



CITY OF MONTEBELLO CITY COUNCIL/SUCCESSOR AGENCY
REGULAR MEETING AGENDA

WEDNESDAY, MAY 26, 2021 AT 5:30 P.M.

**CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA**

CITY COUNCIL

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

Fire Chief

Police Chief

Director of Finance

Director of Human Resources

Director of Planning/Community Development

Director of Public Works

Director of Recreation and Community Services

Director of Transportation

Arlene Salazar

Fernando Pelaez

Brad Keller

Michael Solorza

Nicholas Razo

Joseph Palombi

James Enriquez

David Sosnowski

Young-Gi Kim Harabedian

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. To ensure the health and safety of the public during the local, state, and federally declared COVID-19 Emergency, City Hall Council Chambers will not be open for this meeting, and all public participation must occur telephonically. 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: www.cityofmontebello.com under the "City Council AGENDAS" tab and clicking the "Live Stream" tab, and may also be viewed on Channel 3.

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 24 hours before this meeting.

STATEMENT OF PUBLIC COMMENTS AND PARTICIPATION: Members of the public may address the City Council on any items listed on the Agenda. Anyone wishing to address the City Council on an item not listed on the Agenda (Non-Agenda Items) may do so 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 shall not exceed three (3) minutes per person. "Public Comments" may be limited to 30-minutes, those not accommodated during that time may have an opportunity to speak under "Oral Communications – Continued" after all scheduled matters have been considered. Please show courtesy to others and direct all of your comments to the Mayor.

For those interested in making public comments, you may call up until the day of the meeting, **Wednesday, May 26, 2021 between 7:30 a.m. – 3:30 p.m. at (323) 887-1359**. Staff will complete the speaker cards and the public will be called during the City Council meeting – Closed Session begins at 5:30 p.m. and Regular Session begins at 6:30 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 meeting to receive a live call from staff during the meeting. The City has also created an email address, ccpubliccomment@cityofmontebello.com, where the public can submit public comments up until the day of the meeting, **Wednesday, May 26, 2021 between 7:30 a.m. – 3:30 p.m.** These comments will be read out loud and submitted for the record. Any requests to provide public comment which is submitted after the deadlines indicated above will not be addressed at the council meeting, with the exception of non-agenda item comments which will be held over to the next regularly scheduled meeting.

AGENDA MATERIALS: The agenda and agenda packet related to items on this agenda are available for public inspection at City's website at: www.cityofmontebello.com under the "City Council AGENDAS" tab and clicking the "Council Agenda" tab. Copies of the agenda cover sheets will be available for pickup at the front and west entrance of City Hall, as well as the north side of the building on Masser Place. Please note that only 10 copies will be distributed between the three locations and will be available for pick up on a first-come, first-served basis. 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

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 – 5:30 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 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

REGULAR SESSION – 6:30 P.M.

INVOCATION

FLAG SALUTE

CORRECTIONS TO THE AGENDA – CITY MANAGER

PRESENTATIONS

5. RECOGNITION OF LIANA COHEN MUSIC FESTIVAL AND MTAC ROMANTIC PIANO COMPETITION WINNERS – NARK SARGSYAN AND MANEH SARGSYAN
6. RECOGNITION OF NONA ZAKHARYAN
7. INITIAL FISCAL YEAR 2021-2022 BUDGET OVERVIEW

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

At this time, the general public may address the City Council on non-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 – NONE

OLD BUSINESS

8. CONSIDERATION OF ADOPTION OF ROSENBERG’S RULES OF ORDER AND OTHER RELATED CITY COUNCIL RULES OF PROCEDURE

RECOMMENDATION: It is recommended 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.

REGULAR BUSINESS

9. ADOPT RESOLUTION NO. 21-43 DECLARING INTENTION TO TRANSITION FROM AN “AT-LARGE” TO A “BY-DISTRICT” ELECTION SYSTEM

RECOMMENDATION: It is recommended 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.

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, with the exception of an item upon which a member of the public or City Council has requested to speak on, may be approved in a single motion. Such approval will also waive the reading of any ordinance.

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**

RECOMMENDATION: It is recommended 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.

11. **APPROVE AN INCREASE TO THE AGREEMENTS WITH NEW FLYER AND WAYNE ELECTRIC COMPANY FOR THE PURCHASE OF MAINTENANCE RELATED BUS PARTS**

RECOMMENDATION: It is recommended 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.

12. ADOPT RESOLUTION NO. 21-40 RELATED TO FISCAL YEAR 2021-22 CONFIRMATION OF ANNUAL TAX RATE FOR VOTER APPROVED INDEBTEDNESS

RECOMMENDATION: It is recommended 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.

13. AUTHORIZATION TO ISSUE REQUEST FOR PROPOSALS (RFP) FOR FARMER'S MARKET MANAGEMENT SERVICES

RECOMMENDATION: It is recommended 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.

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

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 21-41:

- 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.

15. PAYMENT OF BILLS: RESOLUTION APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED MAY 26, 2021

RECOMMENDATION: Adopt the proposed Resolution approving the Warrant Register dated May 26, 2021.

16. 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
- b. Council Oral 2
- c. Council Oral 3

2. Councilmember Jimenez

- a. Jerry Griffin
- b. Sister City
- c. Run Montebello Run Shoe Drive for MCAP

3. Councilmember Peralta

4. Mayor Pro Tem Torres

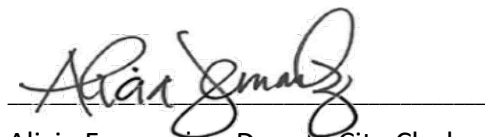
- a. Transit Ad Hoc Update
- b. Upcoming general plan technical presentations: Montebello Economy (6/21), Vibrant Places (6/22), Mobility & Parking (6/23), Great Neighborhoods and Codifying the Vision (6/24)
- c. Request for South Montebello Town Hall Series
- d. Montebello Volunteer Corps

5. Mayor Cobos-Cawthorne

ADJOURNMENT

The City of Montebello City Council will adjourn to the next Regular Meeting on June 9, 2021 at 5:30 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, June 6, 2021 5:30 p.m.

A handwritten signature in black ink, appearing to read 'Alicia Fernandez', is written over a horizontal line.

Alicia Fernandez, Deputy City Clerk



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: **Consideration of Adoption of Rosenberg's Rules of Order and other Related City Council Rules of Procedure**

DATE: May 26, 2021

RECOMMENDATION (S):

It is recommended 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.

FISCAL IMPACT

None

BACKGROUND

At the City Council meeting of May 12, 2021, Mayor Cobos-Cawthorne during Council Oral communications requested the City Council consider transitioning the manner of conducting business at City Council meetings from Robert's Rules of Order to Rosenberg's Rules of Order.

Currently, the Montebello Municipal Code (MMC) is silent concerning the rules to be applied in conducting City Council meetings, however, MMC, Section 2.30.110 establishes that unless otherwise stated, Commission meetings shall follow Robert's Rules of Order. Historically, by practice, the City Council has applied Robert's Rules of Order in conducting their meetings.

Consideration of Adoption of Rosenberg's Rules of Order and other Related City Council Rules of Procedure

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The City Clerk's Office has conducted research on past resolutions approved by previous City Councils which resulted in three Resolutions being discovered:

- Resolution No. 89-70 – relating to the rules for the conduct of audience participation, approved May 22, 1989.
- Resolution No. 06-22 – concerning rules for the conduct of City Council meetings amending and restating Resolution No. 89-70, approved February 22, 2006.
- Resolution No. 11-89 – concerning rules for the conduct of City Council meetings amending and restating Resolution No. 06-22, specifically relating to Council Orals, approved on October 12, 2011.

While each City Council can adopt its own rules and guidelines, those rules and Resolutions would still apply unless modified by any given City Council.

DISCUSSION

While Robert's Rules and Rosenberg's Rules of Order have basic similarities, Rosenberg's Rules places significant responsibility upon the Mayor as the Chair to run the conduct of the meeting, serve as the primary parliamentarian, and handle the fundamental operation of the meeting, including public comment and motions (see items First through Tenth on page 3 of the attached Rosenberg's Rules of Order).

If the City Council wishes to change the manner in which City Council meetings operate and adopt Rosenberg's Rules of Order, it may do so, or the City Council may adopt Rosenberg's Rules with modifications. It is also recommended that upon review of the Resolutions attached to this report, if there are changes to the rules for the conduct of City Council meetings, they should be identified in order to incorporate such changes into a new resolution approved by the current City Council at a future meeting.

Direction will be needed from the City Council on the adoption of Rosenberg's Rules of Order and on any changes to the rules of conduct of City Council meetings.

SUMMARY

Direction is sought on the procedural aspects of conducting City Council meetings, including consideration of adopting Rosenberg's Rules of Order.

ATTACHMENT(S):

- A. Attachment A – Rosenberg's Rules of Order
- B. Attachment B – Resolution No. 89-70
- C. Attachment C – Resolution No. 06-22
- D. Attachment D – Resolution No. 11-89



Rosenberg's Rules of Order

REVISED 2011

Simple Rules of Parliamentary Procedure for the 21st Century

By Judge Dave Rosenberg



MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

About the League of California Cities

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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ABOUT THE AUTHOR

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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INTRODUCTION

The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

First, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

Second, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

Third, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

Fourth, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

Fifth, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

Sixth, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

Seventh, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

Eighth, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

Ninth, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

Tenth, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move ...”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

The basic motion. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: "I move that we amend the motion to have a 10-member committee." A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: "I move a substitute motion that we cancel the annual fundraiser this year."

"Motions to amend" and "substitute motions" are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a "motion to amend" or a "substitute motion" is left to the chair. So if a member makes what that member calls a "motion to amend," but the chair determines that it is really a "substitute motion," then the chair's designation governs.

A "friendly amendment" is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, "I want to suggest a friendly amendment to the motion." The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic "motion to have a five-member committee to plan and put on our annual fundraiser." During the discussion of this motion, a member might make a second motion to "amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser." And perhaps, during that discussion, a member makes yet a third motion as a "substitute motion that we not have an annual fundraiser this year." The proper procedure would be as follows:

First, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

Second, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

Third, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

Motion to adjourn. This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

Motion to recess. This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

Motion to fix the time to adjourn. This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: "I move we adjourn this meeting at midnight." It requires a simple majority vote.

Motion to table. This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

Motion to limit debate. The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

NOTE: A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

Motion to limit debate. Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

Motion to close nominations. When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

Motion to object to the consideration of a question. Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

Motion to suspend the rules. This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

How does this work in practice?

Here are a few examples.

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote? Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention not to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.



Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

Privilege. The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

Order. The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

Appeal. If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

Call for orders of the day. This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

Withdraw a motion. During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

Rule One: Tell the public what the body will be doing.

Rule Two: Keep the public informed while the body is doing it.

Rule Three: When the body has acted, tell the public what the body did.



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RESOLUTION NO. 89-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO PROVIDING
RULES FOR THE CONDUCT OF AUDIENCE PARTICIPATION

THE CITY COUNCIL OF THE CITY OF MONTEBELLO DOES RESOLVE AS
FOLLOWS:

SECTION 1. Procedure for addressing Council.

(a) Each person wishing to address the council on an item not listed as a public hearing shall complete a card provided by the City Clerk for that purpose. Once the card is completed, it shall be returned to the City Clerk prior to 8 p.m. Upon receipt of the card, the city clerk shall deliver it to the presiding officer.

(b) Information to be provided on such card by each person wishing to address the council shall include the person's name and address; whether he or she is speaking for himself or herself, an organization or another party; the agenda item he or she wishes to address; and/or a brief description of the subject matter he or she wishes to present.

(c) The maximum time for addressing the council shall be limited to five minutes; however, the presiding officer may either extend or reduce the maximum time to such period of time as the council may determine.

(e) When called upon by the presiding officer, each person addressing the council shall step up to the microphone in front of the rail, shall give his or her name, address and organization or other party he or she represents, if any, in an audible tone of voice for the record, and limit his or her address to five minutes. All remarks shall be addressed to the presiding officer and not to any one member. No person, other than the council and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the council, without the permission of the presiding officer. No question shall be asked a councilmember or staff member except through the presiding officer.

(f) In order to expedite council business and to avoid repetitious presentations, whenever any organization or group of persons wishes to address the council on the same subject matter, it shall be proper for the presiding officer to inquire whether the organization or group has a spokesperson. If so, the spokesperson shall limit his or her address to five minutes; and, once he or she is heard, following speakers from the organization or group shall be limited to facts not already presented by the spokesperson.

Section 2. Standards of decorum.

(a) The Mayor or presiding officer shall have the right to terminate any oral communication where such is not of interest to the public or within the subject matter jurisdiction of the City Council or is redundant or repetitious. Debates between individual members of the Council and audience should be discouraged.

