need to be incorporated into the bill. As such, I would respectfully request that your local government ask Governor Newsom and your respective state legislative delegation members to oppose SB 12 unless these necessary amendments are included in the bill.

I appreciate your consideration and thank you for your efforts to help end California's housing crisis.

Regards,
Carrie Scott

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

********Attached is a list of names that submitted the same comment.********

General Comments - New Legislation

#	Name
1	Elizabeth Sawyer-Cunningham
2	HT Johnson
3	Fernand Ocamp
4	Paul Edmunds
5	Conrad Damann
6	Jeffrey Robinson
7	Mary Moskal
8	Caroline Hernandez
9	Janey Byerly
10	Kathy Perez
11	Nicholas Toth
12	Sheri Ault
13	Dennis Sellers
14	Lisa Alatorre
15	Shirley Posey
16	Sally Azernitzky
17	Laurie Gunn
18	Connie Maroshek
19	Romona Nale
20	Diane Carson-Huff
21	John Castaneda
22	Ron Babock
23	Jake Falcon
24	Maria Alvarado
25	Cheryl White
26	Cherie Shefton
27	Ilene Fernandez
28	Regina Polikaitis
29	Lucy Ochoa
30	Michael Rapp
31	Luz Martin
32	Aida Marina
33	Regina Homan
34	Susan Brisby
35	Alex Rodriguez
36	Dennis Sheer
37	Paul Florez
38	Susan Shoemaker
39	Ruby Martin
40	Frank Cedillo
41	Monica Shanklin
42	Gary Norman
43	Leonard Greenburg
44	Delbert Davis
45	Brian David

#4

Guillen, Kimberly (Admin)

From: JOE JACKSON <joenbarb99@msn.com>
Sent: Thursday, June 24, 2021 12:23 PM
To: comment, ccpublic
Subject: VOTE NO CONFIDENCE in George Gascon

I just read that a Mayor in another LA County City, Justin Massey of Hermosa Beach, was recently assaulted simply for chastising a man for littering in the neighborhood. Sadly this seems to be the direction LA County is heading after the recent policies enacted by George Gascon. I am a life-long citizen of Los Angeles County, and I've never been in fear of crime affecting my family until Gascon took office. I'm asking you to place a "NO CONFIDENCE" vote on Mr. Gascon.

Within minutes of being sworn in, Mr. Gascon made drastic changes that he did not disclose when campaigning that are letting violent and dangerous criminals back out onto our streets! In addition, Gascon filed briefs in appellate court supporting violent criminal defendants. His policies are reducing the ability of his prosecutors throughout Los Angeles County to keep our streets safe for its citizens. **George Gascon fooled the voters of LA County and must be removed from office.**

There are rallies being held throughout the Southland of the families who have lost loved ones to violent crime. Not only those who are those awaiting trial or sentencing for violent crime face now much reduced sentences, those convicted felons who are currently in prison are being released and are returning to the streets.

Please stand with those of us of all different races, genders, ages and political parties who just want to keep LA County safe. Please stand with the various law enforcement officers who work so hard to protect its citizens. Please stand with those who are the victims of violent crime and their families by placing **a VOTE of NO CONFIDENCE in GEORGE GASCON.**

Respectfully submitted,

Barbara Jackson

Sent from Mail for Windows 10

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#5

Guillen, Kimberly (Admin)

From: Steven Childs <steve@sdchilds.com>
Sent: Monday, July 19, 2021 4:21 PM
To: Kimberly.ann.cobos@gmail.com; comment, ccpublic
Subject: Feeding Coyotes in Montebello

I wanted to bring a serious public safety issue to the attention of the city of Montebello. I had recently found out an animal rehabilitation group had been feeding coyotes medicine laced food to treat them for mange. While it might seem, on its face, a good thing to do, there are serious public safety risks associated with feeding wildlife, coyotes in particular.

I have reached out to the city where I live and brought this to their attention. It is against Municipal code to feed wildlife in the City of Duarte. In the city of Montebello, this would seem to violate Municipal Code 17.90. My city wrote Wildlife Care of Southern California a letter asking them to stop this activity, sending them a Notice of VIolation. (attached).

Montebello Chapter 17.90 - PROHIBITION OF FEEDING OF WILDFOWL, PIGEONS, DUCKS, SQUIRRELS, FERAL CATS, WILD DOGS AND UNLICENSED ANIMALS WHICH ARE NOT PERSONAL PETS
Sections:

17.90.010 - Purpose.
The large numbers of wildfowl, pigeons, ducks, squirrels, feral cats, wild dogs and unlicensed animals which are not personal pets of an owner in the city have, at present, become a nuisance, causing defacement, deterioration, litter, and damage to public and private property. The ordinance codified in this chapter seeks to prohibit feeding of wildfowl, pigeons, ducks, squirrels, feral cats, wild dogs and unlicensed animals which are not personal pets of an owner on public streets and public and private property, and thereby discourages the maintenance and breeding of in wildfowl, pigeons, ducks, squirrels, feral cats, wild dogs and unlicensed animals which are not personal pets of an owner in the city.

(Ord. No. 2408, § 2, 10-10-2018)

17.90.040 - Violation and penalty.
Any person violating any of the provisions of the ordinance codified in this chapter is guilty of an infraction and, upon conviction thereof, shall be punishable by a fine of not more than fifty dollars for the first violation; a fine not exceeding one hundred dollars for the second violation of the same section of this chapter within one year; and a fine not exceeding two hundred fifty dollars for each additional violation of the same section of this chapter within one year.

(Ord. No. 2408, § 2, 10-10-2018)

Several studies, along with informational campaigns by the California Department of Fish & Wildlife make it clear intentional feeding leads to habituated wildlife and increased conflicts between wildlife and people. CDFW will not enforce state law 251.1 Harassment of Wildlife (below). I'm assuming they are only interested in catching this group in the act. I wanted to bring this up to the City of Montebello because, like my city (Duarte), I'm sure you are unaware of these activities.

Anna Reams and her rehabilitation group Wildlife Care of Southern California have been feeding coyotes

throughout Southern California to treat them for mange. They are doing this outside of their care facilities (in the field). The numbers of coyotes and the cities they were treated in can be found in their End Of Year reports. Between 2018 and 2020, Wildlife Care of SoCal has admitted to feeding 4 coyotes in Glendora. There might be more but CDFW has lost the 2019 End of Year report.

The head of Wildlife for the California Department of Fish & Wildlife has made it clear that feeding wildlife, even if it's to treat them for mange, is illegal. (YouTube video attached).

CDFW Law enforcement branch says it's illegal. Considering there would likely have to be a witness since it's a misdemeanor, it seems they are only willing to enforce this rule by catching this group in the act.

Memorandums of Understanding between CDFW and Anna Reams/Wildlife Care of Southern California are the only documents giving this group authority to rehabilitate wildlife. Between Title 14 (Fish & Game Code) and the MOU's, there are no exemptions provided giving this group authority to feed wildlife medicine laced food outside of their care facilities. (MOUs attached) Their MOUs require them to follow Title 14 rules and regulations. This activity is a violation of FGC 251.1 (Harassment of animals), which is in Title 14.

If you ask Captain Patrick Foy (CDFW Law Enforcement PIO) about feeding wildlife he'll say it's illegal. 916 651-6692. The head of Wildlife Stafford Lehr said it was illegal (youtube video). If you ask Lt. Kent Smirl who is in charge of CDFW's Keep Me Wild Program, the program used to educate the public regarding public safety animals, he'll tell you feeding wildlife is illegal. 714 448-4216. He'll also tell you feeding is one of the primary factors leading to conflict between animals and people.

I've attached Wildlife Care of SoCals End of Year reports for 2018 and 2020. CDFW has lost the 2019 record. The records show "coyotes treated in the field for mange."

In this article Lt. Kent Smirl said feeding wildlife is a midemeanor violation.
https://www.latimes.com/socal/daily-pilot/news/tn-dpt-me-0321-coyote-awareness-meeting-20140320-story.html

Feeding leads to habituation
https://www.newportbeachindy.com/coexisting-with-coyotes/

(CDFW) Capt. Rebecca Hartman said. “When coyotes are fed, either intentionally or unintentionally by food being left out, they can become a public safety threat.”
https://abcnews.go.com/US/california-town-high-alert-coyotes-attack-children/story?id=32355667

Animal Rehabilitation Group Feeding coyotes in the field to treat them for mange:
Wildlife Care of Southern California
c/o Anna Reams
352 Genial Court
Simi Valley, CA 93065
805-428-7105

Head of CDFW Law Enforcement
Chief David Bess
david.bess@wildlife.ca.gov

Head of Wildlife CDFW
Stafford Lehr
stafford.lehr@wildlife.ca.gov

The current point of contact for Wildlife Rehabilitation at CDFW
Victoria Monroe
victoria.monroe@wildlife.ca.gov

Thank you for your attention to this matter, it is greatly appreciated.

Steven

Mobile: 626 407-8826

California Code of Regulations Title 14

§251.1. Harassment of Animals

Except as otherwise authorized in these regulations or in the Fish & Game Code, no person shall harass, herd or drive any game or nongame bird or mammal or furbearing mammal. For the
purposes of this section, harass is defined as an intentional act which disrupts an animal's normal behavior patterns, which includes, but is not limited to breeding, feeding, or sheltering.

--
Steven Childs
P.O. Box 783
Duarte, CA 91010

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
MEMORANDUM OF UNDERSTANDING
FOR
THE PURPOSE OF WILDLIFE REHABILITATION

This Memorandum of Understanding (MOU) is made and entered into this 30th day of March 2020, by and between the California Department of Fish and wildlife and

(Hereinafter referred to as the Permittee) and expires on **March 31, 2023**.

Anna Reams
Wildlife Care of Southern California
352 Genial Court
Simi Valley, CA 93065

WITNESSETH:

WHEREAS, the Permittee has expressed interest in, and proven the ability to rehabilitate native sick, injured, or orphaned game birds, protected nongame birds, resident small game mammals, furbearing, and nongame mammals, reptiles, and amphibians; and,

WHEREAS, the Department would like rehabilitation work be done on the previously mentioned species; and,

WHEREAS, the Department frequently takes possession of the previously listed birds, reptiles, amphibians, and mammals and lacks facilities for their care; and,

WHEREAS, the parties hereto desire to coordinate a program of rehabilitation of these animals by means of this MOU,

NOW, THEREFORE, it is mutually agreed and understood as follows:
Unless otherwise stipulated in this MOU, the Permittee may possess and provide care for sick, injured, or orphaned game birds, protected nongame birds, resident small game mammals, nongame mammals, furbearing mammals, reptiles and amphibians pursuant to Section 679 Title 14 California Code of Regulations (CCR); the Third Edition 2000 National Wildlife Rehabilitation Association/International Wildlife Rehabilitation Council Minimum Standards for Wildlife Rehabilitation; and the conditions listed below. The Permittee may not rehabilitate “big game mammals” listed pursuant to Fish and Game Code section 3950, which include elk, adult deer, wild pigs, antelope, bighorn sheep, bear or mountain lions. Wildlife caging shall comply with the 2000 Wildlife Rehabilitation and Care Standards. Copies of sections 679, Title 14, CCR and lists of fully protected, threatened and endangered wildlife species are attached and become part of this MOU.

POSSESSION AND NOTIFICATION REQUIREMENTS

1. This MOU does not authorize the Permittee or any representatives of the Permittee to possess or capture for rehabilitation purposes, any healthy wildlife from the wilds of this State. This prohibition also applies to animals that are deemed nuisance wildlife that are trapped by pest control agencies or operators. Orphans of nuisance animals may be rehabilitated and released in accordance with the provisions of this MOU, the Fish and Game Code, and other laws but not the nuisance parent animal.

2. <u>The Permittee shall construct, and at all times maintain, visual barriers between different species and along frequently traveled paths and walkways used by the Permittee and volunteers to avoid habituation and minimize stress on wildlife undergoing rehabilitation.</u>

3. No domestic animals shall be allowed to intermingle or come into contact with wildlife undergoing rehabilitation. This prohibition includes, but is not limited to, keeping chickens outside of wildlife cages and allowing domestic dogs or cats to live or intermingle with wildlife being rehabilitated inside residences, garages, or other structures.

4. Chemical Immobilization of free ranging wildlife is strictly prohibited.

5. Exotic animals prohibited by Section 671, CCR T-14 may not be possessed pursuant to this MOU.

6. The Permittee shall not initiate rescue efforts for any bear, mountain lion or other big game animals. The Permittee shall notify the Department immediately, or on the next working day, if the Permittee receives any endangered, threatened, fully protected, big game mammal (excluding mule deer fawns), mountain lion, or exotic prohibited species listed in Section 671, Title 14, CCR. The Permittee shall notify the Department by calling: the Wildlife Investigations Lab (WIL) at telephone (916) 358- 2790; the nearest Department regional office: or the Wildlife Rehabilitation Coordinator at (916)261-5236, between 8:00 A.M. and 5:00 P.M. Monday through Friday. If reporting is on the weekend or after hours, leave messages so contact can be made the next business day, or contact enforcement 1888-DFG CALTIP (1-888-334-2258).

7. All wildlife, carcasses, or parts of wildlife possessed under the provisions of this MOU shall remain the property of the people of the State of California through the Department; the Permittee is granted only temporary custody of such wildlife and must exhibit/surrender such wildlife or part upon demand made by any officer of the Department.

8. The Permittee shall report any suspected incident of wildlife poisoning or any increase in mortality of housed wildlife suspected to be caused by an infectious, contagious disease to the Wildlife Investigations Lab in Rancho Cordova at telephone number (916) 358-2378 (for nongame mammals), (916)358-1194 (game mammals), (916) 358-1662 (birds), or the wildlife rehabilitation coordinator (916)261-5236 as soon as, practical. A permittee must obtain Department approval before submitting any carcass to a diagnostic lab, other than the Wildlife Investigations Lab. Copies of lab results shall be forwarded to WIL once received by the rehabilitation facility.

FAWNS

9. Adult deer cannot be possessed or rehabilitated. Fawn rehabilitators shall not rehabilitate fawns from out of their assigned area (different deer herds) unless separate enclosures are used. Enclosures must be far enough apart to ensure there is no exchange of saliva, urine, and feces, and to reasonably ensure airborne transmission cannot occur. Any questions regarding deer herd boundaries in your area can be referred to the WIL at telephone number (916) 358-1194 or the wildlife rehabilitation coordinator at (530) 357-3986. In the unusual event that an out of state fawn is transported into this state, the fawn shall be isolated from native fawns and immediate transport shall be arranged to send the fawn back to the original state where it came from or humanely euthanized. The Permittee shall report any deer fawn brought to a rehabilitation facility from out of the area (including out-of-state deer fawns) to WIL within 24 hours.

10. Fawns shall not be rehabilitated at a facility that has permanent captive deer residing at the facility.

11. Fawn rehabilitators who have 12 or more releasable fawns at the end of the season must contact the wildlife rehabilitation coordinator at 916-261-5236 thirty days prior to release to discuss intended release sites.

12. The Permittee shall not transfer or donate any wildlife or carcasses or parts of wildlife possessed under the privileges of this MOU without first receiving approval from the Department.

13. Wildlife carcasses shall be disposed of by burial or incineration, used as food for other wildlife, or disposed using other means approved by the Department. Disposal of wildlife carcasses shall be in accordance with local, city and county codes.

RELEASE OF WILDLIFE

14. Upon the recovery of a sick or injured wildlife specimen, or determination that an orphaned specimen is ready for release, the Permittee shall release the animal in a suitable habitat near where the animal originated (as close as possible to original location and within a ten mile radius). The release of any wildlife on private property requires permission of the landowner. The release of wildlife on U. S. Forest Service, BLM, National, State, County, City Park, or State reserve property requires the permission of the State or Federal agency that manages that property.

15. Opossums, Eastern Gray Squirrels, Red Fox Squirrels, Rock Pigeons, Eurasian Collared Doves, House Sparrows and European Starlings, although not native to California, may be rehabilitated and released pursuant to the conditions listed in this MOU. However, these animals adversely compete with native California wildlife to their detriment and the Department recommends euthanasia rather than release. Red Foxes shall not be released back into the wild unless determined to be a native Red Fox.

16. The Permittee shall not display or exhibit any native orphaned, injured or diseased wild animal which is possessed for care or treatment under the authority of this MOU, nor shall the Permittee allow any other person to do so. Upon approval from the Wildlife Rehabilitation Coordinator, animals undergoing rehabilitation may be photographed or filmed briefly for press releases or educational films that promote wildlife conservation. Permittees and volunteers shall follow the media contact conditions in Appendix A. Wildlife Rehabilitators should always wear appropriate gloves when handling any wild animal.

NON-RELEASABLE

17. Any wildlife rehabilitator who wishes to exhibit non-releasable injured or orphaned animals originating in the wilds of California will be required to obtain a Native Species Exhibiting Permit, as per California Code of Regulations, Title 14, Section 671.1 (b)(7). Non-releasable birds require additional permission/permit from the USFWS.

    a. Only wildlife determined to be permanently injured or non- releasable due to imprinting or habituation and is suitable for public exhibition will be considered for non-releasable status. That determination shall be made by the Department (contact the wildlife rehabilitation coordinator 916-261-5236). A veterinarian shall prepare a written document describing the permanent injury that qualifies the animal as non-releasable. A copy of the veterinarian's document shall be forwarded to the Department within 7 days of the veterinarian's classification.

    b. In the unusual event that an animal is brought into a center imprinted or severely habituated, the Department shall be notified within 72 hours after the determination has been made. If an animal becomes imprinted or severely habituated during the rehabilitation process, the animal shall be either, transferred to another rehabilitation

center (other than the responsible rehabilitator), euthanized or transferred to a Department-approved Native Species Exhibiting Permitee.

EDUCATIONAL WILDLIFE APPROVED BY THE DEPARTMENT PRIOR TO 2012 AND HELD UNDER A WILDLIFE REHABILIATION PERMIT

18. This section only applies to non-releasable educational wildlife approved for possession by the Department prior to January 1, 2012.

    a. The Permittee shall maintain all non-releasable educational wildlife in accordance with the caging and care provisions listed in sections 671.2 and 671.3, Title 14, CCR, unless otherwise authorized by the Department.

    b. Exhibitors, including the Permittee, wishing to use wildlife for educational purposes must be either licensed or registered as an exhibitor by the U. S. Department of Agriculture (a "licensed" exhibitor is one receiving compensation; a "registered" exhibitor receives no compensation).

    c. Educators shall display animals a reasonable distance between the audience and the animal (a minimum of four feet is recommended). The educator shall maintain control of the animal at all times during exhibition.

    d. Gloves shall be worn when displaying any wild animal.

    e. The Permittee shall not allow the public to contact live animals.

    f. In a continuing effort to maintain dignity to wildlife, educators shall not use display techniques that promote a “pet” type of relationship between the handler and the animal (i.e., refer to the animals using endearing terms like “cute”, or allow animals to crawl or climb on the handler or in the clothing or pockets of the handler). All exhibitions shall focus on wildlife conservation and natural history.

    g. Any photographs of educational wildlife on brochures or websites, etc. shall not portray the animals as “pet-like”: i.e., inside homes, playing with toys, displayed with domestics, eating unnatural foods, etc.

ANNUAL REPORTS

19. The Permittee shall provide the Department with an annual report by January 30th of each year. The Department has created an Annual Year End Report Form (FG540 Rev 11/06). The use of this form is not mandatory, but the Permittee must include, at a minimum, all information described below in every annual report. Contact the rehabilitation coordinator for a copy of the form. The Department will send a copy of the form to each permittee prior to January 30th of each year. If the Permittee fails to submit an annual report by January 30th of each year, this MOU may be revoked. The annual report shall contain the following information listed below:

    a. A complete list of all wildlife received by the Permittee during the reporting period. The report shall include a statistical summary of all the required information as stated in the minimum standards for Wildlife Rehabilitators, Third Edition, 2000, pages 14-17.

    b. A complete inventory of all non-releasable wildlife approved prior to January 1, 2012. Any animals acquired after 2012 shall be reported on a Native Species Exhibiting Permit Inventory. The Annual Report shall include:

1. All deletions to the previous year's inventory of non-releasable wildlife.

2. A description of each animal's impairment which makes it non-releasable.

3. The date the animal was classified non-releasable.

4. The location of where the animal is being held.

c. The Permittee shall provide a current and accurate record of all satellites/volunteers. The name, address and phone number is required for any volunteers in possession of wildlife at a location other than the address of the permittee (satellites). Only the name is required for volunteers who care for wildlife at the permittees address.

GENERAL CONDITIONS

20. The Permittee may transfer raptors to a licensed California falconer for rehabilitation purposes if the falconer is an official volunteer or your organization. Such raptors shall be maintained by the falconer and used in accordance with all California and federal falconry laws and regulations and the wildlife rehabilitation laws and regulations.

21. The Permittee shall keep wildlife rehabilitation records available for inspection for five years following the end of the calendar year covered by the records. These records include complete and accurate records of all wildlife received, including the date received, type of injury or illness, disposition, and date of disposition. After five years the permittee may dispose of wildlife rehabilitation records.

22. The Permittee may not retain any animal obtained under this permit for more than 180 days without additional authorization from the Department's Wildlife Rehabilitation Coordinator.

23. If the Permittee cares for/ rehabilitates migratory birds, the Permittee must have a valid Federal Migratory Bird Rehabilitation Permit issued by the United States Fish and Wildlife Service.

24. Every paid staff member or volunteer of a wildlife rehabilitation organization who physically handles wildlife shall read this MOU and sign a document affirming he or she understands and shall abide by the terms and conditions of the MOU. Each Permittee shall maintain the affirmation documents where wildlife is possessed and make such documents available to the Department upon request.

25. This MOU does not authorize the Permittee to use traps to capture wildlife. If trapping is required to capture an animal, you must obtain permission by local Department personnel to trap wildlife for rehabilitation purposes on a case by case basis.

SATELLITES

(Definition of satellite: a location where rehabilitation is performed other than the address listed on this MOU)

26. Each volunteer maintaining a satellite facility shall keep a copy of the signed MOU.

27. In order to qualify as a satellite facility, the proposed facility shall pass an inspection, following the same standards as the main rehabilitation facility. The inspection shall be completed by the Permittee or a representative of the Permittee, prior to approving the

volunteer to animals at the satellite facility, unless otherwise authorized by the Department. If a satellite facility violates any term of this MOU, the Fish and Game Code, or any regulation adopted pursuant to the Fish and Game Code, the Permittee's MOU could be revoked. A New Volunteer Form (FG541 Rev 11/06) has been created by the department for this process. Contact the statewide coordinator for a copy of the form. Use of the form is not mandatory.

28. Satellites must be within a reasonable distance to the organization they are affiliated. It is recommended that satellites stay within the same region or county of the organization they are volunteering for. Contact Wildlife Rehabilitation Coordinator for permission to rehabilitate animals for an organization other than the local /nearest organization.

This MOU is valid through March 31, 2023 but it may be terminated upon the mutual agreement of the Department and the Permittee. The Department may immediately suspend or revoke this MOU if the Department determines that the Permittee (including any representative, staff, volunteer, or satellite of the Permittee) has not complied with a term or condition of this MOU, any provision of the Fish and Game Code, or any regulation adopted pursuant to the Fish and Game Code. The Permittee may appeal suspension or revocation of this MOU by filing a written request with the Fish and Game Commission (Commission) no later than thirty days after receipt of the Department's notice of suspension or revocation. Upon the termination, suspension, or revocation of this MOU, and regardless of whether the Permittee has timely appealed to the Commission, all animals possessed under the privileges of this MOU shall be immediately transferred, surrendered, or humanely euthanized as directed by the Department.

The Permittee agrees to indemnify, defend and save harmless the State, its officers, agents, and employees from any and all claims and losses accruing or resulting to any person or property in connection with the performance of this MOU.

This MOU has been executed by and on behalf of the parties hereto as to the day and year first written. The Permittee shall notify the Department in writing within ten days of a change in the address of the facility, or if there is a change in the facility's director or president. The notification shall include the name of the person who will be replacing the original signer of this MOU, and such notification shall become part of the original MOU.

By signing this signature page the permittee is agreeing to comply to all of the conditions in this MOU and with the provisions of Section 679, Title 14, of the California Code of Regulations.

Nicole Carion 3.30.20

Nicole Carion Date
Wildlife Rehabilitation Coordinator
Wildlife Investigations Lab
CA Department of Fish and Wildlife

Permittee Signature Date

Print Name

Organization Name

Appendix A

Media Contact Conditions

1. Request the media entity to use videos or photographs you have previously taken, instead of allowing them to visit the facility and take new photos or videos. If the media entity/representative would like to take their own pictures or footage, ask them to be brief and not touch or talk to the wildlife.

2. Make an effort to stay out of any pictures and videos. If the rehabilitator or other human is in contact with the wild animal, it may promote "pet-like" images.

3. Always ask the media to photograph the animal in a manner that portrays it as a wild animal and not as a pet.

4. If you have to be in the photo or video, **do not** handle the animals in a pet like manner, For example, during the shoot, do not allow animals to crawl on you, suckle your fingers, drink out of a bottle while being coddled, sit in your pocket, etc.

5. Please clear any media "events" with the Department's Wildlife Rehabilitation Coordinator (and you may want to notify the USFWS if you are using a federally permitted bird(s)) in advance.

6. Do not allow the media or other members of the public to handle wildlife!

7. Keep the focus of the story about wildlife, their natural history, conservation, and how to live in harmony with wildlife.

8. Do not present wildlife in unnatural settings, e.g., having human toys or people food in the picture or presenting animals wandering around your house or on top of desks or computers.

Many rehabilitation centers have education animals and these conditions for media contacts should also be followed when doing an educational presentation.

Anna Reams State Permit #R5-00-WCR-17 **Wildlife Care Of So Cal 352 Genial ct Simi Valley ca 93065 805-428-7105**					
Wildlife Care of So Cal	Total	Released	Transferred	Died	Euthanized
	553	349	31	90	45
Coyotes treated in the field for mange.	27				
#3 Glendale, Granada Hills, #6 in Altadena, Los Feliz, Castaic, #3 Santa Clarita, Porter Ranch, 2 Northridge, Bakersfield, #3 Val Verde, Valencia, Stevenson Ranch, #3 Chatsworth,					

Anna Reams State Permit #R5-00-WCR-17 **Wildlife Care Of So Cal 352 Genial ct Simi Valley ca 93065 805-428-7105**					
Signature Anna Reams, Director					

Anna Reams State Permit #R5-00-WCR-17 **Wildlife Care Of So Cal 352 Genial ct Simi Valley ca 93065 805-428-7105**		
Wildlife Care of So Cal	Pending	DOA
	30	5
Coyotes treated in the field for mange.		
#3 Glendale, Granada Hills, #6 in Altadena, Los Feliz, Castaic, #3 Santa Clarita, Porter Ranch, 2 Northridge, Bakersfield, #3 Val Verde, Valencia, Stevenson Ranch, #3 Chatsworth,		

Anna Reams State Permit #R5-00-WCR-17 **Wildlife Care Of So Cal 352 Genial ct Simi Valley ca 93065 805-428-7105**		
Signature Anna Reams, Director		

Permittee:			Federal Permit #MB813649-0
Anna Reams			State Permit #R5-00-WCR-17
352 Genial Ct			
Simi Valley, CA 93065			Phone: (805) 581-3911
Wildlife Care of So Cal			**2018**
New Acquisitions:	**ANNA REAMS**	**SIMI VALLEY**	
Species	Total	Released	Euthanized
Bat Myotis	4	1	2
Bobcat	3	2	
Canadian Goose	1		
Coot	1		
Coyote	18	13	2
Crow	40	30	7
Desert Kit Fox	2		1
Dove Morning	10	9	
Finch	7	6	

Hawk, Cooper's	5	1	
Hawk Sharpshin	1	1	
Hawk Red tail	4		
Hummingbird Anna’s	3	1	
Kestrel	1		
Opossum	108	101	3
Owl Barn Owl	4		3
Screech Owl	1	1	
Towhee	1	1	
Phoebe	1		
Raccoon	18	16	
Raven	9	5	3
Rabbit (Cotton Tail)	13	8	2
Black Crowned Sparrow	2	2	
Skunk	15	10	3
Swan	1		
Vireo	1	1	
Woodpecker	1		
Quail California	2		
Total	277	209	26
Total disposition			

Died	DOA	Transferred	Pending	transferred
1				
				1 Placed Monterey Zoo
		1		CWC California Wildlife Center
1				
2		1		CWC
3				
			1	
1				
1				

1		3		Ojai		
2	1	1		Ojai		
	2					
				Placed Placerita nature Center 1		
4						
		1		Ojai Raptor		
1						
1				1 placed Monterey zoo		
			1			
2	1					
2						
1						
	1					
2						
25	5	7	2	2 Placed ([Non releasable)	274	
				CWC California Wildlife Center		

				Ojai Raptor		
				SM Squirrel Mender		

Wildlife Care of Ventura County
Annual Report for Year Ending: December 31, 2006

Permittee:			Federal Permit #MB813649-0		
Anna Reams			State Permit #R5-00-WCR-17		
352 Genial Ct					
Simi Valley, CA 93065			Phone: (805) 581-3911		
Wildlife Care of So Cal	Satellite	James Hunter	2018		
New Acquisitions:					
Species	Total	Released	Euthanized	Died	DOA
Acorn Woodpecker	1			1	
Crow	6	3	1	2	
Dove Morning	25	17	6	2	
Dove ring neck	3			2	
Duck Mallard	6				
Duck Ruddy	1			1	
Finch (Lesser Gold finch)	4	3		1	
Flicker	1			1	
Finch (House)	21	16		5	
Grosbeak	1			1	
Hawk, Cooper's	8		1		
Hawk red Tail	1			1	
Hummingbird (Anna's)	16	5	2	8	
Mockingbird	3	2		1	
Owl Barn owl	1				

Owl Great Horned	1				
Opossum	76	61	1	13	
Pelican	1				
Pigeon Band tail	1	1			
Raven	6	5	1		
Rabbit (Cotton Tail)	2			1	
Raccoon	2		2		
Sparrow	15	8	1	6	
Scrub Jay	1		1		
Skunk	1				
Squirrel (Tree)	5			2	
Swallow Cliff	1			1	
TowHee	1			1	
Warbler	1		1		
Total	212	121	17	50	

Transferred	Pending	Location	
	1		
6		CWC	
		CWC	
7		Ojai Raptor	
		Ojai Raptor	
	1		
		CWC	
1		Ojai Raptor Center	

1		Ojai Raptor Center	
	1		
1		CWC	
1		Cwc	
1			
3			
21	3		
	CWC	California Wildlife Center	
	ORK	Ojai Raptor Center	
	CW	Camarillo Wildlife	
	CC	Coast n Canyon	
	OPS	Opossum Society/Leslie Rink	
	SBW	South Bay Wildlife	
	PHumane	Pasadena Humane	
	IBRC	International Bird RRCenter	0

Wildlife Care of Ventura County
Annual Report for Year Ending: December 31, 2006

Permittee:			Federal Permit #MB813649-0		
Anna Reams			State Permit #R5-00-WCR-17		
352 Genial Ct					
Simi Valley, CA 93065			Phone: (805) 581-3911		
Wildlife Care of So Cal	Satellite	Dora	2018		
New Acquisitions:					
Species	Total	Released	Euthanized	Died	DOA
Opossum	27	17		10	
Raccoon	37	2	2	5	
Total	64	19	2	15	

Transferred	Pending	Location	
	1		
3	24	Cwc	
3	25		

	CWC	California Wildlife Center	
	ORK	Ojai Raptor Center	
	CW	Camarillo Wildlife	
	CC	Coast n Canyon	
	OPS	Opossum Society/Leslie Rink	
	SBW	South Bay Wildlife	
	PHumane	Pasadena Humane	
	IBRC	International Bird RRCenter	0

Wildlife Care of Ventura County
Annual Report for Year Ending: December 31, 2006

Permittee:	
Anna Reams	
352 Genial Ct	
Simi Valley, CA 93065	
State Non Releasable	

Species	**Date Acquired**
Bobcat M	2006
Barn Owl M	10/17/00
Screech Owl M	10-17-98
Crow #2	6/28/05
Screech Owl	5/1/08
Coyote M pup	2008
Raven	1/1/08
Barn Owl M	(Baby) 2009
Coyote F	1/1/11

2018

Nature of Injury
Heart Murmur/Luxated Pattela/Habituated
car hit/ Fx wing
car hit/ Fx wing
Imprint
Head Trauma
deformed leg (amputated)
fx ulna @ the wrist
(Maggots)Deaf in one ear
Neurologica/head traumal

Federal Permit #MB813649-0		
State Permit #R5-00-WCR-17		
Phone: (805)581-3911		
cell 805-428-7105		
Purpose		
Surrogate	"	
Passed away 17 years old) 2017	"	
1-17-2017 /Passed away (19 years old) ; (	"	
Education/surrogate (Luna 2014 passed)	"	
Education		
Surrogate/Education	352 genial ct. Simi Valley	
Surrogate	325 Glenwood pl Burbank ca	
/Released	325 Glenwood pl Burbank ca	
Surrogate/education	352 genial st Simi Valley	

Pending		**Federal + State Form**
Common Name	**#**	**Nature of Injury**
Pending 2018		
Desert Kit Fox	1	Young
Raven	1	Injured legs
Raccoon	24	Juveniles
Ring Neck dove	1	Injured wing
Opossum	1	Juvenile
Hummingbird	1	Injured wing
Pending 2017		
Bobcat	2	young
Coyotes	4	Mange/young pups 4-5mths
Crows	6	Feather Damage/juveniles

Still Pending 2006

Crows	2	Fractured wing
Raccoons	11	Juveniles
Mockingbirds	3	wing fracture / toe infection / fx leg
Opossum	1	juvenile

Proposed Disposition					
Disposition 2019					
Release					
Release					
Release					
Release					
Release					
Release					
DISPOSITION 2018					
Released					
Released					
Released					

Still Pending 2006

Released					
Released					
Released					
Released					

City of Duarte

1042 Huntington Drive, Duarte, California 91010-2592
Tel. (626) 357-7938 | Fax (626) 303-0694

Notice of Violation

06/30/2021

Animal Rehabilitation Group
Anna Reams
352 Genial CT
Simi Valley, CA 93065

Subject Location:

Duarte, CA 91010
Case #: CE21-4110

Dear Anna Reams,

A resident recently notified us of your group feeding wildlife to treat mange. A check of your annual records indicates you fed 3 coyotes within the City of Duarte. We appreciate your noble effort to help wildlife within our community, however feeding wildlife within our City limits is strictly prohibited. Per Fish and Game, feeding wildlife outside of your rehab center is also prohibited and therefore does NOT provide exemption within the City of Duarte. For the future, please refrain from feeding wildlife within the City of Duarte. Please see the section(s) listed below for further information:

Codes	Description	Corrective Action
8.04.865	No person shall feed or in any manner provide food for one or more non-domesticated mammalian wildlife, including but not limited to bears, deer, mountain lions, coyotes, raccoons, opossum, mice, rats, skunks, squirrels, or feral cats. (b) Notwithstanding subdivision (a), this section shall not apply to the feeding of any non-domesticated mammalian by the owner of such animal when the non-domesticated mammalian is kept under a valid certificate or permit issued by the State of California Department of Fish and Game.	Refrain from feeding wildlife to avoid citations.