(b) Speakers shall not present the same or substantially same items or arguments to the council repeatedly or be repetitious or dilatory in presenting their oral comments. If a matter has been presented orally before the Council, whether the Council has taken action, or determined to take no action, the same or substantially same matter may not be presented orally by the same person more than once in any four month period. Nothing in the foregoing precludes submission of comments to the City Council in writing regarding such action or non-action.

(c) Any person who becomes boisterous while addressing the council or who otherwise disrupts the orderly conduct of the Council's business shall be barred after being admonished from addressing the Council further.

Section 3. Enforcement of Decorum.

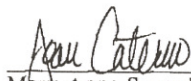
The chief of police, or such member, or members, of the police department or police reserve as he may designate, shall be sergeant-at-arms of the council meetings. He, or they, shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at council meetings. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms to place any person who violates the order and decorum of the meeting under arrest.

Section 4. That the City Clerk shall certify to the adoption of this resolution and shall cause the same to be published in the manner prescribed by the law.

PASSED AND APPROVED THIS 22 DAY OF May 1989.


William O. Nighswonger, Mayor

ATTEST:

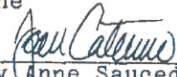

Mary Anne Saucedo, City Clerk
by: Joan Caterino, Deputy



STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF MONTEBELLO)

I, Mary Anne Saucedo, City Clerk of the City of Montebello, do hereby certify that the foregoing resolution was duly adopted by the City Council of said City at a regular meeting thereof held on the 22nd day of May, 1989, and carried by the following vote:

AYES: COUNCILMEMBERS: Glasman, Salazar, Payan, Nighswonger
NOES: COUNCILMEMBERS: Pizzorno
ABSENT: COUNCILMEMBERS: None


Mary Anne Saucedo, City Clerk
by: Joan Caterino, Deputy

RESOLUTION NO. 06-22

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO
AMENDING AND RESTATING RESOLUTION NO. 89-70
CONCERNING RULES FOR THE CONDUCT OF CITY COUNCIL MEETINGS**

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Montebello and the Redevelopment Agency of the City of Montebello:

SECTION 1. Meetings Open to the Public.

The City Council and Agency are subject to the Brown Act Open Meetings Law. (Government Code 54950 et seq). All meetings of the City Council and Agency are open to the public, except for closed sessions which are authorized to be held in accordance with the applicable provisions of the Brown Act.

SECTION 2. Time and Place of City Agency/Council Meetings.

Regular meetings of the City Council and Agency shall be held at the City Hall Council Chambers at 1600 West Beverly Boulevard, Montebello, California, except as otherwise provided from time-to-time and authorized by the Brown Act. The regular meetings of the City Council and Agency shall be held on the second and fourth Wednesdays of each month. The Redevelopment Agency meeting will start at 6:30 p.m. The City Council Closed Session will start at 6:30 p.m. or at the conclusion of the Agency meeting. The Agency Chairman may recess the Agency meeting to take up City Council closed session items. Discussion on all closed session items shall end promptly at 7:30 p.m. or be recessed until the conclusion of the regular City Council meeting. The regular City Council meeting will start at 7:30 p.m.

SECTION 3. Order of Business.

The business of the Agency and City Council at regularly scheduled meetings shall be disposed of in the following order:

Redevelopment Agency – 6:30 p.m.

Call Meeting to Order
Roll Call
Approval of Agenda
Scheduled Matters
New Business
Old Business
Routine Matters/Consent Calendar
Statement of Oral Communications
Oral Communications
Agency Orals & Agency Action Items
Closed Session
Closed Session Report
Adjournment

City Council - 6:30 p.m. Closed Session

Call Meeting to Order
Roll Call

Announcement of Closed Session Items
Comments
Closed Session

City Council - 7:30 p.m. Regular Meeting

Call Meeting to Order
Roll Call
Invocation
Pledge of Allegiance
Closed Session Report
Ceremonial Items/Presentations
Statement of Oral Communications
Oral Communications (Limited to 30 minutes)
Approval of Agenda
Scheduled Matters
New Business
Old Business
Routine Matters/Consent Calendar
Continued Oral Communications (if necessary)
Council Orals & Council Action Items
Adjournment

SECTION 4. Statement of Oral Communications.

Every Agency and City Council Agenda shall contain a Statement of Oral Communications in substantially the following form:

"Statement of Oral Communications: Thank you for participating in tonight's meeting. Individuals interested in addressing the City Council [Redevelopment Agency] on any agenda item or topic must fill out a form provided at the door, and turn it in to the City Clerk prior to 7:30 p.m. A form does not need to be submitted for public hearing items. Forms turned in after 7:30 p.m. may be held until the next regular meeting.

At this time speakers wishing to address the City Council [Redevelopment Agency] on an item that is not on the agenda will be called upon in the order that their speaker card was received. Those persons not accommodated during this thirty (30) minute period will have an opportunity to speak under "Oral Communications - Continued" after all scheduled matters have been considered.

Please be aware that the maximum time allotted for individuals to speak shall not exceed three (3) minutes per speaker. Please be as specific as possible about the topic on which you wish to speak. Further, in accordance with state law, the City Council [Redevelopment Agency] may not take action or entertain extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor [Chairman] and not to the audience or staff members. "

SECTION 5. Procedure for Addressing the Agency/City Council.

A. Each person wishing to address the Agency or City Council on an item not listed as a public hearing item shall complete a card provided by the City Clerk for that purpose. Once the card is completed, it shall be returned to the City Clerk prior to 7:30 p.m. that night. Upon receipt of the card, the City Clerk shall deliver it to the presiding

officer. Request to speak cards submitted after 7:30 p.m. may be called on at the next regular meeting of the City Council or Agency.

Once a speaker completes all of their comments, Agency/Council members may ask brief questions concerning such comments and inquiries. However, the Agency/Council should not engage in discussion or take action in connection with such comments. Once the speaker is seated, the presiding officer may refer an issue or public inquiry to the City Administrator for a brief response, further review and/or further action, if appropriate. Alternatively, the Agency/Council may request the issue be agendaized for discussion at a future Agency/Council meeting.

B. Each person wishing to address the Agency or City Council on a scheduled matter shall complete a card provided by the City Clerk for that purpose. Once the card is completed, it shall be returned to the City Clerk prior to 7:30 p.m. that night. Upon receipt of the card, the City Clerk shall deliver it to the presiding officer. Speakers will be heard when the item is up for discussion, following the staff report, Agency/Council questions and Applicant presentation, if any. All speakers wishing to speak on scheduled matters shall be heard. Speakers wishing to address the Agency/Council on public hearing items shall not be required to fill-out a speaker card in order to be called on to speak. Speakers addressing the Agency/Council on a public hearing item shall be heard after the public hearing is opened by the presiding officer.

C. The maximum time for addressing the Agency/Council on any item shall be limited to three (3) minutes per speaker. For land use public hearings, the Applicant presentation shall be limited to ten (10) minutes. For appeal hearings, the Appellant presentation shall be limited to fifteen (15) minutes. However, the presiding officer may extend the maximum time allotted to any speaker with the concurrence of a majority of the Agency/Council. Extensions of time shall be granted in minute increments.

D. Speakers will be called in the order that their request to speak card is recorded by the City Clerk. Speakers will be permitted to complete their comments without interruption and no speaker may yield their allotted time to other speakers. When called upon by the presiding officer, each person addressing the Agency/Council shall step up to the microphone in front of the rail, give their name, address and organization or other party represented, if any, and in an audible tone of voice, address the Agency/Council for no more than three (3) minutes. All comments shall be addressed to the presiding officer and not to any single Council or Agency member. No person, other than the person having the floor, shall be permitted to enter into any discussion, either directly or indirectly or through a member of the Council or Agency, without the permission of the presiding officer. No questions shall be asked a Council or Agency or staff member except through the presiding officer.

E. In order to expedite Agency/Council business and to avoid repetitious presentations, whenever an organization or group of persons wishes to address the Council or Agency on the same subject matter, it shall be proper for the presiding officer to inquire whether the organization or group has a spokesperson. If so, the spokesperson shall limit his or her address to three (3) minutes and once the spokesperson is heard, additional speakers from the organization or group shall be limited to addressing facts not already presented by the spokesperson.

SECTION 6. Agency/Council Oral Reports and Action Items.

A. Agency/Council members shall comply with the requirements of Resolution No. ~~06-22~~ Administrative Policy for Placement of Action Items on City Council Agendas by Councilmembers").

B. In accordance with subsection (E) of Resolution No ~~06-22~~ requests for Agency/Council action items and oral reports shall be introduced and explained by the Agency/Council member that placed the item on the Agenda. Agency/Council members should endeavor to complete their presentations in five (5) minutes or less. Agency/Council members may request additional time to complete their presentations from the presiding officer. Such requests for additional time shall not be unreasonably denied. After the introduction and presentation of the item, each Agency/Council member shall be provided an opportunity to ask questions and comment on the request.

SECTION 7. Standards of Decorum.

A. The Mayor shall be the presiding officer at City Council meetings. The Chairperson shall be the presiding officer at Agency meetings. In the absence of the Mayor/Chairperson, the Mayor Pro Tem/Vice Chairperson shall be presiding officer.

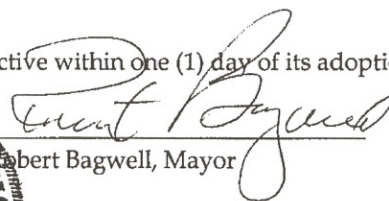
B. The presiding officer shall have the right to terminate any oral communication where such is not within the subject matter jurisdiction of the Agency/Council or is redundant or repetitious. Debates between Agency/Council members and the public should be discouraged.

C. Any person who becomes boisterous while addressing the Agency/Council or who otherwise disrupts the orderly conduct of the Agency's/Council's business shall be subject to removal from the Chambers after being admonished by the presiding officer.

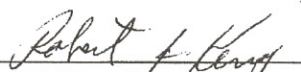
D. The chief of police, or such other member or members of the police department or police reserve as may be designated, shall be sergeant-at-arms of the Agency/Council meetings. The sergeant at arms shall carry out all orders and instructions given by the presiding officer for the purpose of maintaining order and decorum at Agency/Council meetings. Upon instructions of the presiding officer, it shall be the duty of the sergeant-at-arms to place any person who violates the order and decorum of the meeting under arrest.

SECTION 8. This Resolution shall be effective within one (1) day of its adoption.

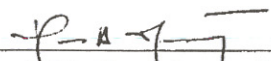



Robert Bagwell, Mayor

ATTEST:


Robert J. King, City Clerk

APPROVED AS TO FORM:


Marco A. Martinez, Agency Counsel

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.
CITY OF MONTEBELLO)

I, ROBERT J. KING, City Clerk of the City of Montebello, do hereby certify that the foregoing Resolution No. 06-22 as duly and regularly approved and adopted by the Montebello City Council at their regular meeting held on the 22nd day of February 2006, as approved by law by the following vote:

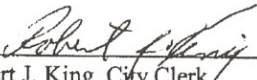
AYES: Members: Lopez-Reid, Siccama, Bagwell

NOES: Members: Vasquez, Molinari

ABSTAIN: Members: None

ABSENT: Members: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on the 22nd of February 2006.



Robert J. King, City Clerk

(resoatst)

RESOLUTION NO. 11-89

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO
AMENDING AND RESTATING RESOLUTION NO. 06-22 CONCERNING RULES FOR
THE CONDUCT OF CITY COUNCIL MEETINGS**

WHEREAS, on February 22, 2006 the City Council of the City of Montebello defined certain rules for the conduct of City Council meetings; and

WHEREAS, the City Council has determined the need to formalize the placement of Council Oral Communications on City Council Agendas consistent with the requirements of the Brown Act; and

WHEREAS, Government Code Section 54954.2(a) requires that an agenda item must contain a brief, general description of each item of business to be transacted or discussed which generally need not exceed 20 words; and

WHEREAS, currently, the City Council has been listing City Council Oral Communications in broad generalities and often times using no more than a few words which fails to adequately inform members of the public and provide a clear description of the intent of the Council Oral and the topic or topics to be discussed.

NOW, THEREFORE, BE IT RESOLVED by the City of Montebello as follows.

SECTION 1. An amendment to Montebello City Council Resolution No 06-22 is adopted and adds a new Section C, which reads as follows:

- C All City Council Oral Communications shall be expressed in complete sentences and shall provide sufficient information to be in compliance with the Brown Act. All City Council Oral Communications shall provide a brief, general description of each item of business to be transacted or discussed at the meeting and need not exceed 20 words.

In all other respects, Resolution No 06-22 shall remain in full force and effect, and is hereby restated.

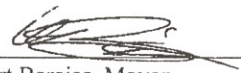
SECTION 2. If the City Council Oral Communication offered fails to comply with the policy expressed in Resolution 06-22, as amended, the City Administrator shall not place the item of the agenda and shall request a complete sentence to be stated prior to the item being listed on the City Council agenda.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution, which shall become effective upon its approval by the City Council.

APPROVED AND ADOPTED ON THIS 12th DAY OF OCTOBER 2011



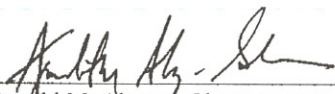
BY


Art Barajas, Mayor

ATTEST


Robert J. King, City Clerk

APPROVED AS TO FORM

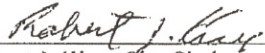

Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)ss.
CITY OF MONTEBELLO)

I, ROBERT J KING, City Clerk of the City of Montebello, do hereby certify that the foregoing Resolution No.11-89 as duly regularly approved and adopted by the Montebello City Council at special meeting held on the 12th day of October 2011, as approved by law by the following vote:

AYES	Members: Molinari, Gomez, Perez, Barajas
NOES	Members: Cortez
ABSTAIN	Members: None
ABSENT	Members: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said City on the 12th of October, 2011



Robert J King, City Clerk



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: **Adopt Resolution No. 21-43 Declaring Intention to Transition from an “At-Large” to a “By-District” Election System**

DATE: May 26, 2021

RECOMMENDATION (S):

It is recommended 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.

FISCAL IMPACT

Should the Council adopt a resolution declaring the City’s intention to initiate procedures for establishing and implementing by-district elections, staff recommends retaining the services of an appropriate demographic evaluation firm to assist with the analysis, redistricting and public hearing process. The cost of the demographer is not yet known at this time.

If the Council ultimately adopts an ordinance implementing by-district elections, the City may also be liable for costs to the prospective plaintiffs of up to an additional \$30,000. If it does not, a fee demand will likely exceed that amount by a significant margin.

BACKGROUND

On March 15, 2021, the City of Montebello (City) received a Notice of Possible Violation of California Voting Rights Act (CVRA) demand letter from attorney Scott J. Rafferty (Rafferty), on behalf of his client, which threatens legal action against the City under the

Adopt Resolution No. 21-43 Declaring Intention to Transition from an “At-Large” to a “By-District” Election System

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CVRA if the City does not transition from at-large to district-based elections of City Councilmembers.

Recent efforts to protect jurisdictions from costs related to CVRA litigation (which include plaintiffs’ attorneys’ fees and litigation expenses) led to an amendment of the Elections Code 10010 to include a “safe-harbor” provision that gives the jurisdictions the opportunity to change their election system once they receive a demand letter and caps legal fees recoverable by a plaintiff at \$30,000 if a jurisdiction:

- a. Adopts a resolution of intention to transition to district-based elections that outlines specific steps and estimates a time frame, within forty-five (45) days of receiving the demand letter; and
- b. Holds at least five (5) public hearings and adopts an ordinance within ninety (90) days of adopting the resolution of intention.

On April 22, 2021, Attorney Rafferty agreed to extend the forty-five (45) day deadline described in subsection (a) above to adopt a resolution of intention to transition to district-based elections until May 27, 2021.

DISCUSSION

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

In many cases, the apparent motivation for a claim under the CVRA is the attorney fees often awarded to successful plaintiffs. Under the CVRA, a plaintiff need not obtain a court judgment to recoup attorney fees. A plaintiff may seek attorney fees if the matter is settled or the defendant agency acceded to the plaintiff’s demands before judgment. Plaintiff must demonstrate, however, that his or her suit or demand was a “substantial factor contributing to” the agency’s decision to adopt districts.

If Council decides not to change to district-based elections, Rafferty on behalf of prospective plaintiffs can be expected to sue the City for violation of the CVRA. Costs to defend against a CVRA lawsuit often exceeds \$1 million and successful plaintiffs are entitled to attorney’s fees, costs and other litigation expenses. Public agencies are not

Adopt Resolution No. 21-43 Declaring Intention to Transition from an “At-Large” to a “By-District” Election System

Page 3 of 3

entitled to costs or litigation expenses unless the court finds the action to be frivolous, unreasonable, or without foundation.

If the City Council adopts a Resolution of Intention, then five (5) public hearings must be held within 90 days of adoption. The first two public hearings are held prior to drawing maps to consider communities of interest and other interest which should influence map design through public comment. The third and fourth public hearings are held to receive public input on the draft maps provided by the City’s contract demographers, those submitted by Mr. Rafferty and any other map proposals that are received. The fifth hearing to introduce the ordinance may be on the same day as the fourth hearing, provided the proposed draft district map does not change. If the Resolution of Intention is adopted on May 26, 2021 the fifth hearing must occur by August 24, 2021.

SUMMARY

On March 15, 2021, the City received a demand letter from Rafferty asserting that the City’s at-large council member electoral system violates the CVRA by denying minority voters of an opportunity to elect candidates of their choice that is equal to the opportunity enjoyed by non-minority voters. Staff recommends that City Council adopt a resolution 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.

ATTACHMENT(S):

- A. Attachment A – Resolution No. 21-43 of Intention

ATTACHMENT A

RESOLUTION NO. 21-43

RESOLUTION OF THE CITY OF MONTEBELLO EXPRESSING ITS INTENTION TO TRANSITION FROM AT-LARGE TO BY-DISTRICT CITY COUNCIL ELECTIONS PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10010 ET SEQ., AND TO INITIATE PROCEDURES FOR ESTABLISHING AND IMPLEMENTING BY-DISTRICT ELECTIONS FOR CITY COUNCIL MEMBERS

WHEREAS, the City of Montebello, California ("City") is a general law city, duly organized under the Constitution and laws of the State of California; and

WHEREAS, members of the Montebello City Council are currently elected in "at-large" elections, in which each City Councilmember is elected by the registered voters of the entire City; and

WHEREAS, under Elections Code Section 14028(a), the California Voting Rights Act ("CVRA") violation is established if it is shown that racially polarized voting occurs in elections. Under Elections Code Section 14026(e), "racially polarized voting" means voting in which there is a difference in the choice of candidates or other electoral choices that are preferred by voters in a protected class, and in the choice of candidates and electoral choice that are preferred by voters in the rest of the electorate; and

WHEREAS, the City received a demand letter on March 15, 2021 from Scott J. Rafferty alleging that the City's at-large election system violates the CVRA and threatening litigation against the City if it does not voluntarily change its at-large system of electing Councilmembers; and

WHEREAS, California Government Code Section 34886 authorized the legislative body of a city of any population to adopt an ordinance to change its method of election from an "at-large" system to a "by-district" system in which each Councilmember is elected only by the voters in the district in which the candidate resides without the need to put such change to the voters; and

WHEREAS, California Elections Code Section 10010 establishes a process to expeditiously transition to a by-district election system, and which provides a "safe-harbor" to avoid potentially costly litigation under the CVRA, and provides that a city may pass a resolution outlining its intention to transition to by-district elections, the steps it will undertake to facilitate this task, and an estimated time frame for doing so under Elections Code Section 10010(e)(3)(A); and

WHEREAS, the public interest would be better served by Council consideration of a proposal to transition to a by-district electoral system because of: 1) the extraordinary cost to defend against a CVRA lawsuit; 2) the risk of losing such a lawsuit which would require the City to pay the prevailing plaintiffs' attorneys' fees; and 3) the reimbursable costs and attorneys' fees would be capped at a maximum of \$30,000 by following the procedures set forth in Elections Code Section 10010 as amended by AB 350; and

RESOLUTION NO. 21-43

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WHEREAS, the adoption of a by-district election system will not affect the terms of any sitting Councilmember; and

WHEREAS, prior to the City Council's consideration and approval of an ordinance establishing boundaries for a by-district election system, California Elections Code Section 10010 outlines procedural rules and requires all of the following step:

- 1) Prior to drawing a draft map or maps of the proposed boundaries of the districts, the City shall hold at least two (2) public hearings over a period of no more than thirty (30) days, at which the public will be invited to provide input regarding the composition of the districts;
- 2) After all draft maps are drawn, the City shall publish and make available for release at least one draft map and, if members of the City Council will be elected in their districts at different times to provide for staggered terms of office, the potential sequence of elections shall also be published;
- 3) The City Council shall also hold at least two (2) additional public hearings over a period of no more than forty-five (45) days, at which the public shall be invited to provide input regarding the content of the draft map or maps and the proposed sequence of elections, if applicable;
- 4) The first version of a draft map shall be published at least seven (7) days before consideration at a public hearing. If a draft map is revised at or following a public hearing, it shall be published and made available to the public for at least seven (7) days before being adopted.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:

SECTION 1: The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2: The City Council hereby resolves, pursuant to California Elections Code Section 10010, to adopt a by-district election system by ordinance as authorized by California Government Code Section 34886 for City Councilmembers, and said by-district election system is planned to be in place for the City Council elections scheduled for November 2022.

SECTION 3: The City Council directs staff to work with the appropriate consultants as needed, to provide a detailed analysis of the City's current demographics and any other information or data necessary to prepare a draft map that divides the City into voting districts in a manner consistent with the intent and purpose of the state and federal Constitutions, the California Voting Rights Act, and the Federal Voting Rights Act.

SECTION 4: The City Council directs staff to post information regarding the proposed transition to a by-district election system, including maps, notices, agendas and

RESOLUTION NO. 21-43

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other information and to establish a means of outreach to receive public input and to answer questions from the public.

SECTION 5: The City Council hereby approves the tentative timeline as set forth in Exhibit A, attached to and made a part of this resolution, for conducting a public process to solicit public input and testimony on proposed by-district maps before adopting such map.

SECTION 6: The timeline contained in Exhibit A may be adjusted by the City Manager as deemed necessary, provided that such adjustments shall not prevent the City from complying with the time frames specified by Elections Code Section 10010.

SECTION 7: 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. Notwithstanding the foregoing, this Resolution shall be deemed adopted effective May 27, 2021.

APPROVED this 26th day of May 2021 and **ADOPTED** effective May 27, 2021.

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)
CITY OF MONTEBELLO) SS:

I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 21-43 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 26th day of May 2021 and that said Resolution was adopted by the following vote, to-wit:

RESOLUTION NO. 21-43

Page 4 of 4

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

ATTACHMENT B

Exhibit “A”

Proposed Timeline

Implementing By-District Elections for the Election of City Councilmembers

<u>Date</u>	<u>Topic</u>
<i>May 26, 2021</i>	City Council Meeting • Adopt Resolution of Intention.
<i>June 9, 2021</i>	City Council Meeting – Public Hearing #1 • Discuss process. • Identify neighborhoods and communities of interest. • Consider criteria for the formation of districts.
<i>June 23, 2021</i>	City Council Meeting – Public Hearing #2 • Discuss process. • Identify neighborhoods and communities of interest. • Consider criteria for the formation of districts.
<i>July 21, 2021</i>	Preliminary District Maps Released
<i>July 28, 2021</i>	City Council Meeting – Public Hearing #3 • Receive input on proposed district maps. • Final opportunity to provide direction to modify map options.
<i>TBD</i>	Revised District Maps Released (if needed)
<i>August 11, 2021</i>	City Council Meeting – Public Hearing #4 • Receive input on proposed district maps. • Selection of final district map. • Introduce ordinance to transition to districts.
<i>August 24, 2021</i>	City Council Meeting – Public Hearing #5 • Second reading and adoption of ordinance to transition to districts.
<i>August 24, 2021</i>	Day 90



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: David Sosnowski, Director of Recreation and Community Services
Nicholas Razo, Director of Human Resources and Information Technology

SUBJECT: **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**

DATE: May 26, 2021

RECOMMENDATION (S):

It is recommended 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.

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

Page 2 of 4

FISCAL IMPACT

Staff anticipates modest expenditures related to the production and erection of parking lot signage related to these proposed municipal code changes. Estimated costs are as follows: 18 signs at \$30/each would be approximately \$540. Fiscal Year 2020-21 budgets in both the Human Resources and Parks and Recreation Departments contain sufficient funding for these estimated costs, no budget amendments are needed related to this recommended action.

There will also be revenue associated with this activity. Amendment of the City’s Fee Schedule would add two new fees: per hour charging rate and an “overstay” rate to discourage vehicles from parking beyond the allowed time limit. At this time, there is not estimate of annual revenue from these new fees. Future budgets will include revenue projections, once specific electric vehicle parking spaces are designated and there is data on the usage of such parking spaces.

BACKGROUND

On January 26, 2018, Governor Brown signed Executive Order B-48-18, which set a statewide goal of achieving 5 million zero emission vehicles in California by 2030. In order to implement Executive Order B-48-18, it is necessary that the City of Montebello begin promoting and supporting the growth of electric vehicle (“EV”) infrastructure within city limits. Maximizing the utility of City-owned or operated parking lots and parking facilities by reserving parking stalls for the exclusive purpose of charging EVs used and operated by City staff, visitors, and the general public furthers such goals.