Pursuant to the DMC, the Code Violations on your property constitute misdemeanors punishable by a $ 1,000 fine and/or six months in the county jail (DMC §§ 1.04.090-1.04.100, 9.32.150, 19.154.070). Each day the violation continues constitutes a new and separate offense for which the full misdemeanor penalty may be imposed (DMC § 1.04.100). Alternatively, or in addition to criminal action, the City could seek compliance by pursuing an administrative action and or filing a civil action including but not limited to: Administrative Citations being issued with fines ranging from $100 to $1000 for each offense, if applicable a revocation of the business and a prohibition on a re-application for a business license for up to a period of five years at the location, the City executing an Abatement and Lien, and or the submitting of a Sub-Standard Lien against the property with the Los Angeles County Recorder (DMC §§ 1.08.040, 9.32.140, 19.154.070, 19.154.080). Finally you should be aware that if the City prevails in any legal action, the City could be awarded attorneys' fees (DMC §§ 9.32.160, 19.154.100).

If you desire a conference to discuss this situation, please contact me at the number listed below.

Respectfully,

Larry Breceda
Public Safety Manager
626-359-5671 Ext. 315

Anna Reams State Permit #R5-00-WCR-17 **Wildlife Care Of So Cal 352 Genial ct Simi Valley ca 93065 805-428-7105**		
	Total	Released
Wildlife Care of Southern California	Total 423 + 53 = 476	287
Coyotes treated in the field for mange.	Total 53	
	Huntington Gardens	Sunland
	San Diego #3	Compton
	Santa Clarita #6	Highland Park
	North Ridge #1	Ventura
	Scenic Hills	Montebello
	Altadena #5	Monterey Park #2
	Los Feliz #2	Castaic
	El Sereno	Alhambra

Anna Reams State Permit #R5-00-WCR-17 **Wildlife Care Of So Cal 352 Genial ct Simi Valley ca 93065 805-428-7105**		
	Simi Valley	Eagle Rock
	Saugus	Los Angeles/Occidental College#2
	Agoura/Paramount Ranch	Los Angeles Sheriff Department
	E Los Angeles	Glendora#4
	Los Angeles	Newhall
	Acton	Silverlake
	Los Angeles	San Marino
	Anaheim	Granda Hills
	Duarte #3	La Habra Heights

Anna Reams State Permit #R5-00-WCR-17 **Wildlife Care Of So Cal 352 Genial ct Simi Valley ca 93065 805-428-7105**					
	Euthanized	Died	DOA	Pending	Transferred
Wildlife Care of Southern California	38	47	12	5	34
Coyotes treated in the field for mange.					

Wildlife Care of Ventura County
Annual Report for Year Ending: December 31, 2006

Permittee:			Federal Permit #MB813649-0			
Anna Reams			State Permit #R5-00-WCR-17			
352 Genial Ct						
Simi Valley, CA 93065			Phone: (805) 581-3911			
Wildlife Care of So Cal	Anna Reams	Simi Valley	2020			
New Acquisitions:						
Species	Total	Released	Euthanize	Died	DOA	Transferred
Bat	1			1		
Blackbird	1		1			
Blue Bird	1		1			
Adult Bobcat	4	1 Mange		1 Mange		2
Baby Bobcat	3				1	
Coopers hawk	4	1	1		1	1
Coyote Pup	17	15		1	1	
Coyote Adult	6	2	3	1		
Crow	61	46	5	8	2	
Dove Morning	7	2	3		2	
Finch (Lesser Gold finch)	2			2		
Finch (House)	3			2	1	
Grey Fox	1		1			

Great Horned Owl	2					2
Hawk Red Tail	6		1			5
Hummingbird (Anna's)	2			2		
Heron Green back	1					1
Kestrel	1					1
Mallard Duck	6	6				
Owl Barn	5		1	1		3
Opossum	102	86	5	4		7
Pigeon						
Porwhill	1	1				
Raven	17	12	3	1		
Rabbit (Cotton Tail)	16	5	6	2	3	
Raccoon Adult	9	3	1	5		
Raccoon Baby	13	9			1	3
Sea Gull	1		1			
Screech Owl	3					3
Skunk	10	9				1
TowHee	2	1		1		
Total	308	199	33	32	12	29

Pending	Location	
	#2 Captive Bred and released / Minnesota Wild Cat Sanctuary/	
2	Total Bobcats #5	
	Ojai Raptor Center	
	Coyote Total # 23	
	Mange #3	
	Sent state /salmonella testing	
	Possible distemper	

	Ojai Raptor Center	
	Ojai Raptor Center	
	Ojai Raptor Center	
	Ojai Raptor Center	
1		
	Raccoon total 22	
	Glenn Elis	
	Ojai Raptor Center	
	Non releasable/Placed Wildlife Experience	
3		
CWC	California Wildlife Center	
ORK	Ojai Raptor Center	
CW	Camarillo Wildlife	
CC	Coast n Canyon	
OPS	Opossum Society/Leslie Rink	

SBW	South Bay Wildlife	
PHuma	Pasadena Humane	
IBRC	International Bird RRCenter	0

Wildlife Care of Ventura County
Annual Report for Year Ending: December 31, 2006

Permittee:			Federal Permit #MB813649-0			
Anna Reams			State Permit #R5-00-WCR-17			
352 Genial Ct						
Simi Valley, CA 93065			Phone: (805) 581-3911 Home (805428-7105			
Wildlife Care of So Cal	Satellite		**2020**			
New Acquisitions:	**James Hunter**	**Burbank**				

Species	Total	Released	Euthanized	Died	DOA	Transferred
Crow	5	2	2	1		
Coopers hawk	2					2
Dove Morning	9	4	1	3		
Dove Ring Neck	1	1				
Finch	1			1		
Gold Finch	1			1		
Hummingbird Anna's	2	2				
Opossum	14	10		3		
Owl Barn Owl	2	1				1
Scrub Jay	2	1	1			

Seagull	1					1
Vulture	1					1
Pigeon Band Tail	5	1	1	3		
Raven	2	2				
Total	48	24	5	12		5
Total disposition						

Pending	transferred	
	Ojai Raptor	
1		
1		
	Ojai Raptor	

	California Wildlife Center	
	Ojai Raptor	
2		48
	CWC California Wildlife Center	
	Ojai Raptor	
	SM Squirrel Mender	

Wildlife Care of Ventura County
Annual Report for Year Ending: December 31, 2006

Permittee:			Federal Permit #MB813649-0				
Anna Reams			State Permit #R5-00-WCR-17				
352 Genial Ct							
Simi Valley, CA 93065			Phone: (805) 581-3911				
Wildlife Care of So Cal	Satellite	Dora	2020				
New Acquisitions:							
Species	Total	Released	Euthanized	Died	DOA	Transferred	Pending
Opossum	14	14					
Raccoon	53	50		3			
Total	67	64					
							CWC
							ORK
							CW
							CC
							OPS

							SBW
							PHumane
							IBRC

Location	
California Wildlife Center	
Ojai Raptor Center	
Camarillo Wildlife	
Coast n Canyon	
Opossum Society/Leslie Rink	

South Bay Wildlife	
Pasadena Humane	
International Bird RRCenter	0

Pending		**Federal + State Form**
Common Name	**#**	**Nature of Injury**
Pending 2020		
Bobcat	1	Juvenile
Bobcat	1	Juvenile
Raven	1	Captive
Mourning dove	1	Cat Caught
Opossum	1	Young
Pending2019		
Raccoons	10	Juveniles
Barn Owl	1	Head Trauma

Proposed Disposition					
Release					
Release					
Release					
Release					
Release					
DISPOSITION 2020					
Released					
Released					

Wildlife Care of Ventura County
Annual Report for Year Ending: December 31, 2006

Permittee:		
Anna Reams		
352 Genial Ct		
Simi Valley, CA 93065		
State Non Releasable		**2020**

Species	**Date Acquired**	**Nature of Injury**
Bobcat M	2006	Heart Murmur/Luxated Pattela/Habituated
Screech Owl	5/1/08	Head Trauma
Raven	1/1/08	fx ulna @ the wrist
Coyote F	1/1/11	Neurologica/head traumal
Crow	6/8/05	Imprint

Federal Permit #MB813649-0		
State Permit #R5-00-WCR-17		
USDA 93-C-1144		
Phone: (805)581-3911		
cell 805-428-7105		
Purpose		
Surrogate	352 genial ct	
Education	352 genial st Simi Valley	
Surrogate	325 Glenwood pl Burbank ca	
Surrogate/education	352 genial st Simi Valley	
Surrogate		

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
MEMORANDUM OF UNDERSTANDING
FOR
THE PURPOSE OF WILDLIFE REHABILITATION

This Memorandum of Understanding (MOU) is made and entered into this 31th day of March, 2017, by and between the California Department of Fish and wildlife and

Anna Reams
Wildlife Care of Southern California
352 Genial Court
Simi Valley, CA 93065
805-428-7105

(Hereinafter referred to as the Permittee) and expires on March 31, 2020.

WITNESSETH:

WHEREAS, the Permittee has expressed interest in, and proven the ability to rehabilitate native sick, injured, or orphaned game birds, protected nongame birds, resident small game mammals, furbearing, and nongame mammals, reptiles, and amphibians; and,

WHEREAS, the Department would like rehabilitation work be done on the previously mentioned species; and,

WHEREAS, the Department frequently takes possession of the previously listed birds, reptiles, amphibians, and mammals and lacks facilities for their care; and,

WHEREAS, the parties hereto desire to coordinate a program of rehabilitation of these animals by means of this MOU,

NOW, THEREFORE, it is mutually agreed and understood as follows:
Unless otherwise stipulated in this MOU, the Permittee may possess and provide care for sick, injured, or orphaned game birds, protected nongame birds, resident small game mammals, nongame mammals, furbearing mammals, reptiles and amphibians pursuant to Section 679 Title 14 California Code of Regulations (CCR); the Third Edition 2000 National Wildlife Rehabilitation Association/International Wildlife Rehabilitation Council Minimum Standards for Wildlife Rehabilitation; and the conditions listed below. The Permittee may not rehabilitate “big game mammals” listed pursuant to Fish and Game Code section 3950, which include elk, adult deer, wild pigs, antelope, bighorn sheep, bear or mountain lions. Wildlife caging shall comply with the 2000 Wildlife Rehabilitation and Care Standards. Copies of sections 679, Title 14, CCR and lists of fully protected, threatened and endangered wildlife species are attached and become part of this MOU.

POSSESSION AND NOTIFICATION REQUIREMENTS

1. This MOU does not authorize the Permittee or any representatives of the Permittee to possess or capture for rehabilitation purposes, any healthy wildlife from the wilds of this State. This prohibition also applies to animals that are deemed nuisance wildlife that are trapped by pest control agencies or operators. Orphans of nuisance animals may be rehabilitated and released in accordance with the provisions of this MOU, the Fish and Game Code, and other laws but not the nuisance parent animal.

2. Exotic animals prohibited by Section 671, CCR T-14 may not be possessed pursuant to

this MOU.

3. The Permittee shall not initiate rescue efforts for any bear, mountain lion or other big game animals. The Permittee shall notify the Department immediately, or on the next working day, if the Permittee receives any endangered, threatened, fully protected, big game mammal (excluding mule deer fawns), mountain lion, or exotic prohibited species listed in Section 671, Title 14, CCR. The Permittee shall notify the Department by calling: the Wildlife Investigations Lab (WIL) at telephone (916) 358- 2790; the nearest Department regional office: or the Wildlife Rehabilitation Coordinator at (530)357-3986, between 8:00 A.M. and 5:00 P.M. Monday through Friday. If reporting is on the weekend or after hours, leave messages so contact can be made the next business day, or contact enforcement 1888-DFG CALTIP (1-888-334-2258).

4. All wildlife, carcasses, or parts of wildlife possessed under the provisions of this MOU shall remain the property of the people of the State of California through the Department; the Permittee is granted only temporary custody of such wildlife and must exhibit/surrender such wildlife or part upon demand made by any officer of the Department.

5. The Permittee shall report any suspected incident of wildlife poisoning or any increase in mortality of housed wildlife suspected to be caused by an infectious, contagious disease to the Wildlife Investigations Lab in Rancho Cordova at telephone number (916) 358-2378 (for nongame mammals), (916)-358-1194 (game mammals), (916) 358-1662 (birds), or the wildlife rehabilitation coordinator (530) 357-3986 as soon as, practical. A permittee must obtain Department approval before submitting any carcass to a veterinarian or diagnostic lab, other than the Wildlife Investigations Lab, for necropsy. Copies of lab results shall be forwarded to WIL once received by the rehabilitation facility.

FAWNS

6. Adult deer cannot be possessed or rehabilitated. Fawn rehabilitators shall not rehabilitate fawns from out of their assigned area (different deer herds) unless separate enclosures are used. Enclosures must be far enough apart to ensure there is no exchange of saliva, urine, and feces, and to reasonably ensure airborne transmission cannot occur. Any questions regarding deer herd boundaries in your area can be referred to the WIL at telephone number (916) 358-1194 or the wildlife rehabilitation coordinator at (530) 357-3986. In the unusual event that an out of state fawn is transported into this state, the fawn shall be isolated from native fawns and immediate transport shall be arranged to send the fawn back to the original state where it came from or humanely euthanized. The Permittee shall report any deer fawn brought to a rehabilitation facility from out of the area (including out-of-state deer fawns) to WIL within 24 hours.

7. Fawns shall not be rehabilitated at a facility that has permanent captive deer residing at the facility.

8. Fawn rehabilitators who have 12 or more releasable fawns at the end of the season must contact the wildlife rehabilitation coordinator at (530) 357-3986 thirty days prior to release to discuss intended release sites.

9. The Permittee shall not transfer or donate any wildlife or carcasses or parts of wildlife possessed under the privileges of this MOU without first receiving approval from the Department.

10. Wildlife carcasses shall be disposed of by burial or incineration, used as food for other wildlife, or disposed using other means approved by the Department. Disposal of wildlife carcasses shall be in accordance with local, city and county codes.

RELEASE OF WILDLIFE

11. Upon the recovery of a sick or injured wildlife specimen, or determination that an orphaned specimen is ready for release, the Permittee shall release the animal in a suitable habitat near where the animal originated (as close as possible to original location and within a ten mile radius). The release of any wildlife on private property requires permission of the landowner. The release of wildlife on U. S. Forest Service, BLM, National, State, County, City Park, or State reserve property requires the permission of the State or Federal agency that manages that property.

12. Opossums, Eastern Gray Squirrels, Red Fox Squirrels, Rock Pigeons, Eurasian Collared Doves, House Sparrows and European Starlings, although not native to California, may be rehabilitated and released pursuant to the conditions listed in this MOU. However, these animals adversely compete with native California wildlife to their detriment and the Department recommends euthanasia rather than release. Red Foxes shall not be released back into the wild unless determined to be a native Red Fox.

13. The Permittee shall not display or exhibit any native orphaned, injured or diseased wild animal which is possessed for care or treatment under the authority of this MOU, nor shall the Permittee allow any other person to do so. Upon approval from the Wildlife Rehabilitation Coordinator, animals undergoing rehabilitation may be photographed or filmed briefly for press releases or educational films that promote wildlife conservation. Permittees and volunteers shall follow the media contact conditions in Appendix A. Wildlife Rehabilitators should always wear appropriate gloves when handling any wild animal.

NON-RELEASABLE

14. Any wildlife rehabilitator who wishes to exhibit non-releasable injured or orphaned animals originating in the wilds of California will be required to obtain a Native Species Exhibiting Permit, as per California Code of Regulations, Title 14, Section 671.1 (b)(7). Non-releasable birds require additional permission/permit from the USFWS.

    a. Only wildlife determined to be permanently injured or non- releasable due to imprinting or habituation and is suitable for public exhibition will be considered for non-releasable status. That determination shall be made by the Department (contact the wildlife rehabilitation coordinator 530-357-3986). A veterinarian shall prepare a written document describing the permanent injury that qualifies the animal as non-releasable. A copy of the veterinarian's document shall be forwarded to the Department within 7 days of the veterinarian's classification.

    b. In the unusual event that an animal is brought into a center imprinted or severely habituated, the Department shall be notified within 72 hours after the determination has been made. If an animal becomes imprinted or severely habituated during the rehabilitation process, the animal shall be either, transferred to another rehabilitation center (other than the responsible rehabilitator), euthanized or transferred to a Department-approved Native Species Exhibiting Permitee.

EDUCATIONAL WILDLIFE APPROVED BY THE DEPARTMENT PRIOR TO 2012 AND HELD UNDER A WILDLIFE REHABILIATION PERMIT

15. This section only applies to non-releasable educational wildlife approved for possession by

the Department prior to January 1, 2012.

a. The Permittee shall maintain all non-releasable educational wildlife in accordance with the caging and care provisions listed in sections 671.2 and 671.3, Title 14, CCR, unless otherwise authorized by the Department.

b. Exhibitors, including the Permittee, wishing to use wildlife for educational purposes must be either licensed or registered as an exhibitor by the U. S. Department of Agriculture (a "licensed" exhibitor is one receiving compensation; a "registered" exhibitor receives no compensation).

c. Educators shall display animals a reasonable distance between the audience and the animal (a minimum of four feet is recommended). The educator shall maintain control of the animal at all times during exhibition.

d. Gloves shall be worn when displaying any wild animal.

e. The Permittee shall not allow the public to contact live animals.

f. In a continuing effort to maintain dignity to wildlife, educators shall not use display techniques that promote a "pet" type of relationship between the handler and the animal (i.e., refer to the animals using endearing terms like "cute", or allow animals to crawl or climb on the handler or in the clothing or pockets of the handler). All exhibitions shall focus on wildlife conservation and natural history.

g. Any photographs of educational wildlife on brochures or websites, etc. shall not portray the animals as "pet-like": i.e., inside homes, playing with toys, displayed with domestics, eating unnatural foods, etc.

ANNUAL REPORTS

16. The Permittee shall provide the Department with an annual report by January 30th of each year. The Department has created an Annual Year End Report Form (FG540 Rev 11/06). The use of this form is not mandatory, but the Permittee must include, at a minimum, all information described below in every annual report. Contact the rehabilitation coordinator for a copy of the form. The Department will send a copy of the form to each permittee prior to January 30th of each year. If the Permittee fails to submit an annual report by January 30th of each year, this MOU may be revoked. The annual report shall contain the following information listed below:

    a. A complete list of all wildlife received by the Permittee during the reporting period. The report shall include a statistical summary of all the required information as stated in the minimum standards for Wildlife Rehabilitators, Third Edition, 2000, pages 14-17.

    b. A complete inventory of all non-releasable wildlife approved prior to January 1, 2012. Any animals acquired after 2012 shall be reported on a Native Species Exhibiting Permit Inventory. The Annual Report shall include:

        1. All deletions to the previous year's inventory of non-releasable wildlife.

        2. A description of each animal's impairment which makes it non-releasable.

        3. The date the animal was classified non-releasable.

4. The location of where the animal is being held.

c. The Permittee shall provide a current and accurate record of all satellites/volunteers. The name, address and phone number is required for any volunteers in possession of wildlife at a location other than the address of the permittee (satellites). Only the name is required for volunteers who care for wildlife at the permittees address.

GENERAL CONDITIONS

17. The Permittee may transfer raptors to a licensed California falconer for rehabilitation purposes. Such raptors shall be maintained by the falconer and used in accordance with all California and federal falconry laws and regulations.

18. The Permittee shall keep wildlife rehabilitation records available for inspection for five years following the end of the calendar year covered by the records. These records include complete and accurate records of all wildlife received, including the date received, type of injury or illness, disposition, and date of disposition. After five years the permittee may dispose of wildlife rehabilitation records.

19. The Permittee may not retain any animal obtained under this permit for more than 180 days without additional authorization from the Department's Wildlife Rehabilitation Coordinator.

20. If the Permittee cares for/ rehabilitates migratory birds, the Permittee must have a valid Federal Migratory Bird Rehabilitation Permit issued by the United States Fish and Wildlife Service.

21. Every paid staff member or volunteer of a wildlife rehabilitation organization who physically handles wildlife shall read this MOU and sign a document affirming he or she understands and shall abide by the terms and conditions of the MOU. Each Permittee shall maintain the affirmation documents where wildlife is possessed and make such documents available to the Department upon request.

22. This MOU does not authorize the Permittee to use traps to capture wildlife. If trapping is required to capture an animal, you must obtain permission by local Department personnel to trap wildlife for rehabilitation purposes on a case by case basis.

SATELLITES

(Definition of satellite: a location where rehabilitation is performed other than the address listed on this MOU)

23. Each volunteer maintaining a satellite facility shall keep a copy of the signed MOU.

24. In order to qualify as a satellite facility, the proposed facility shall pass an inspection, following the same standards as the main rehabilitation facility. The inspection shall be completed by the Permittee or a representative of the Permittee, prior to approving the volunteer to animals at the satellite facility, unless otherwise authorized by the Department. If a satellite facility violates any term of this MOU, the Fish and Game Code, or any regulation adopted pursuant to the Fish and Game Code, the Permittee's MOU could be revoked. A New Volunteer Form (FG541 Rev 11/06) has been created by the department for this process. Contact the statewide coordinator for a copy of the form. Use of the form

is not mandatory.

25. Satellites must be within a reasonable distance to the organization they are affiliated. It is recommended that satellites stay within the same region or county of the organization they are volunteering for. Contact Wildlife Rehabilitation Coordinator for permission to rehabilitate animals for an organization other than the local /nearest organization.

This MOU is valid through March 31, 2020. The MOU may be revoked upon the request of the parties signed hereto or upon a finding by the Department that the Permittee, or any representative, has not complied with the terms and conditions of this MOU, the Fish and Game Code, or any regulation adopted pursuant to the Fish and Game Code. The Permittee may request a hearing before the Commission to appeal a revocation. Upon cancellation of this MOU, all animals possessed under the privileges of this MOU shall be transferred or humanely euthanized as directed by the Department.

The Permittee agrees to indemnify, defend and save harmless the State, its officers, agents, and employees from any and all claims and losses accruing or resulting to any person or property in connection with the performance of this MOU.

This MOU has been executed by and on behalf of the parties hereto as to the day and year first written. The Permittee shall notify the Department in writing within ten days of a change in the address of the facility, or if there is a change in the facility's director or president. The notification shall include the name of the person who will be replacing the original signer of this MOU, and such notification shall become part of the original MOU.

By signing this signature page the permittee is agreeing to comply to all of the conditions in this MOU and with the provisions of Section 679, Title 14, of the California Code of Regulations.

Nicole Carion

3.31.17

Nicole Carion Date
Wildlife Rehabilitation Coordinator
Wildlife Investigations Lab
CA Department of Fish and Wildlife

Permittee Signature Date

Print Name

Organization Name

Appendix A

Media Contact Conditions

1. Request the media entity to use videos or photographs you have previously taken, instead of allowing them to visit the facility and take new photos or videos. If the media entity/representative would like to take their own pictures or footage, ask them to be brief and not touch or talk to the wildlife.

2. Make an effort to stay out of any pictures and videos. If the rehabilitator or other human is in contact with the wild animal, it may promote "pet-like" images.

3. Always ask the media to photograph the animal in a manner that portrays it as a wild animal and not as a pet.

4. If you have to be in the photo or video, **do not** handle the animals in a pet like manner, For example, during the shoot, do not allow animals to crawl on you, suckle your fingers, drink out of a bottle while being coddled, sit in your pocket, etc.

5. Please clear any media "events" with the Department's Wildlife Rehabilitation Coordinator (and you may want to notify the USFWS if you are using a federally permitted bird(s)) in advance.

6. Do not allow the media or other members of the public to handle wildlife!

7. Keep the focus of the story about wildlife, their natural history, conservation, and how to live in harmony with wildlife.

8. Do not present wildlife in unnatural settings, e.g., having human toys or people food in the picture or presenting animals wandering around your house or on top of desks or computers.

Many rehabilitation centers have education animals and these conditions for media contacts should also be followed when doing an educational presentation.

#6

Guillen, Kimberly (Admin)

From:	Vasyl Ghanimian, LCSW, SEP <vasyl@vgtrinityhealth.com>
Sent:	Monday, July 19, 2021 6:20 PM
To:	comment, ccpublic
Cc:	Joanna Barreras
Subject:	Written Public Comment for Montebello City Council Meeting to be Held on July 28, 2021
Attachments:	Vasyl Ghanimian - Public Comment for Montebello CC Meeting 07.28.2021.pdf

Hello,

I am a resident and business owner in Montebello who is formally submitting my written public comment for the Montebello City Council Meeting to be held on July 28, 2021. My verbal comment will be a shortened summary of the information included in my lengthy written comment. I have CC'ed a mentioned stakeholder within the written comment.
Sincerely,

Vasyl Ghanimian, LCSW, SEP
(562) 445-4364
vasyl@vgtrinityhealth.com
https://www.vgtrinityhealth.com/

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PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

July 28, 2021

Vasyl Ghanimian, LCSW, SEP

VG Trinity Health
Montebello, CA 90640
(562) 445-4364
vasyl@vgtrinityhealth.com

Dear Mayor,

My name is Vasyl Ghanimian. I have resided in the City of Montebello since 2011. I previously lived in Pico Rivera and unincorporated South San Gabriel. In 2019, I became a sole proprietor of a business licensed in Montebello that provides mental health services, primarily psychotherapy. In my role as a mental health clinician, I am highly focused on serving marginalized and underserved populations. This emphasis has grown since the start of this global pandemic, on par with the elevated need for mental health support.

As I am in the process of completing my final course to obtain a Master of Science in Criminal Justice, the course title, appropriately named "Making a Difference in Criminal Justice" reflected my hopefulness to increase mental health awareness, availability, and accessibility in communities I belong to, naturally with extra consideration placed on criminal justice issues. Mental health is not solely about individual change. Mental health education, access, and service utilization can have a large-scale effect on matters important to the community, such as suicide prevention, homelessness outreach, and crime control.

The National Alliance on Mental Illness (NAMI) (2021) compiled mental health data from credible sources including the Centers for Disease Control and Prevention (CDC), Substance Abuse and Mental Health Services Administration (SAMHSA), National Institute on Mental Health (NIMH), and U.S. Department of Justice. NAMI (2021) summarized statistics that aid in understanding this nationwide challenge: one in five U.S. adults experienced mental illness in 2019, one in twenty experienced serious mental illness in 2019, and about 17 percent of youth ages 6 to 17 years old experienced a mental health disorder in 2016. It is estimated that 50% of lifetime prevalence of mental illness begins by age 14 and 75% by age 24 (Kessler et a., 2005; NAMI, 2021), and about 46% of people who die by suicide have a diagnosed mental health condition, while 90% who die by suicide have experienced symptoms of a mental health condition (NAMI, 2021). Additionally, lesbian, gay, and bisexual youth are 4 times more likely to attempt suicide than heterosexual youth (Ivey-Stephenson et al., 2020). The average delay between symptom onset and treatment is 11 years (Wang et al., 2004, NAMI, 2021), and at least one third of adults with a mental health diagnosis do not receive treatment or counseling (NAMI, 2021).

NAMI has also provided a succinct snapshot of the intersection between mental health and criminal justice. According to another composition of statistics summarized by NAMI (2021), 2 in 5 people incarcerated in state and federal prisons have a history of mental illness; nearly 1 in 4 people shot and killed by police officers between 2015 and 2020 had a mental health condition; suicide is the leading cause of death for people held in local jails; about 70% of youth in the

juvenile justice system have a diagnosable mental health condition; and about 55% of veterans held in local jails report experiencing metal illness.

According to a recent publication from SAMHSA (2020), about 18 percent of U.S. adults with mental illness also had a substance use disorder in 2019. Data collected by the U.S. Department of Housing and Urban Development (HUD) revealed that about 20% of people experiencing homelessness in the U.S. have a serious mental health condition (NAMI, 2021).

A 2013 study by Turner et al. explored the relationship between distress and community disorder that is defined as observable signs of weakened social control, reduced displays of public safety, or physical exhibits of disorder, such as graffiti or public substance use. Distress in this study was measured through depression, anxiety, anger/aggression, dissociation, and posttraumatic stress scales. These authors (2013) recognized that ethnic, non-white communities are more likely to display higher disorder, and as expected, higher distress for youth ages 10 to 17 was found in those neighborhoods.

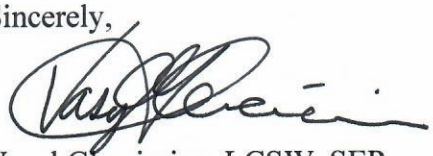
Presently, it is understood that those who repeatedly violate laws, known in the research literature as life-course-persistent offenders, commit the majority of crimes (Cauffman et al., 2018; The Center for Evidence-Based Crime Policy, 2013). A recent study published by the American Psychological Association (APA) (2014) acknowledged that mental illness is not strongly linked to crime (Peterson et al., 2014). A lead researcher in that study expressed that "the vast majority of people with mental illness are not violent, not criminal, and not dangerous" (APA, 2014, para. 3). However, some individuals with untreated mental health issues commit crimes. In this vein, most repeat DUI offenders found to be diagnosed with a psychiatric condition in a 2008 study had depression. It was acknowledged that self-medication of untreated symptoms with alcohol could be properly addressed through mental health treatment (McMillan, 2018).

It is important to note that all data shared thus far reflects pre-pandemic levels. It is widely accepted that the pandemic has resulted in increased need for mental health awareness and care opportunities. Montebello can become a leader in the area.

Neighboring cities of Commerce, Downey, Pico Rivera, Monterey Park, and Whittier presently offer social services to varying degrees as described on their official websites. Commerce has many offerings that includes case management, delinquency prevention, school and senior programs, and homelessness services (Commerce Public Library, n.d.). Downey (n.d.) provides homelessness services and mental health referrals in a printable PDF guide. Pico Rivera (n.d.) offers senior services and programming for children. Monterey Park (n.d.) recently advertised a "Promote Wellness during Mental Health Awareness Month" offering that included cultural de-stigmatization material and resource linkages. Whittier (n.d.) provides descriptions of local, regional, and national resources in a directory of social services that includes direct mental health service providers. On the west side of the County, the cities of Beverly Hills and Culver City have dedicated social services departments. Beverly Hills (2021) has a "Human Services Division." Culver City (2021) has a "Housing, Health & Human Services" department. The City of Montebello has the potential to expand its offerings to include social service information, outreach, programming, and linkages like neighboring and further away cities in the county.

Mental health awareness, access, and service utilization are essential now more than ever. With the support of a former Culture and Recreation Commissioner of Montebello, Dr. Joanna Barreras, there is the possibility for designating Master of Social Work graduate students to conduct important research in Montebello. This could look like a systems analysis that can provide meaningful findings for future policy construction and programming or analyzing acquired qualitative data of resident opinions regarding gaps in services provided directly or referred by the City of Montebello. With gaps in the system empirically identified, a multistep process may be considered to effectively invest in mental health services options for Montebello's diverse residents. Montebello must expand in this important area of public health and social welfare that impacts all residents now and in the future.

Sincerely,



Vasyl Ghanimian, LCSW, SEP

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#7

Guillen, Kimberly (Admin)

From: Irene A. <irenenaj@yahoo.com>
Sent: Friday, July 23, 2021 10:19 PM
To: comment, ccpublic
Subject: Montebello Golf Course

Hello,
I am a Montebello resident concerned about changes to our local golf course. From what I understand, Montebello Golf Course is in the process of becoming a TopGolf. This will commercialize the golf course and reduce the hole capacity. Montebello Golf Course is a historic location for the city of Montebello. Let's preserve the golf course and duck pond for residents and visitors. Too many historic spots in Southern California are taken down and sold for corporate interests. It is also a great place to walk and enjoy the natural beauty. The golf course brings joy to so many people. Golfers have established many memories here. The City of Montebello needs to save the golf course and duck pond as they are. Why commercialize and bring more traffic to the area? There is also potential for disruptive behavior to a nearby residential area. Being that the natural preserve near the Montebello mall has been destroyed, why continue to demolish landmark places in Montebello?

Thank you,
Irene

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Ms. Kimberly A. Cobos-Cawthorne, Mayor/Chairperson
City Hall
1600 W. Beverly Blvd.
Montebello, CA 90640

Dear Mayor Cobos-Cawthorne,

On behalf of the more than 58,000 members of the Southwest Regional Council of Carpenters, I write to commend your hard work and urge you to take the next step in placing the proposed Montebello Community Workforce Agreement on the City Council's agenda.

If the experiences of the past year have taught us anything, it's that we can't afford to return to the business as usual that left so many of our essential workers behind. As we emerge from this global pandemic, it's time for a more holistic approach to building in the city of Montebello that works for all residents— one that rewards developers who play by the rules, respects labor standards, and expands work opportunities and careers for young people.

We urge you to seize this opportunity and take action to pass policies that ensure those seeking to build in the City of Montebello are doing so in responsible and economically sustainable way. Now is the time to put the City of Montebello on course for a better future by adopting a Community Workforce Agreement.

Sincerely,

David R. Langford

Dan Langford
Executive Secretary-Treasurer
Southwest Regional Council of Carpenters

#9

Guillen, Kimberly (Admin)

From: Jose Amador <jamador@swcarpenters.org>
Sent: Wednesday, July 28, 2021 9:26 AM
To: comment, ccpublic
Subject: Oral 3D in regards CWA

Dear Mayor & Council-members,

My name is Jose Amador I'm a Special Representative for the Southwest Regional Council of Carpenters. The Southwest Carpenters and all trades are here for the City of Montebello. Community Wealth is about second chances and new opportunities, It's about investing in our people so we can ensure they have a place in our community, this investment preserves the wealth in our communities, creates better careers, and put all residents on a path to economic security. Simply by using local assets to fuel the local economy holistically, so the wealth stays local.

We urge the City Council to support a prequalification process for general contractors and subcontractors to:

1. Work with local apprenticeship programs to promote skilled, trained, and certified standards for local hire in the City of Montebello.

2. Provide vacation pay, pension benefits, and quality family healthcare and that's important now more than ever.

3. Have a record of compliance with labor laws and no history of fraudulent business practices.

Having any career with middle-class wages and benefits permits a family to provide for their children so they may have an education for a better future.

The Southwest Carpenters are professional housing and local policy writers and we offer our partnership to help you understand that you as a City Council can customize a Community Wealth and Health agreement and begin to provide a pathway for your community to thrive here in the City of Montebello. Thank you

Jose Amador
Special Representative
Southwest Carpenters Local 721
10015 Rose Hills Road
Whittier, Ca 90601
Office: (562) 695-0571
Fax: (562) 695-1159
Cell: (213)364-0070
Jamador@swcarpenters.org

Disclaimer

#10

Guillen, Kimberly (Admin)

From: Soleil Hernandez <soleilhrdez@gmail.com>
Sent: Wednesday, July 28, 2021 11:01 AM
To: comment, ccpublic
Subject: Rio Hondo Channel Clean-Up

Dear Honorable Mayor and City Council:

The Rio Hondo Channel is a recreation space used for walking, running, and biking by people and pets of all ages. I have been sad to see the high amount of illegal dumping that happens there. I understand it is an ongoing battle, and that the city and the county have taken many steps to address issues there. Sadly, it is not enough. Trash is dumped daily, and clean up efforts offer only temporary relief.

That is why I am excited to see and participate in a resident-driven movement to clean up the area. I want to step up for my community where there is a need, and with the city's help volunteers can be empowered to take ownership and responsibility for keeping our own natural resources clean.

I understand that there are concerns about dangers in the area. They have been explained to me and I can see why there may be some hesitancy to endorse such a project. However, I believe with strict safety measures, rules, and guidelines, that volunteers can have a safe and fun experience while changing our community for the better.

Please vote in favor of directing the city to research liability coverage for a Rio Hondo Channel volunteer cleanup.

Sincerely,
Soleil Hernandez (Youth Commissioner of Montebello)

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

******This comment was also submitted by:******

1. Marlene Ramirez

#11

Guillen, Kimberly (Admin)

From: ArLene <zgirl6208@yahoo.com>
Sent: Wednesday, July 28, 2021 11:04 AM
To: comment, ccpublic
Subject: Clean up the Rio Hondo in Montebello

Dear Mayor and City Council,

For too long now, the citizens of Montebello have dealt with the piles and miles of trash that is strewn across the Rio Hondo channel which runs through Montebello.

A group of citizen volunteers is READY and WILLING to take on the clean up efforts since it seems to be the only solution to keeping the area clean.

As a resident of Montebello, I am requesting that the City council do whatever is needed to support the efforts of the volunteers. You have the power/authority to remove obstacles that may hamper this effort.
Please use that power/authority to show support to your constituents (volunteers) so that together, we can help keep the Rio Hondo channel a clean place for everyone to enjoy.

Thank you.
Arlene Andrade

Sent from Yahoo Mail for iPhone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#12

Guillen, Kimberly (Admin)

From: Canchola, Ken <Kenneth.Canchola@ejgallo.com>
Sent: Wednesday, July 28, 2021 11:32 AM
To: comment, ccpublic
Subject: Public Comment 7/28/2021

Dear Honorable Mayor and City Council:

The Rio Hondo Channel is a recreation space used for walking, running, and biking by people and pets of all ages. I have been sad to see the high amount of illegal dumping that happens there. I understand it is an ongoing battle, and that the city and the county have taken many steps to address issues there. Sadly, it is not enough. Trash is dumped daily, and cleanup efforts offer only temporary relief.

That is why I am excited to see and participate in a resident-driven movement to clean up the area. I have seen the success of movements like this first hand, in our local parks. The movement was called “Pick N Stroll” with Council Member Torres. I enjoy stepping up for my community where there is a need, and with the city's help volunteers can be empowered to take ownership and responsibility for keeping our own natural resources clean.

I understand that there are concerns about dangers in the area. They have been explained to me and I can see why there may be some hesitancy to endorse such a project. However, I believe with strict safety measures, rules, and guidelines, that volunteers can have a safe and fun experience while changing our community for the better.

Please vote in favor of directing the city to research liability coverage for a Rio Hondo Channel volunteer cleanup.

Sincerely,

Ken Canchola

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#13

Guillen, Kimberly (Admin)

From: Joanna Barreras <joannabarreras@gmail.com>
Sent: Wednesday, July 28, 2021 1:03 PM
To: comment, ccpublic
Subject: Coverage for Rio Hondo Channel volunteer cleanup

Dear Honorable Mayor and City Council:

The Rio Hondo Channel is a recreation space used for walking, running, and biking by many people, including my five-year-old son and me. It saddens us to have such a great place with so much potential look like it does. I understand it is an ongoing battle, and that the city and the county have taken many steps to address issues there. Sadly, it is not enough. Trash is dumped daily, and clean-up efforts offer only temporary relief.

That is why I am excited to see and participate in a resident-driven movement to clean up the area. I want to step up for my community where there is a need, and with the city's help, volunteers can be empowered to take ownership and responsibility for keeping our own natural resources clean.

I understand that there are concerns about dangers in the area. They have been explained to me and I can see why there may be some hesitancy to endorse such a project. However, I believe with strict safety measures, rules, and guidelines, that volunteers can have a safe and fun experience while changing our community for the better.

Please vote in favor of directing the city to research liability coverage for a Rio Hondo Channel volunteer cleanup.

Sincerely,
Joanna Barreras

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

#14

Guillen, Kimberly (Admin)

From: Margot Eiser <savemontebellohills@gmail.com>
Sent: Wednesday, July 28, 2021 3:29 PM
To: comment, ccpublic
Subject: Public Comments for Montebello City Council meeting Wednesday, July 28, 2021

Public Comments for Montebello City Council meeting Wednesday, July 28, 2021 to be read out loud for each of the stated items and entered into the public record. Responses and and answers to questions should be given if not at the meeting than afterward in an easily accessed format. And please explain why my calls to a City Council member and a department head were not returned? Is it not allowed for them to speak with the residents?

To:
Montebello City Council, Staff, Commissioners and Committee Members
From:
Margot Eiser
Resident of city.
323 728 7066
Thanking you in advance for your answers and attention to these important matters.

Closed Session
Item 4.
~~You must acknowledge that the people of Montebello did not want the Montebello Water Company to be sold. We wanted the city to do what was necessary to repair the system and work out a financially responsible way to run it so that Montebello could have a functioning water company and bring income to the city! This disregard of what we, the people want is wrong and must be remedied and not be done in the future.~~

Public Orals
The City Council has not been providing voters sufficient information nor answering questions about all the aspects involved with several important issues and has been making many significant decisions without giving us, the citizens, people, residents, tax payers a chance to let them know what we want and need. An example is that we were led to believe that Golf Pro was going to be responsible only for managing the various functions of our publicly owned GOLF COURSE for the benefit of the city. You did not let us know that Golf Pro would be able to propose changes which would destroy this special, long time landmark and historically valuable place by eliminating 9 holes and putting up phony driving range buildings instead of refurbishing the existing driving range. Such an intrusion is unnecessary and must be stopped because it would destroy this precious open space in our city, deprive golfers of exercise and recreation in fresh air and degrade the actual function and value and attractiveness of the GOLF COURSE to people from all over. Note that there is already dancing and food and alcohol available at the Quiet Cannon and probably prostitution at the Parasitic Hiltons. We do not need nor want any more venues for these.

Public Hearing
Item 11
~~Please do not approve Resolution No. 21-65. Do not approve this. The public was not notified in advance that there would be a Public Hearing. We have not been provided with enough information~~

PUBLIC HEARING COMMENTS
ITEM NO. 11, 12, & 13

Guillen, Kimberly (Admin)

From: Margot Eiser <savemontebellohills@gmail.com>
Sent: Wednesday, July 28, 2021 3:29 PM
To: comment, ccpublic
Subject: Public Comments for Montebello City Council meeting Wednesday, July 28, 2021

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Public Hearing
Item 11
Please do not approve Resolution No. 21-65. Do not approve this. The public was not notified in advance that there would be a Public Hearing. We have not been provided with enough information

nor sufficient time to allow us to review the proposed Master Plan and give pertinent suggestions about what facilities are needed at OUR parks. Please postpone the decision and provide easily accessible information and sufficient time for us to review it and before bringing it to the agenda again.

Item 12 and 13
Before making any decisions about this, please let us, the people, residents, taxpayers and voters, know before any other actions are proposed, what is the actual location and function of Natasha Lane, who owns it, and how much does it cost to maintain all the various Assessment Districts or does the city actually earn money from it?

~~Items 18 and 19~~
~~In order to best serve the needs and wants of the people, it is imperative that all new members of these Commissions be RESIDENTS of the city because we who live here know what we want and need to safely deal with traffic and to properly oversee and invest our city's financial resources. For example of why this is necessary, a city employee was unaware of the need for at least one prominent speed limit sign before the blind curve Garfield Avenue from Via Campo to Via San Delarro, makes along the Golf Course. He was unaware of how many times speeding cars have crashed into cars parked on the west side which caused severe damage and some injuries. The mayor was also made aware of this and so far there has been no speed limit nor an extra pedestrian crossing ahead sign put up though there are already many actually excess speed limit and warning signs along the east side of North Bound Garfield Avenue between Beverly Blvd. and Via Campo.~~

~~Item 29~~
~~Before making any decision please let us know what is the current use of the property at 320 W. Whittier Blvd. Is the city buying or selling the property. Where would the money come from and what would the property be used for if purchased? It is troubling that the city constantly claims to have a lack of money for various projects yet could come up with money to purchase property!!!!~~

REGULAR SESSION COMMENTS FOR ITEM NO. 18 & 19

Guillen, Kimberly (Admin)

From: Margot Eiser <savemontebellohills@gmail.com>
Sent: Wednesday, July 28, 2021 3:29 PM
To: comment, ccpublic
Subject: Public Comments for Montebello City Council meeting Wednesday, July 28, 2021

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Resident of city.
323 728 7066
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In order to best serve the needs and wants of the people, it is imperative that all new members of these Commissions be RESIDENTS of the city because we who live here know what we want and need to safely deal with traffic and to properly oversee and invest our city's financial resources. For example of why this is necessary, a city employee was unaware of the need for at least one prominent speed limit sign before the blind curve Garfield Avenue from Via Campo to Via San Delarro, makes along the Golf Course. He was unaware of how many times speeding cars have crashed into cars parked on the west side which caused severe damage and some injuries. The mayor was also made aware of this and so far there has been no speed limit nor an extra pedestrian crossing ahead sign put up though there are already many actually excess speed limit and warning signs along the east side of North Bound Garfield Avenue between Beverly Blvd. and Via Campo.

Item 29
Before making any decision please let us know what is the current use of the property at 320 W. Whittier Blvd. Is the city buying or selling the property. Where would the money come from and what would the property be used for if purchased? It is troubling that the city constantly claims to have a lack of money for various projects yet could come up with money to purchase property!!!!

SPEAKER CARDS
ITEM NO. 29

D

Recv'd
7/28/21 @ 7:40 AM
EM

City of Montebello

SPEAKER REQUEST CARD

***PLEASE NOTE**: ADDRESS AND PHONE NUMBER ARE OPTIONAL AND NOT REQUIRED TO SPEAK.*

Name Bill Ihrke

Address *(optional)* _____

_____

Phone *(optional)* (714) 338-1863

Organization represented (if any) Rutan and Tucker / behalf of Arsev

Topic #29 pro-purchase and sale agreement

(Please be specific)

(The instructions on the back will assist you in expressing your views)

CONSENT CALENDAR COMMENTS FOR ITEM NO. 29

Guillen, Kimberly (Admin)

From: Margot Eiser <savemontebellohills@gmail.com>
Sent: Wednesday, July 28, 2021 3:29 PM
To: comment, ccpublic
Subject: Public Comments for Montebello City Council meeting Wednesday, July 28, 2021

~~Public Comments for Montebello City Council meeting Wednesday, July 28, 2021 to be read out loud for each of the stated items and entered into the public record. Responses and and answers to questions should be given if not at the meeting than afterward in an easily accessed format. And please explain why my calls to a City Council member and a department head were not returned? Is it not allowed for them to speak with the residents?~~

To:
Montebello City Council, Staff, Commissioners and Committee Members
From:
Margot Eiser
Resident of city.
323 728 7066
Thanking you in advance for your answers and attention to these important matters.

~~Closed Session~~
~~Item 4.~~
~~You must acknowledge that the people of Montebello did not want the Montebello Water Company to be sold. We wanted the city to do what was necessary to repair the system and work out a financially responsible way to run it so that Montebello could have a functioning water company and bring income to the city! This disregard of what we, the people want is wrong and must be remedied and not be done in the future.~~

~~Public Orals~~
~~The City Council has not been providing voters sufficient information nor answering questions about all the aspects involved with several important issues and has been making many significant decisions without giving us, the citizens, people, residents, tax payers a chance to let them know what we want and need. An example is that we were led to believe that Golf Pro was going to be responsible only for managing the various functions of our publicly owned GOLF COURSE for the benefit of the city. You did not let us know that Golf Pro would be able to propose changes which would destroy this special, long time landmark and historically valuable place by eliminating 9 holes and putting up phony driving range buildings instead of refurbishing the existing driving range. Such an intrusion is unnecessary and must be stopped because it would destroy this precious open space in our city, deprive golfers of exercise and recreation in fresh air and degrade the actual function and value and attractiveness of the GOLF COURSE to people from all over. Note that there is already dancing and food and alcohol available at the Quiet Cannon and probably prostitution at the Parasitic Hiltons. We do not need nor want any more venues for these.~~

~~Public Hearing~~
~~Item 11~~
~~Please do not approve Resolution No. 21-65. Do not approve this. The public was not notified in advance that there would be a Public Hearing. We have not been provided with enough information~~

nor sufficient time to allow us to review the proposed Master Plan and give pertinent suggestions about what facilities are needed at OUR parks. Please postpone the decision and provide easily accessible information and sufficient time for us to review it and before bringing it to the agenda again.

Item 12 and 13
Before making any decisions about this, please let us, the people, residents, taxpayers and voters, know before any other actions are proposed, what is the actual location and function of Natasha Lane, who owns it, and how much does it cost to maintain all the various Assessment Districts or does the city actually earn money from it?

Items 18 and 19
In order to best serve the needs and wants of the people, it is imperative that all new members of these Commissions be RESIDENTS of the city because we who live here know what we want and need to safely deal with traffic and to properly oversee and invest our city's financial resources. For example of why this is necessary, a city employee was unaware of the need for at least one prominent speed limit sign before the blind curve Garfield Avenue from Via Campo to Via San Delarro, makes along the Golf Course. He was unaware of how many times speeding cars have crashed into cars parked on the west side which caused severe damage and some injuries. The mayor was also made aware of this and so far there has been no speed limit nor an extra pedestrian crossing ahead sign put up though there are already many actually excess speed limit and warning signs along the east side of North Bound Garfield Avenue between Beverly Blvd. and Via Campo.

Item 29
Before making any decision please let us know what is the current use of the property at 320 W. Whittier Blvd. Is the city buying or selling the property. Where would the money come from and what would the property be used for if purchased? It is troubling that the city constantly claims to have a lack of money for various projects yet could come up with money to purchase property!!!!

CITY OF MONTEBELLO
JOINT CITY COUNCIL AND SUCCESSOR AGENCY
REGULAR MEETING

M I N U T E S

WEDNESDAY, NOVEMBER 10, 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 5:38 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Jimenez, Councilmember Torres, 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
The City Clerk's Office called two (2) 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.

CLOSED SESSION – 5:30 P.M.
Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:48 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)
Threat of litigation – one matter related to the CVRA; second matter (facts need not be disclosed pursuant to Government Code Section 54956.9(e)(1))

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9 (d)(1)
a. G. Salazar vs. City of Montebello (Workers' Compensation Claim Number: ADJ10380397)
b. NASA Services, Inc. vs. City of Montebello (Case No. 21STCP01969)

Item 4a. was added to the agenda as subsequent need matter pursuant to Government Code Section 54954.2(b)(2). It was motioned by Councilmember Melendez, seconded by Mayor Pro Tem Jimenez that the item be added; motion approved unanimously.

4a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code Section 54957
Title: City Manager René Bobadilla

Mayor Cobos-Cawthorne reconvened the meeting at 6:55 p.m. During Closed Session the City Council received a briefing from the City Attorney on Item No's. 1, 2- first matter, and 3 no final action was taken and there was nothing to report. It was noted that the added Item No 2 – second matter and Item No. 4 would be discussed after council orals.

REGULAR SESSION – 6:30 P.M.

INVOCATION – Officer David Park

FLAG SALUTE – Senator Bob Archuleta

CORRECTIONS TO THE AGENDA – CITY MANAGER – None

PRESENTATIONS

4. RECOGNITION OF CITIZEN OF THE MONTH – WALLACE TAKATA – Presented by Mayor Cobos-Cawthorne

5. RECOGNITION OF OFFICER DAVID PARK – Presented by Mayor Cobos-Cawthorne

6. RECOGNITION OF MONTEBELLO ROTARY – Presented by Mayor Cobos-Cawthorne

7. **CHECK PRESENTATION FOR THE RIO HONDO COASTAL SPREADING GROUNDS FENCE REPLACEMENT PROJECT – SENATOR BOB ARCHULETA, DISTRICT 32** – Presented by Senator Bob Archuleta

8. **RECOGNITION OF MCDONUTS** – Presented by Mayor Cobos-Cawthorne

9. **RECOGNITION OF MEN'S HEALTH AWARENESS** – Presented by Mayor Cobos-Cawthorne

10. **RECOGNITION OF ALZHEIMER DISEASE AWARENESS MONTH** – Presented by Mayor Cobos-Cawthorne

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

The City Clerk's Office had nine (9) members of the public 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 Office acknowledged nine (9) 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

PUBLIC HEARING

11. **PUBLIC HEARING ADOPT RESOLUTION NO. 21-91 APPROVING CASE NO. PC-2021-0002-PD-SPR-PMP – AN AMENDMENT TO THE PRECISE PLAN OF DEVELOPMENT FOR PLANNED DEVELOPMENT DISTRICT NO. 2-15 (PD 2-15) TO ALLOW A MIXED-USED AFFORDABLE HOUSING PROJECT AT 112-132 SOUTH 6TH STREET AND 501-525 EAST WHITTIER BOULEVARD**

Director of Planning and Community Development, Joseph Palombi, presented the staff report.

Steven Hernandez, Director of Business Management from the Cesar Chavez Foundation spoke during the hearing and addressed any issues that were presented in opposition.

During the Public Hearing, two (2) members of the public addressed the City Council.

The City Clerk's office acknowledged one (1) public comment submitted to the City via mail. Said comment is on file at the City Clerk's Office.

Councilmember Melendez spoke in support of the project and asked for more community outreach.

Councilmember Torres asked Mr. Hernandez to clarify some details of the project.

Councilmember Peralta provided a brief statement in support of the project.

Mayor Cobos-Cawthorne spoke in favor of the project.

Councilmember Peralta motioned, seconded by Mayor Pro Tem Jimenez that the City Council:

1) ADOPT attached Resolution No. 21-91 approving Case No. PC-2021-0002-PD-SPR-PMP, an amendment to the Precise Plan of Development for Planned Development District ("PD") No. PD 2-15, with conditions; and
2) DETERMINE and FIND that the foregoing actions will not include substantial changes and/or cause significant effects to the environment as described in Section 15162(a) of the CEQA Guidelines, nor result in any new or increase the significance of environmental impacts beyond those identified in the previously approved Mitigated Negative Declaration ("MND") (Case No. ENV No. 102-21-MND), and therefore ADOPT AND APPROVE the attached Addendum to the MND for the proposed project.

Motion approved unanimously.

12. PUBLIC HEARING ADOPT RESOLUTION NO. 21-92 APPROVING VESTING TENTATIVE TRACT MAP (VTTM) NO. 82725 TO SUBDIVIDE LOTS 21, 61, 65 AND 68 ESTABLISHED BY VTTM NO. 70420 (COMMONLY REFERRED TO AS THE "A-MAP") AND FIND AND DETERMINE THAT VTTM NO. 82725 IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15182(C) OF THE CEQA GUIDELINES AND GOVERNMENT CODE SECTION 65457

City Attorney Alvarez-Glasman acknowledged three (3) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office. The

During the Public Hearing, one (1) member of the public addressed the City Council.

Councilmember Melendez motioned, seconded by Mayor Pro Tem Jimenez that the City Council:

1) ADOPT the Resolution approving VTTM No. 82725; and
2) DETERMINE and FIND that this action is consistent with the previously certified Environmental Impact Report for the Montebello Hills Specific Plan Project and, therefore, exempt from the California Environmental Quality Act ("CEQA") pursuant to California Government Code Section 65457(a) and CEQA Guidelines Section 15182, which expressly exempt residential projects undertaken to implement, and that is

consistent with, an approved specific plan for which an Environmental Impact Report (EIR) was certified, and California Public Resources Code Section 21083.3(a) and (b); and
3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

REGULAR BUSINESS

13. CONSIDERATION OF AN ASSIGNMENT AGREEMENT WITH CESAR CHAVEZ CORPORATION AND KU & ASSOCIATES, INC., PERTAINING TO THAT CERTAIN PURCHASE, SALE AND DEVELOPMENT AGREEMENT NO. 3935 FOR THE PROPERTIES LOCATED AT 112, 114, 116, AND 121 SOUTH 6TH STREET AND 132 SOUTH 6TH STREET, CITY OF MONTEBELLO

City Attorney Alvarez-Glasman 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.

Vice Chair/ Mayor Pro Tem Jimenez motioned, seconded by Boardmember/ Councilmember Melendez that the City Council:

1) Approves the application of Cesar Chavez Foundation ("CCF") for an Amended Precise Plan of Development at Agenda Item # 11, then staff recommends the City Council/Successor Agency also approve the attached Assignment Agreement with CCF and Ku & Associates, Inc. ("K&A"), giving CCF the right (subject to closing conditions) to purchase and develop the certain City-owned properties with a mixed-use affordable housing project: 112, 114, 116, and 121 South 6th Street and 132 South 6th Street, City of Montebello (the "City Properties").

Motion carried unanimously by the Successor Agency and the City Council.

Mayor adjourned the Successor Agency Meeting at 8:51 p.m.; motion carried unanimously.

14. AB 361 FINDINGS

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Melendez that the City Council:

1) Receive and file this report and make the following findings: (a) The City Council has reconsidered the circumstances of the state of emergency; and (b) the following circumstances exist, (i) the state of emergency continues to directly impact the ability of the members to meet safely in person and (ii) the City Council continues to provide measures such as remote or hybrid meeting participation to promote social distancing.
2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

15. INTRODUCTION AND FIRST READING OF ORDINANCE NO. 2444 AMENDING THE MONTEBELLO MUNICIPAL CODE TO ESTABLISH THE BY-DISTRICT ELECTION PROCESS OF CITY COUNCIL MEMBERS

Mayor Cobos-Cawthorne asked that this Item be continued at the next Regular City Council Meeting to gather the Community Input at the Public Hearing scheduled on November 13, 2021, seconded by Councilmember Melendez.

Motion carried unanimously.

1) Introduce and conduct the first reading of Ordinance No. 2444 (Attachment A) establishing a by-district elections process for the election of City Council Members of the City of Montebello ("City"); and
2) Take such additional, related, action that may be desirable.

16. CONSIDERATION OF APPOINTMENT FOR A ONE (1) REPRESENTATIVE TO THE GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT

Mayor Cobos-Cawthorne requested to change the recommended term limit to a four year term due to the change in leadership.

Councilmember Melendez spoke in favor of the item.

Mayor Cobos-Cawthorne motioned, seconded by Councilmember Melendez that the City Council:

1) Discuss and appoint one (1) representative to the Greater Los Angeles County Vector Control District for a ~~two-year~~ four-year term; and
2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

17. AWARD OF PROFESSIONAL SERVICES AGREEMENT NO. 3934 TO MARK THOMAS & COMPANY, INC. TO PREPARE THE SYSTEMIC SAFETY ANALYSIS REPORT (RFP. NO. 21-19)

Councilmember Torres asked Director of Public Works, James Enriquez, to clarify some details of the project.

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Melendez that the City Council:

1) Award a Professional Services Agreement No. 3934 to Mark Thomas & Company, Inc. to prepare the Systemic Safety Analysis Report (SSAR) for an amount not-to-exceed $249,776; and
2) Authorize the City Manager to execute the agreement on behalf of the City; and
3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $25,000 in Measure R Funds (Account No. 220-99-7116) and $225,000 in Grants Funds (revenue, Account No. 265-99-4198.85, Grants, Miscellaneous Grants – SSAR Grant); and
4) Take such additional, related, action that may be desirable.

Motion carried unanimously.

18. QUARTERLY TREASURER'S REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2021

City Treasurer Rafael Gutierrez presented the Quarterly Treasurer's Report to Council.

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Melendez that the City Council:

1) Receive and file the Quarterly Treasurer's Report for the quarter ending September 30, 2021.

Motion carried unanimously.

19. REVIEW AND APPROVE THE STATE AUDITOR REQUIRED CORRECTIVE ACTION PLAN, VERSION 1.0

Director of Finance, Michael Solorza, presented the Corrective Action Plan Report to Council.

Councilmember Torres expressed his concern to view Request for Proposals (RFP) and Contracts after they have been approved by City Council. He requested that Staff provide copies to City Council of the final documents.

Councilmember Melendez thanked Staff for their continued effort to correct the Financial Audit.

Mayor Cobos-Cawthorne thanked Director Solorza.

City Attorney Alvarez-Glasman stated that Staff would follow-up on access to view the RFPs.

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Melendez that the City Council:

1) Review the attached Corrective Action Plan, Version 1.0, as required to be developed by the State Auditor as the City's response to Report 2021-807; and
2) Approve the Corrective Action Plan, Version 1.0 and direct staff to submit the report to the State Auditor; and
3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

20. ADOPT RESOLUTION NO. 21-93 ESTABLISHING HOLIDAYS FOR EMPLOYEES IN THE CITY'S SERVICE FOR CALENDAR YEAR 2022

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Melendez that the City Council:

1) Approve the Resolution no. 21-93 establishing ten (10) holidays for employees in the City's service for the next calendar year commencing January 1, 2022, to December 31, 2022, in accordance with Section 2.60.340(A) of the City of Montebello's Municipal Code; and
2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

CONSENT CALENDAR

Item No's. 25 and 31 were pulled by Councilmember Torres. Item No. 22 was pulled by Mayor Cobos-Cawthorne. Councilmember Melendez motioned to approve Item No's. 21, 23, 24, and 26-30, seconded by Mayor Cobos-Cawthorne; motion carried unanimously.

21. ADOPT RESOLUTION NO. 21-89 APPROVING THE APPLICATION FOR SPECIFIED GRANT FUNDS FOR THE RIO HONDO COASTAL SPREADING GROUNDS FENCE REPLACEMENT PROJECT

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-89 approving the application for Specified Grant Funds in the amount of $935,000 from the State Department of Parks and Recreation for the Rio Hondo Coastal Spreading Grounds Fence Replacement Project; and
2) Take such additional, related, action that may be desirable.

22. APPROVE AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT NO. 3803 WITH WEST & ASSOCIATES FOR THE BEACH STREET PAVEMENT AND STORM DRAIN REHABILITATION PROJECT (PHASE 2) – CP NO. 882

Director of Public Works, James Enriquez, provided a presentation of the item.

Mayor Cobos-Cawthorne spoke in favor of the project.

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Peralta that the City Council:

1) Approve Amendment No. 1 to Professional Services Agreement No. 3803 with West & Associates for the Beach Street Pavement and Storm Drain Rehabilitation Project (Phase 2) – CP No. 882 for an additional amount not-to-exceed $46,700; and
2) Authorize the City Manager to execute Amendment No.1; and
3) Take such additional or alternative action that may be desirable.

Motion carried unanimously.

23. APPROVE THE PURCHASE AND INSTALLATION OF FLOORING AT THE POLICE DEPARTMENT HEADQUARTERS THROUGH A CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS) AGREEMENT

RECOMMENDATION: It is recommended that the City Council:

1) Approve the purchase and installation of flooring for the Police Department Headquarters by Mohawk Commercial, Inc. in an amount not-to-exceed One Hundred Seventy Two Thousand Two Hundred and Sixty Dollars ($172,260); and
2) Authorize the City Manager to execute a Purchase Order on behalf of the City utilizing California Multiple Award Schedules (CMAS) Contract No. 4-20-00-0085C; and
3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $172,260 in Account 100-99-929-7115-100.399.47 (General Fund, Taylor Ranch, Building Improvements, Police Department Building and Technology Project); and
4) Take such additional, related, action that may be desirable.

24. CONSIDERATION OF A "SOLE SOURCE" DETERMINATION IN ANTICIPATION OF AWARDING A DESIGN-BUILD CONTRACT FOR THE MONTEBELLO GOLF COURSE DRIVING RANGE PROJECT; ADOPT RESOLUTION NO. 21-94 MAKING CERTAIN FINDINGS RELATING THERETO

RECOMMENDATION: It is recommended that the City Council:

1) It is recommended that the City Council review this report and the attached legal opinion (Attachment B), and based on the information presented adopt the attached Resolution No. 21-94 (Attachment A) setting forth facts and findings justifying sole source contracting for the award of design-build contracts for the proposed Montebello Driving Range Project.

25. APPROVE THREE (3) AMENDMENTS TO COMMERCIAL CANNABIS BUSINESS DEVELOPMENT AGREEMENTS NO. 3676 (DA 14-19), 3678 (DA 16-19), AND 3680 (DA 18-19)

Councilmember Torres expressed concern of the application deadline.

Councilmember Melendez motioned, seconded by Mayor Pro Tem Jimenez that the City Council:

1) Approve, in substantially the form as presented, three (3) Amendments to Cannabis Business Development Agreements No. 3676 (DA 14-19), 3678 (DA 16-19), and 3680 (DA 18-19) (collectively referred to as the "Amendments") for the operation of commercial cannabis activities in the City of Montebello, and authorize the City Attorney's Office to make final and technical edits or revisions, if any, prior to execution; and
2) Condition the approval of the three (3) Amendments on the respective owner(s) and operator(s) clearing the requisite background checks, providing all exhibits to the development agreement amendments and missing information, if any, to the City of Montebello in a form acceptable to the City Attorney's Office no later than December 10, 2021, and on a case-by-case basis, authorize Director of Planning and Community Development Joseph Palombi discretion to provide the applicant(s) additional time if necessary in light of the current COVID-19 logistical limitations; and
3) Adopt findings contained herein exempting the three (3) Amendments from further CEQA review under CEQA Section 15301, and direct staff to prepare and file the applicable Notices of Exemption for each project recommended for approval; and
4) Take such additional, related action that may be desirable, and/or provide the City Attorney's office and/or staff with additional or alternative directive(s).

Motion carried unanimously.

26. APPROVE ISSUANCE OF A BLANKET PURCHASE ORDER TO LIFE-ASSIST, INC. FOR PUBLIC SAFETY MEDICAL SUPPLIES

RECOMMENDATION: It is recommended that the City Council:

1) Approve issuing an annual blanket purchase order to Life-Assist, Inc. for public safety medical supplies in an initial amount that shall not exceed $90,000 annually through Fiscal Year 2025 - 26; and
2) Authorize the City Manager to approve up to an additional $25,000 in expenditures to Life-Assist, Inc. per fiscal year, for a maximum (potential) not-to-exceed amount of $115,000 annually; and
3) Take such additional, related, action that may be desirable.

27. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 3936 TO A AND A FLEET PAINTING INC., FOR VEHICLE BODY REPAIR AND PAINTING SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Award a Professional Services Agreement No. 3936 to A and A Fleet Painting Inc., for a three-year term with the option for renewal of up to two (2) additional, one-year terms, with the City of Montebello for the Vehicle Body Repair and Painting Services Request for Quote, No. 21-55; and
2) Authorize the City Manager, and/or his designee, to take action necessary to execute and finalize the agreement on behalf of the City of Montebello (City); and
3) Take such additional, related, action that may be desirable.

28. ADOPT RESOLUTION NO. 21-88 TO AUTHORIZE SUBMITTING AN APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION FOR FUNDS UNDER THE GRANTS FOR BUSES AND BUS FACILITIES PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 21-88 to authorize submitting an application to the Federal Transit Administration (FTA) for funds under the Grants for Buses and Bus Facilities Program; and
2) Take such additional, related, action that may be desirable.

29. PAYMENT OF BILLS: RESOLUTION NO. 21-90 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED NOVEMBER 10, 2021

RECOMMENDATION: Adopt Resolution No. 21-90 approving the Warrant Register dated November 10, 2021.

30. AWARD OF TWO PROFESSIONAL SERVICES AGREEMENTS FOR ARCHITECTURAL & ENGINEERING SERVICES FOR THE DESIGN OF THE MONTEBELLO MUNICIPAL GOLF COURSE RENOVATION PROJECT (RFP. NO. 22-1) AND FOR PROGRAM MANAGEMENT SERVICES AGREEMENT NO. 3937

RECOMMENDATION: It is recommended that the City Council:

1) Award a Professional Services Agreement No. 3937 to Sportfive for Architectural & Engineering Services for the design of the Montebello Municipal Golf Course Renovation Project (RFP No. 22-1) in an amount not-to-exceed $1,238,290; and
2) Award Task Order No. 1 via an Engagement Letter under Master Retainer Agreement No. 3919 with AIM Consulting Services for Program Management Services for a not-to-exceed-fee of $382,720; and

3) Authorize the City Manager to execute the agreements on behalf of the City; and
4) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $1,238,290 in Account No. 610-99-6040.80 (Golf Course, Engineering Services); and $382,720 in Account No. 610-99-6040.95 (Golf Course, Other Professional Services); and
5) Take such additional, related, action that may be desirable.

31. APPROVE AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT NO. 2202 WITH MCA CONSULTANTS FOR THE SOLID WASTE PROGRAM MANAGEMENT SERVICES

Councilmember Torres asked Director Enriquez to clarify some details of the agreement.

Councilmember Melendez motioned, seconded by Mayor Pro Tem Jimenez that the City Council:

1) Approve Amendment No. 1 to Professional Services Agreement No. 2202 with MCA Consultants for solid waste program management services in the annual amount not-to-exceed $75,000 for a term expiring on June 30, 2024; and
2) Authorize the City Manager to execute the Amendment on behalf of the City; and
3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $15,000 in Account No. 265-3000-2019-023-6040.10 (Grants, Used Oil Payment Program, FY 2019-20), OPP, Other Contract Services; and $15,000 in Account No. 265-3010-2018-065-6040.10 (Grants, CA Beverage Container Recycling, FY 2018-19), Recycling Program, Other Contract Services; and,
4) Take such additional, related, action that may be desirable.

Motion carried unanimously.

AB 1234 TRAVEL REPORTS – None

COUNCIL ORALS

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

Mayor Cobos-Cawthorne asked the Council to provide full statements for Council Orals to abide the Council Conduct Ordinance.

1. **Councilmember Melendez**
   a. **Redistricting – Letter of Support**

   Councilmember Melendez asked for consensus from Council to participate in writing letters of support regarding the redistricting of California.

   City Manager Bobadilla provided additional details.

   Consensus was received unanimously.

Councilmember Melendez requested to add the following item to his orals:

b. City Council Municipal Code 2.08.010 – Reorganization of the Mayor and Mayor Pro Tem.

Councilmember Melendez asked for consensus to reaffirm the Mayor and Mayor Pro Tem at the next Regular City Council Meeting.

APPROVED: 3-2-0-0

AYES: Cobos-Cawthorne, Jimenez, Melendez
NOES: Torres, Peralta
ABSTAIN: None
ABSENT: None

2. **Councilmember Peralta** - None
3. **Councilmember Torres**
   a. Financial Reports
   Councilmember Torres cited policies from the Montebello Investment Policy approved by Council on the June 23, 2021.

   b. Vaccine Mandate
   Councilmember Torres did not speak on this item.

   c. Council Procedures
   Councilmember Torres cited policies from the Council Procedures Ordinance and expressed his concerns.

   d. Districting
   Councilmember Torres requested to add Oral "d" to his list. He invited the public to attend the Districting Public Hearing on Saturday, November 13, 2021.

4. **Mayor Pro Tem Jimenez** - None
5. **Mayor Cobos-Cawthorne** - None

City Attorney Alvarez-Glasman recessed into Closed Session at 9:56 p.m.

Mayor Cobos-Cawthorne reconvened the meeting at 10:51 p.m. During Closed Session the City Council received a briefing from the City Attorney on Item No. 2 – second matter and Item No. 4 no final action was taken and there was nothing to report.

ADJOURNMENT

Mayor Cobos-Cawthorne invited the public to the Veteran's Day Event and the Districting Public Hearing.

Mayor Cobos-Cawthorne motioned to adjourn the meeting, seconded by Councilmember Peralta Motion carried unanimously and the meeting was adjourned at 10:52 p.m.

THE MINUTES OF NOVEMBER 10, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23rd DAY OF FEBRUARY 2022.

Alicia Fernandez, Deputy City Clerk

CLOSED SESSION
SPEAKER CARDS

Called @ 5:41 p.m.