Section 22511 of the California Vehicle Code (“Vehicle Code”) allows a local authority to designate, by ordinance or resolution, that spaces in an off-street facility or on a public street may be designated for the exclusive use of parking a vehicle while connected to an electric charging station for the purpose of charging the vehicle.

The proposed Ordinance would amend Chapter 10.32 of the Montebello Municipal Code (“MMC”) reserving EV parking stalls at City-owned or operated lots and parking facilities. Concurrently with the proposed Ordinance, the City Council is being asked to authorize an amendment to the City’s Master Fee Schedule to add fees for EV Charging station. Based on comparable cities with existing EV Charging stations to include the City of Burbank, City of Santa Clarita, City of Beverly Hills, and City of Culver City, the City is proposing two fees, a per-kilowatt hour charge set at \$0.25/kWh and a \$6.00 per hour fee for any overstay after the maximum parking limit has been reached. In accordance with the MMC, EV fees, like any other service fees, may be subject to change in the future upon approval by the City Council.

Rules and regulations for the use and operation of such stalls will be implemented

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

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concurrently under the parameters established by Ordinance No. 21 first introduced on February 24, 2021. Ordinance No. 21 is authorized under Vehicle Code section 22519.

ANALYSIS

Generally, the proposed Ordinance would amend Chapter 10.32 of the MMC as follows:

- Authorize the City to designate specific parking stalls in all City-owned or operated, off-street lots and parking facilities for the exclusive purpose of EV parking and charging.
- Direct the City’s Director Recreation and Community Services to erect all required signage giving notice of the EV designation under Vehicle Code section 22511 and giving notice of any other related rules including, but not limited to, restriction of overnight parking and reservation of certain EV stalls as “employee-only” stations under the authority granted to the City under Vehicle Code section 22519.
- Authorize the implementation of EV charging station and overstay fees.
- Authorize the Chief of Police (or his designee) to issue notices to appear or citations, in the usual form and manner as provided in the Vehicle Code.

Staff is recommending that the City Council introduce and waive further reading of the proposed Ordinance attached hereto. Establishment of EV parking will further the City’s efforts to come within compliance of Executive Order B-48-18.

In addition, approval of the resolution amending the Master Fee Schedule would implement the proposed fees effective immediately.

ENVIRONMENTAL

The action proposed herein is exempt from the California Environmental Quality Act (CEQA), pursuant to State CEQA Guidelines Section 15061 (b)(3), the "General Rule" provision of CEQA where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The approval of the proposed Ordinance would not have an impact on the environment.

DISCUSSION

Staff recommends that the City Council consider introducing and waiving the first reading of an Ordinance amending Chapter 10.32 “Stopping, Standing and Parking” of the Montebello Municipal Code designating specific parking stalls at City-owned or operated lots and parking facilities for the exclusive purpose of charging electric vehicles. Staff also recommends approval of a resolution amending the Master Fee Schedule, which

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

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would add two charges associated with the use of EV parking spaces and charging facilities on City-owned property.

SUMMARY

It is requested that the City Council adopt an ordinance amending Chapter 10.32- “Stopping, Standing and Parking” of the Montebello Municipal Code reserving certain stalls as electric vehicle charging stations. In addition, City Council is being asked to amend the Master Fee Schedule to establish parking/charging fees, and overstay charges for EV parking. Upon approval, Staff will update the master fee schedule to reflect the new fees associated with EV charging and overstay fees and will erect required signage. The total estimated cost for erecting required signage would be \$540.00.

ATTACHMENT(S):

- A. Attachment A – Ordinance No. 2438
- B. Attachment B – Resolution No. 21-39 of the City Council of the City of Montebello Amending the Master Fee Schedule (Resolution No. 18-50a) to Include Electric Vehicle Charger Fees

ORDINANCE NO. 2438

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO AMENDING CHAPTER 10.32 OF THE MONTEBELLO MUNICIPAL CODE BY ADDING SECTION 10.32.400 THROUGH 10.32.440 TO AUTHORIZE DESIGNATION OF CERTAIN PARKING STALLS AS ELECTRIC VEHICLE CHARGING STATIONS AT CITY OWNED OR OPERATED OFF-STREET LOTS AND PARKING FACILITIES

WHEREAS, on January 26, 2018, Governor Brown signed Executive Order B-48-18, which sets a statewide goal of achieving 5 million zero-emission vehicles in California by 2030; and

WHEREAS, California Vehicle Code ("VEH") section 22511(a)(1) gives local municipalities the authority to designate, by ordinance or resolution, parking stalls or spaces located in an off-street parking facility owned or operated by the municipality for the exclusive purpose of charging a vehicle that is connected for electric charging purposes; and

WHEREAS, the City of Montebello ("City") seeks to promote and support the growth of electric vehicle ("EV") infrastructure within the City's owned or operated parking lots and facilities; and

WHEREAS, VEH section 22511 permits a local municipality, provided the municipality has posted signage in conformance with the California Manual for Traffic Control Devices, to remove and store any vehicle that is found illegally parked in parking stalls or spaces located on a public street or in an off-street parking facility owned or operated by the municipality, which are exclusively designated for EV charging; and

WHEREAS, VEH section 22511.1(a) explicitly states that a vehicle shall not park or occupy a parking space authorized by Section 22511 unless the vehicle is connected for EV charging purposes; and

WHEREAS, VEH section 22511.1(b) states that a person shall not obstruct, block or otherwise inhibit access to parking spaces designated as EV charging stations pursuant to section 22511.1(a); and

WHEREAS, parking spaces designated as EV charging stations are intended to be used only while using the EV charging station; and

WHEREAS, encouraging turnover at parking spaces designated for use of EV charging stations is necessary to maximize station access, as such it is also recommended that the City Council approve and adopt an overstay charge to be charged for EV's that exceed the posted time limits at parking spaces designated for use of EV stations; and

WHEREAS, VEH section 22511(f) explicitly states that the statute does not interfere with existing law governing the ability of a local municipality to adopt ordinances related to local parking programs.

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; ADDITION. Sections 10.32.400 through 10.32.440 is hereby added to Chapter 10.32 – Stopping, Standing and Parking of the Montebello Municipal Code to read as follows.

10.32.400 – Purpose.

The electric vehicle parking standards established in this chapter are intended to promote sustainable and alternative transportation practices; manage the availability of off-street parking, in particular in areas that will maximize the use of electric vehicles; and thereby improve traffic and parking circulation.

10.32.410 – Definitions.

As used in this chapter, the following words and phrases shall have the following meanings:

“Electric vehicle” shall mean a vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off-grid source, that is stored on board for motive purposes.

“Electric vehicle charging station” shall mean equipment that has as its primary purpose the transfer of electric energy storage device on an electric vehicle.

ORDINANCE NO. 2438

Page 3 of 5

“kWh” shall mean kilowatt-hour

“Overstay Charge” or “Overstay Charges” shall mean the fee imposed on an electrical vehicle that exceeded the maximum legal parking time posted at parking spaces designated as an Electric vehicle charging station.

10.32.420 - Parking of vehicles in stalls for electric charging purposes.

- A. Pursuant to California Vehicle Code section 22511, the City hereby designates certain stalls and spaces in City-owned or operated off-street parking lots and facilities to be for the exclusive purpose of parking and charging a vehicle that is connected for electric charging purposes.
- B. The City’s director of recreation and community services, is hereby authorized to post signs in accordance with California Vehicle Code section 2511(d)(1) at certain stalls and spaces in City owned or operated off-street parking lots and facilities that require vehicles parked in such stalls and spaces to be connected for electric charging purposes.
- C. In accordance with California Vehicle Code Section 22511(c)(1), the City may cause the removal and towing or issue fines for electric charging violations in accordance with the Uniform Parking Bail Schedule for a vehicle parked in a space or stall that is posted for electric charging purposes that is not connected for electric charging purposes.
- D. This section does not interfere with other or existing laws allowing the City to regulate parking in City owned or operated off-street parking lots and facilities within the City, including the authority to restrict overnight parking and reserve and designate certain Electric vehicle stalls for employee-only use; provided such designations comply with signage requirements under California Vehicle Code section 22519.

10.32.430– Electric vehicle parking restriction.

- A. Where a sign designating a parking space for the exclusive use of charging Electric vehicles is posted, no person shall park in that space any non-electric vehicle, Electric vehicle that is not connected to the Electrical vehicle charging station, Electric vehicle that is not charging, or an Electric vehicle that has exceeded the maximum legal parking time posted.

ORDINANCE NO. 2438

Page 4 of 5

- B. For any violation of any provision of this section, the chief of police, or his/her designee is hereby empowered to issue due notices to appear or citations, in the usual form and manner, as provided in the California Vehicle Code.

10.32.440 – Electric vehicle charging station fees

- A. Parking rates for parking a vehicle in a designated Electric vehicle charging station shall be established and adjusted from time to time to manage the use and occupancy of off-street Electric vehicle charging stations in all City-owned or operated parking facilities and areas.
- B. 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 may also be established and changed, from time to time, by resolution.
- C. A current schedule of the Electric vehicle charging station parking rates and overstay charges shall be posted on the City's Master Fee Schedule (and as thereafter amended), and available for review at the City Clerk's office.
- D. For any violation of any provision of this section, the chief of police, or his/her designee is hereby empowered to issue due notices to appear or citations, in the usual form and manner, as provided in the California Vehicle Code.

SECTION 4. NOTICE; AUTHORITY TO ERECT SIGNS. The director of recreation and community services is authorized to erect signs for the purpose of providing notice prohibiting, restricting or regulating the parking, stopping or standing of vehicles on any off-street parking facility owned or operated by the City pursuant to sections 22511 and 22519 of the Vehicle Code

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.

ORDINANCE NO. 2438

Page 5 of 5

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 _____ 2021.

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 adopted by the City Council of the City of Montebello at its meeting held on the ____th day of _____, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Christopher Jimenez, City Clerk

RESOLUTION NO. 21-39

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MONTEBELLO AMENDING THE MASTER FEE SCHEDULE
(RESOLUTION NO. 18-50A) TO INCLUDE ELECTRIC VEHICLE
CHARGING FEES**

WHEREAS, pursuant to the police power granted by Article XI, Section 7 of the California Constitution, cities may impose fees, charges and rates for certain municipal services; and

WHEREAS, on June 13, 2018, the City Council of the City of Montebello ("City Council") adopted Resolution No. 18-50A, establishing certain Fees and Increasing Certain Existing Fees for Various City Services Provided by the City of Montebello ("City"); and

WHEREAS, concurrently herewith the City Council approved and adopted an Ordinance amending Chapter 10.32 of the Montebello Municipal Code authorizing the designation of certain parking stalls at City-owned or operated, off-street parking facilities for electric vehicle charging stations; and

WHEREAS, in accordance with such Ordinance, the City Council was asked to adopt a Resolution amending the City's Master Fee Schedule (Resolution No. 18-50A) establishing electric vehicle charging station fees; and

WHEREAS, the proposed fees for electric vehicle chargers are intended to cover but not exceed the City's costs of providing the services; and

WHEREAS, staff has reviewed and recommended that the City's Master Fee Schedule be amended to establish fees for electric vehicle chargers as shown below.

NOW, THEREFORE, based on information set forth in the report to the City Council dated as well as any other information submitted to or considered by the City Council during its deliberations on this matter, the City Council of the City of Montebello hereby resolves as follows:

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

RESOLUTION NO. 21-39

Page 2 of 3

SECTION 2. The Master Fee Schedule (Resolution No. 18-50A, and as thereafter amended) is hereby amended to include the following fees:

Electric Vehicle Charging Fee

Charging \$0.25/kWh

Overstay \$6.00 per hour (or \$0.10 per minute) after an initial
5-minute grace period has expired

SECTION 3. The Master Fee Schedule (as adopted by Resolution No. 18-50A, and as amended by this Resolution) shall be kept on file in the office of the City Clerk.

SECTION 4. This resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED, May 26, 2021, by the City Council of the City of Montebello, by the following vote:

Kimberly Cobos-Cawthorne, Mayor

ATTEST:

APPROVED AS TO FORM:

Christopher Jimenez, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

RESOLUTION NO. 21-39

Page 3 of 3

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. 21-39 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 26th day of May 2021 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

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

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

BY: Young-Gi Kim Harabedian, Director of Transportation

SUBJECT: **Approve an Increase to the Agreements with New Flyer and Wayne Electric Company for the purchase of maintenance related bus parts**

DATE: May 26, 2021

RECOMMENDATION (S):

It is recommended 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.

FISCAL IMPACT

Funds for each blanket purchase order (PO) have been approved in the FY 2020-21 budget, specifically in the Transit Corporate Shop general operating account – Account Number 600-90-915-6080.50. No budget amendment or adjustment is needed for these recommended actions.