CITY OF MONTEBELLO Request No. _____

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☒ Non-Agenda Item ☐ **AGENDA ITEM NO.** 3B

Meeting Date: 11/10/21 **Time Received:** 1:36 PM **Date Received:** 11/9/21

SPEAKER'S FULL NAME: Samantha Millman **PHONE:** (818) 590-6859 *(Optional)*

ADDRESS: _____ *(Optional)*

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Angelina Padilla **Received Via:** Email ☐ Phone ☒ In Person ☐

CITY OF MONTEBELLO ■ ■ ■ ■ Request No. _____

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☒ Non-Agenda Item ☐ **AGENDA ITEM NO.** 3B

Meeting Date: 11/10/21 **Time Received:** 1:43 pm **Date Received:** 11/9/21

SPEAKER'S FULL NAME: Angela Wong **PHONE:** (213) 447-8686 *(Optional)*

ADDRESS: _____ *(Optional)*

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Angelina Padilla **Received Via:** Email ☐ Phone ☒ In Person ☐

called @ 5:44 pm.

AGENDA & NON AGENDA COMMENTS

Fernandez, Alicia

From: Salazar, Arlene
Sent: Wednesday, November 10, 2021 4:02 PM
To: Fernandez, Alicia; Guillen, Kimberly (Admin); Angelina Padilla
Subject: FW: Public Comment Submission

From: Joe Cervera [mailto:cerverajoe175@gmail.com]
Sent: Wednesday, November 10, 2021 3:27 PM
To: Bobadilla, Rene <RBobadilla@cityofmontebello.com>; Salazar, Arlene <ASalazar@cityofmontebello.com>; Caltitla, Zoraida <ZCaltitla@cityofmontebello.com>
Subject: Public Comment Submission

I am requesting that this comment be read in its entirety and on the record.

My name is Joe Cervera and I am a lifelong resident of Montebello. I have seen many city councils and council members come and go. Unfortunately, I believe I have been misled by our former Mayor Pro Tem, David Torres. I was a huge supporter of David Torres and was excited to learn about his appointment to Mayor Pro Tem last year. At that time, I was looking forward to his eventual appointment to the position of Mayor but recently, my support for David Torres has withered away. I have many concerns about Councilman Torres and one of the most alarming concerns is his sudden departure from the L.A. City Attorney's Office. Although Councilman Torres has made it appear as if his departure was 100% his idea, I have reason to question his motives. Why would someone leave a position that pays them $80,000 a year plus benefits (that's a compensation package over $100,000)? I have reason to believe that the story behind his departure is not as innocent as he has presented it to be. I am demanding that Councilman Torres explain, in detail, the reasons for his sudden departure from the L.A City Attorney's Office. Also, if the reasons for his departure might cause issues for our beloved city, I request that Councilman Torres fully disclose all of this information and consider resigning from his seat on the council.
Thank you, Joe Cervera

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Fernandez, Alicia

From: Salazar, Arlene
Sent: Wednesday, November 10, 2021 4:00 PM
To: Fernandez, Alicia; Guillen, Kimberly (Admin); Angelina Padilla
Subject: FW: Public Letter for City Council Meeting

From: Joey Marquez [mailto:joeywmarquez10@gmail.com]
Sent: Wednesday, November 10, 2021 3:57 PM
To: Salazar, Arlene <ASalazar@cityofmontebello.com>; Bobadilla, Rene <RBobadilla@cityofmontebello.com>; Caltitla, Zoraida <ZCaltitla@cityofmontebello.com>
Subject: Public Letter for City Council Meeting

Please read this entire heartfelt letter on the record.

Honorable council members,
Misogyny and sexism plague all aspects of our society. Sexual harassment is a common occurrence in the workplace for many women. The practice of mansplaining is an experience that haunts the interactions that women have with men. As I watch the council meetings, I have been shocked by Councilman Torres and the disrespect he has shown to our Mayor Kimberly Cobos-Cawthorne. He has spent his time bullying her and mansplaining to her in public. He has attempted to take over meetings with his own personal agendas and has taken every opportunity to share misinformation. Personally, I am glad that our Mayor had the courage to stand up to this bully and have him removed from the Mayor Pro Tem position. She made a very important decision and stood up for women everywhere when she determined that his removal was necessary. Bravo Mayor, bravo! Thank you Mayor for protecting Montebello and as you mentioned, it was needed because of legal matters. Make Montebello Great Again, mayor!

Your friend, Jose "Joey" Marquez

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Joshua Lurssen <lurssenjoshua602@gmail.com>
Sent: Saturday, November 6, 2021 9:36 PM
To: comment, ccpublic
Subject: FROM: LURSSENJOSHUA602@GMAIL.COM FROM: JOSHUA. PURPOSE: EMAIL: PROTECTION AND FIDELITY. ONLY-- BENEVOLENCE... REMEMBER. AMERICAN STANDARD VALUE: DATE : TUEADAY, NOVEMBER 2021 & TIME : 11 : 43. PM. ATTENTION: LETTER INBOX.

Follow Up Flag: Follow up
Flag Status: Flagged

TRUE HOMO COPS AM SURROUNDED BY UNSAFE SCHOOLS AND UNSAFE NEIGHBORHODS BY PEP RALLYS THAT GO BUMP AT NIGHT WHEN I AM SURROUNDED BY PROPOSITION 8 AND PROPSITION 16 AND PROPSITION 47 AND PEOPSITION 64 POLICE IN THEE MEXICAN HILLS AT THE MAYORS POLICE STATION.

E PUBLIUS UNUM E NOVOUS ORDOUS PROPOSITION 8 AND PROPOSITION 16 AND PROPOSITION 47 AND PEOPSITION 64 FOR THIS ZIP CODE 90241/5. I AM AGAINST THESE TERRORISTS SUPPORTERS. AND THEIR GUILT ANTOGONISTS AND LIASON TROUSERS LAUNDRY.

I HEARD THERE IS A RED HERRING AND RED CARDINALS IN THIS CITY BECAUSE OF PREJUDISM AND ENVIOUS JEALOUSY SINCE CIRCA ERA 2008. I KNEW A GIRL WHO PASSED AWAY IN A TRUCK FOR DRINVING UNDER THE INFLUENCE AND WERE THROWN OVER A TURN ON TYRANNY.

I HAVE SEEN AND HEARD TWO OTHER SIMILAR INCIDENTS.

https://www.google.com/amp/s/grist.org/cities/how-suburban-sprawl-causes-segregation-and-isolates-the-poor/amp/

Tariffs loiters and frontier believes its his his city district in 90241/5. Sex sells and proposition 8 and proposition 16 and 47 and proposition 64 and propsition 12. And unicef asked for a favor to place their indian flag at the abortion clinic for sell. Peddler and panhandler and loiterer and solicitor. Utility abuser and gentrification over dispute of more anti-depressants. And abuses for negligence. Edison and time warner and Verizon and ATT are monitored?? Its their drawings on floor that have them dreaming that daca and unicef are working for the stars on the boulevard

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IF YOU EVER HEARD OF GUARD BLOCKERS PEOPLE ARE HERE IN THESE ENVIOUS PREJUDISTS CITIES ARE FULL OF BIGOTRY. IT.IS A. FACT. I HAVE HEARD IN THE MARKET THAT PEOPLE DO NOT LIKE BLACK PEOPLE. I HAVE HEARD ASAINS SAY THEY DO NOT RESPECT BLACK PEOPLE. THAT IS WHEN I SHOWED UP TWENTY YEARS AGO-- PEOPLE ARE THE SAME MUTES WHO NEVER CHANGE. THEY REMIND OF PRISCILLAS GUY WHO DOESNT ACT MATURE OR A KIND ENOUGH ABOUT WOMYN. I FIND TO SAY IN MARKETS THAT THEY RATHER SEX WITH BABIES THAN KEEP THEIR DIGNITY AND INDEPENDENCE WHEN THEY DECLARE A WARSTORY. I HEARD THE SAME PEOLE SOUND OFF BECAUSE THEY HATE PEOPLE. IRONIC THAT THEY SAY THEY STEAL SHOES FROM PEOPLE ON THE BUS AND COMMIT CRIME FOR THE SUBURBAN LACK LUSTERS. WHAT A REASON TO GROW UP.

On Sat, Nov 6, 2021, 19:13 Andrea Oviedo <oviedoaan@gmail.com> wrote:

Ephesians 6:10-20

New International Version

The Armor of God

10 Finally, be strong in the Lord(A) and in his mighty power.(B) **11** Put on the full armor of God,(C) so that you can take your stand against the devil's schemes. **12** For our struggle is not against flesh and blood,(D) but against the rulers, against the authorities,(E) against the powers(F) of this dark world and against the spiritual forces of evil in the heavenly realms.(G) **13** Therefore put on the full armor of God,(H) so that when the day of evil comes, you may be able to stand your ground, and after you have done everything, to stand. **14** Stand firm then, with the belt of truth buckled around your waist,(I) with the breastplate of righteousness in place,(J) **15** and with your feet fitted with the readiness that comes from the gospel of peace.(K) **16** In addition to all this, take up the shield of faith,(L) with which you can extinguish all the flaming arrows of the evil one.(M) **17** Take the helmet of salvation(N) and the sword of the Spirit,(O) which is the word of God.(P)

18 And pray in the Spirit(Q) on all occasions(R) with all kinds of prayers and requests.(S) With this in mind, be alert and always keep on praying(T) for all the Lord's people. **19** Pray also for me,(U) that whenever I speak, words may be given me so that I will fearlessly(V) make known the mystery(W) of the gospel, **20** for which I am an ambassador(X) in chains.(Y) Pray that I may declare it fearlessly, as I should.

On Sat, Nov 6, 2021, 5:25 PM Joshua Lurssen <lurssenjoshua602@gmail.com> wrote:

I DO NOT FIND THEN SANE. THEIR AS HEAVY AS NO BRAINS. THEY SOUND OFF AS BRAINACS. I DO NOT UNDERSTAND THEIR SARCASM. NOR THEIR NARCISSTIC BEHAVIOUR. THEY CARRY A LOT OF FALSE PRIDE. THEY REMIND ME OF PRICILLAS GUY WHO SAID IN CONVERSATION ABOUT OBJECTION. I HAVE HEARD THAT DOWN THE STREET. I HAVE HEARD IT UP THE STREET. IN MARKETS. OBSCURE HOW PEOPLE ALWAYS FROWN IN SUBURBS BECAUSE THEY LOOK LIKE BIGOTRISTS AND PREJUDISTS. THEY SOUND NARCISSTIC. IN SCHOOL THEY HAVE THEN TOO. I REMEMBER BECAUSE THEY OPEM COMPUTERS AND WATCH GIRLS GIRLS GIRLS IN FRONT OF THE TEACHER. I REMEMBER. PEOPLE LIKE THAT ARE IMMATURE. I BELIEVE THOSE JOCKS STILL FRET INSIDE THEIR HEAD BECAUSE OF FALSE LONELY PRIDE. THEY EVEN HAD A CHARLES MANDON LIVING DOWN THE STREET. HE DID POWERFUL DRUGS AND MOCKS HIS FAMILY. HIS FAMILY MOCKS HIM. I HEARD THE TWO SCHOOLS FIGHT ALL THE TIME. I DO NOT KNOW WHY. THESE PEOPLE AROUND ARE PREJUDIST AND SOUND OFF LIKE BIGOTRY. IN HIGHSCHOOL I HEARD THAT PEOPLE WERE MURDERED IN THE BACK OF A TRUCK BECAUSE THE BALL PEOPLE WERE ENVIOUS THAT PEOPLE WER ARGUING

ABOUT SOMETHING. THIS TIME I FOUND A CAR ON FIRE IN THE PARKING LOTS. BE CAUTIOUS AT NIGHT. THESE PEOPLE SAY ONE THING AND NEXT THEY SOUND LIKE TERRORISTS. THEY EVEN LOOK LIKE MUSLIMS. ROGAIN PEOPLE AND BRUT DOG COLOGNE PEOPLE. IT IS A FACT!!

On Sat, Nov 6, 2021, 20:13 Joshua Lurssen <lurssenjoshua602@gmail.com> wrote:

IF YOU EVER HEARD OF GUARD BLOCKERS PEOPLE ARE HERE IN THESE ENVIOUS PREJUDISTS CITIES ARE FULL OF BIGOTRY. IT.IS A. FACT. I HAVE HEARD IN THE MARKET THAT PEOPLE DO NOT LIKE BLACK PEOPLE. I HAVE HEARD ASAINS SAY THEY DO NOT RESPECT BLACK PEOPLE. THAT IS WHEN I SHOWED UP TWENTY YEARS AGO-- PEOPLE ARE THE SAME MUTES WHO NEVER CHANGE. THEY REMIND OF PRISCILLAS GUY WHO DOESNT ACT MATURE OR A KIND ENOUGH ABOUT WOMYN. I FIND TO SAY IN MARKETS THAT THEY RATHER SEX WITH BABIES THAN KEEP THEIR DIGNITY AND INDEPENDENCE WHEN THEY DECLARE A WARSTORY. I HEARD THE SAME PEOLE SOUND OFF BECAUSE THEY HATE PEOPLE. IRONIC THAT THEY SAY THEY STEAL SHOES FROM PEOPLE ON THE BUS AND COMMIT CRIME FOR THE SUBURBAN LACK LUSTERS. WHAT A REASON TO GROW UP.

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18 And pray in the Spirit(Q) on all occasions(R) with all kinds of prayers and requests.(S) With this in mind, be alert and always keep on praying(T) for all the Lord's people. **19** Pray also for me,(U) that whenever I speak, words may be given me so that I will fearlessly(V) make known the mystery(W) of the gospel, **20** for which I am an ambassador(X) in chains.(Y) Pray that I may declare it fearlessly, as I should.

On Sat, Nov 6, 2021, 5:25 PM Joshua Lurssen <lurssenjoshua602@gmail.com> wrote:

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08:47 100%
google.com/search?q=the+s
20

the salem witch trials?

the lord of flies

the red herring?

cops that shoot bullets

what is the law of espionage act?

what is a 5g pittsfield antenna do?

what is a whittaker project?

the law of omerta

why would cops go to hell for shooting?

english to spanish

the white house

https://www.google.com/

osha agreement under influence

urban dictionary

alcoholics anonymous 12212 alameda street 90241 / 5 los angeles county

ITEM NO. 11 - RESO. 21-91, AMENDMENT TO PRECISE PLAN OF DEVELOPMENT

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

November 10, 2021

Rene Bobadilla, City Manager
City of Montebello
1600 W. Beverly Boulevard
Montebello, CA 90640

Re: 6th Street Grand Project – Letter of Support and Technical Assistance

Dear Rene Bobadilla and City Council:

The California Department of Housing and Community Development (HCD) understands that the Montebello City Council will be considering amendments to the Precise Plan of Development for Planned Development District (PD 2-15) and approval of Site Plan Review and Parking Management Plan (PC-2021-0002-PD-SP-PMP) at its November 10, 2021 City Council meeting. The amendment and approvals will allow the construction, use, and maintenance of Cesar Chavez Foundation's (CCF) 6th Street Grand project (Project). The purpose of this letter is to affirm requirements under State Density Bonus Law (Gov. Code, § 65915) and to express HCD's support for the Project.

HCD understands that the proposed Project is a mixed-use, affordable housing project consisting of two phases. Phase I is proposed to be a 100-percent affordable, 63-unit housing project for families and victims of domestic violence who are experiencing homelessness, including individuals earning between 30- to 60-percent area median income (AMI). Phase II is a proposed mixed-use project providing 69 residential units, 35-percent of which will be affordable to those earning 60 percent AMI.

As described in the Staff Report dated October 19, 2021, the Project does not strictly meet Montebello Municipal Code (MMC) requirements pertaining to density, maximum number of bedrooms, maximum coverage, open space, parking, unit sizes, setbacks (front and sides), and trash enclosures. Affordable housing projects; however, are entitled to concessions, incentives, and waivers from local development standards in many instances under State Density Bonus Law (SDBL). To facilitate development of this affordable housing project, CCF is invoking SDBL, seeking an increase in density and lot coverage and reductions in parking, unit sizes, and front and side yard setbacks. It has also requested relief from current standards through an amendment to the existing Planning Development District.

SDBL affords significant inducements to developers to include affordable housing as part of their projects in the form of "concessions or incentives" and "waivers or reductions of development standards." (Gov. Code, § 65915, subds. (d) and (e).) The number of required incentives or concessions is based on the percentage of affordable units in the project. (Gov. Code, § 65915, subd. (d)(2).) Unlike incentives and concessions, waivers are unlimited, and their purpose is to remove developments standards that have the effect of physically precluding the construction of the density bonus project.

Because Phase I of the project proposes 100 percent of its units to be affordable to very low-

income households and is located within one-half mile of a major transit stop, it qualifies for a bonus of essentially unlimited density (Gov. Code, § 65915, subd. (f)(3)(D)(ii)), four incentives or concessions as well as height increases up to three additional stories (id., subd. (d)(2)(D)), and waivers or reductions of development standards (id., subd. (e)). While current MMC limits the maximum number of bedrooms to 34, SDBL provides relief from this limitation, and the 117 bedrooms proposed in Phase I are allowed. Phase II is expected to provide 35 percent of its units as affordable to very low-income households and therefore would qualify for a density bonus of up to a 50 percent above the maximum allowable density (Gov. Code, § 65915, subd. (f)(1)), three incentives or concessions (*id.*, subd. (d)(2)(C)), and waivers or reductions of development standards as well (*id.*, subd. (e)).

In addition, SDBL includes parking incentives as well. While current MMC sets a minimum parking requirement of 147 spaces, SDBL would allow as few as 32 parking spaces for this project in Phase I because it is located within one-half mile of a major transit stop. (Gov. Code, § 65915, subd. (p)(2)(A).) The Project proposes 66 parking spaces (more than double what SDBL would allow) in Phase I.

HCD would like to remind the City that the State of California is in a housing crisis and the provision of affordable housing is a priority of the highest order. Further, SDBL requires a local government, if requested, to grant an increase in the allowable units to the development in excess of what would otherwise be allowed under the local government's zoning and general plan. Moreover, the local government must grant incentives or concessions to reduce costs associated with the development and waivers or reductions of development standards so that the project can achieve the maximum densities allowed under Density Bonus Law. (Gov. Code, § 65915, subd. (b)(1).)

In sum, HCD supports the proposed amendments and approvals as set forth in the Staff Report as these would enable development of the 6th Street Grand affordable housing project. If you have any questions or need additional technical assistance, please contact John Buettner, of our staff, at john.buettner@hcd.ca.gov.

Sincerely,

Shannan West
Housing Accountability Unit Chief

cc: Joseph Palombi, City of Montebello Planning Department

ITEM NO. 12 - ADOPT RESOLUTION 21-92 APPROVING VESTING TENTATIVE TRACT MAP (VTTM)

Angelina Padilla

From: Tamy Townsend <tamytownsend619@gmail.com>
Sent: Wednesday, November 10, 2021 3:25 PM
To: comment, ccpublic
Subject: City Council Agenda Item 12 (VTTM No. 82725)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City Council:

I ask that you not approve Item 12 on your agenda for tonight because the project is not exempt from CEQA review. The map does not conform to the specific plan that was previously approved and subjected to CEQA review (Guidelines 15182(c)(1)), and there are changed circumstances and new information but no subsequent or supplemental EIR has been prepared (Guidelines 15182(c)(2).

Thank you.

Tamy T.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Michael W. Popoff <madrussian90640@yahoo.com>
Sent: Wednesday, November 10, 2021 3:30 PM
To: comment, ccpublic
Cc: Linda Strong; James Flournoy
Subject: Agenda Item 12

Follow Up Flag: Follow up
Flag Status: Flagged

Please read this in its entirety to the city council.

Honorable Mayor and councilmembers, Agenda Item 12 should be held over until the next meeting because it was not properly noticed or described in the agenda. There is NO mention of the tract map being for the Montebello Hills condo development, NO mention of the Metro development name, NO mention of Toll Brothers.

The agenda item appears to have been deliberately designed to be unintelligible to the residents, and is an obvious effort to keep the public from commenting on this dangerous and costly to the city budget development.

Yours truly, Michael W. Popoff, 55+ year resident.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Wendsday

November 10, 2021
Please enter these comments from Citizens for Open and Public Participation into the Public Record and give to the city council for their perusal.
Margot Eiser
Chair
Submitted for James Flournoy:

To City Concil
Regarding Item 12.
Approval of the tentative map is not exempt from CEQA because (1) the project covered by the map does not conform to the specific plan that was previously approved and subjected to CEQA review and

(2) there are changed circumstances and new information.

Furthermore the City has not provided proof that the Applicant is in compliance with the Mitagation, Monitoring and Reporting Plan , the Engineers Conditions of Approval, the Biological Opinions of the USFish and Wildlife Service and the requirements of Los Angeles County which are required byt the MMRP and the Requirements of the California Department of fish and wildlife

Furthormre the city has not responded to the letter from our attorney.

ITEM NO. 13 - Cesar Chavez Foundation

Angelina Padilla

From: John Velasco <johnvelasco1@me.com>
Sent: Tuesday, November 9, 2021 10:53 PM
To: comment, ccpublic
Subject: Proposed mixed use affordable housing project by Cesar Chavez Foundation

Follow Up Flag: Follow up
Flag Status: Flagged

Madame Mayor, Mayor Pro Tem and Council members,

I would like to voice my support for the affordable housing project proposed by the Chavez Foundation and on the agenda for the 11/10 council meeting.

I am extremely impressed by the plans for this quality development. The proposed amenities are attributable in no small part due to the non-profit developing this property. This project will be a jewel in Montebello's housing stock.

PleAse vote in favor of this project; our community needs it.

Best,

John Velasco
V.P. & Director
Heart of Compassion

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

ITEM NO. 24 - Sole Source

Letter below submitted twice by Anthony Morelli and Cynthia Powell

CIFAC
Construction Industry Force Account Council

November 10, 2021 Via electronic email: ccpubliccomment@cityofmontebello.com

Honerable Mayor Kimberly Cobos-Cawthorne and City Council Members
City of Montebello
1600 W. Beverly Blvd
Montebello, CA 90640

Re: November 10, 2021, City Council Consent Agenda item #24 Consideration of "Sole Source" determination in anticipation of awarding a Design-Build Contract for the Montebello Golf Course Driving Range Project

Dear Mayor Cobos-Cawthorne and City Council Members:

The Construction Industry Force Account Council (CIFAC) is a construction industry supported non-profit organization dedicated to Public Contract Code compliance and education. We promote competitive bidding on public works construction projects by using a fair, transparent and objective process.

In reviewing the November 10, 2021 City Council Agenda, specifically item #24 (noted above) CIFAC is very concerned that the City of Montebello appears to be attempting to dispense with normal, required and proven bidding practices as outlined in the Public Contract Code and the California Uniform Construction Cost Accounting Act, which the City of Montebello elected to become subject to on February 12, 2020.

The City should not limit itself by accepting only one contractor as a "sole source" to build this project. CIFAC believes that city staff may be misguided in their belief that there is only one contractor who could perform this type of project. By doing so, the city forgoes the financial benefits of the competitive bidding process. Certainly the use of a traditional Design-Build method to procure this project would result in the City receiving favorable bid quotes from construction firms who have the experience and/or specializes in golf related projects and amenities.

CIFAC is asking the Montebello City Council to please not "rush-to-judgement" in considering or moving forward in approving a "sole source" procurement process at this time. We believe that more time is needed to properly evaluate the benefits of the Design-build procurement process for large caliber projects such as this. After all, many Municipalities use this method to procure their large projects every day and would never consider limiting themselves to accept just one firms quote and proposal. We would also like to point out the intent of competitive bidding laws, as described in the Public Contract Code below:

Public Contact Code § 100

MICHELLE TUCKER, EXECUTIVE DIRECTOR
2420 Martin Road, Suite 250, Fairfield, CA 94534
+1 800 755 3354 +1 707 439 3810
info@cifac.org cifac.org

The Legislature finds and declares that placing all public contract law in one code will make that law clearer and easier to find. Further, it is the intent of the Legislature in enacting this code to achieve the following objectives:
(a) To clarify the law with respect to competitive bidding requirements.
(b) To ensure full compliance with competitive bidding statutes as a means of protecting the public from misuse of public funds.
(c) To provide all qualified bidders with a fair opportunity to enter the bidding process, thereby stimulating competition in a manner conducive to sound fiscal practices.
(d) To eliminate favoritism, fraud, and corruption in the awarding of public contracts.

Thank you for your time and consideration. Please contact me if you have any questions at (805) 419-1543.

Sincerely,

Anthony Morelli
Southwestern Regional Compliance Manager
Construction Industry Force Account Council
amorelli@cifac.org www.CIFAC.org
(805) 419-1543 Cell

CC Andrea Matsuoka, Weinberg, Roger and Rosenfeld

Angelina Padilla

From: Anthony Morelli <amorelli@cifac.org>
Sent: Wednesday, November 10, 2021 3:06 PM
To: comment, ccpublic
Cc: Michelle Pickens; amorelli@cifac.org; Andrea Matsuoka
Subject: Nov. 10th City Council Agenda Public Comment
Attachments: CIFAC Ltr Montebello Sole Source Contract Golf Course.docx

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Mayor Cobos-Cawthorne and City Council Members
City Clerk and City Manager
Re: Item#24 on the Nov. 10, 2021 City Council Agenda
Please find our (Attached) letter and public comments regarding this agenda item.
Please have it read and accepted into the record for the Nov. 10, 2021 City Council meeting.
Thank you,

Anthony "Tony" Morelli
Southwestern Regional Compliance Manager
Construction Industry Force Account Council - CIFAC
P.O. Box 2442, Camarillo, CA 93011-2442
M: (805) 419-1543 | F: (805) 301-8002
Amorelli@cifac.org www.cifac.org

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Angelina Padilla

From: Cynthia Powell <cpowell@unioncounsel.net>
Sent: Wednesday, November 10, 2021 3:28 PM
To: aglasman@agclawfirm.com
Cc: mpickens@cifac.org; comment, ccpublic; Andrea Matsuoka
Subject: Letter Regarding Agenda Item #24
Attachments: Letter_to_Alvarez-Glasman_Montebello_Driving_Range_11_10_21.DOCX

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Alvarez-Glasman,

Attached please find a letter regarding Agenda Item No. 4 to you from Ms. Andrea C. Matsuoka regarding the above-noted matter.

Should you have any difficulty opening the attachment, please do not hesitate to contact me at this office.

Sincerely,

Cynthia L. Powell
Legal Secretary, *OPEIU Local 29 afl-cio(1)*
Weinberg Roger & Rosenfeld
431 I Street, Suite. 202
Sacramento, CA 95814
(916) 443-6600; (916) 442-0244 fax
cpowell@unioncounsel.net

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

AGENDA & NON-AGENDA SPEAKER CARDS

CITY OF MONTEBELLO ■ ■ ■ ■ Request No. 3

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☐ **AGENDA ITEM NO.** 16

Meeting Date: 11/10/21 **Time Received:** _____ **Date Received:** _____

SPEAKER'S FULL NAME: Avik L Cordeiro **PHONE:** 6265367832 (Optional)

ADDRESS: 816 No Juarez st (Optional)

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

NOTES: Reappointment to Board of Trustees

ACCOMMODATIONS: _____

Translation Needed: No ☑ Yes ☐ Language: _____

Received by Staff _____ **Received Via:** Email ☐ Phone ☐ In Person ☐

CITY OF MONTEBELLO ■ ■ ■ ■ Request No. 3 4

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☐ **AGENDA ITEM NO.** 24 & 30

Meeting Date: 11/10/21 **Time Received:** 5:35PM **Date Received:** 11/10/21

SPEAKER'S FULL NAME: RAYMOND MOJICA **PHONE:** 626-620-0055 (Optional)

ADDRESS: 929 OTTELLO ST. ARCADIA CA 91006 (Optional)

ORGANIZATION REPRESENTED: Montebello Golf Players Club

Opposed ☒ In Support ☐ Neutral ☐ **TOPIC:** PRC - Top Golf

NOTES:

ACCOMMODATIONS:

Translation Needed: No ☐ Yes ☐ Language:

Received by Staff **Received Via:** Email ☐ Phone ☐ In Person ☐

CITY OF MONTEBELLO

Request No. 4 5

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☐ **AGENDA ITEM NO.** 24 + 30

Meeting Date: 11/10/2021 **Time Received:** _____ **Date Received:** _____

SPEAKER'S FULL NAME: Benjamin Negrete **PHONE:** _____ (Optional)

ADDRESS: 7833 Steldon Dr (Optional)

ORGANIZATION REPRESENTED: Schurr H.S. & Mont H.S. Alumni Assn.

Opposed ☑ In Support ☐ Neutral ☐ **TOPIC:** _____

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff _____ **Received Via:** Email ☐ Phone ☐ In Person ☐

CITY OF MONTEBELLO ■ ■ ■ ■ Request No. 6 ✓

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☑ **AGENDA ITEM NO.** _____

Meeting Date: 11-10-21 **Time Received:** 6:30 **Date Received:** _____

SPEAKER'S FULL NAME: ADAM ZARAGOZA **PHONE:** 323)331-0878 (Optional)

ADDRESS: 6014 FERGUSON DR #A (Optional)

ORGANIZATION REPRESENTED: YNOT MOVEMENT

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** Non-profit organization YNot Movement

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☑ Yes ☐ Language: _____

Received by Staff _____ **Received Via:** Email ☐ Phone ☐ In Person ☐

CITY OF MONTEBELLO

Request No. 7

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

PH

Type of Comment: Closed Session ☐ Non-Agenda Item ☐ **AGENDA ITEM NO.** 11 a 12

Meeting Date: Nov. 10, 2021 **Time Received:** 6:37 **Date Received:** 11/10/2021

SPEAKER'S FULL NAME: Margot Engel Eiser **PHONE:** 3233287061 *(Optional)*

ADDRESS: Via San Delvino Montebello *(Optional)*

ORGANIZATION REPRESENTED: Self

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☒ Yes ☐ Language: _____

Received by Staff _____ **Received Via:** Email ☐ Phone ☐ In Person ☒

CITY OF MONTEBELLO

Request No. 8 ✓

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☐ **AGENDA ITEM NO.** _____

Meeting Date: 11-10-21 **Time Received:** _____ **Date Received:** _____

SPEAKER'S FULL NAME: Cynthia Gutierrez **PHONE:** _____ *(Optional)*

ADDRESS: [redacted] *(Optional)*

ORGANIZATION REPRESENTED: _____

Opposed ☑ In Support ☐ Neutral ☐ **TOPIC:** # 11 PH, ✓ 12 PH, 13

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☑ Yes ☐ Language: _____

Received by Staff _____ **Received Via:** Email ☐ Phone ☐ In Person ☒

CITY OF MONTEBELLO

Request No. 1

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☒ **AGENDA ITEM NO.** _____

Meeting Date: MO 11/10/21 **Time Received:** 9:47 am **Date Received:** 11/10/21

SPEAKER'S FULL NAME: Manuel Hernandez **PHONE:** (562) 350-1595 *(Optional)*

ADDRESS: _____ *(Optional)*

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** Mental Illness

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Elizabeth Martinez **Received Via:** Email ☐ Phone ☒ In Person ☐

called @ 7:37pm.

called @ 7:43 p.m.

CITY OF MONTEBELLO Request No. 2

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☐ **AGENDA ITEM NO.** 24

Meeting Date: 11/10/21 **Time Received:** 4:27pm **Date Received:** 11/10/21

SPEAKER'S FULL NAME: Ted Jimenez **PHONE:** 213-804-8391 *(Optional)*

ADDRESS: _____ *(Optional)*

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Angelina Padilla **Received Via:** Email ☐ Phone ☒ In Person ☐

CITY OF MONTEBELLO ■ ■ ■ ■ Request No. 9

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☒ **AGENDA ITEM NO.** _____

Meeting Date: _____ **Time Received:** _____ **Date Received:** _____

SPEAKER'S FULL NAME: RAY Sweda **PHONE:** _____ *(Optional)*

ADDRESS: _____ *(Optional)*

ORGANIZATION REPRESENTED: M.G.P.C. - Top Golf

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff _____ **Received Via:** Email ☐ Phone ☐ In Person ☐

CITY OF MONTEBELLO CITY COUNCIL AND SUCCESSOR AGENCY JOINT REGULAR MEETING AGENDA

MINUTES

WEDNESDAY, JANUARY 12, 2022 AT 5:00 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 5:02 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Jimenez, Councilmember Peralta, Councilmember Melendez, and Councilmember Torres. 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, and Records Coordinator Angelina Padilla.

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS
The City Clerk's office acknowledged one (1) speaker card; no written comments were submitted to the City's public comment email address. 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 5:07 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)
   Eddie Loussararian and John Loussararian, Jr. vs. City of Montebello, et al.
   Los Angeles Superior Court Case No. 19STCV36756

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

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Government Code Section 54956.9(d)(4)
Initiation of litigation – Two cases

REGULAR SESSION – 6:00 P.M.

CLOSED SESSION REPORT

Mayor Cobos-Cawthorne reconvened the meeting at 6:14 p.m. During Closed Session the City Council received a briefing on Item No. 1, no action taken; nothing to report. The City Council received a briefing on Item No. 2, direction was provided regarding a possible resolution of these matters and unanimous direction was provided. The City Council received a briefing on Item No. 3, no action was taken but it was decided that a Special Meeting, as defined by City Council, will be held in the near future with this being the only Closed Session to be discussed. The City Council received a unanimous decision to execute the required documents to have the City participate in the National Opioid settlement matters.

INVOCATION – Pastor Sebastian Petz, Montebello Christian

PLEDGE OF ALLEGIANCE – Carlos Larios

CORRECTIONS TO THE AGENDA – CITY MANAGER – Item 6, under the Presentation Section of the meeting was postponed to a future meeting.

CEREMONIAL/PRESENTATIONS

5. RECOGNITION OF CITIZEN OF THE MONTH – PASTOR ERIC TIETZE, HEARTS OF COMPASSION – Presented by Mayor Cobos-Cawthorne

6. RECOGNITION OF M&M FOR FIRE TRAINING SUPPORT – this item was postponed to a future meeting

7. RECOGNITION OF GATEWAY CITIES ENERGY ACTION AWARD – Presented by Mayor Cobos-Cawthorne

8. RECOGNITION OF SAN GABRIEL COUNCIL OF GOVERNMENTS AWARD – Presented by Mayor Cobos-Cawthorne

9. RECOGNITION OF MONTEBELLO BUS LINE'S 90TH ANNIVERSARY – Presented by Mayor Cobos-Cawthorne

10. RECOGNITION OF HUMAN TRAFFICKING AWARENESS MONTH – Presented by Mayor Cobos-Cawthorne

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)
No speaker cards were submitted to the City Clerk's office.

The City Clerk's office, acknowledged four (4) written 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 the City Council an update on the drive-through Easter.

REGULAR BUSINESS

11. REVIEW OF CURRENT COUNCIL ASSIGNMENTS TO VARIOUS BOARDS, AGENCIES, AD HOC AND TASK FORCE COMMITTEES

Mayor Cobos-Cawthorne reviewed the various boards, agencies, Ad Hoc and Task Force Committees with the Councilmembers and the following assignments were made below:

AD HOC AND TASK FORCE ASSIGNMENTS		
Name of Committee/ Task Force	**Name #1**	**Name #2**
Ashiya Sister City Association Ad Hoc	Angie Jimenez	Torres
Cannabis Ad Hoc Committee ***(Reinstated 1/12/22)***	Kimberly Cobos-Cawthorne	Angie Jimenez
Economic Development Ad Hoc	Kimberly Cobos-Cawthorne	Scarlet Peralta
Farmer's Market Ad Hoc	Scarlet Peralta	Salvador Melendez
Homelessness Task Force	Salvador Melendez	Angie Jimenez
Innovating Commerce Serving Communities Ad-Hoc" ***(Established 1/12/22)***	Kimberly Cobos-Cawthorne	Angie Jimenez
** Joint School District Ad Hoc*	*Vacant*	*Vacant*
Military Task Force	Kimberly Cobos-Cawthorne	Torres
Solid Waste Ad Hoc Committee ***(Reinstated 1/12/22)***	David Torres	Scarlet Peralta
Streets Ad Hoc	Kimberly Cobos-Cawthorne	Angie Jimenez
Transportation Ad Hoc ***(Established 1/12/22)***	Kimberly Cobos-Cawthorne	Angie Jimenez
Transit Ad Hoc	***Dissolved 1/12/22***	
Washington Coalition	***Dissolved 1/12/22***	

Mayor Cobos-Cawthorne made a motion to reinstate the Cannabis Ad Hoc Committee, seconded by Melendez; motion approved unanimously. Councilmember Melendez made a motion, seconded by Mayor Pro Tem Torres, to appoint Mayor Cobos-Cawthorne and Mayor

Pro Tem Jimenez; motion approved unanimously. Councilmember Torres made a substitution motion for Councilmember Peralta to be appointed along with the Mayor, Councilmember Peralta seconded; substitute motion did not carry 2-3.

Mayor Cobos-Cawthorne made a motion to have the Solid Waste Ad Hoc Committee reinstated, seconded by Councilmember Melendez; motion approved unanimously. Councilmember Melendez motioned that Torres and Peralta be appointed, seconded by Mayor Pro Tem Jimenez; motional approved unanimously.

Mayor Cobos-Cawthorne made a motion to combine the Transit Ad Hoc and Washington Coalition and form a Transportation Ad Hoc, Melendez seconded; motion passed by a 3-2 vote. Councilmember Melendez motioned to appoint Mayor Cobos-Cawthorne and Mayor Pro Tem Jimenez, seconded by Torres; motional approved unanimously.

Mayor Cobos-Cawthorne made a motion to appoint Mike Torres and Alex Hilke as Traffic Committee members, seconded by Councilmember Melendez; motion approved unanimously.

VARIOUS BOARDS AND AGENCIES		
Organization	**Council Representative**	**Alternate Representative**
County of Los Angeles Sanitation Districts	Cobos-Cawthorne	Jimenez
Los Angeles County City Selection Committee	Cobos-Cawthorne	Jimenez
San Gabriel Valley Council of Governments (SGVCOG)	Peralta	Melendez
Capital Projects Committee - Alameda Corridor East Authority (ACE)	Jimenez	Melendez
Gateway Cities Council of Governments	Jimenez	Cobos-Cawthorne
Independent Cities Association	Melendez	Jimenez
Montebello Chamber of Commerce	Torres	-
League of California Cities	Melendez	Jimenez
Los Angeles County Vector Control District (LACVCD)	Avik Cordeiro (Resident Reappointed 11/10/2021 - 4 yrs.)	-
Southeast Area Animal Control (SEAACA)	Cobos-Cawthorne	Peralta
Southern California Association of Governments (SCAG)	Melendez	Torres

12. ADOPT CITY COUNCIL RESOLUTION NO. 22-02/SUCCESSOR AGENCY RESOLUTION NO. 22-01 FOR THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE FISCAL YEAR 2021-22 (ROPS 21-22) AND CITY COUNCIL RESOLUTION NO. 22-03/SUCCESSOR AGENCY RESOLUTION NO. 22-02 FOR THE ADMINISTRATIVE BUDGET FOR THE FISCAL YEAR 2021-2022

City Manager Bobadilla presented this item to the City Council and it was moved by Councilmember/Board Member Melendez, seconded by Mayor Pro Tem/Vice Chairperson Jimenez that the City Council/Successor Agency approve the recommendations below.

RECOMMENDATION: It is recommended that the City Council and Successor Agency:

1) Approve and adopt City Council Resolution No. 22-02 and Successor Agency Resolution No. 22-01 for the Recognized Obligation Payment Schedule for the Fiscal Year 2021-22 (ROPS 21-22); and
2) Approve and adopt City Council Resolution No. 22-03 and Successor Agency Resolution No. 22-02 for the Administrative Budget for the Fiscal Year 2021-2022; and
3) Take such additional, related, action that may be desirable.

It was moved by Mayor Pro Tem/Vice Chairperson Jimenez, seconded by Councilmember/Board Member Melendez to adjourn the Successor Agency at 7:59 p.m.

CONSENT CALENDAR

Councilmember Torres and Mayor Cobos-Cawthorne pulled Item No. 14. Councilmember Torres pulled Item No's. 16, 17, 19, and 20. Peralta motioned, seconded by Melendez, that Item No's. 13, 15, 18, and 21-23 be approved.

13. ADOPT RESOLUTION NO. 22-04 AMENDING RESOLUTION NO. 20-80 UPDATING THE CONFLICT OF INTEREST CODE FOR THE CITY OF MONTEBELLO

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 22-04, a Resolution of City Council of the City of Montebello, California, Amending Resolution No. 20-80 updating the Conflict of Interest Code for the City of Montebello in compliance with Government Code requirements; and
2) Direct the City Clerk's office to file the 2022 Local Biennial Notice with the Fair Political Practices Commission; and
3) Take such additional, related, action that may be desirable.

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

Councilmember Torres pulled this item to ask a clarifying question regarding the funding sources for this item; City Manager Bobadilla and Director Enriquez provided an update on the emergency repairs and presented the staff report. Director Enriquez confirmed that ARPA Funds would be used for these emergency repairs. Mayor Cobos-Cawthorne asked to view photos of the emergency repairs.

Mayor Cobos-Cawthorne motioned, seconded by Mayor Pro Tem Jimenez that the City Council:

1) Receive and file the City Manager's report of an 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) Determine and find that the severely deteriorated condition of the Beach Street Storm Drain poses a serious and eminent threat to public safety due to its severely deteriorated condition; and
3) By a four-fifths vote of the City Council authorize the dispensing of a formal bidding procedure for the replacement of the Beach Street Storm Drain, in accordance with California Public Contract Code Section 22035 and Montebello Municipal Code Chapter 3.20.140; and
4) Authorize the City Manager to finalize the proposed Agreement No. 3947 with Mike Bubalo Construction Co. (attached hereto in substantial form as Attachment B) for the construction of the replacement of the Beach Street Storm Drain at an estimated total cost of $390,000; and
5) Amend the Fiscal Year 2021-22 budget by increasing appropriations $535,000 in Account No. 100-30-315-6040.45 (General Fund, Public Works, Stormwater, Contract Services – Storm Drain Maintenance) for emergency response, repair and replacement work; and
6) Take such additional, related, action that may be desirable.

MOVED: Cobos-Cawthorne	**SECONDED:** Jimenez	**APPROVED:** 4-0-1-0
AYES: Cobos-Cawthorne, Peralta, Jimenez, Melendez NOES: None ABSTAIN: Torres ABSENT: None		

15. BEACH STREET PAVEMENT REHABILITATION PROJECT - PHASE 1 (FROM VAIL AVENUE TO 5TH STREET), CP NO. 883 – ENGAGEMENT LETTER FOR CONSTRUCTION MANAGEMENT & INSPECTION SERVICES BY AIM CONSULTING SERVICES

RECOMMENDATION: It is recommended that the City Council:

1) Award Task Order No. 2 via an Engagement Letter under Master Retainer Agreement No. 3919 with AIM Consulting Services for Construction Management and Inspection Services for a not-to-exceed-fee of $92,126; and
2) Authorize the City Manager to execute the Agreement, on behalf of the City; and
3) Take such additional or alternative action that may be desirable.

16. PAVING THE WAY – PHASE 2 (CP NO. 878) – NOTICE OF COMPLETION

Councilmember Torres pulled this item to ask a clarifying question on what the balance would be after completion of Phase 3 and Director Enriquez provided an update on this item.

Councilmember Torres motioned, seconded by Councilmember Melendez that the City Council:

1) Accept the Paving the Way – Phase 2 Project (CP 878) as completed by Manhole Adjusting, Inc. (MAI); and
2) Find that the "Changes in Work" for the project (Attachment A) in the aggregate amount of $1,423,503 have no significant effect on the environment. The final contract amount with MAI is $6,362,081.
3) Approve the Final Construction Budget and Expenditures (Attachment B); and
4) Authorize the City Clerk to execute, verify and file the Notice of Completion (Attachment C) with the Los Angeles County Registrar-Recorder; and
5) Authorize the City Manager to release the retention payment due to Manhole Adjusting, Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
6) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $630,362 in Account No. 220-99-7117 (Measure R, Improvements Other than Building – Paving the Way) and $1,108,174 in Account No. 222-99-7117 (Measure M, Improvements Other than Building – Paving the Way); and
7) Take such additional, related, action that may be desirable.

Motion approved unanimously.

17. APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 3946 FOR MARKET ANALYSIS AND RETAIL RECRUITMENT SERVICES BETWEEN NAVIRETAIL INC. AND THE CITY OF MONTEBELLO

Councilmember Torres pulled this item to ask clarifying questions on whether this item could be approved by a simple majority; and it was confirmed that it could be approved by a simple majority vote. Also asked to receive an update on the Economic Development efforts and City Manager Bobadilla stated that a Community Development Manager position will be brought before Council for approval once the job specification is ready.

Councilmember Torres motioned, seconded by Councilmember Melendez that the City Council:

1) Approve a Professional Services Agreement between the City of Montebello and NaviRetail Inc. in an amount not to exceed $84,000 over the course of a two (2) year term for Market Analysis and Retail Recruitment Services for the City of Montebello; and
2) Authorize the City Manager to execute the Professional Services Agreement between the City and NaviRetail Inc. and any related documents in accordance with Montebello Municipal Code ("MMC") Chapter 3.20.050; and
3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $42,000 in Account 100-50-520-6040.95 (General Fund, Community Development, Planning Division, Other Professional Services); and
4) Take such additional, related, action that may be desirable.

Motion approved unanimously.

18. ADOPT RESOLUTION NO. 22-05 TO AUTHORIZE SUBMISSION OF AN APPLICATION TO THE STATE OF CALIFORNIA BEVERAGE CONTAINER RECYCLING GRANT PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 22-05 to authorize the submission of an application to the State of California Beverage Container Recycling Grant program; and
2) Take such additional, related, action that may be desirable.

19. APPROVE AN INCREASE TO THE BLANKET PURCHASE ORDER ESTABLISHED WITH THE SAUCE CREATIVE SERVICES CORP. FOR THE PURCHASE OF CITYWIDE PRINTING AND GRAPHIC DESIGN SERVICES

Councilmember Torres pulled this item to ask a clarifying question regarding language in the staff report stating that future purchases would require City Council approval. Director Sosnowski stated that approving the item tonight and increasing the Purchase Order up to $100,000 would not require City Council approval; unless it exceeds the City Manager's authorization. City Manager Bobadilla also provided Councilmember Torres an update on the art installation projects as mentioned in the staff report.

Councilmember Melendez motioned, seconded by Mayor Pro Tem Jimenez that the City Council:

1) Approve a change order to the blanket purchase order established with The Sauce Creative Services Corp., to increase the total not-to-exceed amount to $100,000, for the purchase of citywide printing and graphic design services; and
2) Take such additional, related, action that may be desirable.

Motion approved unanimously.

20. REQUEST TO PURCHASE POLICE DEPARTMENT PATROL VEHICLES

Councilmember Torres pulled this item to ask a clarifying question regarding the funding source for this item; Director Solorza stated that the primary source of funding is the General Fund and in years past the Asset Forfeiture has been used in the past but at this point in time until additional Asset Forfeiture funds are received Staff is recommending using the General Fund.

Councilmember Torres made a motion to consider staff's recommendations as shown below and to include that City Council conduct a citywide survey to try to understand what impacts the community has faced and allocate a portion of the ARPA funds to address those needs. City Attorney Alvarez-Glasman suggested separating the request of a survey as it is two separate matters. Councilmember Torres' motion did not receive a second.

Mayor Cobos-Cawthorne made a motion, seconded by Councilmember Melendez that the City Council:

1) Approve the purchase of seven (7) police patrol vehicles to include necessary equipment and installation services; and
2) Amend the Fiscal Year 2021-22 budget by increasing appropriations by $398,300 in Account No. 100-80-815-6082 (General Fund, Police, Support Services, Vehicle Purchases); and
3) Take whatever additional actions necessary to effectuate the procurement of the patrol vehicles.

MOVED: Cobos-Cawthorne	**SECONDED:** Melendez	**APPROVED:** 4-0-1-0

AYES: Cobos-Cawthorne, Peralta, Jimenez, Melendez
NOES: None
ABSTAIN: Torres
ABSENT: None

21. ADOPT RESOLUTION NO. 22-01 TO AUTHORIZE AMENDING FEDERAL GRANT NO. CA-2021-169-00 TO SUBMIT A SEPARATE GRANT APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION TO RECEIVE FUNDING FOR TRANSIT OPERATING ASSISTANCE AND TO AMEND THE FISCAL YEAR 2021-2022 BUDGET

RECOMMENDATION: It is recommended that the City Council:

1) Adopt Resolution No. 22-01 amending Federal Grant No. CA-2021-169-00 for Federal Transit Administration (FTA) funding under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA), to increase the grant amount for operating assistance from $1,000,000 to $3,778,452; and
2) Authorize submitting a grant application to the FTA for operating assistance under the American Rescue Plan Act of 2021 (ARPA), in the amount of $14,934,925; and
3) Amend the FY 2021-2022 budget to recognize revenue by increasing appropriations in Account Nos. 600-99-4024.10 (Transit Fund, CRRSAA – Federal) by $9,292,827 and 600-99-4023.10 (Transit Fund, ARP – Coronavirus Fiscal Recovery) by $14,934,925; and
4) Take such additional, related, action that may be desirable.

22. APPROVE AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT, NO. 3883, WITH RL CONTROLS LLC TO USE CONTINGENCY FUNDS FOR THE SERVER PROJECT, A SUBPROJECT OF THE BUS CAMERA SURVEILLANCE SYSTEM PROJECT

RECOMMENDATION: It is recommended that the City Council:

1) Approve Amendment No. 1 to Professional Services Agreement, No. 3883 (Agreement No. 3883) with RL Controls LLC (RL Controls), to use contingency funds for the total not-to-exceed amount of $192,912 for the Server Project, a subproject of the Bus Camera Surveillance System Project; and

2) Authorize the City Manager and/or his Designee to execute Amendment No. 1 on behalf of the City of Montebello (City); and
3) Take such additional, related, action that may be desirable.

23. PAYMENT OF BILLS: RESOLUTION NO. 22-06 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED JANUARY 12, 2022

RECOMMENDATION: Adopt Resolution No. 22-06 approving the Warrant Register dated January 12, 2022.

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** – None
2. **Councilmember Peralta**
   a. Agendize for the next council meeting the appointment of 2 members for the Traffic and Safety Committee – this item was discussed during Item No. 11.
   b. COVID Testing: City Hall: Sun-Wed (drive thru) | Thurs-Sat (walk up) | Grant Rae Park Thurs-Sat (drive thru). No Appointments Necessary. Vaccines/Boosters available at The Prescription Shop at 1215 W. Whittier Blvd. – provided an update.
3. **Councilmember Melendez** – None
4. **Mayor Pro Tem Jimenez** – None
5. **Mayor Cobos-Cawthorne** – Mayor asked the City Clerk's staff to acknowledge one (1) written comment submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

ADJOURNMENT

Mayor Cobos-Cawthorne adjourned in the memory of City of Angeles Police Officer Fernando Arroyos and Los Angeles County Firefighter Jonathan Flagler. Councilmember Melendez motioned to adjourn the meeting at 9:11 p.m.

THE MINUTES OF JANUARY 12, 2022 ARE HEREBY APPROVED AND ADOPTED ON THIS 23RD DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

CLOSED SESSION
SPEAKER CARD

CITY OF MONTEBELLO ■ ■ ■ ■ Request No. _____

SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☒ Non-Agenda Item ☐ **AGENDA ITEM NO.** 39

Meeting Date: 1/12/22 **Time Received:** 4:53 **Date Received:** 1/12/22

SPEAKER'S FULL NAME: Scott Rafferty **PHONE:** (202) 380-5525 *(Optional)*

ADDRESS: _____ *(Optional)*

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

NOTES: *Called @ 5:05 p.m.

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Angelina Padilla **Received Via:** Email ☐ Phone ☒ In Person ☐

AGENDA AND NON-AGENDA COMMENTS

Angelina Padilla

From: Armen Manousadjian <armenmanousadjian@gmail.com>
Sent: Saturday, December 11, 2021 5:01 PM
To: comment, ccpublic
Subject: Fwd: Reckless Drivers Running Stop Signs, West Lincoln Ave and N 2nd Street

Follow Up Flag: Follow up
Flag Status: Flagged

Begin forwarded message:

From: Armen Manousadjian <armenmanousadjian@gmail.com>
Subject: Reckless Drivers Running Stop Signs, West Lincoln Ave and N 2nd Street
Date: December 11, 2021 at 4:58:44 PM PST
To: codeenforcement@cityofmontebello.com

Dear City of Montebello Code Enforcement,

I live on West Lincoln Ave where it crosses N 2nd Street, and I have been almost hit by cars running the stop signs! Almost 100% of cars roll or completely go past the two stop signs on West Lincoln Ave and N 2nd Street. A neighbor's husband was recently hit by a speeding car that didn't see the man crossing the street with his dog. We all pay a lot of taxes in this area, it would be nice to have a camera, a flashing stop sign, street bumps or something to stop speeding drivers. Park an officer here and you'll print money, this street is like a boulevard now with how much traffic it has. Please do something about this issue, and inform me what actions you are planning to take please.

Best,
Armen Manousadjian

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Liberty Mesa <liberty.mesa@att.net>
Sent: Monday, December 20, 2021 6:56 PM
To: firstdistrict@bos.lacounty.gov
Cc: ryanserrano@bos.lacounty.gov; smorfin67@yahoo.com; kimberlyolivares@bos.lacounty.gov; Wcervera82@gmail.com; comment, ccpublic
Subject: Golden Manor Montebello Suspected/Alleged Elder Abuse

Follow Up Flag: Follow up
Flag Status: Flagged

Greetings. I hope this email finds you well. My name is Liberty Yorba. On December 6, 2021, I contacted your office on behalf of several concerned Montebello community members, and spoke with Mr. Ryan Serrano regarding the retirement home located at 1109 West Beverly Boulevard, Montebello, CA 90640, (323) 724-3870.

In 2019, a hand full of activists from Montebello formed an informal group whose efforts focus on the needs of less fortunate residents i.e., those without homes, the elderly and veterans. They assist individuals by purchasing food, blankets, masks, toiletries and other day to day living necessities, mostly during the holiday/Christmas season and Easter. All funding for purchases is obtained from individuals of the group as well as generous donors.

During the most recent and current effort to assist residents at the Golden Manor, it was discovered that occupants are faced with deplorable living conditions. One woman described numerous alarming issues, including but not limited to, physical abuse that she claims to have pictures of bruises, a visibly filthy environment, poor nourishment and a lack of proper access to health care. One woman alleges house-keeping staff is bathing incapacitated residents. Group member Sandra Sage visited the facility and spoke with several women at the facility.
Afterward, Ms. Sage telephoned Montebello PD for immediate assistance and was advised to contact L.A. County Adult Protective Services. She did and spoke with an Ombudsman. She also mentioned the name of Licensing Inspector Mr. Glenn Trueman. When her concerns fell upon deaf ears, she called me to share all of the above and asked for advice on which avenue to take next. I assured her I would assist any way possible to address these **very** serious matters. I perused the Facility Details Complaints tab on the Social Services page for Golden Manor and found the noted 'unfounded' results to be questionable.

I am contacting you because I have, in the past throughout the years, worked with Supervisor Solis' staffs while working at MALDEF and as a former Field Deputy for City of Los Angeles council members. Additionally, I have had the pleasure of working with Bertha Velazquez, of your current staff, while at council. I have every confidence that your office can somehow assist.

With whom at Supervisor Solis' office can members of the group meet with to better elaborate? Please advise and reply to all. Thank you in advance.

Best,

Liberty
(323) 481-5638

Please note: Because I was unable to locate email addresses for the individual Montebello Council Members: Kimberly Ann Cobos-Cawthorne, David N. Torres, Angie Jimenez, Scarlett Peralta and Salvador Melendez, I am sending this to the public comments e-mail address, for their awareness.

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Jesus L. Banda <jesusbandajr.ai101ia@gmail.com>
Sent: Thursday, December 23, 2021 9:52 AM
To: comment, ccpublic
Subject: THANK YOU CITY OF MONTEBELLO.....JESUS LEYVA BANDA JR

Follow Up Flag: Follow up
Flag Status: Flagged

I wanted to thank 211 today and. Especially to the mayor's building in where his staff and the management of the MONTEBELLO FIRE DEPARTMENT TO ANDREW LEON AND his crew and staff that went way beyond to provide me shelter in just a couple of hours after a survey and a couple of Referrals to make a Spark of Love by the LOS ANGELES county Fire Dept. City of MONTEBELLO Thank you also a thanks to Bell Gardens Motel 6 for helping L.A. for the homeless families and to the City Hall Mayor and his staff. SINCERELY a single FATHER to three girls In L.A. County named JESUS LEYVA BANDA JR. DEC.22,2021

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Rubi Mondragon <rubimondragon562@gmail.com>
Sent: Tuesday, January 11, 2022 8:52 PM
To: comment, ccpublic
Subject: Dear City Counsel

We the community demand that the bus remain running through The City Montebello . I was recently informed by one of my fellow members of my community that the bus will not only not run every 30 minutes but they will only run twice a day; because they are having issues contracting drivers. It's not that people decided to quit but someone in City Hall did it in bad faith . What I mean by bad faith is not thinking about the needs of the community and how it will affect us.

Instead they thought about cutting down costs and lining their pockets and giving basically givinng loyal employees an ultimatum to their employees to either get severance packet or quit What i am asking is where is that money going to exactly and it seema like there is money because i know for a fact that advertisers pay to have their logo , brands or movie promoted on the bus ? Or i am i mistaken ? or if not are the funds not being managed apporpiatley ? I remember a while back the mayor was stealung from our city thinking our community was not paying attention.

I am not going to disclose who confided in me but I was also informed that they don't only want to hire new people which would mean they would take the time to train new hires when not too long ago the company was preaching that they are a wonderful company who treats their employees well and also has great benefits . So the company is not practicing what they preach.When in fact their services are desperately in need .

Due to the fact our community depends on them to be their to get to our destinations whether that be to go to school , which i might add in fact that this bus makes 2 direct stops next to to of our highschool which in fact i attended and everyone in my family and friends did. All the bus drivers are a part of our community , I feel safe knowing that they are familiar faces .My community has always been in safe hands due to the fact that they are paying attention to the road and are always on alert . Never have I ever seen any bus driver on their phone texting or even making a phone call unless it's an emergency but even then they follow protocol and use the radio equipment to call for help . Just to make a comparison the cops have been on their phones while driving making the excuse that they are calling their bosses or chief but it doesn't make sense because they do have special equipment to communicate with their superiors as well as a large screen. If anything they should be the example for the community and should be reprimanded and not given special privileges because they somehow think they are above the law.

As far as money , I want to know where that money is going ? Because it doesn't make sense that the community is paying to use the bus , and there it seems like the company is taking money from big advertising companies . I am only asking because if that money is being used to fix, maintain or plan events I have nor i think the community has a problem with it but if that money is being used to buy new cars if it's not necessary , not having libraries open , for the benefit to the community then you guys are betraying the power that granted to you to serve the community not take advantage because you feel like your doing the bare minimum when as public servants the city could do more .

City Hall Did not inform our community and would consider thatbad faith .The Comapany has no sense of loyalty their hardworking bus drivers who worker for 20 -30 years (ultimatum) and gave them a severnce package . Late in the afternoon I had a convetsaion I had a conversation with a bus driver explaining to me that she was doing a double shift becayse she needed the extra income but she did it in good faith because she was painful aware of the fact that not evwrybody had a car and some people need to get home because the bus is the only form of transportation back home. She was doing it it for our and her community and it apalled that you guys do not commemorate that amazing humanity. Long time employees were making good steady income and it seemed like The Montebello Bus Lines doesnt want to be bothered to train new drivers which in turn translates to not traing their new drivers with apporpiate protocols and therfore saftey of the public. What they want is to place as little effort as possible to train their bus driver but isntead they want drivers who already have experienced ? so as to what ? Cut cost ? Ignore training that maybe is necessary for his/ her safey or especially the community ? Moms, kids , babies , both Shurr and Montebello Highschools , and the elderly ? For what reason exactly ? I would like an answer and a justifiable answer at that . Not only does it show disregard for the public's saftey but the inconsideratendness about your employees which in turn shows completly and utterly blantly disregard care about our city.

.

Ruby Mondragon
562 528 2734
rubymondragon00@gmail.com

Concerned Citizen of Montebello

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

COMMENTS SUBMITTED AFTER DEADLINE

Angelina Padilla

From: Carlos L R <jcarloslr951@gmail.com>
Sent: Wednesday, January 12, 2022 5:56 PM
To: comment, ccpublic

Follow Up Flag: Follow up
Flag Status: Flagged

Good Evening Council;

I am writing this email because certain actions by two Councilmembers are not acceptable. In speaking to a few friends who are Councilmembers from other cities, I was told of the lack of attendance to 2 conferences.
The first was in Santa Barbara, CA, when the City of Montebello was being highlighted for being Green and having the first Recharging Station, the Mayor, Councilmembers Melendez and Jimenez were there.
Please tell us Councilmembers Torres and Peralta where were you both?? I was told by a person that saw you both leave the property and go with the owners of IE(Engineers that have made Millions of our City),
you both were gone all day and didn't return till the evening dinners.
Also would the City Manager please explain why only Torres was reimbursed $1564.24 for travel & meetings? Since neither Councilmember Torres and Peralta did not attend any classes, as a Taxpayer I want a refund repaid to the City. Plus the extra $1564.24 Torres was reimbursed for, what did he get a suite?
It was very obvious neither attended because of the ridiculous report Peralta gave " it was very informative " and Torres gave none.

Then last month the ICSC Conference in Las Vegas, it was said at the last meeting each badge was time stamped what time you arrived. The doors opened at 8:30 am and everyone with the exception of Councilmember Torres and Peralta were there bright and early.
Ms. Peralta said on the record, when she received text " she was off property" FYI there is absolutely no reason to be off property to meet a vendor. The purpose of this Conference is to pitch our city to bring businesses to come to our city. My question is since we the taxpayers paid for your trip who did you meet with?? We paid and have the right to know.
Both Councilmembers Torres and Peralta did not arrive to conference till 2:30 pm, a few hours before it was over, yet both continually complain they are not included.
I was shown your ridiculous email ranting and complaining, Mr. Torres it did not take you long to let a little power go straight to your head. In retrospect too bad the Mayor backed you, she should have left you home the loser since you placed 6th remember?
Back to Las Vegas why were you both so late? Again as a taxpayer I demand you both repay the costs of Registration, travel and Hotel, it was not a vacation at the taxpayer's expense. What happened you went out and partied to late to get up to go to do city business?

Your both lucky because of Covid meetings are not in person, we were looking forward to get answers in person.
Jose C. Lopez Reyes

Jose Lopez Reyes
Independent Contractor
5565 Federal Blvd Lot 29
Denver, CO 80221
Phone: (951)-241-5978
Email: jcarloslr951@gmail.com

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

CITY OF MONTEBELLO JOINT CITY COUNCIL AND PLANNING COMMISSION SPECIAL MEETING

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 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 23rd DAY OF FEBRUARY 2022.

_____

Alicia Fernandez, Deputy City Clerk

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 23rd 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)

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 23rd DAY OF FEBRUARY 2022.

Alicia Fernandez, Deputy 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: James Enriquez, Director of Public Works / City Engineer

SUBJECT: **Emergency Non-Congregate Shelter Pilot Program (Operation Stay Safe) – Award Construction Contracts**

DATE: February 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Determine and find that the lack of shelter poses an acute, clear and imminent threat to the health and safety of all people experiencing homelessness (PEH) and the members of the public with whom they come into daily contact as the Covid-19 pandemic continues, resulting in an emergency that requires immediate action and will not permit a delay caused by formal bidding procedures; and

2) In accordance with the above-mentioned emergency, by a four-fifths vote of the City Council, authorize the dispensing of formal bidding procedures for construction contracts for the development of the subject project, in accordance with California Public Contract Code Section 22035 and 22050 (Attachment A), Montebello Municipal Code Chapter 3.20.140 (Attachment B) and Governor Newsome's Executive Order No. N-21-21 (Attachment C); and

3) Award a Construction Contract for electrical improvements in the amount of $245,500 to Graphic Electric, Inc.; and

4) Award a Construction Contract for sewer construction in the amount of $144,078 to Mike Bubalo Construction Company, Inc.; and

5) Award a Construction Contract for security fencing construction in the amount of $69,950 to Wolverine Fence Company, Inc.; and

6) Authorize the City Manager to finalize and execute the proposed agreements in the Standard Public Works Agreement (Attachment B), in the form approved by the City Attorney, on behalf of the City and approve change orders within a 25% contingency of the original contract amounts; and

7) Amend the Fiscal Year 2021-22 budget by increasing appropriations by a total of $574,410 in the following accounts (Grants, Fire, SGVRHT Operation Stay Safe) and in the following amounts: Account No. 265-85-853-6040.60 (Building Maintenance Repairs), $245,500; -6040.45 (Sewer Maintenance) $144,078; -6040.60 (Building Maintenance Repairs) $69,950; and

8) Amend the Fiscal Year 2021-22 budget by increasing appropriations to recognize revenue to reimburse for these expenses in Account No. 265-99-4198.99 (Grants, SGVRHT Operation Stay Safe) in the amount of $574,410; and

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

FISCAL IMPACT

On October 27, 2021, the City Council approved an amendment to the Fiscal Year 2021-22 budget for this project increasing appropriations by $250,000 in Account No. 265-85-853-6040.95 (Grants, Fire, SGVRHT Operation Stay Safe, Other Professional Services). These funds are budgeted for general site work, including required electrical, sewer, security and other related work. The $250,000 was the best available estimate of the costs of needed site work. Staff from Finance and Fire along with San Gabriel Valley Regional Housing Trust (SGVRHT) discussed an appropriate amount for the initial appropriations at that time.

Upon further consultation and estimate work, including analysis by the City Engineer, an additional appropriation of $574,410 is recommended to cover the three construction contracts (i.e., electrical, sewer and fence). City Council is being asked to amend the Fiscal Year 2021-22 budget by increasing appropriations by a total of $574,410 in several accounts in Fund 265 (i.e., 265-85-853-6040.45 and 6040.60, Grants, Fire, SGVRHT Operation Stay Safe).

The additional appropriation of $574,410 includes a 25% contingency and should be sufficient to cover the three construction contracts. The SGVRHT will reimburse the City for all project expenses in accordance with Agreement No. 3930, and that will be recorded as revenue in Fund 265.

BACKGROUND

On October 27, 2021, the City Council approved Agreement No. 3930 with the San Gabriel Valley Regional Housing Trust (SGVRHT) for the development and operation of the Emergency Non-Congregate Shelter Pilot Program (Operation Stay Safe) at the Montebello/Commerce Regional Commuter Rail Station located at 2000 West Flotilla Street. Preparation of the site for the placement of the tiny home units includes construction of utility services (electrical, sewer and potable water) and installation of security fencing.

Staff continues to coordinate the various components of this project with SGVRHT and other applicable agencies including coordination of multiple quotes for the various services based on plans provided by SGVRHT's architect consultant team. SGVRHT staff has approved the recommended contracts as part of the reimbursement process. The City of Montebello will pay for these services upfront and SGVRHT will reimburse the full amount from grant funds.

SGVRHT staff is coordinating the delivery of the tiny home units and has tentatively scheduled the delivery and placement for May 2022. The site preparation must be completed prior to the delivery of the units. It is critical that the site development start as soon as possible.

ANALYSIS

The recommended construction contract awards are in accordance with California Public Contract Code sections 22035 and 22050, Montebello Municipal Code Chapter 3.20.140 for emergencies which requires a four-fifths vote of the City Council to authorize the dispensing of formal bidding procedures. Section 22035 and 22050 require the City Council, before taking any action to dispense of formal bidding procedures in the case of an emergency, make a finding that the emergency will not permit delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

This project will provide emergency shelter and related services for persons experiencing homelessness (PEH) that will help mitigate the spread of COVID-19 within that community as well as the spread to individuals coming into contact with PEHs. This action is also consistent with Los Angeles County's resolution, in Attachment C, which was passed on October 19, 2021 extending the Declaration of a Shelter Crisis until November 1, 2022.

In addition, Governor Newsome issued a Proclamation of a State of Emergency due to the COVID-19 pandemic on March 4, 2020. Executive Order No. N-21-21 signed on November 10, 2021 extended the emergency proclamation through March 31, 2022. The executive orders (Attachment A) in Item 2 of the Emergency Proclamation suspended the requirement for competitive bidding relating to projects and activities "needed to assist in

preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19."

This project will provide emergency shelter and related services for persons experiencing homelessness that will help mitigate the spread of COVID-19 within that community. This action is also consistent with Los Angeles County's resolution, in Attachment C, which was passed on October 19, 2021 extending the Declaration of a Shelter Crisis until November 1, 2022.

SUMMARY

Upon approval of the recommended actions, staff will execute the contract documents and coordinate the completion of the Project with SGVRHT staff. In addition, the recommended actions will increase appropriations in the following accounts and in the specific amounts (Grants – Fire – SGVRHT Operation Stay Safet):

- 265-85-853-6040.60 (Building Maintenance Repairs): $245,500
- 265-85-853-6040.45 (Sewer Maintenance): $144,078
- 265-85-853-6040.60 (Building Maintenance Repairs): $69,950
- 265-99-4198.99 (SGVRHT Operation Stay Safe Grant Revenue): $574,410

ATTACHMENT (S):

A. Attachment A – Public Contract Code sections 22035 and 22050
B. Attachment B – Montebello Municipal Code section 3.20.140
C. Attachment C – Governor Newsome Executive Orders and LA County Resolution
D. Attachment D – Contractor Quotes
E. Attachment E – Standard Public Works Agreement

State of California

PUBLIC CONTRACT CODE

Section 22050

22050. (a) (1) In the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

(2) Before a governing body takes any action pursuant to paragraph (1), it shall make a finding, based on substantial evidence set forth in the minutes of its meeting, that the emergency will not permit a delay resulting from a competitive solicitation for bids, and that the action is necessary to respond to the emergency.

(b) (1) The governing body, by a four-fifths vote, may delegate, by resolution or ordinance, to the appropriate county administrative officer, city manager, chief engineer, or other nonelected agency officer, the authority to order any action pursuant to paragraph (1) of subdivision (a).

(2) If the public agency has no county administrative officer, city manager, chief engineer, or other nonelected agency officer, the governing body, by a four-fifths vote, may delegate to an elected officer the authority to order any action specified in paragraph (1) of subdivision (a).

(3) If a person with authority delegated pursuant to paragraph (1) or (2) orders any action specified in paragraph (1) of subdivision (a), that person shall report to the governing body, at its next meeting required pursuant to this section, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency.

(c) (1) If the governing body orders any action specified in subdivision (a), the governing body shall review the emergency action at its next regularly scheduled meeting and, except as specified below, at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action. If the governing body meets weekly, it may review the emergency action in accordance with this paragraph every 14 days.