BACKGROUND

In September 2020, the City Council approved Montebello Bus Lines (MBL) to sole source an agreement with New Flyer Parts (in an original not-to-exceed amount of \$150,000) and Wayne Electric Company (in an initial not-to-exceed amount of \$65,000) for the purchase of maintenance-related bus parts (Attachment “A”). The City operates MBL with

Approve an Increase to the Agreements with New Flyer and Wayne Electric Company or the purchase of maintenance related bus parts

Page 2 of 2

a fleet of 67 buses that require regular maintenance to ensure superior transportation service is provided to the City and surrounding communities. The most efficient and cost-effective way to purchase these items was to sole source an agreement with the primary companies that supply original equipment manufacturer (OEM) replacement bus parts and establish a blanket PO for each company.

Items may include but are not limited to the following:

- New Flyer Parts: Headlights, fan control modules, clamps, windshield wipers, coolants, airbags, and thrust washers.
- Wayne Electric Company: EMP alternators, air conditioning compressors, and toggle switches.

ANALYSIS

The original total amount appropriated for each Agreement for FY 2020-21 has been exhausted. To maintain MBL's fleet and fixed-route service for the remainder of the current fiscal year, it is recommended that the total amount needed to purchase bus parts for each Sole Source Agreement be increased as follows:

Vendor	Fiscal Year 2020-21 Appropriated Funds	Additional Funds Required	Fiscal Year 2020-21 Anticipated Total Funds
New Flyer Parts	\$150,000	\$20,000	\$170,000
Wayne Electric Company	\$65,000	\$4,000	\$69,000

SUMMARY

Staff is recommending that the City Council approve an increase of Twenty Thousand Dollars (\$20,000) to the sole source agreement with New Flyer Parts and an increase of Four Thousand Dollars (\$4,000) to the sole source agreement with Wayne Electric Company to increase the total amount for the purchase of maintenance-related bus parts, and direct staff to take such additional, and related, action that may be desirable.

ATTACHMENT:

A. Attachment A – Staff Report-Sole Source Agreement

2/1/20

ATTACHMENT A

CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and Members of the City
FROM: Council Rene Bobadilla, City Manager
BY: Young-Gi Kim Harabedian, Director of Transportation
SUBJECT: Approve Sole Source Agreements with New Flyer Parts and Wayne Electric Company for the Purchase of Maintenance Related Bus Parts

DATE: September 9, 2020

RECOMMENDATIONS:

It is recommended that the City Council:

- 1) Approve a sole source agreement for the purchase of bus parts in the total amount not-to-exceed \$150,000 with New Flyer Parts for the Fiscal Year current (FY 2020-21); and
- 2) Approve a sole source agreement for the purchase of bus parts in the total amount not-to-exceed \$65,000 with Wayne Electric Company for the current Fiscal Year (FY 2020-21); and
- 3) Take such additional, related action that may be

desirable. BACKGROUND

Montebello Bus Lines (MBL) has a fleet of 66 buses that require regular maintenance throughout the fiscal year. The most efficient and cost effective way to purchase these items is to establish a blanket purchase order with the primary companies that supply the maintenance and replacement parts. There is no feasible means to predetermine exactly what type or quantity of parts will be needed to be replaced on these buses throughout the year.

Items may include but are not limited to the following:

- New Flyer Parts: Headlights, fan control modules, clamps, windshield wipers, coolants, air bags, and thrust washers.

CITY COUNCIL AGENDA REPORT — MEETING OF SEPTEMBER 9, 2020
Approve Sole Source Agreements with New Flyer Parts and Wayne Electric Company for the Purchase of Maintenance Related Bus Parts
Page 2 of 2

- Wayne Electric Company: EMP alternators, air conditioning compressors, and toggle switches.

The dollar value of the proposed sole source agreements and purchase orders is based on prior year's expenditures, as shown below:

Vendor	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21 <i>(Anticipated Expenditures in Total)</i>
New Flyer Parts	\$303,849	\$150,452	\$125,443	\$150,000
Wayne Electric Company	\$93,341.53	\$82,384.33	\$63,485	\$65,000

New Flyer Parts is the sole proprietor of a number of parts for the New Flyer bus. For this reason, the most advantageous approach is to secure a sole source agreement and enter into a blanket purchase order for \$150,000. MBL staff will obtain price quotes for other parts awarding purchases to the lowest and best vendor for each.

FISCAL IMPACTS

Funds for the Blanket Purchase Orders have been approved in the FY 2020-21 Transit Corporate Shop budget, Account No. 600-90-915-6080.50.

Additional funds have been approved in the Transportation Department's Capital Project Budget utilizing Associated Capital Maintenance, Account No.270-9063-2018-003.

SUMMARY

Staff is recommending that the City Council approve sole source agreements with New Flyer Parts in the total amount not-to-exceed \$150,000 and with Wayne Electric Company in the total amount not-to-exceed \$65,000 for bus parts, and direct staff to take such additional, related, action that may be desirable.

**CITY OF MONTEBELLO
DEPARTMENT OF
TRANSPORTATION**

BLANKET PURCHASE ORDER REQUEST

VENDOR Wayne Electric

REQUEST DATE: 08/24/2020 REQUESTED BY: TRANSIT MAINTENANCE PERSONNEL

ACCOUNT NUMBER: 600-90-915-6080.50 BUS PARTS

MAX. #	DESCRIPTION	QUOTE 1	QUOTE 2	QUOTE 3
1 4215	Emp Alternator #450A	\$1,685.00	\$2,657.36	\$2,957.36
2 4641	A/C Compressor #6473126	\$2,145.00	\$2,150.72	\$2,250.00
3 3453	TMG - 2 Grease #TMG - PAIL	\$398.00	\$425.00	\$445.00
4 1183	Toggle Switch #Ch55054BX	\$13.67	\$14.44	\$15.61
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Other Notes:

Total amount for **Blanket PO: \$ 565,00.00**

Purchase Order Approve By: _____

Department Head Approval: _____

City Manager Approval: _____

PURCHASE ORDER COVER LETTER

Account Number	600-90-915-6080.50	Total Amount of Purchase with Tax/Shipping	<u>\$7,622.74</u>
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Date:

Date:

Date: F12-51.2.0-

2-co Date:

CITY OF MONTEBELLO
CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and Members of the City
FROM: Council Rene Bobadilla, City Manager
BY: Young-Gi Kim Harabedian, Director of Transportation
SUBJECT: **Approve Sole Source Agreements with New Flyer Parts and Wayne Electric Company for the Purchase of Maintenance Related Bus Parts**

DATE: September 9, 2020

RECOMMENDATIONS:

It is recommended that the City Council:

- 1) Approve a sole source agreement for the purchase of bus parts in the total amount not-to-exceed \$150,000 with New Flyer Parts for the current Fiscal Year (FY 2020-21); and
- 2) Approve a sole source agreement for the purchase of bus parts in the total amount not-to-exceed \$65,000 with Wayne Electric Company for the current Fiscal Year (FY 2020-21); and
- 3) Take such additional, related action that may be

desirable. **BACKGROUND**

Montebello Bus Lines (MBL) has a fleet of 66 buses that require regular maintenance throughout the fiscal year. The most efficient and cost effective way to purchase these items is to establish a blanket purchase order with the primary companies that supply the maintenance and replacement parts. There is no feasible means to predetermine exactly what type or quantity of parts will be needed to be replaced on these buses throughout the year.

Items may include but are not limited to the following:

- New Flyer Parts: Headlights, fan control modules, clamps, windshield wipers, coolants, air bags, and thrust washers.

CITY COUNCIL AGENDA REPORT — MEETING OF SEPTEMBER 9, 2020
Approve Sole Source Agreements with New Flyer Parts and Wayne Electric Company for the Purchase of Maintenance Related Bus Parts
Page 2 of 2

- Wayne Electric Company: EMP alternators, air conditioning compressors, and toggle switches.

The dollar value of the proposed sole source agreements and purchase orders is based on prior year's expenditures, as shown below:

Vendor	Fiscal Year 2017-18	Fiscal Year 2018-19	Fiscal Year 2019-20	Fiscal Year 2020-21 <i>(Anticipated Expenditures in Total)</i>
New Flyer Parts	\$303,849	\$150,452	\$125,443	\$150,000
Wayne Electric Company	\$93,341.53	\$82,384.33	\$63,485	\$65,000

New Flyer Parts is the sole proprietor of a number of parts for the New Flyer bus. For this reason, the most advantageous approach is to secure a sole source agreement and enter into a blanket purchase order for \$150,000. MBL staff will obtain price quotes for other parts awarding purchases to the lowest and best vendor for each.

FISCAL IMPACTS

Funds for the Blanket Purchase Orders have been approved in the FY 2020-21 Transit Corporate Shop budget, Account No. 600-90-915-6080.50.

Additional funds have been approved in the Transportation Department's Capital Project Budget utilizing Associated Capital Maintenance, Account No.270-9063-2018-003.

SUMMARY

Staff is recommending that the City Council approve sole source agreements with New Flyer Parts in the total amount not-to-exceed \$150,000 and with Wayne Electric Company in the total amount not-to-exceed \$65,000 for bus parts, and direct staff to take such additional, related, action that may be desirable.

CITY OF MONTEBELLO
DEPARTMENT OF
TRANSPORTATION

BLANKET PURCHASE ORDER REQUEST

VENDOR NEW FLYER #60710

REQUEST DATE: 08/24/2020 REQUESTED BY: TRANSIT MAINTENANCE PERSONNEL

ACCOUNT NUMBER: 600-90-915-6080.50 BUS PARTS

	MAX. H	DESCRIPTION	QUOTE 1	QUOTE 2	QUOTE 3
1	4677	S/S HEADLIGHT, 1300s, 6466349	\$452.22	SOLE SOURCED ITEM	
2	4678	C/S HEADLIGHT, 1300s, 6466348	\$452.22	SOLE SOURCED ITEM	
3	1115	FAN CONTROL MODULE #6395687	\$546.65	SOLE SOURCED ITEM	
4	1118	MODULE, VMM 1210 #431754	\$297.50	SOLE SOURCED ITEM	
5	4728	GLASS, FRONT DESTINATION S GH, #523862	\$321.17	SOLE SOURCED ITEM	
6	4734	LATCH ASSY. #6361254	\$4.31	SOLE SOURCED ITEM	
7	4735	CLAMP #6361255	\$0.58	SOLE SOURCED ITEM	
	4255	WINDSHIELD C/S #448548	\$324.77	SOLE SOURCED ITEM	
8	2806	WINDSHIELD R/S #485591	\$419.43	SOLE SOURCED ITEM	
10	4741	1800'S COOLANT LEVEL SENSOR, 717968	\$48.55	SOLE SOURCED ITEM	
11	1075	AIR BAG #6401629	\$71.42	SOLE SOURCED ITEM	
12	4744	MIRROR HARNESS, #6484179	\$25.24	SOLE SOURCED ITEM	
13	4745	THRUST WASHER,	\$12.50	SOLE SOURCED ITEM	
14	2546	ASSIST STRAP, #585037	\$17.91	SOLE SOURCED ITEM	
15	4746	SPRING CATCH, #6354248	\$4.47	SOLE SOURCED ITEM	
16	4712	CYLINDER ASSY, #354758	\$423.37	SOLE SOURCED ITEM	
17	4713	SEAL KIT, #6398860	\$72.81	SOLE SOURCED ITEM	
18	2315	E-BOARD ASSY. #6395727	\$162.84	SOLE SOURCED ITEM	
19	1029	AIR BAG #303734	\$72.12	\$80.28	\$89.31
20	1238	SHIFT SELECTOR #213831	\$323.02	\$363.02	\$373.86
21	1369	EXHAUST ELBOW #377370	\$354.49	\$478.56	\$455.90
22	2495	EXHAUST CLAMP #260233	\$17.95	\$44.22	\$47.91
23	1396	PRIMARY FUEL FILTER CNG, 6339089	\$22.08	\$25.15	\$34.79
24	4586	DRIVER'S SEAT CUSHION #6329355	\$208.90	\$210.68	\$189.27
25	1075	AIR BAG #6401629	\$71.42	\$82.03	\$211.91
26	1303	GASOLINE CAP, #255665	\$8.55	\$13.99	\$25.65
27	1731	DUST CAP CNG-B, #091817	\$3.32	\$3.75	\$12.27
28	4743	DEUTSCH CONNECTOR HOUSING, DT04-2P	\$0.64	\$0.90	\$1.45
29	1047	AIR RESTRICTION INDICATOR, #8111553	\$12.30	\$15.26	\$18.45
30	4548	KIT, A/C COMPRESSOR MOUNT, 1000-1300'S,	\$19.28	\$31.49	\$44.50
31	1723	PRESSURE REGULATOR-CNG, 351934	\$396.98	\$608.98	\$620.81
32	4591	MODULE	\$33.18	\$35.00	\$35.25
33	1642	AXLE HEX BOLT, #6392087	\$5.40	\$7.08	\$13.06
34	1262	MUFFLER TANK #595334	\$28.54	\$32.43	\$46.92
35	4706	MASTER SWITCH KNOB, #5955564	\$5.15	\$16.00	\$28.74
36	2180	A/C FILTER DRIER #6325207	\$23.50	\$79.85	\$59.71
37	2610	MOULDED HOSE V', #6349247	\$14.05	15.08	35.72
38	1668	SILICONE ELBOW HOSE #6349259	\$25.68	32.65	46.85
39	4714	STEERING GEAR BOX SUPPLY HOSE #421259	\$18.80	48.41	53.42
40	4216	RUBBER LATCH #000502	\$8.16	11.27	16.28

Other Notes: THIS BLANKET PO IS NOT INC 9/NG ACM ITEMS MINIMUM \$835.00

Total amount for Blanket PO: \$150,000

Purchase Order Approve By:

Department Head Approval:

City Manager Approval:



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: Michael Solorza, Director of Finance

SUBJECT: **Adopt Resolution No. 21-40 related to Fiscal Year 2021-22 Confirmation of Annual Tax Rate for Voter Approved Indebtedness**

DATE: May 26, 2021

RECOMMENDATION

It is recommended 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.