(2) If a person with authority delegated pursuant to subdivision (b) orders any action specified in paragraph (1) of subdivision (a), the governing body shall initially review the emergency action not later than seven days after the action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action, and at least at every regularly scheduled meeting thereafter until the action is terminated, to determine, by a four-fifths vote, that there is a need to continue the action, unless a person with authority delegated pursuant to subdivision (b) has terminated that action prior to the governing body reviewing the emergency action

and making a determination pursuant to this subdivision. If the governing body meets weekly, it may, after the initial review, review the emergency action in accordance with this paragraph every 14 days.

(3) When the governing body reviews the emergency action pursuant to paragraph (1) or (2), it shall terminate the action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

(d) As used in this section, "public agency" has the same meaning as defined in Section 22002.

(e) A three-member governing body may take actions pursuant to subdivision (a), (b), or (c) by a two-thirds vote.

(f) This section applies only to emergency action taken pursuant to Sections 20134, 20168, 20205.1, 20213, 20223, 20233, 20253, 20273, 20283, 20293, 20303, 20313, 20331, 20567, 20586, 20604, 20635, 20645, 20682, 20682.5, 20736, 20751.1, 20806, 20812, 20914, 20918, 20926, 20931, 20941, 20961, 20991, 21020.2, 21024, 21031, 21043, 21061, 21072, 21081, 21091, 21101, 21111, 21121, 21131, 21141, 21151, 21161, 21171, 21181, 21191, 21196, 21203, 21212, 21221, 21231, 21241, 21251, 21261, 21271, 21290, 21311, 21321, 21331, 21341, 21351, 21361, 21371, 21381, 21391, 21401, 21411, 21421, 21431, 21441, 21451, 21461, 21472, 21482, 21491, 21501, 21511, 21521, 21531, 21541, 21552, 21567, 21572, 21581, 21591, 21601, 21618, 21624, 21631, 21641, and 22035.

(Amended by Stats. 2017, Ch. 387, Sec. 16. (SB 205) Effective January 1, 2018.)

State of California

PUBLIC CONTRACT CODE

Section 22035

22035. (a) In cases of emergency when repair or replacements are necessary, the governing body 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 governing body, by contractor, or by a combination of the two.

(b) In case of an emergency, if notice for bids to let contracts will not be given, the public agency shall comply with Chapter 2.5 (commencing with Section 22050).

(Repealed and added by Stats. 1994, Ch. 803, Sec. 87. Effective January 1, 1995.)

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.

(Ord. No. 2419, § 4, 2-26-2020)

ATTACHMENT C

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-21-21

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS in response to the ongoing COVID-19 pandemic and increased spread of the Delta variant, on August 16, 2021, I issued Executive Order N-12-21 to ensure the State's health care facilities continue to have the staffing and resources needed to prevent potential strain on the State's health care delivery system; and

WHEREAS on October 4, 2021, I issued Executive Order N-17-21 to extend flexibilities allowing the State to increase health care capacity to support ongoing testing and vaccination efforts and minimize the threat of COVID-19 to Californians; and

WHEREAS California has stopped recording week-over-week declines in COVID-19 cases and hospitalizations, which demonstrates a plateau and the potential beginning of a new surge in COVID-19 cases; and

WHEREAS as flu season approaches, it is critical that California's health care facilities, already short-staffed and backlogged from the Delta variant and with high-levels of non-COVID-19 admissions, have the flexibilities that they need for additional capacity and to prevent staffing shortages; and

WHEREAS California continues to prioritize efforts to vaccinate all eligible individuals against COVID-19, including ensuring access to boosters and vaccines for newly eligible populations; and

WHEREAS supporting robust COVID-19 testing capacity remains critical in the efforts to protect public health and mitigate the impacts of the pandemic; and

WHEREAS continued flexibility in non-hospital settings remains necessary to support these ongoing testing and vaccination efforts and to minimize the threat of COVID-19 to vulnerable Californians; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes, regulations, and certain local ordinances specified or referenced herein would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. The timeframes set forth in Executive Order N-12-21, paragraphs 1 through 6, are hereby extended through March 31, 2022.

2. The timeframe set forth in Executive Order N-17-21, Paragraph 1, is hereby extended through March 31, 2022.

I FURTHER DIRECT that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 10th day of November 2021.

GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY WEBER, PH.D.
Secretary of State

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

WHEREAS in December 2019, an outbreak of respiratory illness due to a novel coronavirus (a disease now known as COVID-19), was first identified in Wuhan City, Hubei Province, China, and has spread outside of China, impacting more than 75 countries, including the United States; and

WHEREAS the State of California has been working in close collaboration with the national Centers for Disease Control and Prevention (CDC), with the United States Health and Human Services Agency, and with local health departments since December 2019 to monitor and plan for the potential spread of COVID-19 to the United States; and

WHEREAS on January 23, 2020, the CDC activated its Emergency Response System to provide ongoing support for the response to COVID-19 across the country; and

WHEREAS on January 24, 2020, the California Department of Public Health activated its Medical and Health Coordination Center and on March 2, 2020, the Office of Emergency Services activated the State Operations Center to support and guide state and local actions to preserve public health; and

WHEREAS the California Department of Public Health has been in regular communication with hospitals, clinics and other health providers and has provided guidance to health facilities and providers regarding COVID-19; and

WHEREAS as of March 4, 2020, across the globe, there are more than 94,000 confirmed cases of COVID-19, tragically resulting in more than 3,000 deaths worldwide; and

WHEREAS as of March 4, 2020, there are 129 confirmed cases of COVID-19 in the United States, including 53 in California, and more than 9,400 Californians across 49 counties are in home monitoring based on possible travel-based exposure to the virus, and officials expect the number of cases in California, the United States, and worldwide to increase; and

WHEREAS for more than a decade California has had a robust pandemic influenza plan, supported local governments in the development of local plans, and required that state and local plans be regularly updated and exercised; and

WHEREAS California has a strong federal, state and local public health and health care delivery system that has effectively responded to prior events including the H1N1 influenza virus in 2009, and most recently Ebola; and

WHEREAS experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have more serious symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions; and

WHEREAS it is imperative to prepare for and respond to suspected or confirmed COVID-19 cases in California, to implement measures to mitigate the spread of COVID-19, and to prepare to respond to an increasing number of individuals requiring medical care and hospitalization; and

WHEREAS if COVID-19 spreads in California at a rate comparable to the rate of spread in other countries, the number of persons requiring medical care may exceed locally available resources, and controlling outbreaks minimizes the risk to the public, maintains the health and safety of the people of California, and limits the spread of infection in our communities and within the healthcare delivery system; and

WHEREAS personal protective equipment (PPE) is not necessary for use by the general population but appropriate PPE is one of the most effective ways to preserve and protect California's healthcare workforce at this critical time and to prevent the spread of COVID-19 broadly; and

WHEREAS state and local health departments must use all available preventative measures to combat the spread of COVID-19, which will require access to services, personnel, equipment, facilities, and other resources, potentially including resources beyond those currently available, to prepare for and respond to any potential cases and the spread of the virus; and

WHEREAS I find that conditions of Government Code section 8558(b), relating to the declaration of a State of Emergency, have been met; and

WHEREAS I find that the conditions caused by COVID-19 are likely to require the combined forces of a mutual aid region or regions to appropriately respond; and

WHEREAS under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the threat posed by COVID-19; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in California.

IT IS HEREBY ORDERED THAT:

1. In preparing for and responding to COVID-19, all agencies of the state government use and employ state personnel, equipment, and facilities or perform any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan, as well as the California Department of Public Health and the Emergency Medical Services Authority. Also, all residents are to heed the advice of emergency officials with regard to this emergency in order to protect their safety.

2. As necessary to assist local governments and for the protection of public health, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the spread of COVID-19. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of COVID-19.

3. Any out-of-state personnel, including, but not limited to, medical personnel, entering California to assist in preparing for, responding to, mitigating the effects of, and recovering from COVID-19 shall be permitted to provide services in the same manner as prescribed in Government Code section 179.5, with respect to licensing and certification. Permission for any such individual rendering service is subject to the approval of the Director of the Emergency Medical Services Authority for medical personnel and the Director of the Office of Emergency Services for non-medical personnel and shall be in effect for a period of time not to exceed the duration of this emergency.

4. The time limitation set forth in Penal Code section 396, subdivision (b), prohibiting price gouging in time of emergency is hereby waived as it relates to emergency supplies and medical supplies. These price gouging protections shall be in effect through September 4, 2020.

5. Any state-owned properties that the Office of Emergency Services determines are suitable for use to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services for this purpose, notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.

6. Any fairgrounds that the Office of Emergency Services determines are suitable to assist in preparing for, responding to, mitigating the effects of, or recovering from COVID-19 shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the fairgrounds of the intended use and can immediately use the fairgrounds without the fairground board of directors' approval, and

notwithstanding any state or local law that would restrict, delay, or otherwise inhibit such use.

7. The 30-day time period in Health and Safety Code section 101080, within which a local governing authority must renew a local health emergency, is hereby waived for the duration of this statewide emergency. Any such local health emergency will remain in effect until each local governing authority terminates its respective local health emergency.

8. The 60-day time period in Government Code section 8630, within which local government authorities must renew a local emergency, is hereby waived for the duration of this statewide emergency. Any local emergency proclaimed will remain in effect until each local governing authority terminates its respective local emergency.

9. The Office of Emergency Services shall provide assistance to local governments that have demonstrated extraordinary or disproportionate impacts from COVID-19, if appropriate and necessary, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.

10. To ensure hospitals and other health facilities are able to adequately treat patients legally isolated as a result of COVID-19, the Director of the California Department of Public Health may waive any of the licensing requirements of Chapter 2 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital or health facility identified in Health and Safety Code section 1250. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to treat legally isolated patients while protecting public health and safety. Any facilities being granted a waiver shall be established and operated in accordance with the facility's required disaster and mass casualty plan. Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

11. To support consistent practices across California, state departments, in coordination with the Office of Emergency Services, shall provide updated and specific guidance relating to preventing and mitigating COVID-19 to schools, employers, employees, first responders and community care facilities by no later than March 10, 2020.

12. To promptly respond for the protection of public health, state entities are, notwithstanding any other state or local law, authorized to share relevant medical information, limited to the patient's underlying health conditions, age, current condition, date of exposure, and possible contact tracing, as necessary to address the effect of the COVID-19 outbreak with state, local, federal, and nongovernmental partners, with such information to be used for the limited purposes of monitoring, investigation and control, and treatment and coordination of care. The

notification requirement of Civil Code section 1798.24, subdivision (i), is suspended.

13. Notwithstanding Health and Safety Code sections 1797.52 and 1797.218, during the course of this emergency, any EMT-P licensees shall have the authority to transport patients to medical facilities other than acute care hospitals when approved by the California EMS Authority. In order to carry out this order, to the extent that the provisions of Health and Safety Code sections 1797.52 and 1797.218 may prohibit EMT-P licensees from transporting patients to facilities other than acute care hospitals, those statutes are hereby suspended until the termination of this State of Emergency.

14. The Department of Social Services may, to the extent the Department deems necessary to respond to the threat of COVID-19, waive any provisions of the Health and Safety Code or Welfare and Institutions Code, and accompanying regulations, interim licensing standards, or other written policies or procedures with respect to the use, licensing, or approval of facilities or homes within the Department's jurisdiction set forth in the California Community Care Facilities Act (Health and Safety Code section 1500 et seq.), the California Child Day Care Facilities Act (Health and Safety Code section 1596.70 et seq.), and the California Residential Care Facilities for the Elderly Act (Health and Safety Code section 1569 et seq.). Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

I FURTHER DIRECT that as soon as hereafter possible, this proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this proclamation.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of March 2020.

GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-12-21

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS COVID-19 vaccinations are a safe and effective means to prevent the spread of COVID-19; and

WHEREAS COVID-19 vaccinations were not widely available to adult Californians until approximately April 2021, and prior to that, non-pharmaceutical interventions such as capacity restrictions on businesses and other activities and mandatory mask wearing were the only available means of slowing the spread of the disease; and

WHEREAS California is a leader in its rate of vaccination, with 63.1% of people eligible for the vaccine having been fully vaccinated, and another 14.7% having received one shot, but 22.2% of the vaccine-eligible population remains unvaccinated, along with approximately 5.8 million children under 12; and

WHEREAS variants of COVID-19, including the variant known as the Delta variant, are even more transmissible and potentially cause more severe illness in people who are unvaccinated than original strains of COVID-19; and

WHEREAS current COVID-19 vaccines with emergency authorization are effective at reducing serious disease from the Delta variant among the fully vaccinated; and

WHEREAS the high levels of vaccination of Californians, and particularly of those most vulnerable to severe infection and death from COVID-19, along with the continued availability of the vaccine to all eligible Californians, have removed the need for restrictions on businesses and other public gatherings of the kind implemented during the pandemic prior to the availability of the vaccine; and

WHEREAS due to the spread of the Delta variant among unvaccinated people, hospitalizations have increased over 700% in the past two months and are projected to continue to increase, including an increased usage of intensive care resources by COVID-19 patients; and

WHEREAS the State has learned how to prepare its hospital system for a surge in COVID-19 hospitalizations based on its past experiences and can prevent an undue strain on the system by taking appropriate preventative measures; and

WHEREAS sufficient staffing of health care facilities is necessary to prevent a strain on the health care system due to a surge in hospitalizations; and

WHEREAS additional flexibility to hire retired teachers is necessary to assist public schools in providing continuity of educational services for students in the face of rising case rates; and

WHEREAS certain provisions of my COVID-19 related Executive Orders currently remain necessary to continue to help California respond to, recover from, and mitigate the impacts of the COVID-19 pandemic, including California's ongoing vaccination programs; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Order would continue to prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) Paragraph 39(a) of Executive Order N-08-21 is hereby withdrawn and replaced with the following text:

   Paragraph 3 of my State of Emergency proclaimed on March 4, 2020, shall remain in place and shall have full force and effect through December 31, 2021, after which time this provision shall be deemed expired.

2) Paragraph 1(a) of Executive Order N-08-21 is hereby withdrawn and replaced with the following text:

   To ensure hospitals and other health facilities are able to adequately treat patients legally isolated as a result of COVID-19, the Director of the California Department of Public Health (Department) may, through December 31, 2021, waive any of the licensing requirements of Chapter 2 of Division 2 of the Health and Safety Code and accompanying regulations with respect to any hospital or health facility identified in Health and Safety Code section 1250. Any waiver shall include alternative measures that, under the circumstances, will allow the facilities to treat legally isolated patients while protecting public health and safety. Any facilities being granted a waiver shall be established and operated in accordance with the facility's required disaster and mass casualty plan. The Director shall not waive licensing requirements governing facility staffing ratios, except for individual facility waivers otherwise authorized by law. Any waivers granted pursuant to this paragraph shall be posted on the Department's website.

3) Paragraph 39(b) of Executive Order N-08-21 is hereby withdrawn and replaced with the following text:

Paragraph 14 of my State of Emergency proclaimed on March 4, 2020, shall remain in place and shall have full force and effect through December 31, 2021, after which time this provision shall be deemed expired. Any facility operating under a waiver pursuant to this provision may operate pursuant to such a waiver through the expiration as set forth by California Department of Social Services, or December 31, 2021, whichever occurs first.

4) Paragraph 40(c) of Executive Order N-08-21 is hereby withdrawn and replaced with the following text:

   Paragraph 4 of Executive Order N-25-20 shall remain in place and shall have full force and effect through December 31, 2021, after which time this provision shall be deemed expired.

5) Paragraph 45(a) of Executive Order N-08-21 is hereby withdrawn and replaced with the following text:

   Paragraph 2 of Executive Order N-39-20 shall remain in place and shall have full force and effect through December 31, 2021, after which time this provision shall be deemed expired.

6) Paragraph 45(c) of Executive Order N-08-21 is hereby withdrawn and replaced with the following text:

   Paragraph 6 of Executive Order N-39-20 shall remain in place and shall have full force and effect through December 31, 2021, after which time this provision shall be deemed expired.

7) Paragraph 2(b) of Executive Order N-08-21 is hereby withdrawn and replaced with the following text:

   To ensure adequate staffing during the state of emergency to address the impacts from COVID-19, the 180-day break in service requirement under subdivision (f) of Government Code section 7522.56 is suspended.

8) The requirements in subdivision (b) of Education Code section 24214.5 for the governing body of an employer to adopt a resolution in a public meeting authorizing a retired member to be exempt from the limitation under subdivision (a) of that section and in subdivision (e) of Education Code section 24214.5 for the employer to submit to the California State Teachers' Retirement System such resolution as part of documentation of the retired member's eligibility are waived.

IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-17-21

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS on March 21, 2020, I issued Executive Order N-35-20 to provide flexibility to non-hospital settings such as clinics, hospice, mobile healthcare units, and adult day health care facilities to ensure that Californians impacted by COVID-19 are able to access medical treatment; and

WHEREAS California continues to prioritize efforts to vaccinate all eligible individuals against COVID-19, including ensuring access to boosters, and to support robust COVID-19 testing capacity as critical tools in the efforts to protect public health and mitigate the impacts of the pandemic; and

WHEREAS continued flexibility in non-hospital settings remains necessary to support these ongoing testing and vaccination efforts and to minimize the threat of COVID-19 to Californians and healthcare workers alike; and

WHEREAS on March 24, 2020, I issued Executive Order N-36-20, which suspended in-person parole hearings and directed the Board of Parole Hearings to conduct hearings by videoconference to reduce the spread of COVID-19; and

WHEREAS on July 5, 2021, the Legislature passed Assembly Bill 145 (AB 145), which in relevant part amended Penal Code section 3041.6 to allow the Board of Parole Hearings to conduct proceedings by videoconference, which I signed into law on July 16; and

WHEREAS on September 27, 2021, the Office of Administrative Law approved the Board's emergency regulations relating to videoconference hearings authorized pursuant to AB 145, effective immediately; and

WHEREAS in light of the Legislature's action and the approval of the emergency regulations, I have determined that my prior Order is no longer necessary; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes, regulations, and certain local ordinances specified or referenced herein would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567, 8571, and 8627, do hereby issue the following Order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1) Paragraph 7(a) of Executive Order N-08-21 is hereby withdrawn and replaced with the following text:

   Paragraph 1 of Executive Order N-35-20 shall remain in place and shall have full force and effect through December 31, 2021, after which time this provision shall be deemed expired.

2) Paragraphs 2, 3, 4, and 5 of Executive Order N-36-20 are hereby rescinded. Any extensions granted under those paragraphs are also rescinded, effective immediately.

IT IS FURTHER ORDERED that, as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of October 2021.

GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 16th day of August 2021.

GAVIN NEWSOM
Governor of California

ATTEST:

SHIRLEY N. WEBER, PH.D.
Secretary of State

AGN. NO.

MOTION BY SUPERVISOR HILDA L. SOLIS October 19, 2021

Los Angeles County Shelter Crisis Declaration

Los Angeles County (County) is home to the highest number of unsheltered homeless persons in the United States. Lack of shelter poses an acute, clear and imminent threat to the health and safety of all people experiencing homelessness (PEH), including those residing in the County. Unsheltered PEH experience disproportionately high rates of poor overall health; they often do not receive treatment for their physical and mental health symptoms; they are more likely to become victims of crime and exploitation; and they face an increased risk of premature death. However, when PEH gain access to shelter, their health conditions generally improve, as do their prospects of securing permanent housing (which, in turn, often leads to substantial improvements in health, life expectancy, and personal safety).

In the context of the global COVID-19 pandemic, access to shelter has become even more critical to the health and safety of PEH. In addition to the risks COVID-19 poses to all County residents, PEH face a wide range of additional threats related to their limited ability to self-isolate and lack of access to hygiene facilities.

	MOTION
MITCHELL	_____
KUEHL	_____
HAHN	_____
BARGER	_____
SOLIS	_____

In fact, PEH are often in worse health than the general population and suffer from numerous health conditions that make them more likely to suffer complications should they become infected with COVID-19. To meet the public health guidelines for appropriate physical distancing, existing homeless shelters have had to rearrange and reduce the number of beds in their facilities, resulting in a significant loss of capacity. While the County, in partnership with the State, has temporarily housed more than 4,000 PEH through Project Roomkey, an initiative to enter into agreements with hotels to provide non-congregate shelter to COVID-vulnerable PEH, there remains a significant gap between the need for shelter and the availability of shelter beds.

In June 2020, the Los Angeles Homeless Services Authority (LAHSA) released the results of the 2020 Point-In-Time Count (PIT Count). It found that, on a given night, there are 66,436 people experiencing homelessness in the County, with 63,706 people experiencing homelessness in the Los Angeles County Continuum of Care (CoC). The CoC encompasses all of the County, except for Glendale, Pasadena, and Long Beach. Seventy-two percent of the PEH in the County and the CoC do not have shelter. LAHSA did not conduct the 2021 PIT Count.

In response to the homelessness crisis that has affected the County for many years, and in response to the COVID-19 pandemic, the County and its governmental and non-governmental partners have taken many critical steps toward combatting and preventing homelessness. Building on the success of Project Roomkey, a temporary, emergency shelter initiative that brought seniors and other medically vulnerable people experiencing homelessness indoors to prevent the spread of COVID-19 through leasing hotel rooms, the County used the 2020 State Homekey funds to acquire 10 properties

(847 units). Nine of these properties are currently being used as interim housing for PEH and will be converted to permanent supportive housing (PSH) by 2023. One of the acquired properties is already operating as PSH. The County intends to apply for the State's Fiscal Year 2021-2022 Homekey funding. If awarded, the County will use this second round of Homekey funding, along with the federal American Rescue Plan Act funding, to further expand the County's permanent and interim housing capacity for PEH.

Given the complexity and magnitude of the homelessness crisis and the limited supply of affordable permanent housing in the County, there continues to be a significant and immediate need for interim housing in the County, including emergency shelter, to protect the life, health, and safety of PEH in the County.

Under Government Code Section 8698 et seq., the Board may find that a significant number of persons in the County are without the ability to obtain shelter, which results in a threat to their health and safety. In making such a finding, the Board may then declare that a shelter crisis exists. Upon the declaration of a shelter crisis, the County is empowered to take steps to mitigate the crisis. In particular, the County may designate certain of its public facilities to be used as homeless shelters during the crisis, which would mitigate the emergency.

On October 30, 2018, the Board declared the existence of a shelter crisis within the County for a one-year period from October 30, 2018 through October 29, 2019. On October 29, 2019 and October 13, 2020, the Board extended the shelter crisis declaration for the County for additional one-year periods from October 30, 2019 through October 31, 2020 and November 1, 2020 through November 1, 2021.

The instant motion will declare that a shelter crisis continues to be in effect in the County. The declaration provides that the shelter crisis is extended for an additional year, from November 2, 2021 through November 1, 2022. This extension is appropriate and necessary to address and mitigate the continuing shelter crisis in the County.

I THEREFORE MOVE that the Board of Supervisors:

1. Find that the proposed actions, which, among other things, declare that the shelter crisis previously declared to exist within the County remains in effect for an additional year, are not subject to the California Environmental Quality Act ("CEQA") because they are activities that are excluded from the definition of a project by Section 21065 of the California Public Resources Code and Sections 15061(b)(3) and 15378(b)(5) of the State CEQA Guidelines ("Guidelines") because they are organizational or administrative activities of government that will not result in direct or indirect physical changes to the environment; or, alternatively, that the proposed actions are statutorily exempt as specific actions necessary to prevent or mitigate an emergency pursuant to Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines and Government Code section 8698.4(a)(4), which applies to actions taken by the County to lease, convey, or encumber land owned by the County, or to facilitate the lease, conveyance, or encumbrance of land owned by the County for, or to provide financial assistance to, a homeless shelter. Upon the Board's approval of the recommended actions, the Chief Executive Officer (CEO) will file a Notice of Exemption with the County Clerk in accordance with Public Resources Code section 21152. Prior to approving any activities that would be considered projects

under CEQA, the County will ensure that necessary environmental findings are made;

2. Find that pursuant to Government Code Section 8698 et seq., a significant number of persons within the County are without the ability to obtain shelter, which has resulted in a threat to those persons' health and safety;
3. In accordance with Government Code Section 8698 et seq., adopt the attached Resolution declaring that the shelter crisis previously declared to exist within the County remains in effect for an additional year, during the period from November 2, 2021 through November 1, 2022;
4. Delegate authority to the CEO, or her designee, to designate County public facilities for use as homeless shelters during the period of the declared shelter crisis;
5. Find that as a result of the Board's shelter-crisis declaration, pursuant to Government Code Section 8698.1, any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety are hereby suspended for qualifying County public facilities serving as homeless shelters to the extent that strict compliance therewith would prevent, hinder or delay the County's efforts to mitigate the effects of the shelter crisis. As previously authorized by the Board, the CEO has enacted alternative minimal health and safety standards pursuant to Government Code section 8698.1(b) for qualifying facilities to be operative during the housing emergency;
6. Find that, pursuant to Government Code Section 8698.4, provisions of any housing, health, habitability, planning and zoning, or safety standards,

procedures, or laws are hereby suspended for County homeless shelters insofar as the County has adopted the emergency housing provisions of the Los Angeles County Building Code (LACBC), consistent with ensuring minimal public health and safety and the requirements of Government Code Section 8698.4;

7. Direct the CEO, or her designee, to take all appropriate steps to ensure compliance with the provisions of Government Code Section 8698.4, including but not limited to: (a) ensuring compliance with minimal public health and safety standards; (b) filing a copy of the County's emergency housing provisions of the LACBC with the Department of Housing and Community Development (HCD) upon adoption of an ordinance subject to Government Code section 8698.4; (c) developing a plan (as described in Government Code Section 8698.4) to address the shelter crisis on or before July 1, 2022; and (d) filing an annual report by January 1 of each year to the Senate Committee on Housing and the Assembly Committee on HCD; and
8. Authorize the CEO, or her designee, to take any other actions consistent with and/or necessary for the implementation of the shelter crisis declaration and foregoing actions

# # #

HLS:du

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES DECLARING AN EXTENSION OF THE SHELTER CRISIS

The Board of Supervisors of the County of Los Angeles finds:

WHEREAS, Los Angeles County (County) is home to the highest number of unsheltered homeless persons in the United States. Lack of shelter poses an acute, clear and imminent threat to the health and safety of all people experiencing homelessness (PEH), including those residing in the County.

WHEREAS, unsheltered PEH experience disproportionately high rates of poor overall health; they often do not receive treatment for their physical and mental health symptoms; they are more likely to become victims of crime and exploitation; and they face an increased risk of premature death. In the context of the global COVID-19 pandemic, access to shelter has become even more critical to the health and safety of PEH.

WHEREAS, in June 2020, the Los Angeles Homeless Services Authority (LAHSA) released the results of the 2020 Point-In-Time Count (PIT Count). It found that, on a given night, there are 66,436 people experiencing homelessness in the County, with 63,706 PEH in the Los Angeles County Continuum of Care (CoC). The CoC encompasses all of the County, except for Glendale, Pasadena, and Long Beach. Seventy- two percent of the PEH in the County and the CoC do not have shelter. LAHSA did not conduct the 2021 PIT Count.

WHEREAS, in response to the homelessness crisis that has affected the County for many years, and in response to the COVID-19 pandemic, the County and its governmental and non-governmental partners have taken many critical steps toward combatting and preventing homelessness.

WHEREAS, building on the success of Project Roomkey, a temporary, emergency shelter initiative that brought seniors and other medically vulnerable people experiencing homelessness indoors to prevent the spread of COVID-19 through leasing hotel rooms, the County used the 2020 State Homekey funds to acquire 10 properties (847 units). Nine of these properties are currently being used as interim housing for PEH and will be converted to permanent supportive housing (PSH) by 2023. One of the acquired properties is already operating as PSH. The County intends to apply for the State's Fiscal Year 2021-2022 Homekey funding. If awarded, the County will use this second round of Homekey funding, along with the federal American Rescue Plan Act funding, to further expand the County's permanent and interim housing capacity for PEH.

WHEREAS, given the complexity and magnitude of the homelessness crisis and the limited supply of affordable permanent housing in the County, there continues to be a

significant and immediate need for interim housing in the County, including emergency shelter, to protect the life, health, and safety of PEH in the County.

WHEREAS, under Government Code Section 8698 et seq., the Board may find that a significant number of persons in the County are without the ability to obtain shelter, which results in a threat to their health and safety. In making such a finding, the Board may then declare that a shelter crisis exists. Upon the declaration of a shelter crisis, the County is empowered to take steps to mitigate the crisis. In particular, the County may designate certain of its public facilities to be used as homeless shelters during the crisis, which would mitigate the emergency.

WHEREAS, on October 30, 2018, the Board declared the existence of a shelter crisis within the County for one-year period from October 30, 2018 through October 29, 2019. On October 29, 2019 and October 13, 2020, the Board extended the shelter crisis declaration for the County for additional one-year periods from October 30, 2019 through October 31, 2020 and November 1, 2020 through November 1, 2021. The continuation and extension of the shelter crisis for an additional year, from November 2, 2021 through November 1, 2022, is appropriate and necessary to address and mitigate the continuing shelter crisis in the County.

NOW, THEREFORE BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles that:

Section 1. The Board adopts the recitals above as findings and determinations.

Section 2. Find that the proposed actions, which, among other things, declare that the shelter crisis previously declared to exist within the County remains in effect for an additional year, are not subject to the California Environmental Quality Act ("CEQA") because they are activities that are excluded from the definition of a project by Section 21065 of the California Public Resources Code and Sections 15061(b)(3) and 15378(b)(5) of the State CEQA Guidelines ("Guidelines") because they are organizational or administrative activities of government that will not result in direct or indirect physical changes to the environment; or, alternatively, that the proposed actions are statutorily exempt as specific actions necessary to prevent or mitigate an emergency pursuant to Section 21080(b)(4) of the Public Resources Code and Section 15269(c) of the Guidelines and Government Code section 8698.4(a)(4), which applies to actions taken by the County to lease, convey, or encumber land owned by the County, or to facilitate the lease, conveyance, or encumbrance of land owned by the County for, or to provide financial assistance to, a homeless shelter. Upon the Board's approval of the recommended actions, the Chief Executive Officer (CEO) will file a Notice of Exemption with the County Clerk in accordance with Public Resources Code section 21152. Prior to approving any activities that would be considered projects under CEQA, the County will ensure that necessary environmental findings are made.

Section 3. Find that pursuant to Government Code Section 8698 et seq., a significant number of persons within the County are without the ability to obtain shelter, which has resulted in a threat to those persons' health and safety.

Section 4. In accordance with Government Code Section 8698 et seq., the County declares that the shelter crisis previously declared to exist within the County remains in effect for an additional year, during the period from November 2, 2021 through November 1, 2022.

Section 5. Delegate authority to the CEO, or her designee, to designate County public facilities for use as homeless shelters during the period of the declared shelter crisis.

Section 6. Find that as a result of the Board's shelter-crisis declaration, pursuant to Government Code Section 8698.1, any state or local regulatory statute, regulation, or ordinance prescribing standards of housing, health, or safety are hereby suspended for qualifying County public facilities serving as homeless shelters to the extent that strict compliance therewith would prevent, hinder or delay the County's efforts to mitigate the effects of the shelter crisis. As previously authorized by the Board, the CEO has enacted alternative minimal health and safety standards pursuant to Government Code section 8698.1(b) for qualifying facilities to be operative during the housing emergency.

Section 7. Find that, pursuant to Government Code Section 8698.4, provisions of any housing, health, habitability, planning and zoning, or safety standards, procedures, or laws are hereby suspended for County homeless shelters insofar as the County has adopted the emergency housing provisions of the Los Angeles County Building Code (LACBC), consistent with ensuring minimal public health and safety and the requirements of Government Code Section 8698.4.

Section 8. Direct the CEO, or her designee, to take all appropriate steps to ensure compliance with the provisions of Government Code Section 8698.4, including but not limited to: (a) ensuring compliance with minimal public health and safety standards; (b) filing a copy of the County's emergency housing provisions of the LACBC with the Department of Housing and Community Development (HCD) upon adoption of an ordinance subject to Government Code section 8698.4; (c) developing a plan (as described in Government Code Section 8698.4) to address the shelter crisis on or before July 1, 2022; and (d) filing an annual report by January 1 of each year to the Senate Committee on Housing and the Assembly Committee on HCD.

Section 9. Authorize the CEO, or her designee, to take any other actions consistent with and/or necessary for the implementation of this shelter crisis declaration and foregoing actions.

The foregoing resolution was on the 19th day of October 2021, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

CELIA ZAVALA,
Executive Officer-Clerk of the Board of
Supervisors of the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RODRIGO CASTRO-SILVA
County Counsel

By _____
ANA LAI
Senior Deputy County Counsel

GRAPHIC ELECTRIC, INC.

INDUSTRIAL & COMMERCIAL WIRING
State License No. 366293

FEBRUARY 10, 2022

MONTEBELLO TRANSIT
400 S. TAYLOR AVE.
MONTEBELLO, CA 90640

CONTACT: JAMES COINER

PROJECT: OPERATION STAY SAFE POWER

JOB SCOPE: PROVIDE LABOR AND MATERIAL TO INSTALL NEW 400 AMP 480 VOLT SERVICE AND DISTRIBUTION FOR NEW TINY HOME PROJECT LABELED OPERATION STAY SAFE THAT WILL INCLUDE THE FOLLOWING:

1. SAWCUT, BREAK, REMOVE AND BACK FILL TRENCH FOR NEW CONDUIT FOR SCE SERVICE METER OPTION #2.

2. INSTALL (1) 4" CONDUIT FROM THE NEW METER TO THE FACE OF THE EXISTING UNDERGROUND SLAB BOX.

3. INSTALL NEW CONCRETE PAD FOR 400 AMP METER. CONCRETE PAD TO TAKE UP (1) PARKING SPACE IN FRONT OF THE EXISTING METER AND BE APPROXIMATELY 6" HIGH TO MATCH EXISTING CURB.

4. INSTALL (1) 4'X8' CONCRETE PAD FOR DISTRIBUTION BOARD *H,* TRANSFORMER *TA* AND PANEL *A.*

5. INSTALL (2) 5'X5' CONCRETE PADS IN EXISTING PLANTER FOR TRANSFORMER *TB*/ PANEL *B* AND TRANSFORMER *TC*/ PANEL *C.*

6. INSTALL 5'X10' CONCRETE PAD IN EXISING PLANTER FOR TRANSFORMER *TD* AND PANEL *DP.*

7. AUGGER (9) 18" HOLES 5' DEEP FOR NEW POWER POLES.

8. PROVIDE AND INSTALL (9) 30' CLASS 5 POWER POLES WITH PORCELAIN WIRE HOLDERS PER DRAWING LOCATIONS. BACK FILL AND COMPACT THE POWER POLE. <u>POWER POLES AND DESIGN DETAILS ARE NOT SPECIFIED. IT IS ASSUMED YOU TAKE 10% OF THE TOTAL POLE LENGTH + 2' TO GET YOUR DEPTH BELOW GRADE FOR THE POWER POLE.</u>

9. INSTALL BRONCO OVERHEAD ALUMINUM QUAD SERVICE LINE FROM *MS* TO DISTRIBUTION BOARD *H*. OVERHEAD WIRES ARE QUOTED ALUMINUM BECAUSE COPPER OVERHEAD WIRING IS NOT BEING CONSTRUCTED BY ANY MANUFACTURER.

10. INSTALL (1) BRONCO OVERHAD ALUMINUM QUAD SERVICE LINE FROM DISTRIBUTION *H* TO FEED TRANSFORMER *TD*. OVERHEAD WIRES ARE QUOTED ALUMINUM BECAUSE COPPER OVERHEAD WIRING IS NOT BEING CONSTRUCTED BY ANY MANUFACTURER.

11. INSTALL (2) CHOLA OVERHEAD ALUMNIUM QUAD SERVCE LINES FORM DISTRIBUTION *H* TO FEED TRANSFORMERS *TB* AND *TC*. OVERHEAD WIRES ARE QUOTED ALUMINUM BECAUSE COPPER OVERHEAD WIRING IS NOT BEING CONSTRUCTED BY ANY MANUFACTURER.

12. PROVIDE RISER CONDUITS AND WIRING FROM THE POWER POLE TO TRANSFOMRERS *TB, TC* AND *TD*. ALL CONDUIT TO BE IN ELECTRICAL METAL TUBING (EMT).

13. INSTALL EMT CONDUIT BETWEEN DISTRIBUTION BOARD *H* TO TRANSFORMER *TA*.

14. PROVIDE AND INSTALL (3) 25KVA 480 VOLT TO 120/240V 1Ø OUTDOOR TRANSFORMERS LABELED *TA, TB* AND *TC*. INTALL GROUNDING PER CODE FOR THE TRANSFORMERS. TRANSFORMERS HAVE BEEN SIZED TO FEED A FULL 100 AMPS PER PANEL SCHEDULE. THE SINGLE LINE DIAGRAM DOES NOT SUPPLY THE PANELS WITH THE FULL 100 AMPS.

15. PROVIDE AND INSTALL (3) OUTDOOR 100 AMP MAIN CIRCUIT BREAKER PANELS PER PANEL SCHEDULE ON SHEET E-1.2 LABELED PANEL *A, B* AND *C*.

16. INSTALL (3) 1" EMT SURFACE MOUNTED HOME RUN CONDUITS FROM PANEL A TO HOUSE #1-8. CONDUIT #1 TO HAVE (3) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 1-3. CONDUIT #2 TO HAVE (3) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 4-6. CONDUIT #3 TO HAVE (2) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 7 AND 8. DOWNSIZE EMT CONDUIT TO ¾" AFTER THE 1ST HOUSE IN THE HOME RUN. ALL WIRING TO BE #10AWG. CONDUIT AND WIRING SIZES ARE NOT DEPITCTED ON THE PLANS.

17. INSTALL (5) 1" EMT SURFACE MOUNTED HOME RUN CONDUITS FROM PANEL *B* TO HOUSE #9-20, 29 AND 30. CONDUIT #1 TO HAVE (3) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 9, 29 AND 30. CONDUIT #2 TO HAVE (3) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 10-12. CONDUIT #3 TO HAVE (3) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 13-15. CONDUIT #4 TO HAVE (3) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 16-18. CONDUIT #5 TO HAVE (3) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 19, 20 AND STORAGE. DOWNSIZE EMT CONDUIT TO ¾" AFTER THE 1ST HOUSE IN THE HOME RUN. ALL WIRING TO BE #10AWG. CONDUIT AND WIRING SIZES ARE NOT DEPITCTED ON THE PLANS.

18. INSTALL (3) 1" EMT SURFACE MOUNTED HOME RUN CONDUITS FROM PANEL *C* TO HOUSE #21-28. CONDUIT #1 TO HAVE (3) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 21-23 CONDUIT #2 TO HAVE (3) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 24-26. CONDUIT #3 TO HAVE (2) 30 AMP 120 VOLT CIRCUITS TO FEED HOUSES 27 AND 28. DOWNSIZE EMT CONDUIT TO ¾" AFTER THE 1ST HOUSE IN THE HOME RUN. ALL WIRING TO BE #10AWG. CONDUIT AND WIRING SIZES ARE NOT DEPITCTED ON THE PLANS.

19. PROVIDE AND INSTALL (1) 100KVA 480 TO 120/240V 1Ø OUTDOOR TRANSFORMER TO FEED PANEL *DP* AND GROUND THE TRANSFORMER PER CODE.

20. PROVIDE AND INSTALL NEW 600 AMP OUTDOOR PANEL WITH 500 AMP MAIN CIRCUIT BREAKER LABELED *DP*.

21. INSTALL NEW SURFACE MOUNTED 3" EMT CONDUIT FROM *DP* WITH 300 MCM CABLES TO FEED THE LAUNDRY ROOM PANEL.INSTALL THE PANEL ON THE OUTSIDE OF THE LAUNDRY ROOM. IT IS ASSUMED THE LAUNDRY ROOM COMES PREWIRED. THIS PRICE DOES NOT INCLUDE ANY BUILD OUT OF THE LAUNDRY ROOM OR THE LOAD SIDE WIRING FROM THE LAUNDRY ROOM PANEL. CONDUIT AND WIRING SIZES ARE NOT DEPITCTED ON THE PLANS.

22. INSTALL NEW SURFACE MOUNTED 2" EMT CONDUIT FROM *DP* WITH 3/0 AWG CABLES TO FEED THE SHOWER PANEL. INSTALL THE PANEL ON THE OUTSIDE OF THE SHOWER ROOMS. IT IS ASSUMED THE SHOWER ROOMS COMES PREWIRED. THIS PRICE DOES NOT INCLUDE ANY BUILD OUT OF THE SHOWER ROOMS OR THE LOAD SIDE WIRING FROM THE SHOWER ROOM PANEL. CONDUIT AND WIRING SIZES ARE NOT DEPITCTED ON THE PLANS.

23. INSTALL NEW SURFACE MOUNTED 1.25" EMT CONDUIT FROM *DP* WITH #1 AWG CABLES TO FEED THE ADA SHOWER PANEL. INSTALL THE PANEL ON THE OUTSIDE OF THE ADA SHOWER ROOMS. IT IS ASSUMED THE ADA SHOWER ROOMS COMES PREWIRED. THIS PRICE DOES NOT INCLUDE ANY BUILD OUT OF THE ADA SHOWER ROOMS OR THE LOAD SIDE WIRING FROM THE SHOWER ROOM PANEL. CONDUIT AND WIRING SIZES ARE NOT DEPITCTED ON THE PLANS.

24. ISNTALL (2) 30 AMP 120 VOLT CIRCUITS IN ¾" EMT CONDUIT TO FEED THE OFFICE AND SECURITY.

25. IT IS ASSUMED ALL STRUCTURES INCLUDING HOUSES, LAUNDRY, SHOWERS, ADA SHOWERS, OFFICE AND SECURITY COME PREWIRED.

26. TEST POWER AND LABEL ALL PANELS, JUNCTION BOXES AND UNITS.

NOTES:

1. THIS PRICE IS BASED ON NORMAL BUSINESS HOURS 6 AM-2:30 PM.
2. THIS PRICE IS BASED ON PREVAILING WAGE RATES.
3. THIS PRICE DOES NOT INCLUDE DESIGN, ENGINEERING, TITLE 24, PERMITS OR FEES. IF THIS IS REQUIRED THESE ARE TO BE REIMBUSED TO GRAPHIC ELECTRIC.
4. THIS PRICE INCLUDES MAN LIFTS, REACH FORKS AND AUGGER EQUIPMENT FOR THIS PROJECT.
5. DUE TO MATERIAL PRICE FLUCTUATIONS THIS PRICE IS VALID FOR 30 DAYS.
6. THIS PRICE DOES NOT INCLUDE ANY LIGHITNG.

JOB #1: $245,500.00
TWO HUNDRED FORTY FIVE THOUSAND FIVE HUNDRED DOLLARS & 00/100.

SUBMITTED BY: *Chase Navarro*
Chase Navarro

ACCEPTED BY: _____

6644 EAST 26th STREET CITY OF COMMERCE, CA 90040 323-728-4277 FAX 323-728-5399
E-mail: chase@graphicelectric.org

Proposal

Date *February 9, 2022*

CA# 771279 - A *Total Pages* **1 of 2**

TO:	City of Montebello
Attn:	*James Enriquez, P.E.*
	JEnriquez@cityofmontebello.com
Phone	*(323) 887-1462*
Cell Phone	

FROM: **MIKE BUBALO CONSTRUCTION CO., INC.**

5102 Gayhurst Avenue

Baldwin Park, CA 91706

Phone *(626) 960-7787*

Fax Phone *(626) 960-7787*

REMARKS: ☐ *Urgent* ☐ *Corrections* ☐ *Reply ASAP* ☐ *Please Forward*

JOB:	**Tiny Homes Sewer Service at the Regional Commuter Rail Station**		
Date:	02/09/2022	***Valid for:***	***30 cal. days***

SCOPE OF WORK:

Furnish labor, equipment and materials to install a sewer line at the Regional Commuter Rail Station for the Tiny Homes Project per the APWA standards and site plan schematic furnished by the City of Montebello dated Feb 1, 2022. Scope of work includes installation of 5 manholes, 3 cleanouts, 6" PVC and 4" ABS sewers.

TERMS OF PROPOSAL

1. Based on one (1) move in period. Additional moves beyond the first move are an additional $2,000 per move.
2. No Soils Testing. No Hardscape repair, No Permanent Gate/Fence replacement. No Landscaping restorations are included.
3. No work for conflicting conduit relocation included. No relocation of utilities is included.
4. SWPPP and BMP's included. No traffic control is included for Flotilla Street. No striping restoration is included.
5. Pavement restorations limited to the width of trenches. No Grinding is included.
6. Payments due within thirty (30) days of billing.
7. No inspection fees, testing fees or overtime charges are included. Any cost for permits and inspection will be billed cost plus 15% markup.
8. All work to be done during normal working hours 7 AM to 3:30 PM.
9. No engineering is included.
10. No transporting of contaminated soil OFF-SITE. If encountered, we will deposit ON-SITE at OWNER's direction. No abatement of Asbestos materials.
11. Performance and payment bonds are not included. Add 1% for bonding.
12. Dewatering is NOT included.
13. Owner to provide staging area and secure yard for our equipment and materials.
14. Owner to furnish potable water access at no cost to MBCC.

PROPOSAL CONTINUES ON NEXT PAGE:

We propose to provide these above noted services for a lump sum price of $ 144,078.00

Respectfully submitted,

Anton Brkic

Mike Bubalo Construction Co., Inc.
5102 Gayhurst Ave.
Baldwin Park, CA 91706
(626) 960-7787
FAX (626) 960-7897
CSLB#771279

Owner Authorized Representative Signature Date

Wolverine Fence
Signatory to the Laborers Union
"We Devour The Competition"

January 20, 2022
City of Montebello
ATT: James
RE: Operation stay safe

Proposal

The following proposal is for furnishing and installing approximately 750L.F. of 8FT. high green Privamax chain link fencing with all gate, corner and end post to be 4" sch-40 with 2 7/8" sch-40 line post with 8FT. maximum spacing. All post will have a 12" x 36" concrete footing. The fence will have a 1 5/8" sch-40 top and bottom rails with a 1 5/8" mid brace with a 3/8" truss rod at all gates, corners and ends. The price includes 2ea. 12FT. double gate, 2ea. 4FT. single swing gates (1 at locker area) and 1ea. 8FT. double gate at trash enclosure.

Lump-Sum----------$81,760.00

If you have any questions, please call me at 562-948-2030.

Sincerely
Gary L. McDonnell

estimator

930 S. CYPRESS STREET, LA HABRA, CA 90631
Phone: (562) 948-2030 · Fax: (562) 948-2354
Contractors License #870586

Wolverine Fence **Signatory to the Laborers Union**

"We Devour The Competition"

January 20, 2022
City of Montebello
ATT: James
RE: Operation stay safe
Alternate bid

Proposal

The following proposal is for furnishing and installing approximately 750L.F. of 8Ft. high green privamax chain link with 2 7/8" sch-40 gate, corner and end post with 2 3/8" sc-40 line post with a 10Ft. maximum spacing. All post will have a 12" x 36" concrete footings. The fence will have a 1 5/8" sch-40 top, and bottom rails with a 1 5/8" sch-40 mid brace with a 3/8" truss rod at all gates, corners and ends. The price includes 2ea. 12FT. double swing gates, 2ea. 4FT. swing gates(1 at locker area)and 1ea. 8FT. double gate at trash area.

Lump-Sum----------$69.950.00

If you have any questions, please call me at 562-948-2030.

Sincerely
Gary L. McDonnell

estimator

930 S. CYPRESS STREET, LA HABRA, CA 90631
Phone: (562) 948-2030 · Fax: (562) 948-2354
Contractors License #870586

CITY OF MONTEBELLO
STANDARD PUBLIC WORKS AGREEMENT

THIS STANDARD PUBLIC WORKS AGREEMENT ("AGREEMENT") is made and entered into on _____, 2022 ("Effective Date") by and between the CITY OF MONTEBELLO, a California municipal corporation (the "CITY") and _____ ("CONTRACTOR"). The CITY and CONTRACTOR are sometimes referred to herein individual as the "Party," and jointly as the "Parties."

RECITALS

WHEREAS, the CITY desires to retain a qualified professional contractor to provide electrical construction services for the Operation Stay Safe Project to the CITY ("PROJECT"); and

WHEREAS, CONTRACTOR 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 the promises and the mutual covenants and agreements herein contained, the parties do hereby agree as follows:

SECTION 1. INCORPORATION OF RECITALS AND CONTRACT DOCUMENTS

a. The above-referenced Recitals constitute a material part hereof and shall hereby be incorporated by reference. Moreover, the CONTRACT DOCUMENTS for the PROJECT shall consist of CONTRACTOR's Quote for the PROJECT, Scope of Work, general specifications and all referenced specifications, details, standard drawings, and appendices, together with this Agreement and all required bonds, and insurance certificates. All of the "Agreement Documents" are intended to complement the other documents so that any work called for in one, and not mentioned in the others, or vice versa, is to be executed the same as if mentioned in all of said documents. The CONTRACT DOCUMENTS are incorporated herein by this reference and made part hereof as though they were fully set forth herein.

b. In case any of the CONTRACT DOCUMENTS conflict with each other, the order of preference for the CONTRACT DOCUMENTS is:

1. This AGREEMENT and its Exhibits and or Attachments, including any and all addenda or supplemental agreements.
2. CONTRACTOR'S Quote dated _____
3. Standard drawings
4. Details
5. Special provisions, if any
7. General specifications and all referenced specifications

SECTION 2. THE WORK

For and in consideration of the payments and agreements to be made and performed by the CITY, CONTRACTOR agrees to furnish all materials and perform all work required for the PROJECT and to fulfill all other obligations as set forth in the CONTRACT DOCUMENTS.

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 one (1) year from the Effective Date, unless terminated earlier as hereinafter provided. This Agreement may be extended for up to one (1) additional, one-year extension 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 the CITY's applicable, department head.

SECTION 4. COMPENSATION

CONTRACTOR hereby agrees to receive and accept the total amount of _____ **($_____),** which is based on performing all of the work shown on Bidders Proposal as full compensation for furnishing all materials, performing all work, and fulfilling all obligations hereunder. Said compensation shall cover all expenses, losses, damages, and consequences arising out of the nature of the work during its progress or prior to its acceptance including those for well and faithfully completing the work and the whole thereof in the manner and time specified in the CONTRACT DOCUMENTS, and also including those arising from actions of the elements, unforeseen difficulties or obstructions encountered in the prosecution of the work, suspension or discontinuance of the work, and all other unknowns or risks of any description connected with the work. CITY shall herein retain five percent (5%) of said price until said time as the provisions of SEC. 18 herein have been met.

4.1. Progress Payments

Progress Payments shall be made in accordance with section the General Provisions and the provisions of this Section 4.1. Upon receipt of a properly presented payment request, the CITY shall process the payment request in accordance with Public Contract Code Section 20104.50. The CITY shall review the payment request as soon as possible. If the CITY rejects the payment request, it shall be returned to the CONTRACTOR within seven (7) days of its receipt by the CITY with an explanation for the reasons of its rejection. If the payment request is approved in writing by the CITY, payment shall be made in thirty (30) days of receipt of an undisputed and properly presented payment request. Late payments shall bear interest at the legal rate of interest in accordance with Code of Civil Procedure 685.010. The CITY shall pay CONTRACTOR a sum based upon ninety five

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percent (95%) of the Agreement price apportionment of the labor and materials incorporated into the work under the Agreement during the period covered by said statement. The remaining five percent (5%) thereof shall be retained as performance security. Refer to Section 4.2 of this Agreement for retention of funds.

4.2. Retention of Funds

Progress payments shall be made in accordance with the provisions of Section 4.1 of this Agreement. In accordance with said section, the CITY shall pay CONTRACTOR a sum based upon ninety five percent (95%) of the Agreement price in proportion to the labor and materials incorporated into the work under the Agreement during the month covered by said statement. The remaining five percent (5%) thereof shall be retained as performance security to be paid to the CONTRACTOR within sixty (60) days after final acceptance of the work by the City Council of the CITY ("City Council"), after CONTRACTOR shall have furnished the CITY with a release of all undisputed Agreement amounts, if required by the CITY. In the event there are any claims specifically excluded by CONTRACTOR from the operation of the release, the CITY may retain proceeds (per Public Contract Code 7107) of up to 150% of the amount in dispute. CITY's failure to deduct or withhold shall not affect CONTRACTOR's obligations hereunder.

4.3. Substitution of Securities

Pursuant to Public Contract Code Sec. 22300, CONTRACTOR shall be allowed to substitute securities for any moneys withheld by the CITY to ensure performance under an Agreement, unless, federal regulations or policies, or both, do not allow the substitution of securities. At the request and expense of CONTRACTOR, securities equivalent to the amount withheld shall be deposited with the CITY, or with a state or federally chartered bank in this state as the escrow agent, who shall then pay those moneys to CONTRACTOR. Upon satisfactory completion of the Agreement, the securities shall be returned to CONTRACTOR.

SECTION 5. UNDOCUMENTED WORKERS

CONTRACTOR hereby promises and agrees to comply with all of the provisions of Federal and/or State law as the same shall apply to this PROJECT pertaining to the employment of unauthorized aliens as defined therein. Should CONTRACTOR so employ unauthorized aliens for the performance of work and/or services covered by this Agreement, and should the Federal Government impose sanctions against the CITY for use of unauthorized aliens, CONTRACTOR hereby agrees to, and shall, hold harmless, indemnify and defend CITY for the cost of all such sanctions imposed, together with any and all costs, including attorneys' fees, incurred by the CITY in connection therewith.

SECTION 6. NOTICE TO PROCEED

CONTRACTOR shall commence work on the date specified in the Notice to Proceed to be issued in writing to CONTRACTOR by the CITY and shall complete work on the PROJECT within 30 Working Days from the commencement thereof.

SECTION 7. DISCOVERY OF HAZARDOUS OR LATENT CONDITIONS

a. CONTRACTOR shall, without disturbing the condition, notify the CITY in writing as soon as CONTRACTOR, or any SUB-CONTRACTOR, agent or employees have knowledge and reporting is possible, of the discovery of any of the following conditions:

   1. The presence of any material that the CONTRACTOR believes is hazardous waste, as defined in Section 25117 of the Health and Safety Code;
   2. Subsurface or latent physical conditions at the site differing from those indicated in the specifications; or,
   3. Unknown physical conditions at the site of any unusual nature, different materially from those ordinarily encountered and generally recognized as inherent in work of the character provided for in this Agreement.

b. Pending a determination by the CITY of appropriate action to be taken, CONTRACTOR shall provide security measures (e.g., fences) adequate to prevent the hazardous waste or physical conditions from causing bodily injury to any person.

c. The CITY shall promptly investigate the reported conditions. If the CITY, through the City Engineer or his/her designee, and in the exercise of its sole discretion, determines that the conditions do materially differ, or do involve hazardous waste, and will cause a decrease or increase in CONTRACTOR's cost of or time required for performance of any part of the work, then the CITY shall issue a change order.

d. In the event of a dispute between the CITY and CONTRACTOR as to whether the conditions materially differ or involve hazardous waste or cause a decrease or increase in CONTRACTOR's cost of, or time required for performance of any part of the work, CONTRACTOR shall not be excused from any schedule completion date, and shall proceed with all work to be performed under the Agreement. CONTRACTOR shall retain any and all rights which pertain to the resolution of disputes and protests between the parties.

SECTION 8. MISCELLANEOUS STATUTORY REQUIREMENTS

8.1. CONTRACTOR License.

CONTRACTOR shall possess a california CONTRACTOR's license type _____ for the performance of the Project.

8.2. Ineligible CONTRACTOR Prohibited.

Any CONTRACTOR or SUB-CONTRACTOR who is ineligible to perform work on a public works project pursuant to Section 1777.1 or 1777.7 of the Labor Code is prohibited from performing work under this Agreement.

8.3. Compliance with SB 854 Registration.

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This PROJECT is subject to compliance monitoring and enforcement by the Department of Industrial Relations. No prime CONTRACTOR or SUBCONTRACTOR may be awarded an Agreement for public work on a public works project (awarded on or after April 1, 2015) unless registered with the Department of Industrial Relations pursuant to Labor Code section 1725.5. CONTRACTOR will be required to post job site notices as described in 8 California Code of Regulation section 16451(d).

8.4. Trench and Pipeline Safety.

If this Agreement is for more than $25,000 and involves excavation of any trench five feet or more in depth, CONTRACTOR shall submit a detailed plan of shoring, bracing, sloping or other provisions to be made for worker protection in accordance with Labor Code Section 6705. Such plan shall be approved by a qualified representative of the CITY.

8.5. Utility Relocation.

The CITY is responsible for removal, relocation, or protection of existing main or trunkline utilities to the extent such utilities were not identified in the invitation for bids or specifications. The CITY shall reimburse CONTRACTOR for any costs incurred in locating, repairing damage not caused by CONTRACTOR and removing or relocating such unidentified utility facilities, including equipment idled during such work. CONTRACTOR shall not be assessed liquidated damages for delay arising from the removal or relocation of such unidentified utility facilities.

8.6. Third Party Claims Notification.

The CITY shall timely notify CONTRACTOR in writing of any third party claims relating to the Agreement.

8.7. Unfair Business Practices Claims.

The CONTRACTOR or SUB-CONTRACTOR offers and agrees to assign to the CITY all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act (Chapter 2, (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, services or materials pursuant to the public works Agreement or the sub-Agreement. This assignment shall be made and become effective at the time the CITY renders final payment to CONTRACTOR without further acknowledgment by the parties. (Section 7103.5, California Public Contract Code.).

8.8. Day's Work.

CONTRACTOR acknowledges that under California Labor Code sections 1810 and following, eight (8) hours of labor constitutes a legal day's work. CONTRACTOR will forfeit as a penalty to CITY the sum of $25.00 for each worker employed in the execution of this Agreement by CONTRACTOR or any SUB-CONTRACTOR for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and 40 hours in any one calendar week in violation of the provisions of Labor

Code section 1810. (Labor Code § 1813).

8.9. Payroll Records.

CONTRACTOR shall maintain the certified payroll records required by Labor Codes Sec. 1776 and shall report such records directly to the California Labor Commissioner as required by Labor Code Sec. 1771.4. CONTRACTOR shall inform the CITY of the location of the records enumerated under Labor Code Sec. 1776, including the street address, city, and county, and shall, within five working days, provide a notice of a change of location and address.

8.10. Employment of Apprentices.

Nothing in this Agreement prevents CONTRACTOR or any SUB-CONTRACTOR from employing properly registered apprentices in the execution of the Agreement. CONTRACTOR is responsible for compliance with Labor Code section 1777.5 for all apprenticeable occupations. This statute requires that CONTRACTORs and SUBCONTRACTORs must submit Agreement award information to the applicable joint apprenticeship committee, must employ apprentices in apprenticeable occupations in a ratio of not less than one hour of apprentice's work for every five hours of labor performed by a journeyman (unless an exception is granted under §1777.5), must contribute to the fund or funds in each craft or trade or a like amount to the California Apprenticeship Council, and that CONTRACTORs and SUB-CONTRACTORs must not discriminate among otherwise qualified employees as apprentices solely on the ground of sex, race, religion, creed, national origin, ancestry or color. Only apprentices defined in Labor Code section 3077, who are in training under apprenticeship standards and who have written apprentice Agreements, may be employed on public works in apprenticeable occupations.

8.11. Records Audit

In accordance with Government Code, Section 8546.7, records of both the CITY and CONTRACTOR shall be subject to examination and audit by the Auditor General for a period of three (3) years after final payment.

SECTION 9. PREVAILING WAGES

a. CONTRACTOR shall pay prevailing Wage rates for this Project in accordance with the "General Wage Determination Made by the Director of Industrial Relations ("DIR") Pursuant To California Labor Code, Part 7, Chapter 1, Article 2, Sections 1770, 1773 and 1773.1", for Los Angeles County. Wage rates shall conform with those posted at the DIR website and the Project site.

b. The following Labor Code sections are hereby referenced and made a part of this Agreement:

1. Section 1775 - Penalty for Failure to Comply with Prevailing Wage Rates.
2. Section 1777.4 - Apprenticeship Requirements.

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3. Section 1777.5 - Apprenticeship Requirements.
4. Section 1813 - Penalty for Failure to Pay Overtime.
5. Sections 1810 and 1811 - Working Hour Restrictions.
6. Section 1775 - Payroll Records.
7. Section 1773.8 - Travel and Subsistence Pay.

SECTION 10. INDEMNITY, DEFENSE AND HOLD HARMLESS

a. CONTRACTOR shall indemnify, defend with legal counsel approved by the CITY, and hold harmless the CITY, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with CONTRACTOR's negligence, recklessness or willful misconduct in the performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, except such loss or damage which is caused by the sole or active negligence or willful misconduct of the CITY. Should conflict of interest principles preclude a single legal counsel from representing both the CITY and CONTRACTOR, or should the CITY otherwise find CONTRACTOR's legal counsel unacceptable, then CONTRACTOR shall reimburse the CITY its costs of defense, including without limitation reasonable legal counsel fees, expert fees and all other costs and fees of litigation. CONTRACTOR shall promptly pay any final judgment rendered against the CITY (and its officers, officials, employees and volunteers) with respect to claims determined by a trier of fact to have been the result of CONTRACTOR's negligent, reckless or wrongful performance. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

b. CONTRACTOR obligations under this section apply regardless of whether such claim, charge, damage, demand, action, proceeding, loss, stop notice, cost, expense, judgment, civil fine or penalty, or liability was caused in part or contributed to by an Indemnitee. However, without affecting the rights of the CITY under any provision of this agreement, CONTRACTOR shall not be required to indemnify and hold harmless the CITY for liability attributable to the active negligence of CITY, provided such active negligence is determined by agreement between the parties or by the findings of a court of competent jurisdiction. In instances where the CITY is shown to have been actively negligent and where the CITY'S active negligence accounts for only a percentage of the liability involved, the obligation of CONTRACTOR will be for that entire portion or percentage of liability not attributable to the active negligence of the CITY.

SECTION 11. BONDS

a. CONTRACTOR, before commencing said PROJECT, shall furnish and file with the CITY, a Performance Bond, or bonds in the sum of one hundred percent (100%) of the Agreement price thereof conditioned upon the faithful performance of this Agreement in the form attached hereto as Exhibit "B.".

b. CONTRACTOR, before commencing said PROJECT, shall furnish and file with CITY, a Payment Bond in the sum of 100% of the Agreement price, conditioned upon the payment

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of all labor and materials furnished in connection with this Agreement in the form attached hereto as Exhibit "C."

c. CONTRACTOR, before commencing said PROJECT, shall furnish and file with CITY, a Warranty Bond in the amount of 50% of the Agreement price, conditioned upon the guaranty and warranty of the work and labor and materials in connection with the work performed on the Project pursuant to this Agreement in the form attached hereto as Exhibit "D."

SECTION 12. INSURANCE REQUIREMENTS

a. Prior to commencing work hereunder, CONRACTOR shall provide the CITY with proof of insurance naming the CITY and each of its directors, officers, agents, and employees as additional-named insureds on a policy or policies of insurance providing and maintaining the coverages set forth in the Insurance Schedule attached hereto as Exhibit A. The CITY shall have the right to hold the policies and policy renewals, and CONTRACTOR shall promptly furnish to CITY all renewal notices and all receipts of paid premiums. CITY may make proof of loss if not made promptly by CONTRACTOR.

b. Evidence of Insurance prior to commencement. 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

SECTION 13. LIQUIDATED DAMAGES

In addition, pursuant to the authority of California Public Contract Code Section 7102, the CITY and CONTRACTOR agree that the determination of actual damages for any unreasonable delay in performance of this Agreement caused by CITY would be extremely difficult or impractical to determine in the event of a breach of this Agreement by the CITY. Therefore, if the CITY is determined to be liable for such unreasonable delays, the CITY and its sureties shall be liable to the CONTRACTOR for the sum of two hundred dollars ($200.00) as liquidated damages for each working day of delay in the performance of any service required hereunder.

SECTION 14. DISPUTE RESOLUTION

14.1. Claims of $375,000 or Less

a. A claim by the CONTRACTOR for a time extension, for money damages for work, or a payment disputed by the CITY must be submitted to a resolution process in accordance with Public Contract Code Sections 20104-20104.4. A summary of Sections 20104-20104.4 are as follows:

(1) Informal negotiation between the CITY and CONTRACTOR.
(2) Mediation with CONTRACTOR.
(3) Court mandated Arbitration.
(4) Court trial. If the party requesting the court trial does not prevail, then that party must pay all court costs and attorney's fees.

14.2 Public Contract Code 9204 Claims

CONTRACTOR shall comply with the procedure set forth in Public Contract Code section 9204 for any claim, as that term is defined therein, for one or more of the following: 1) a time extension, including, without limitation, for relief from damages or penalties for delay, 2) payment of money or damages arising from work done pursuant to this Agreement, and/or 3) payment of an amount disputed by the CITY under this Agreement. A summary of the provisions of Public Contract Code Section 9204 is as follows:

1. CONTRACTOR must send a claim to the CITY for a time extension, payment for work not in the Agreement, or payments disputed by the CITY by registered mail or certified mail with return receipt requested.
2. The CITY must respond within 45 days as to which claims are disputed and undisputed.
3. If claim remains in dispute, CONTRACTOR may request informal meet and confer meeting with the CITY.
4. After meet and confer, an disputed claim remaining shall be submitted to non-binding mediation.
5. All undisputed claims shall be paid within 60 days.

SECTION 15. TERMINATION.

15.1. Termination for Convenience.

The CITY may terminate this Agreement, in whole or in part, with thirty (30) days' written notice to CONTRACTOR when it is in the CITY's best interest. CONTRACTOR shall be paid its costs, including Agreement close-out costs, and profit on work performed up to the time of termination. CONTRACTOR shall promptly submit its termination claim to the CITY to be paid the CONTRACTOR. If CONTRACTOR has any property in its possession belonging to the CITY, CONTRACTOR will account for the same, and dispose of it in the manner the CITY directs. CONTRACTOR may terminate this Agreement, in whole, with ninety (90) days' written notice to the CITY.

15.2 Termination for Default.

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If at any time CONTRACTOR is determined to be in material breach of the Agreement, a Notice of Potential Breach of Agreement shall be prepared by the CITY, and will be served upon CONTRACTOR and its sureties. If CONTRACTOR continues to neglect or refuses to comply with the Agreement or with the Notice of Potential Breach of Agreement to the satisfaction of the CITY within the time specified in such Notice, the CITY shall have the authority to terminate the Agreement for this Project.

15.3 Waiver of Remedies for any Breach.

In the event that the CITY elects to waive its remedies for any breach by CONTRACTOR of any covenant, term or condition of this Agreement, such waiver by the CITY shall not limit the CITY's remedies for any succeeding breach of that or of any other term, covenant, or condition of the Agreement.

SECTION 16. CONTRACTOR'S FAILURE TO PROCURE COMPLETION OF PROJECT

In the event CONTRACTOR fails to furnish tools, equipment, or labor in the necessary quantity or quality, or fails to prosecute the work or any part thereof contemplated by this Agreement in a diligent and workmanlike manner, and if CONTRACTOR for a period of three (3) calendar days after receipt of written demand from the CITY or its designated representative to do so, fails to furnish tools, equipment, or labor in the necessary quantity or quality, and to prosecute its work and all parts thereof in a diligent and workmanlike manner, or after commencing to do so within said three (3) calendar days, fails to continue to do so; then the CITY may exclude CONTRACTOR from the premises, or any portion thereof, and take possession of said premises or any portion thereof, together with all material and equipment thereon, and may complete the work contemplated by this Agreement or any portion of said work, either by furnishing the tools, equipment, labor or material necessary, or by letting the unfinished portion of said work, or the portion taken over by the CITY to another contractor or by a combination of such methods. In any event, the procuring of the completion of said work, or the portion thereof taken over by the CITY, shall be a charge against CONTRACTOR, and may be deducted from any money due or becoming due to CONTRACTOR from the CITY, or CONTRACTOR shall pay the CITY the amount of said charge, or the portion thereof unsatisfied. The sureties provided for under this Agreement shall become liable for payment should CONTRACTOR fail to pay in full any said cost incurred by the CITY.

SECTION 17. COMPLIANCE WITH APPLICABLE LAWS

CONTRACTOR hereby promises and agrees to comply with all provisions of all applicable state and federal laws in connection with the performance of its obligations under this Agreement.

SECTION 18. NOTICE OF COMPLETION

Upon completion of the PROJECT and acceptance of same by the City Council, the CITY shall have cause to be recorded a Notice of Completion with the office of the Los Angeles County Recorder; and, after thirty-five (35) days from the date said Notice of

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Completion is recorded, the Director of Finance of CITY shall release the funds retained pursuant to SEC. 4 hereof; provided there have been no mechanics' liens or stop notices filed against said work which have not been paid, withdrawn or eliminated as liens against said work.

SECTION 19. AUTHORITY

Any person executing this Agreement on behalf of CONTRACTOR warrants and represents that he or she has the authority to execute this Agreement on behalf of CONTRACTOR and has the authority to bind CONTRACTOR to the performance of its obligations hereunder.

SECTION 20. ENTIRE AGREEMENT

This Agreement, including the Agreement Documents and any other documents incorporated herein by specific reference, represents the entire and integrated Agreement between the CITY and the CONTRACTOR. This Agreement supersedes all prior oral or written negotiations, representations or agreements. This Agreement may not be modified or amended, nor any provision or breach waived, except in a writing signed by both parties that expressly refers to this Agreement.

SECTION 21. ATTORNEY'S FEES AND COSTS

If either party to this Agreement is required to initiate or defend or made a party to any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, whether legal or equitable, shall be entitled to reasonable attorney's fees. Attorney's fees shall include attorney's fees on any appeal, and in addition a party entitled to attorney's fees shall be entitled to all other reasonable costs for investigating such action, taking depositions and discovery and all other necessary costs the court allows which are incurred in such litigation. All such fees shall be deemed to have accrued on commencement of such action and shall be enforceable whether or not such action is prosecuted to judgment.

SECTION 22. INDEPENDENT CONTRACTOR

CONTRACTOR is and shall at all times remain as to the CITY, a wholly independent CONTRACTOR. Neither the CITY, nor any of its officers, employees or agents shall have control over the conduct of CONTRACTOR or any of CONTRACTOR'S officers, employees or agents, except as herein set forth. CONTRACTOR shall not at any time or in any manner represent that it or any of its officers, employees or agents are in any manner officers, employees or agents of the CITY, nor shall the CITY officers, employees or agents be deemed the officers, employees, or agents of CONTRACTOR as a result of this Agreement.