BACKGROUND

Voters in the City of Montebello have twice approved a property tax override (PTO) rate to fund the City's participation in the California Public Employees Retirement System (PERS). Elections were first held on July 9, 1946, initially establishing the PTO. A second vote was held on March 2, 1976, affirming the property tax override rate. The City Council subsequently adopted Ordinance No. 2148 in 1996 which codified the tax rate at \$0.197875 per \$100 of assessed valuation (City of Montebello Municipal Code Section 3.28.020).

The revenue from the property tax override can only be used to pay for retirement system related expenses. The City records receipt of these revenues – collected through the annual property tax assessment process – in a special fund (Fund 205). The revenues received are used to pay the annual unfunded actuarial liability (UAL) and normal cost expenses to PERS.

CITY COUNCIL AGENDA REPORT – MEETING OF MAY 26, 2021

Adopt Resolution No. 21-40 related to Fiscal Year 2020-21 Confirmation of Annual Tax Rate for Voter Approved Indebtedness

Page 2 of 3

At the City Council meeting of May 13, 2020, the City Council approved issuance of \$154 million in Pension Obligation Bonds (POBs) to address Montebello's pension related UAL. The issuance of the POBs extinguished the existing UAL, as of the June 30, 2018 actuarial valuation report. The PTO revenue is utilized to pay the debt service on the POBs, normal cost expenses, and future UAL bases established by subsequent actuarial valuations.

The annual property tax override revenue funds debt service, normal cost and future UAL payments. The table below presents historical actuals and the FY 2021-22 proposed (forecasted) revenue in Fund 205:

	2016-17 Actual	2017-18 Actual	2018-19 Actual	2019-20 Adopted Budget	2019-20 Actual	2020-21 Adopted Budget	2021-22 PROPOSED BUDGET
Property Tax Override	8,104,009	8,476,868	8,969,216	9,545,028	9,287,058	9,499,000	10,172,000
Property Tax Override - RPTTF	3,309,195	3,275,195	3,739,997	3,739,997	3,573,246	4,000,000	4,874,000
Interet Revenue	32,839	75,298	221,929	177,737	168,918	105,000	125,000
	11,446,043	11,827,361	12,931,142	13,462,762	13,029,222	13,604,000	15,171,000

The County of Los Angeles Auditor-Controller requires the City of Montebello to submit an approved resolution each year that shows the setting of the rate. The attached Resolution (Attachment 1 with Exhibit A) fulfills this requirement and allows the rate to be placed on property tax statements. There is no change to the rate, it remains fixed at the \$0.197875 per \$100 of assessed value amount.

FISCAL IMPACT

As the table above shows, the FY 2019-20 actuals were \$13.029 million, with FY 2020-21 projected to be \$13.604 million in revenue to the Retirement Fund (Fund 205). The majority of that revenue is from property tax assessments – inclusive of former Redevelopment Agency project areas. For FY 2021-22, the projected revenue for the Retirement Fund is \$15.171 million, which is based on information and analysis by the City's third party property tax consultant.

The attached Resolution fixes the property tax override rate and allows it to be assessed for FY 2021-22. In turn, the revenue collected will be utilized for the purposes for which it was established: paying all expenses related to the City's contract with PERS to provide retirement benefits to its safety and miscellaneous employees.

SUMMARY

The retirement expenditures by the City are funded through voter-approved indebtedness authorized by elections held on July 9, 1946 and March 2, 1976. The proposed tax rate of \$0.197875 was set by Montebello Municipal Code section 3.28.020, adopted by the City Council in 1996. There is no change to this tax rate for FY 2021-22, it remains the same as previous years.

Adopt Resolution No. 21-40 related to Fiscal Year 2020-21 Confirmation of Annual Tax Rate for Voter Approved Indebtedness

Page 3 of 3

The Resolution setting the override tax rates must be submitted to the Los Angeles County Auditor Controller's Office at the beginning of each fiscal year in order for the tax rate to be placed on the property rolls. Assessing the property tax override will allow the City to meet its obligations to bond holders, paying annual debt service on the \$154 million in POBs issued last May, 2020.

The retirement expenditures will be paid solely from the Retirement Special Revenue Fund (Fund 205), as codified in Montebello Municipal Code section 3.28.020. No General Fund revenues will be used to pay for the retirement expenditures.

ATTACHMENTS

- A. Attachment A – Resolution No. 21-40 Confirming Annual Tax Rate for Voter Approved Indebtedness
- B. Attachment B – Exhibit A

ATTACHMENT A

RESOLUTION NO. 21-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO FIXING THE RATE OF TAXES AND LEVYING TAXES FOR THE FISCAL YEAR BEGINNING JULY 1, 2021

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO
HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:**

SECTION 1. That for the purpose of raising the sums of money necessary to be secured by taxation upon the taxable property in the City of Montebello, as a revenue to pay the indebtedness of said City for the fiscal year beginning July 1, 2021, the rates for the different portions of said City are hereby fixed and taxes are hereby levied on all taxable property in the different portions of said City for the fiscal year beginning July 1, 2021, in the number of cents upon One Hundred Dollars of the assessed value of said property as assessed and equalized in the manner prescribed by law, and for the purposes set forth in the following table, the taxes levied upon property in each portion of said City hereinafter described and designated by a district number which is prefixed to the description of such portion of said City as hereinafter stated:

TAXATION DISTRICT NO. 1. Consisting of all that portion of the City of Montebello not included in Taxation District Numbers 1, 2, 3, 13, 2S, MB Hills 1, MB Hills 3, Commerce RD PR 1, MB Hills 76 Annex 1, 1 MERP and 2 MERP.

TAXATION DISTRICT NO. 2. Consisting of all that territory annexed to the City of Montebello in the following annexation proceedings:

- (1) "Annexation No. 2 (Link Belt)", annexed by Ordinance No. 869, adopted on February 11, 1960, effective date, March 14, 1960;
- (2) "Annexation No. 3 (Bethlehem Steel)", annexed by Ordinance No. 868, adopted on February 11, 1960, effective date, March 14, 1960;
- (3) "Annexation No. 4 (Conier)", annexed by Ordinance No. 886, adopted on February 11, 1960, effective date, March 14, 1960;
- (4) "Annexation No. 10", annexed by Ordinance No. 968, adopted on November 21, 1961, effective date, December 22, 1961, and
- (5) "Annexation No. 127", annexed by Ordinance No. 998, adopted on November 26, 1962, effective date, December 27, 1962.

TAXATION DISTRICT NO. 3. Consisting of all that territory annexed to the City of Montebello in the following annexation proceedings:

- (1) "Annexation No. 1, 1A", annexed by Ordinance No. 1025, adopted on June 25, 1963, effective date, July 26, 1963;
- (2) "Annexation No. 13", annexed by Ordinance No. 1026, adopted on June 25, 1963, effective date, July 26, 1963;

RESOLUTION NO. 21-40

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- (3) "Annexation No. 17", annexed by Ordinance No. 1027, adopted on June 25, 1963, effective date, July 26, 1963;
- (4) "Annexation No. 18", annexed by Ordinance No. 1118, adopted on February 24, 1965, effective date, March 27, 1965;
- (5) "Annexation No. 19", annexed by Resolution No. 8150, adopted on February 27, 1967, effective date, March 23, 1967;
- (6) "Annexation No. 21", annexed by Ordinance No. 1304, adopted on August 12, 1968, effective date, September 12, 1968;
- (7) "Annexation No. 23", annexed by Resolution No. 9157, adopted on August 10, 1970, effective date, August 21, 1970;
- (8) "Annexation No. 25", annexed by Ordinance No. 1463, adopted on November 27, 1972, effective date, December 28, 1972;
- (9) "Annexation No. 27", annexed by Ordinance No. 1509, adopted on October 29, 1973, effective date, November 29, 1973;
- (10) "Annexation No. 29", annexed by Resolution No. 78-3, adopted on January 9, 1978, effective date, May 17, 1978;
- (11) "Annexation No. 30-A", annexed by Resolution No. 79-2, adopted on January 8, 1979, effective date, February 2, 1979; and
- (12) "Annexation No. 31", annexed by Resolution No. 79-91, adopted on June 25, 1979, effective date, July 18, 1979.

ASSESSED VALUATIONS

TAXATION DISTRICT NO. 1	4,213,122,131
TAXATION DISTRICT NO. 2	20,791,938
TAXATION DISTRICT NO. 3	267,461,001
TAXATION DISTRICT NO. 1s	456,624,218
TAXATION DISTRICT NO. 2s	56,806,846
TAXATION DISTRICT NO. MB HILLS 1	581,836,917
TAXATION DISTRICT NO. MB HILLS 3	396,886,438
TAXATION DISTRICT NO. MB HILLS 76 ANNEX 1	118,651,668
TAXATION DISTRICT NO. 1 MERP	577,645,073
TAXATION DISTRICT NO. 2 MERP	23,714,692

TAX RATES FOR THE ABOVE TAXATION DISTRICTS LISTED IN ATTACHMENT A

SECTION 2. That the City Clerk shall attest and certify to the passage and adoption of this resolution and it shall become effective immediately upon its approval.

RESOLUTION NO. 21-40

Page 3 of 3

APPROVED AND ADOPTED this 26th day of May 2021.

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. 21-40 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 26th day of May 2021 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

ATTACHMENT B

City of Montebello

Exhibit A to Resolution Fixing the Rate of Taxes and Levying Taxes for FY 2021-22

City Council Meeting of May 26, 2021

EXHIBIT A TO ATTACHMENT 1

[illegible]



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and Members of the City Council

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

BY: David Sosnowski, Director of Recreation and Community Services

SUBJECT: **Authorization to a Issue Request for Proposals (RFP) for Farmer's Market Management Services**

DATE: May 26, 2021

RECOMMENDATION

It is recommended 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.

FISCAL IMPACT

Staff is recommending issuing an RFP for Farmer's Market Management Services. The Farmer's Market is proposed to be held seasonally on Thursday nights. The first proposed season will run from August 26, 2021 through October 28, 2021. The selected Farmer's Market management contractor will obtain and cover the cost of health permits and any other applicable permits required. Additional in-kind costs to initiate a Farmer's Market, including promotional material, signage, parking/street closure equipment, and staff time (including staff from the Recreation and Community Services, Police and Public Works Departments), will be covered by the City. An estimated Three Thousand Dollars (\$3,000.00) per event is needed for the described "in-kind" costs, for an estimated project total of Thirty Thousand Dollars (\$30,000.00) to operate one Farmer's Market season within the City. For the initial rollout of two Farmer's Market seasons, the City's "in-kind" costs would total Sixty Thousand Dollars (\$60,000.00). In addition to these costs, the City may need to absorb County and/or City permit fees and potential vendor fees. These amounts are yet to be determined.

Authorization to Issue a Request for Proposals (RFP) for Farmer's Market Management Services

Page 2 of 3

Funding for the proposed RFP will be through the General Fund and managed by the Recreation and Community Services Department ("Department"). After the RFP review process is completed and an agreement is awarded, staff will evaluate the Department's budget and work with the Finance Department to incorporate necessary costs and make any adjustments to the Fiscal Year 2021-22 budget.

BACKGROUND

The City of Montebello is seeking a contractor to provide management services for the City's seasonal Farmer's Market. The first Farmer's Market season is proposed to be held weekly on Thursday nights from August 26, 2021 through October 28, 2021 and the second season is proposed to be held on Thursday nights from March 3, 2022 to May 26, 2022. The primary purpose of the Montebello Farmer's Market will be to offer the community an opportunity to purchase fresh, locally grown produce and other artisan goods, provide regional farmers an opportunity to sell their products locally, and to benefit local businesses.

At the April 14, 2021 City Council meeting, Councilmember Peralta brought forth the idea for a community Farmer's Market and a Farmer's Market Ad Hoc Committee was established and met on May 3, 2021. The Committee requested that staff begin taking action steps for the development and implementation of a Farmer's Market.

Therefore, staff is recommending issuing an RFP for Farmer's Market Management Services to seek proposals from qualified contractors for overall management and operation of the proposed Montebello Farmer's Market. The awarded contractor will be responsible for recruiting regional vendors for participation with minimal duplication of produce and product offerings, obtaining health permits and other permits related to operation of a farmer's market, event set-up and tear down, removing all garbage at the conclusion of the event, ensuring compliance with applicable state and local licensing and registration requirements, following Farmer's Market COVID-19 Plan requirements, and providing an end of season summary of performance.

The City will be responsible for providing directional signage, necessary equipment for event parking and traffic flow, assistance in developing the event layout, garbage cans and recycle bins, restroom facilities, advertisement for events, and providing staff on event days.

Staff plans to bring back an award for contract to City Council at the June 23, 2021 City Council meeting with an anticipated contract start date of July 1, 2021 to prepare for an anticipated event start date of August 26, 2021.

SUMMARY

That the City Council authorize staff to issue an RFP for Farmer's Market Management Services and take such additional, related, action that may be desirable.

ATTACHMENT

- A. Attachment A – Draft RFP for Farmer's Market Management Services



CITY OF MONTEBELLO

Request for Proposals

(RFP No. 21-31)

Certified Farmers' Market Operator

Release Date: May 27, 2021

Due Date: June 14, 2021 at 10:00 A.M.

Bid Award Date: June 23, 2021 City Council Meeting

TO PROSPECTIVE BIDDERS

The City of Montebello is seeking bids from qualified persons/organizations to operate and manage a seasonal certified Farmers' Market on City property in accordance with the included specifications, terms, and conditions shown in this Request for Proposal (RFP). Prospective respondents are advised to read this information over carefully prior to submitting a proposal.

Your response to this request will be evaluated to determine the qualifications of your firm. Bids must adhere to the format and content of this RFP. Bids will not be evaluated unless all parts requested are submitted in a complete package. The information set forth is the minimum required in order to qualify for consideration. The successful bidder will be required to enter into a standard professional services agreement based on the specifications outlined in this RFP.

THE DATE OF SOLICITATION:

May 27, 2021

THE PROJECT:

Project Name: Certified Farmers' Market Operator
Location: To Be Determined

THE OWNER:

Name: City of Montebello
Address: 1600 W. Beverly Blvd.,
Montebello, CA 90640
Contact: David Sosnowski, Director of Recreation & Community Services
Contact Phone: (323) 887-4540
Contact E-Mail: dsosnowski@cityofmontebello.com

PROPOSAL CONTACTS

Any questions concerning this RFP and all correspondence must be submitted in writing via e-mail to the following contact:

Name: David Sosnowski, Director of Recreation & Community Services
Address: 1600 W. Beverly Blvd.,
Montebello, CA 90640
Contact: David Sosnowski, Director of Recreation & Community Services
Contact Phone: (323) 887-4540
Contact E-Mail: dsosnowski@cityofmontebello.com

Certified Farmers' Market Operator

Request for Proposal No. 21-31

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NOTICE INVITING PROPOSAL
FOR CERTIFIED FARMERS' MARKET OPERATOR

BID NO. 21-31

PUBLIC NOTICE IS HEREBY GIVEN THAT THE City of Montebello as AGENCY, invites sealed bids for the above stated project and will receive such bids via the PlanetBids vendor portal found on the City of Montebello's official website up to the hour of 10:00 a.m. on Monday, June 14, 2021. Copies of the specifications and contract documents are available from the City of Montebello, 1600 West Beverly Boulevard, Montebello, California 90640.

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

Proposals must be prepared on the approved Proposal forms in conformance with the instructions to Bidders.

The successful Vendor and Subcontractors are notified that they shall comply with all applicable state laws, Montebello Municipal Code, will be required to possess business licenses from the City, and other requirements as set forth in the contract requirements.

Addenda issued during the time of bidding shall become a part of the documents furnished to bidders for the preparation of bids, shall be covered in the bids, and shall be made part of the final contract.

The solicitation of Proposals has been developed in the Request for Proposals (RFP) format. Accordingly, bidders should take note that multiple factors as defined in the RFP will be considered by the City to determine which bid best meets the requirements set forth in the RFP documents. Price will be considered as part of the evaluation, but other factors under consideration include, but are not limited to, proposed methodology, quality control program, experience of staff, experience of management team, quality of equipment, tools and uniforms. The City reserves the right to negotiate the terms of any resulting contract. Final contract award, if any, will be made by the Montebello City Council.

The AGENCY reserves the right to accept or reject any or all bids, to waive any irregularity in a bid and to make an award as may serve the interests of the City.

Questions should be directed to David Sosnowski, Director of Recreation & Community Services at (323) 887-4540.

THE DATE OF SOLICITATION: Thursday, May 27, 2021

SUBMITTAL DUE DATE: Monday, June 14, 2021 – 10:00 a.m.

AWARD DATE: June 23, 2021

GENERAL SCOPE OF WORK

BACKGROUND:

With a diverse population of over 62,000, the City of Montebello has a healthy mix of families with children, students, single adults, and retired citizens, as well as professional executives, clerical and blue-collar workers who call the City of Montebello home.

The City envisions a Certified Farmers' Market and market partner that encourages strong community engagement and involvement, focuses on community-building and a healthy outcome, reflects the diversity of our City, provides a fun and festive atmosphere, and offers strong support for local agriculture.

OBJECTIVES:

The primary objectives of the Certified Farmers' Market are to:

1. Create a festive community event and social gathering place;
2. Offer community members the opportunity to purchase locally grown produce and other artisan goods;
3. Provide farmers an opportunity to sell locally grown products to the local community;
4. Provide local businesses, artisans, and musicians an opportunity to participate;
5. Highlight the character of Montebello; and
6. Provide a mix of vendors and farmers that will appeal to a broad range of residents and visitors.

SPECIFICATIONS AND REQUIREMENTS:

- The successful submitter must have a valid Certified Farmers' Market certificate from the California Department of Food and Agriculture (CDFA) and have the ability to operate on a weekly basis, every Thursday from 5:00 p.m. – 8:00 p.m. for the following seasons:

Fall 2021: August 26th – October 28th

Spring 2022: March 3rd – May 26th

- An abundant blend of market vendors is desired, however the City strives to limit the sale of non-certified products to 25% or less of the total products offered. The successful submitter will ensure a balance amongst vendors as follows:

- **No less than 75%**

- **Farmers & Food Products**

This category encompasses fresh fruits, vegetables, herbs or flowers, bakery products, nuts and fruit package products, eggs, cheese, oils, prepared foods and beverage vendors meeting all Los Angeles County Health Department requirements.

- **Up to 25%**

- **Non-Food Products**

This category encompasses all artisan and hand crafted products, cookware, house hold items and other products.

- The successful submitter shall submit and coordinate with the City on the following:

- A detailed site plan that includes:

- A purposed map layout and anticipated event circulation pattern.
- A staffing plan for managing the market each week that designates a Farmers' Market Manager on site during the entire duration of market operations who is responsible for the conduct of the market in accordance with the contractual agreement and developed between the Farmers' Market Operator and the City.
- Trash and recycling plan. Trash disposal and clean-up must be provided by the submitter.
- Proposed signage for the site. The operator will be responsible for providing their own signage and will need to be up to standard and approved by the City.

- A copy of the operational guidelines/rules for the proposed Farmers' Market.
- The suggested maximum capacity of Farmers' Market vendors each week.
- Specific detail of support and services that will be required by the City of Montebello outside of the commitments on page 7.
- A list of subcontractor and/or partners, if any, and their specific roles for the market.
- A list of vendors the submitter will target and the details of their business, i.e. products sold and where they are produced.
 - A local vendor preference for farmers and food product vendors as well as artisan vendors operating within the City of Montebello city limits must be extended.

- The City of Montebello reserves the right to reject or suggest changes to the vendor lineup to ensure minimal duplication of products/food being offered.
- A rate sheet listing fees charged by the Market Operator to vendors to participate in the Market.
 - A discount given to farmers and food product vendors and artisan vendors operating within the City of Montebello city limits should be included.
- A plan to participate and accept:
 - WIC Farmers Market and Senior Market Nutrition Programs
 - WIC Fruit and Vegetables voucher program.
 - California Advantage, Electronic Benefits Transfer (EBT) cards for local residents to enable use of food stamp benefits to purchase produce at the farmers market.
- A sustainability plan for unsold produce – donations or commercial sale.
- A copy of any and all permitting required to operate the Market from other local, county or state health and/or safety agencies.
- The City's name and/or logo must be included in a prominent position on all marking material developed to promote the Farmers' Market. If any additional benefits are given to the market sponsors, the City's support is also to be treated as a sponsor in terms of recognition and benefits. The City reserves the right to exclusively create marketing material, as necessary.
- The successful submitter must make available a minimum of three (3) spaces each week for the City and/or non-profit groups selected by the City to distribute information and/or take registration for their programs at no cost.

QUALIFICATIONS

The successful Farmers' Market Operator should possess and their proposal should demonstrate the following qualifications:

- At least 3 years of experience managing special events.
- A thorough understanding of the State of California and the County of Los Angeles rules and regulations regarding the operation of a Certified Farmers' Market.
- Ability to develop a business plan to include the development, management and maintenance of an annual operating budget. Business planning should also demonstrate a marketing plan to ensure market attractiveness, appeal and attendance.
- Excellent communication skills and the ability to effectively communicate with a wide range of audiences.
- Ability to track and report market sales and customer numbers; also to develop and implement strategies to enhance the Farmers' Market quality and increase total sales.

CITY RESPONSIBILITIES

The City will be responsible for providing directional signage, providing necessary equipment for event parking and traffic flow, providing assistance in developing the event layout, providing garbage cans and recycle bins, providing restroom facilities, providing advertisement for events, and providing staff on event days.

CONTRACT WITH THE CITY AND ANTICIPATED TIMING FOR BEGINNING SERVICES

The selected vendor will be required to enter into an Agreement with the City. The Agreement will include the final scope of work that is negotiated with the vendor. The City Manager is the authorizing entity to issue contracts with the Montebello City Council approval, and the contract will not take effect until it is approved by the City Council (as required) and fully executed by Vendor and City.

During the term of the contract, the Vendor will be required to keep informed of applicable local, State and Federal laws and regulations, including, but not limited, to those pertaining to conflict of interest, which in any manner affect those employed by the vendor or in any way affect the performance of the requested services.

The City's standard professional services agreement is attached, including insurance requirements. As part of your proposal, please indicate whether the standard agreement is acceptable or whether you would like to propose modifications to the standard agreement.

SUBMITTAL REQUIREMENTS

Proposals will be received through 10:00 A.M. on Monday, June 14, 2021.

All bids must be Electronically submitted through PlanetBids' Bidder Portal, accessed through the City of Montebello's official website at <http://www.cityofmontebello.com/rfp-bids/bid-opportunities.html>.

CONTRACT PROVISIONS AND SPECIFICATIONS

Insurance

The Vendor shall procure and maintain for the duration of the contract insurance against claims from injuries to persons or damages to property, which may arise from or in connection with the performance of the work hereunder by the Vendor, its agents, representatives, or employees.

The Vendor shall not commence any work under this contract until he has secured all insurance required by this section and the professional services contract nor shall he allow any subcontractors to commence work on any subcontract until all similar insurance required of the subcontractor has been obtained. In accordance with Section 3700 of the California Labor Code, the Vendor shall (i) maintain adequate worker's compensation insurance under the laws of the State of California for all labor employed by him or any subcontractor under him, or (ii) secure from the Director of Industrial Relations a certificate to self-insure such labor, when such labor comes within the protection of such worker's compensation laws.

All policies shall contain the following: (i) a provision or endorsement naming the City of Montebello and the Montebello City Council, City Council appointed Commissions, and Committees, and all City elective and appointed officers, employees, agents, consultants, as additionally named insured with respect to liabilities arising out of acts or omissions caused by negligence of the Vendor or those working under him in the performance of the contract work, (ii) a provision or endorsement holding the City of Montebello, including the

City Council, It's officers, agents, consultants, and employees, harmless from any claims or damages arising from such acts or omissions and stating that the City, including the City's officers, agents, consultants, and employees, will be defended from any such claims, (iii) a provision or endorsement that such insurance is primary insurance of said additionally named insured with respect to such liabilities, and that with respect to such liabilities, any other insurance maintained by said additional insured is excess and not contributing insurance with respect to the insurance required hereunder, (iv) a provision or endorsement providing that such insurance shall not be terminated, canceled, reduced or allowed to expire except upon thirty (30) days prior written notice to the City.