SECTION 23. 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

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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:

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

With copy to:
City of Montebello – Department of Public Works
Attn: James Enriquez, P.E., Director/City Engineer
1600 West Beverly Boulevard
Montebello, CA 90640
(323) 887-1462
Email: jenriquez@cityofmontebello.com

To CONTRACTOR:
_____.
Attn: _____
[ENTER ADDRESS]
[ENTER PHONE NUMBER]
Email: [ENTER EMAIL]

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 24. PROHIBITION AGAINST ASSIGNMENT

The experience, knowledge, capability and reputation of CONTRACTOR, its principals and employees were a substantial inducement for the CITY to enter into this Agreement. Neither this Agreement nor any interest herein may be transferred, assigned, conveyed, hypothecated or encumbered voluntarily or by operation of law, whether for the benefit of creditors or otherwise, without the prior written approval of the CITY. Transfers restricted hereunder shall include the transfer to any person or group of persons acting in concert of more than twenty five percent (25%) of the present ownership and/or control of CONTRACTOR, taking all transfers into account on a cumulative basis. In the event of any such unapproved transfer, including any bankruptcy proceeding, this Agreement shall be void. No approved transfer shall release CONTRACTOR or any surety of CONTRACTOR of any liability hereunder without the express consent of the CITY.

SECTION 25. CUMULATIVE REMEDIES

The provisions of this Agreement are cumulative and in addition to and not in limitation of any rights or remedies available to the CITY.

SECTION 26. COUNTERPARTS

This Agreement may be executed in counterpart originals, duplicate originals, or both, each of which is deemed to be an original for all purposes.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed on the date next to their respective officers duly authorized signatures in that behalf.

CITY OF MONTEBELLO
("CITY")

By: _____
René Bobadilla, City Manager

Date: _____

_____
("CONTRACTOR")

By: _____

Date: _____

By: _____

Date: _____

ATTEST:

_____
Christopher Jimenez, City Clerk

APPROVED AS TO FORM

_____
Arnold M. Alvarez-Glasman, City Attorney

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EXHIBIT "A"
INSURANCE REQUIREMENTS

On or before beginning any of the work called for by any term of this Agreement, CONTRACTOR, at its own cost and expense, shall carry, maintain for the duration of this Agreement, and provide proof thereof that is acceptable to the CITY of its procurement of the insurance specified below from insurers and under forms of insurance satisfactory in all respects to the CITY. Such insurance shall not be in derogation of CONTRACTOR's obligations to provide indemnity under this Agreement.

1. **Comprehensive General Liability and Automobile Liability Insurance Coverage.**

   CONTRACTOR shall carry and maintain Comprehensive General Liability and Automobile Liability Insurance which provides the following:

   Minimum coverage: Bodily injury limits of $2,000,000 for each person and $2,000,000 for each occurrence; property damage limits of $2,000,000 for each occurrence, $5,000,000 aggregate.

   Products/Completed Operations Hazard Insurance in an amount of not less than FIVE MILLION DOLLARS ($5,000,000);

   A combined single limit policy with aggregate limits in an amount of not less than Five MILLION DOLLARS ($5,000,000) shall be considered equivalent to the said required minimum limits set forth herein above.

   If a Commercial General Liability Insurance form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit. Such coverage shall include but shall not be limited to, protection against claims arising from bodily and personal injury, including death resulting therefrom, and damage to property resulting from activities contemplated under this Agreement, including the use of owned and non-owned real property and automobiles. Insurance coverage shall not be subject to any type of pollution exclusion or owned property exclusions.

2. **Automobile Liability.**

   CONTRACTOR shall carry and maintain Automobile Liability Insurance which provides a minimum coverage of at least $5,000,000 per accident for bodily injury and property damage.

3. **Worker's Compensation.**

   CONTRACTOR shall carry and maintain worker's compensation in the amount of $1,000,000 as required by the California Labor Code for all persons employed directly or indirectly in connection with this Agreement by CONTRACTOR. To the extent that CONTRACTOR utilizes any SUB-CONTRACTOR for the performance of any part of the

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work under this Agreement, CONTRACTOR shall require and assure that such SUB-CONTRACTOR also carry and maintain worker's compensation as required by the California Labor Code for all persons directly or indirectly in connection with this Agreement.

4. Additional Insureds.

The CITY, its officers, agents and employees must be named as additional insureds or as additional loss payees in all insurance policies required by this Agreement. An endorsement to this effect shall be delivered to the CITY prior to the commencement of any work. Satisfaction of any deductible requirement shall be the responsibility of CONTRACTOR. Such insurance shall be primary and noncontributory with any other insurance maintained by the CITY.

5. Notice of Cancellation.

CONTRACTOR agrees to oblige its insurance agent or broker and insures to provide CITY with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.

6. Severability Clause.

Each of the policies of insurance shall contain a clause substantially as follows:

The insurance afforded by this policy applies separately to each insured against whom a claim or suit is made or suit is brought, except with respect to the limit of the insurer's liability.

7. Qualifications of Insurer.

All policies of insurance shall be issued by an insurance company acceptable to the CITY and authorized to issue said policy in the State of California.

8. Approval of Insurer.

The insurance carrier providing the insurance shall be chosen by CONTRACTOR subject to approval by the CITY, provided that such approval shall not be unreasonably withheld.

9. Payment of Premiums.

All premiums on insurance policies shall be paid by CONTRACTOR making payment, when due, directly to the insurance carrier, or in a manner agreed to by the CITY.

10. Evidence of Insurance and Claims.

CONTRACTOR shall provide certificates of insurance to the CITY as evidence of insurance coverage required herein, along with a waiver of subrogation endorsement for

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workers' compensation. The CITY's Risk Manager must approve insurance certificates and endorsements prior to commencement of performance. Current certification of insurance shall be kept on file with the CITY at all times during the term of this Agreement. The CITY reserves the right to require complete, certified copies of all required insurance policies, at any time.

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(Use of City Bond Form is Required)

EXHIBIT "B"

PERFORMANCE BOND
PUBLIC WORK
(CALIFORNIA)

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the Principal and the City of Montebello ("Obligee") have entered into a written Agreement, hereinafter called the Agreement, a copy of which is or may be attached hereto, dated the _____ day of _____, _____ referred to and made a part hereof for _____ and all appurtenant work in accordance with Project No. _____, which agreement requires the Principal to provide Obligee with this bond.

NOW THEREFORE, we, _____, as Principal, and _____, a corporation organized under the laws of _____, and duly authorized to transact business in the State of California, as Surety, are held firmly bound unto the City of _____, as Obligee, in the sum of _____ Dollars ($_____), lawful money of the United States of America, for the payment whereof well and truly to be made the Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

The address at which the Surety may be served with notices, papers and other documents is:
_____
_____
_____

The address at which the Principal may be served with notices, papers and other documents is:
_____
_____
_____

The condition of the foregoing obligation is such that if the Principal, his or its heirs, executors, administrators, successors or assigns, and each of his or its SUB-CONTRACTORs shall well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of said Agreement, and during the life of any guaranty required under the Agreement, and shall also well and truly perform and fulfill all the undertakings, covenants, terms, conditions, and agreements of any and all duly authorized modifications of said Agreement that may hereafter be made, then this obligation shall be void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the obligee in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the

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specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

This document is signed by the respective parties on the dates next to their names.

Principal

By: _____ Date: _____

Title: _____

Surety

By: _____ Date: _____

Title: _____

I declare under penalty of perjury under the laws of the State of California that the contents of the above Faithful Performance Bond are true and correct, and that I have been duly authorized to sign this Faithful Performance Bond on _____ _____, in the City of _____, State of California.

--OR--

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California)
)
County of _____)

On _____ before me, _____(here insert name and title of the officer), personally appeared

_____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

-- AND –

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(Proof of signature authorization or power of attorney must be attached)

APPROVED AS TO FORM:

_____

City Attorney

DRAFT

(Use of City Bond Form is Required)

EXHIBIT "C"
Labor and Materials Payment Bond
PUBLIC WORK (CALIFORNIA)

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, _____, as Principal, has entered into an Agreement dated _____, _____, (the "Agreement") with the City of _____ (Obligee) referred to and made a part hereof to perform the following work of public improvement, to wit:

_____

_____

_____and all appurtenant work in accordance with the plans and specifications for Project No._____, which requires Principal to file this bond to secure claims made under Civil Code Sections 9550-9554..

NOW THEREFORE, we, _____, as Principal, and _____, a corporation organized under the laws of _____ and duly authorized to transact business in the State of California, as Surety, are held firmly bound unto the City of _____, as Obligee, and all SUB-CONTRACTORs, laborers, material persons and other persons employed in the performance of the referenced agreement, in the sum of _____ Dollars ($_____), lawful money of the United States of America, which is 100% of the amount of the Agreement, for the payment whereof well and truly to be made the Principal and Surety bind themselves, their heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

The address at which the Surety may be served with notices, papers and other documents is:

_____

_____

_____

The address at which the Principal may be served with notices, papers and other documents is:

_____

_____

_____

If the above bounden Principal, his or its heirs, executors, administrators, successors, assigns, or any of his or its SUB-CONTRACTORs, fails to pay for any materials, provisions, provender, or other supplies, or teams, implements or machinery, used in, upon, for or about the performance of the work agreed to be done, or for any work or labor to persons named in Section 9100 of the Civil Code, or for amounts due under the Unemployment Insurance Code with respect to such work or labor performed under the Agreement, or for any amounts required to be deducted, withheld and paid over to the Employment Development Department from the wages of employees of the CONTRACTOR and SUB-CONTRACTORs pursuant to Section 13020 of the Unemployment Insurance Code, then the Surety on this bond will pay the same, in an amount not exceeding the sum specified in this bond, and also, in case suit is brought upon this bond, a reasonable attorney's

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fee, which shall be awarded by the court to the prevailing party in said suit, said attorney's fee to be taxed as costs in said suit and to be included in the judgment herein rendered.

As part of the obligation secured hereby, the Surety shall not be exonerated or released from the obligation of the bond by any change, alteration, or modification in or of any Agreement, plans, specifications, or agreement pertaining or relating to any scheme or work of improvement or pertaining or relating to the furnishing of labor, materials, or equipment therefor, nor by any change or modification of any terms of payment or extension of the time for any payment pertaining or relating to any scheme of work of improvement, nor by any rescission or attempted rescission of the Agreement, agreement or bond, nor by any conditions precedent or subsequent in the bond attempting to limit the right of recovery of claimants otherwise entitled to recover under any such Agreement or agreement, or under the bond, nor, where the bond is given for the benefit of claimants, by any fraud practiced by any person other than the claimant seeking to recover on the bond.

This bond shall inure to the benefit of any and all persons, companies and corporations named in Civil Code Section 9100 so as to give them a right of action in a suit on this bond.

This bond is executed for the purpose of complying with the laws of the State of California designated as Title 3, Chapter 5, Payment Bond, commencing with Section 9550 of the Civil Code of the State of California and all amendments thereto, and shall inure to the benefit of any of the persons named in Section 9100 of the Civil Code of the State of California.

This document is signed by the respective parties on the dates next to their names.

Principal

By: _____ Date: _____

Title: _____

Surety

By: _____ Date: _____

Title: _____

I declare under penalty of perjury under the laws of the State of California that the contents of the above Labor and Materials Payment Bond are true and correct, and that I have been duly authorized to sign this Labor and Materials Payment Bond on behalf of Surety. This Declaration is signed on _____, in the City of _____, State of California.

--OR--

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A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California)
)
County of _____)

On _____ before me, _____(here insert name and title of the officer), personally appeared
_____,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

-- AND –

(Proof of signature authorization or power of attorney must be attached)

APPROVED AS TO FORM:

_____
City Attorney

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(Use of City Bond Form is Required)

EXHIBIT "D"
Warranty Bond
PUBLIC WORKS (CALIFORNIA)

WHEREAS, the City Council of the City of _____, State of California, and _____, (hereinafter designated as "Principal") have entered into a written Agreement (the "Agreement") dated _____ whereby Principal agrees to install and complete certain designated public improvements, which Agreement is hereby referred to and made a part hereof; and

WHEREAS, said Principal is required under the terms of said Agreement to furnish a bond for the guarantee and warranty of the work for a period of one (1) year following the completion and acceptance thereof against any defective work or labor done or defective materials furnished.

NOW, THEREFORE, we, the Principal and _____ _____, a corporation organized under the laws of _____, and duly authorized to transact business in the State of California, as Surety, are held and firmly bound unto the City of _____, (hereinafter called "City"), in the penal sum of _____Dollars, ($_____) lawful money of the United States, which is 50% of the amount of the Agreement, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents.

The address at which the Surety may be served with notices, papers and other documents is:
_____
_____
_____

The address at which the Principal may be served with notices, papers and other documents is:
_____
_____
_____

The condition of this obligation is such that if the above bounded principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said Agreement and any alteration thereof made as therein provided, on his or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the CITY, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As a part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the CITY in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

The surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the Agreement or to the work to be performed thereunder or the

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specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or to the specifications.

This document is signed by the respective parties on the dates next to their names.

Principal

By: _____ Date: _____

Title: _____

Surety

By: _____ Date: _____

Title: _____

I declare under penalty of perjury under the laws of the State of California that the contents of the above Warranty Bond are true and correct, and that I have been duly authorized to sign this Warranty Bond on behalf of Surety. This Declaration is signed on _____, in the City of _____ , State of California.

--OR--

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

State of California)
)
County of _____)

On _____ before me, _____(here insert name and title of the officer), personally appeared _____
_____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____ (Seal)

-- AND –

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(Proof of signature authorization or power of attorney must be attached)

APPROVED AS TO FORM:

_____
City Attorney

DRAFT

ITEM # 16

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

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

BY: Joseph A. Palombi, Director of Planning and Community Development
Arnold M. Alvarez-Glasman, City Attorney

SUBJECT: **Approve Amendment No. 2 to Commercial Cannabis Business Development Agreement No. 11-19 (City Agreement No. 3676)**

DATE: February 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

1) Approve, in substantially the form as presented, the Amendment to Cannabis Business Development Agreement No. 11-19 for the operation of commercial cannabis activities in the City of Montebello, and authorize the City Attorney's Office to make final and technical edits or revisions, if any, prior to execution, which authorizes the transfer of Development Agreement No. 11-19 and Conditional Use Permit No. 11-19; and

2) Condition the approval of the Amendment and CUP on the respective owner(s) and operator(s) clearing the requisite background checks, providing all exhibits to the development agreement amendments and missing information, if any, to the City of Montebello in a form acceptable to the City Attorney's Office no later than March 15, 2022 and on a case-by-case basis, authorize Director of Planning and Community Development Joseph Palombi discretion to provide the applicant(s) additional time if necessary in light of the current COVID-19 logistical limitations; and

3) Adopt findings contained herein exempting the Amendment from further CEQA review under CEQA Section 15301, and direct staff to prepare and file the applicable Notices of Exemption for each project recommended for approval; and

4) Take such additional, related action that may be desirable, and/or provide the City Attorney's office and/or staff with additional or alternative directive(s).

FISCAL IMPACT

The recommended action will have a substantially positive fiscal impact to the City by generating operating fees based on the gross receipts' percentages and square footage, as applicable, and annual community benefit fees in the annual amount of $50,000.00 per location.

An estimate of total, ongoing revenue from this operation is not possible until they begin operating. Staff in the Community Development and Finance Departments work together to ensure all operating businesses abide by the terms of their respective development agreements. Staff will work to ensure proper reporting of activity and collection of revenue due occurs once operations commence for the various cannabis operators. Subsequent budgets will include projections of cannabis related revenue.

BACKGROUND

On September 13, 2017, the City of Montebello (the "City") adopted Ordinance No. 2399 and No. 2400 adding Chapters 5.90 and 17.71 to the City Municipal Code allowing cannabis cultivation, manufacturing, and testing with a required development agreement and conditional use permit under specified location restrictions.

On June 13, 2018, the City adopted Ordinance No. 2404 and No. 2405, adding delivery-only retail sales and distribution along with cultivation, manufacturing, and testing as conditionally approved activities/uses in the M-1 and M-2 zones with a required development agreement and sensitive use buffer of 600 feet from residential zones and other sensitive uses.

On February 13, 2019, the City Council held a public hearing for the selection of potential cannabis operators for Phase 3 consideration and adoption of fees. The City Council selected 21 potential operators, adopted cannabis business application fees, and established a conditional use permit filing due date of March 4, 2019 for said operators.

Since the selection of potential cannabis operators, multiple departments of City staff and the City Attorney's Office has worked with said operators to finalize the conditional use permit application and negotiate a final development agreement, respectively. The applicant for transfer under consideration relates to the property located at 7895 Telegraph Road, Montebello, California. The current owner, Sam-Kap, Inc. ("Owner") is seeking authorization to transfer the Development Agreement and Conditional Use Agreement ("CUP") to Med Bloom, LLC ("New Owner"). City staff and the City Attorney's office has reviewed the application for transfer and modification and has determined that the requested transfer meets the requirements for approval, subject to completing the required background checks, and has paid the requisite fees.

The proposed modification and transfer to commercial cannabis Development Agreement

and transfer of the CUP is before City Council's consideration at tonight's meeting. Such approval would be consistent with past transfer approvals considered and authorized by previous City Council action.

ANALYSIS

Article 19 of the Development Agreement, "Assignment by Owner," prohibits the transfer, delegation, sublet or assignment by Owner of any portion of Owner's interests, rights, duties, and obligations described in Development Agreement *without prior written consent and approval by the City, as required under Montebello Municipal Code Chapters 5.90 and 17.71.* In addition, Article 2 of the Development Agreement, "Permitted Uses," allows for an Owner to apply for an amendment to the Agreement and issued Conditional Use Permit to add a permitted commercial cannabis activities *with the approval of the City's Planning Commission or City Council, as required by Montebello Municipal Code Chapters 5.90 and 17.71.*

In accordance with the terms of the Development Agreement, including Articles 19 and 2, Applicants have provided to the City of Montebello a written application form seeking a modification to the Development Agreement and respective Conditional Use Permit ("CUP"), for City's consent to assignment and change of ownership and addition of permitted commercial cannabis activity within the existing 4,000 sq. ft. footprint of the Property. The existing site will remain the same footprint as previously approved and will not intensify the use of the Property. The City has received application for modification materials, information and requisite fees it deems sufficient, appropriate and complete for the purpose of determining that Applicant is a qualified applicant for purposes of the terms of the Development Agreement and the CUP.

In the event of missing or incomplete application information, or exhibits to the Amendments, if any, staff is recommending that City Council condition the approval of the Amendment to Cannabis Business Development Agreement on the respective New Owner and operator clearing the requisite background checks, providing all exhibits to the development agreement amendments and missing information, if any, to the City of Montebello in a form acceptable to the City Attorney's Office no later than March 15, 2022.

ENVIRONMENTAL ASSESSMENT

The California Environmental Quality Act ("CEQA") requires public agencies to analyze and consider the impacts a "project" may have on the environment. A project is only subject to CEQA if the project requires a discretionary decision by the public agency. The required level of review depends on the probability and intensity of project related impacts. Additionally, a project may be exempt from CEQA review if the project qualifies for a categorical exemption.

City staff determined that approval of the Amendments to development agreements qualify as a project pursuant to CEQA. As such, staff determined that the proposed

projects anticipated by the Amendments to Development Agreements require CEQA compliance. After a thorough examination of the project applications of each proposed facility, including, but not limited to, standard operating procedures ("SOPs"), security plan, site plan and environmental data form, staff determined that the projects meet the provisions of CEQA Categorical Exemptions. These categorical exemptions were mandated by Public Resource Code Section 21084 and listed as a part of the CEQA Guidelines by the Secretary for Resource in Article 19 of the CEQA Guidelines.

Additionally, the project contemplated by Amendment No. 11-19 was already previously analyzed for environmental impacts and includes only minor interior alterations to the respective subject property. This zone was previously analyzed for environmental impacts with the approval of the conditional use permits for the subject property. Impacts were evaluated based on the anticipated activities likely to occur in such zone and City staff has determined that such "project", pursuant to the California Environmental Act (CEQA) Section 15301 (Existing Facilities) Class 1, consist of projects characterized as existing facilities meeting the following conditions described in said section:

1. The project consists of the operation repair, maintenance, permitting, leasing, licensing, or minor alterations of existing public and private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing of former use.
2. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
3. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
4. The project site has no value as habitat for endangered, rare or threatened species.
5. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
6. The site can be adequately served by all required utilities and public services.

Commercial cannabis activities are like in nature to those uses allowed by right currently existing or allowed in the M-1 and M-2 zones in which commercial cannabis activities are proposed. Further, as referenced hereinabove, the proposed three (3) projects have been approved as conditionally allowed uses by the Planning Commission, and a determination at that time was made that the projects were categorically exempt. Therefore, there is no nexus between commercial cannabis activities and additional significant environmental impacts in the zones that allow such activities.

There has been no scientific or factual data presented, to date, identifying any direct or indirect environmental impacts resulting from the manufacturing process or any other

cannabis related activity. In fact, many of the processes used in the manufacturing of cannabis, like extraction methods, are currently used in other manufacturing industries. Furthermore, impacts can be mitigated or otherwise regulated by the permitting process of other regulatory agencies. For example, all manufacturing facilities are required to obtain approvals and permits by the Fire Department and regional air quality management districts.

None of the conditions described in CEQA Guidelines, requiring the preparation of a Negative Declaration, Mitigated Negative Declaration or Environmental Impact Report, will occur as part of the proposed projects contemplated as part of the DAs. The City Council has the authority and discretion to make findings exempting the approval of the Development Agreement from further CEQA review. Therefore, in accordance with Section 15061(d) of the CEQA Guidelines, the City staff recommends that the City Council adopt these findings exempting the development agreements from further CEQA review and direct staff to file a Notice of Exemption for each project recommended for approval. In this regard, a Notice of Exemption from the California Environmental Quality Act CEQA for each development agreement have been prepared pursuant to CEQA (Public Resources Code §21000 et seq.) and the State CEQA Guidelines (Title 14, California Code or Regulations, Division 6, Chapter 3, §15000 et seq.) prior to the City Council's consideration for approval. The subject development agreements are "projects" that are subject to environmental review.

SUMMARY

City staff recommends that the City Council approve the Amendment for the operation of commercial cannabis activities in the City of Montebello and the transfer of CUP No. 11-19, and adopt findings contained herein exempting the Amendment to the development agreement from further CEQA review under CEQA Section 15301, and direct staff to prepare and file the appropriate Notice of Exemption for each project recommended for approval.

ATTACHMENT:

A. Attachment A – Amendment to, and Assignment and Assumption of, Commercial Cannabis Business Development Agreement No. 11-19

CITY OF MONTEBELLO
AMENDMENT NO. 2 TO AGREEMENT NO. 3673

SECOND AMENDMENT TO, AND ASSIGNMENT AND ASSUMPTION OF, COMMERCIAL CANNABIS BUSINESS DEVELOPMENT AGREEMENT NO. 11-19

THIS SECOND AMENDMENT TO, AND ASSIGNMENT AND ASSUMPTION OF, COMMERCIAL CANNABIS DEVELOPMENT AGREEMENT NO. 11-19 (the "Second Amendment") is entered into this _____ day of February 2022 by and between the CITY OF MONTEBELLO ("City"), a California municipal corporation, SAM-KAP, INC. ("Owner"), a California Corporation, and MED BLOOM, LLC ("Assignee/New Owner"), a California limited liability company. Owner may also be referred to herein as "Assignor." City, Owner and Assignee/New Owner are sometimes referenced together herein as the "Parties." In instances when a provision hereof applies to each of the Parties individually, either may be referenced as a "Party."

The Parties hereby jointly render the following statement as to the background facts and circumstances underlying this Second Amendment to, and Assignment and Assumption of, Commercial Cannabis Development Agreement No. 11-19.

RECITALS

A. **WHEREAS,** on February 14, 2018, Ordinance No. 2399 and No. 2400 came into effect authorizing specified commercial cannabis activities within the City of Montebello, in strict compliance with Applicable Cannabis Laws, under specified conditions and provisions.

B. **WHEREAS,** on June 13, 2018, Ordinance No. 2404 and No. 2405 came into effect amending specified commercial cannabis activities authorized by Ordinance No. 2399 and No. 2400 within the City of Montebello, in strict compliance with Applicable Cannabis Laws, under specified conditions and provisions.

C. **WHEREAS,** no such commercial cannabis activities are allowed or authorized in the City without a Conditional Use Permit, a Development Agreement, and all requirements pursuant to Montebello Municipal Code Chapters 5.90 and 17.71.

D. **WHEREAS,** after conducting a duly noticed CUP hearing on July 2, 2019, in conjunction with the City's applicable ordinances and resolutions, the Planning Commission of the City reviewed, considered and approved environmental clearance and approved the execution of CUP No. 11-19.

F. **WHEREAS,** on August 5, 2019, the City Council of the City of Montebello approved the execution of "COMMERCIAL CANNABIS BUSINESS DEVELOPMENT AGREEMENT NO. 11-19 BETWEEN THE CITY OF MONTEBELLO AND GREEN HEARTS, LLC ("Prior Owner")," (the "Development Agreement").

G. **WHEREAS,** Article 19 of the Development Agreement, "Assignment by Owner," prohibits the transfer, delegation, sublet or assignment by Owner of any portion of Owner's interests, rights, duties, and obligations described in Development Agreement without prior written consent and approval by the City, as required under Montebello Municipal Code Chapters 5.90 and 17.71. Pursuant Article 19 the Prior Owner applied for and was granted the

right to transfer their interest in the Development Agreement to the Owner.

H. **WHEREAS,** pursuant to Article 19 of the Development Agreement, the proposed transferee is required to show proof of lawful possession or transfer of possession of the applicable location, and assume all interests, rights, duties and obligations in the CUP.

I. **WHEREAS,** it is the intention of SAM-KAP, INC. ("Assignor") to transfer, sell and assign 100% of its interest to the Development Agreement and CUP to MED BLOOM, LLC ("Assignee"), becoming 100% owner of the Development Agreement and CUP, with the legal limitations that the CUP runs with the land, here, specifically, with real property as discussed herein.

J. **WHEREAS,** Assignor intends to assign, and Assignee intends to assume, all assignable interests, rights, duties and obligations under the Development Agreement and the CUP.

K. **WHEREAS,** in accordance with the terms of the Development Agreement, including Article 19, Owner/Assignor and Assignee have provided to the City of Montebello a written application form to a modification to the Development Agreement and CUP for City's consent to assignment and change of ownership. The City has received application for modification materials, information and requisite fees it deems sufficient, appropriate and complete for the purpose of determining that Assignee is a qualified applicant for purposes of the foregoing terms of the Development Agreement and the CUP, including showing the requisite proof of lawful transfer and holding of legal or equitable interest in real property considered in the Development Agreement and CUP, located at 7895 Telegraph Road with Assessor Parcel Number 6368-001-025 ("Property" or "Site").

L. **WHEREAS,** this Second Amendment is intended to meet the requirements of Article 19 of the Development Agreement and applicable Montebello Municipal Code provisions regulating an assignment and assumption agreement between Assignor and Assignee, and is executed with the consent of City of Montebello as contemplated in the Development Agreement.

M. **WHEREAS,** on February 23, 2022 the City Council of the City of Montebello reviewed, considered, and approved this SECOND AMENDMENT TO, AND ASSIGNMENT AND ASSUMPTION OF COMMERCIAL CANABIS DEVELOPMENT AGREEMENT NO. 11-19, by and between the CITY OF MONTEBELLO, Assignor SAM-KAP, INC., and Assignee MED BLOOM, LLC.

N. **WHEREAS,** all procedures of the California Environmental Quality Act ("CEQA"), California Public Resources Code §21000 et seq., and the CEQA guidelines, title 14 of the California Code of Regulations, chapter 3, §15000 et seq., have been satisfied as the City previously found that the proposed project was Categorically Exempt from California Environmental Quality Act ("CEQA") requirements under provisions of CEQA Guidelines **Section 15301** – Existing Facilities as change of ownership does not have any further environmental impact from what was previously found by the City.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and legal sufficiency of which are hereby acknowledged, the Parties do hereby agree as follows:

Section 1: Recitals.

The Recitals are true and correct and are hereby incorporated into and made a part of this Second Amendment. In the event of any inconsistency between the Recitals and the provisions of this Second Amendment, herein below, said provisions of this Second Amendment shall prevail.

Section 2: Assignment and Assumption of Development Agreement and Corresponding Conditional Use Permit.

2.1. Assignor hereby assigns, transfers, and conveys to Assignee all of Assignor's rights, interest, duties, burdens and obligations under the Development Agreement and the Conditional Use Permit (also referred herein as "Assignable Rights").

2.2. Assignee hereby assumes all of the rights, interests, duties, burdens and obligations of Assignor under the Development Agreement and Conditional Use Permit, and agrees to observe and fully perform all of the duties and obligations of Assignor under the Development Agreement, and respective Conditional Use Permit, and to be subject to all the terms and conditions thereof, with respect to the Property and Assignable Rights. It is the express intention of Assignor and Assignee that, upon the execution of this Second Amendment, Assignee shall become substituted for Assignor as the "Owner" under the Development Agreement and the corresponding Conditional Use Permit in relation to the Property.

2.3. The Second Amendment shall take effect and be binding only upon the City of Montebello City Council's consent to and approval of the Second Amendment, and as further outlined hereinbelow under Section 5.

2.4. Assignee represents and warrants that it has reviewed and is familiar with the terms and conditions of the Development Agreement and the Conditional Use Permit. Assignee acknowledges that the Assignable Rights are as set forth within the Development Agreement, the Conditional Use Permit, and the duties of Assignor thereunder and the duties of Assignee hereunder, as between Assignee and the City, shall be without reference to any underlying agreements or understandings that may exist between Assignee, Assignor, or any other party with respect to the subject matter hereof, and that the City is not party to such other agreements.

2.5. All the covenants, terms, and conditions set forth herein shall be binding upon and shall inure to the benefit of the Parties hereto and their respective heirs, successors, and assigns.

2.6. Exhibits: Assignee will cause the re-execution, re-incorporation, and/or submittal of the following Exhibits, which are deleted in their entirety from the Development Agreement and are incorporated herein by this reference and shall be inserted in lieu thereof.

2.6.a. Exhibit D: Recorded Grant Deed or Executed Lease Agreement
2.6.b. Exhibit E: Property Owner Signed and Notarized Consent Form
2.6.c. Exhibit F: Conditions of Approval
2.6.d. Exhibit G: Labor Peace Agreement or Notarized Statement of Intent

Section 3: Amendments to Development Agreement. The following articles, sections, paragraphs or portions of the Development Agreement are hereby amended to read as follows:

3.1. ***The Entirety of the Development Agreement:*** "SAM-KAP, INC." shall be stricken and deleted throughout the entire Development Agreement, and shall be replaced with "MED BLOOM, LLC."

3.2. ***Section 2.b. Government Code and Municipal Code Required Elements; Owner and Other Person with Legal or Equitable Interest*****.**

Owner: MED BLOOM, LLC
Nature of Interest: *Fee Simple Ownership of Property*

A true and correct copy of a recorded grant deed, or executed lease agreement, is attached hereto as Exhibit D, and incorporated herein by this reference.

3.3. ***Section 6.c. Community Relations, Employment, and Wages; Designation of Community Relations Liaison*****.**

Pursuant to Montebello Municipal Code Chapters 5.90 and 17.71, including, Commerce Municipal Code Section 5.61.300, at the time of this Second Amendment, Owner's day-to-day operations manager, Tatev Oganyan, will be responsible for community inquiries and complaints and on-site management during normal business hours.

3.4. ***Section 6.d. Community Relations, Employment, and Wages; Interface with Montebello Municipal Code / Inspections*****.**

Owner's day-to-day operations manager, and/or the Owner's Community Relations Liaison, Tatev Oganyan, will interface with the Montebello Police Department's assigned designee to ensure its operation complies with state and local laws and regulations. The City Manager, or designee, or the Montebello Police Department's assigned designee acting at the City Manager's request and per his or her specific and limiting instructions, shall have the right to enter all portions of the Site from time to time unannounced during hours of operation for the purpose of making reasonable inspections to observe and enforce compliance with this Agreement and Applicable Cannabis Laws, without the requirement of a search warrant, subpoena, or court order, and subject to appropriate cost recovery fees set forth in this Agreement, or adopted by the City.

_____ Owner's Initials

3.5. ***Section 17. CUP Conditions of Approval*****.**

Restatement of Compliance with CUP Conditions of Approval. New Owner and Assignee, collectively, MED BLOOM, LLC, shall comply with all conditions of approval of the City-issued CUP, as reflected and memorialized in Exhibit F, "Conditions of Approval," of the Development Agreement, and as also incorporated herein to this Second Amendment, by this reference. If there is any

conflict between a term of the Development Agreement, this Second Amendment, and a condition of approval of the City-issued CUP, then the most restrictive shall apply.

3.6. ***Section 21. Notice*.**

Any notice or communication required hereunder between City and Owner must be in writing, and may be given either personally, by registered or certified mail (return receipt requested), or by Federal Express, UPS or other similar couriers providing overnight delivery. If personally delivered, a notice shall be deemed to have been given when delivered to the Party to whom it is addressed. If given by registered or certified mail, such notice or communication shall be deemed to have been given and received on the first to occur of (i) actual receipt by any of the addressees designated below as the party to whom notices are to be sent, or (ii) five (5) days after a registered or certified letter containing such notices, properly addressed, with postage prepaid, is deposited in the United States mail. If given by Federal Express or similar courier, a notice or communication shall be deemed to have been given and received on the date delivered, as shown on a receipt issued by the courier. Any party hereto may at any time, by giving then (1) days written notice to the other Party hereto, designate any other address in substitution of the address to which such notice or communication shall be given. Such notices or communications shall be given to the Parties at their addresses set forth below:

If to City:	City of Montebello 1600 W. Beverly Boulevard Montebello, California 90640 Attention: City Manager
With a copy to:	City Attorney 13181 Crossroads Parkway North Suite 400 – West Tower City of Industry, California 91746
If to Owner/Assignee:	George Ouzounian Tatev Oganyan Med Bloom, LLC 7895 Telegraph Road Montebello, CA 90640

Section 4: Effect of Second Amendment and Continued Effectiveness of Development Agreement. Except as expressly modified herein, the Development Agreement shall remain in full force and effect, and all the terms and provisions of the Development Agreement are hereby reaffirmed. The provisions of this Second Amendment are severable and separate, and should a legal challenge be brought challenging the Second Amendment, including but not limited to, an action or proceeding – in equity or in law – such challenge shall in no way affect or impact the continued validity and existence of the Development Agreement.

Section 5: Effective Date. "Second Amendment Effective Date" means the date on which all of the following are true: (i) this Second Amendment has been signed by all Parties; (ii)

the new applicant Owners have cleared all background check(s), and any related background verification(s), consistent with, and as required by, the City's laws and policies; (iii) all complete information and documentation supporting the application for this Second Amendment have been submitted to the City; and (iv) Exhibits to this Second Amendment are finalized, and same have been provided, however, that if these conditions have not been fully satisfied by the Owner and/or Assignee/New Owner, the Effective Date may not thereafter occur and this Second Amendment may not thereafter become effective.

Section 6: Authority to Sign. Each Party or responsible officer or governing body therefore, has read this Second Amendment and understands and knows the contents thereof, and represents and warrants that each of the officers, members, or agents executing this Second Amendment on behalf of their respective corporations, partnerships, or other organizations is authorized and empowered to do so and hereby binds the respective corporation, partnership, or other organization.

IN WITNESS HEREOF, the Parties hereto have executed this Second Amendment as of the dates herein below.

[Signatures on the following page]

CITY OF MONTEBELLO

_____

Kimberly Cobos-Cawthorne
Mayor

Date:_____

SAM-KAP, INC.

_____

Shahan Kaprielian
Owner and Managing Member
[Assignor/Owner]

Date:_____

MED BLOOM, LLC

_____

Tatev Oganyan
Owner and Managing Member
[Assignee/New Owner]

APPROVED AS TO FORM:

_____

City Attorney
City of Montebello

Date:_____