Promptly upon execution of the contract and prior to commencement of any work, Vendor shall furnish the City certificates of insurance covering all policies providing the insurance required hereunder. Insurance requirements are further outlined in the sample Professional Services Agreement found in this RFP.

Vendor agrees, upon written request, to furnish City with copies of all required policies, certified by an authorized representative of the insurer. All insurance issued under the provisions of this section shall be issued in the form and by insurance organizations approved by the City prior to the commencement of any work hereunder.

Termination for Cause or Convenience

- (a) The Agency reserves the right to terminate the contract if the vendor fails to comply with any of the requirements of the contract. The Agency shall notify the vendor of specific instances of noncompliance in writing. In instances where the vendor has been notified of noncompliance with the terms of the contract and failed to take immediate corrective action, the Agency shall have the right upon a 30-day written notice to terminate the contract. The vendor shall be liable for any damages incurred by the agency. The Agency shall negotiate a repurchase contract on a competitive basis to arrive at a fair and reasonable price.
- (b) The Agency reserves the right to terminate the contract for convenience.
- (c) The Agency shall by written notice to the vendor, terminate the right of the vendor to proceed under the contract if it is found by the Agency that gratuities in the form of entertainment, gifts, or otherwise were offered or given by the vendor to any officer or employee of the agency, with a view toward securing the contract or securing favorable treatment with respect to the awarding or amending of the contract; provided that the existence of the facts upon which the agency makes such findings shall be in issue and may be reviewed in any competent court.
- (d) In the event the contract is terminated as provided in paragraph (c) hereof, the Agency shall be entitled (i) to pursue the same remedies against the vendor as it could pursue in the event of a breach of the contract by the vendor, and (ii) as a penalty in addition to any other damages in an amount which shall not be less than three nor more than 10 times the cost incurred by the vendor in providing any such gratuities to any such officer or employee.
- (e) The rights and remedies of the agencies provided in this clause shall not be exclusive and are in addition to any other rights and remedies provided by law or under this RFP and the contract.

REQUIRED INFORMATION AND BID FORMAT

In order to be considered for selection, respondent individuals or firms shall submit a bid that addresses each of the following criteria, and shall also provide resumes and evidence of qualifications to provide the services listed in this RFP. All bids must be electronically submitted through PlanetBids' Bidder Portal, accessed through the City of Montebello's official website at <http://www.cityofmontebello.com/rfp-bids/bid-opportunities.html>. All Prospective Bidders must register to bid through the PlanetBids Vendor Portal found on the City of Montebello's website at the link provided above.

The City reserves the right to reject any and all bids as "non-responsive" for failure to provide the required information and abide by the required format outlined in this RFP.

1. Letter of Introduction

- a. Provide a letter of introduction signed by a Principal or Senior Officer of the company.
- b. If submitting as a team, note which team is the prime consultant or lead joint venture partner, if applicable.
- c. Include the name, title and resume of the person who will be the lead/project manager and the name(s) and title(s) and resumes for the individuals that will supervise or deliver services.

2. Firm Information and Qualifications

- a. Number of years firm has been in business
- b. List the company experience in providing similar services, including personnel qualifications, state registrations, health department certifications and/or any certifications relevant to the type of Certified Farmers' Market proposed to be provided.

3. References

- a. Provide a list of at least 3 current references. Include name of individual or organization, job title, email address, mailing address, telephone number(s). Identify the type of services provided to each individual/organization, the location where the services were provided, and the dates of service.

4. Firm's Capabilities and Abilities

- a. Provide a statement demonstrating your firm's or team's ability to accomplish the scope of services in a comprehensive and thorough manner to meet the needs of the City of Montebello addressing scope of work identified above.

5. Contract Documents

- a. Proposed management and staffing plan, including proposed Farmers' Market operational guidelines, proposed layout, vendor capacity, trash/recycling plan, proposed targeted vendors, sustainability plan, and support services required by the City. See "Requirements/Specifications" on page 6 for more detail.
- b. A rate sheet listing proposed fees charged by the Farmers' Market Operator to vendors to participate in the Farmers' Market.
- c. Vendor must fill out the attached Terms and Conditions (Appendix B).

6. Customer Service

- a. Describe how your firm provides for responsiveness to phone calls or email from City staff; and discuss your anticipated relationship with the City of Montebello and your organization.

7. Standard Professional Services Agreement

- a. Include a statement regarding whether the City's standard professional services agreement is acceptable as is or whether any modification would be proposed.

8. If applicable, list any lawsuits or arbitration proceedings that have been initiated by or against your firm in the past five (5) years. Briefly state the nature of the action and the outcome.

DRAFT

EVALUATION PROCESS AND SELECTION CRITERIA

Evaluation of the proposals will be based upon a competitive selection process. Proposals should be as thorough and detailed as possible so that the City may properly evaluate the capabilities to provide the required services. Proposals will be evaluated and scored based on the attached scoring sheet (Appendix A).

Selection of the Certified Farmers' Market Operator to enter negotiations with the City will be based upon the City's evaluation of the eligible proposals who best meet the selection criteria. The selection criteria will include:

- Special experience, technical capabilities, professional competence, and qualifications of a Farmers' Market Operator
- Special experience, technical capabilities, professional competence, and qualifications of proposed personnel assigned to provide their services in accordance with the Scope of Work
- Clearly demonstrated understanding of the work to be performed and the completeness and reasonableness of the Farmers' Market Operator's proposal for accomplishing the Scope of Work
- References and fiscal stability
- Compensation, reimbursement or other benefits that may be paid to the City for the use of City Property
- Vendor quantity and type, proposed market management and staffing
- The maximum possible vendor selection for the market venue and proposed operation
- Level of City support and resources required to operate a successful Certified Farmers' Market
- The By-laws and operational guidelines/rules for the proposed Certified Farmers' Market
- The best overall fit for the venue and the City's vision for operation of a Farmers' Market in Montebello

The vendor must satisfy the City of its ability to perform the services required. The vendor must demonstrate and document a history of timely and satisfactory performance of similar projects in a manner which addresses the stated evaluation criteria. The vendor shall be responsible for the accuracy of information supplied concerning references. In addition, the City may consider evidence of untimely and unsatisfactory performance on prior similar projects, or litigation by the vendor on previous contracts to be grounds for disqualification.

The City reserves the right to reject any or all Proposals, amend the RFP, and to discontinue or re-open the process at any time. The City reserves the right to request and obtain, from one or more vendors, supplementary information as may be necessary for the City to analyze the proposal pursuant to contract selection criteria. Upon completion of the evaluation phase, the City will select those vendors for interviews whose bids and qualifications most closely conform to the requirements of this RFP, if required. The vendor, by submitting a response to this RFP, waives all rights to protest or seek any legal remedies whatsoever regarding any aspect of this RFP. The City may choose to interview one or more firms responding to this RFP, and may

enter into more than one contract with multiple individuals or firms, if City determines that is the best way to address the full range of services needed under this RFP.

Questions during the solicitation period are preferably received by email, and may be addressed to:

David Sosnowski, Director of Recreation & Community Services

dsosnowski@cityofmontebello.com

1600 W. Beverly Blvd. Montebello, CA 90640

(323) 887-4540

DRAFT

APPENDIX "A"

Evaluation and Selection Criteria

Proposals will be evaluated using five (5) categories listed below. The evaluation criteria will be weighted as follows. A score of one (1) through ten (10) will be assessed in each category, and then weighted according to the percentage assigned to each category. The following represent the principal selection criteria, which will be considered during the evaluation process:

Qualifications, Experience, and References (30%)

Experience contracting with municipalities to operate a Farmers' Market; experience and understanding of practices of governmental agencies; strength, stability, experience, and technical competence; assessment by client references.

Personnel and Staffing (20%)

Qualifications and experience of proposed personnel for requested services.

Work Plan (25%)

Depth of understanding of City's requirements; overall quality and logic of work plan.

Pricing for Participating Vendors (5%)

A rate sheet listing proposed fees charged by the Farmers' Market Operator to vendors to participate in the Farmers' Market.

Quality and Responsiveness of the Proposal. (20%)

Completeness of response in accordance with the RFP instructions.

Service Provider: _____

#	CRITERA	RATING (1-10)	MULTIPLIER	SCORE
1.	Qualifications, Experience, and References		30%	
2.	Personnel and Staffing		20%	
3.	Work Plan		25%	
4.	Pricing for Participating Vendors		5%	
5.	Quality and Responsiveness of the Proposal		20%	
TOTAL WEIGHTED SCORE:				

Un-weighted Scoring Range: Excellent = 10 Unsatisfactory = 0

Rating Performed By: _____

Print name

Signature

Date

APPENDIX "B"

**CITY OF MONTEBELLO
RFP 21-31**

CERTIFIED FARMERS' MARKET OPERATOR

TERMS AND CONDITIONS

I have read the scope of work and understand the requirements described in the City of Montebello specifications for Farmers' Market Operator.

Yes _____ No _____

PRINT NAME: _____

SIGNATURE: _____

COMPANY NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

DATE: _____

APPENDIX "C"

SAMPLE PROFESSIONAL AGREEMENT

CITY OF MONTEBELLO

PROFESSIONAL SERVICES AGREEMENT NO. _____

BY AND BETWEEN CITY OF MONTEBELLO AND _____

THIS AGREEMENT ("Agreement") is made and entered into on June 23, 2021, by the CITY OF MONTEBELLO, a municipal corporation (hereinafter referred to as "CITY") and ____ (hereinafter referred to as "VENDOR"). CITY and VENDOR are sometimes referred to herein individually as the "Party," and jointly as the "Parties."

RECITALS

WHEREAS, the CITY desires to retain a qualified professional vendor to operate a Farmers' Market in the CITY; and

WHEREAS, the VENDOR 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. SERVICES / COMPENSATION.

A. All terms, conditions, requirements, and provisions of the Request for Proposal for a Certified Farmers' Market Operator (RFP 21-31) ("Request for Proposal"), 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. VENDOR shall provide to CITY all labor, equipment, materials and incidental necessary for providing the custodial services as set forth fully in the Request for Proposal, as such is set forth fully in **Exhibit "A"** hereto and incorporated fully herein by this reference (hereinafter "Professional Services").

C. VENDOR 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"). VENDOR shall provide an itemized billing statement to the CITY each month for Professional Services performed. VENDOR shall not incur fees or costs which exceed the Compensation without the prior written consent of the City.

SECTION 2. TERM.

This Agreement shall commence upon issuance of the Notice to Proceed by the City ("Effective Date"), and shall expire one (1) year from the Effective Date, unless terminated earlier as hereinafter provided. This Agreement may be extended for up to two (2) additional years upon such terms and conditions mutually agreed upon by the Parties in writing.

SECTION 3. PERFORMANCE.

- a. VENDOR shall at all times, faithfully, competently, and to the best of its ability, experience and talent, perform all tasks described herein.
- b. VENDOR shall employ, at a minimum, generally accepted standards and practices utilized by companies engaged in providing similar services, as are required of Vendor hereunder, in meeting its obligations under this Agreement.
- c. VENDOR shall be knowledgeable of and subject to all CITY ordinances, rules and regulations, standard operating procedures, and the supervisory chain of command.
- d. VENDOR shall have the right to retain, subject to CITY's approval, additional individuals, consultants or subvendors to assist in the completion of services as herein defined. Compensation for additional individuals, consultants or subvendors shall be the sole and exclusive responsibility of VENDOR.
- e. VENDOR shall retain all original reports, field and office notes, correspondence, calculations, maps, and other documents specifically related to the services provided by VENDOR 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 4. WORK PRODUCT.

- a. VENDOR hereby agrees that all work product produced pursuant to this Agreement, and provided to 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. VENDOR 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 VENDOR.
- b. All data, documents, discussion, or other information developed or received by VENDOR or provided for performance of this Agreement are deemed confidential and shall not be disclosed by VENDOR 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. VENDOR agrees that the covenants contained in this Article shall survive the expiration or termination of this Agreement.

SECTION 5. EXTRA SERVICES.

No extra services over and above the Compensation shall be rendered by VENDOR under this Agreement unless such extra services first shall have been duly authorized in writing by the City Manager or his/her designee.

SECTION 6. CITY SUPERVISION.

The City Manager shall have the right of general supervision of all work performed by VENDOR

and shall be the CITY agent with respect to obtaining VENDOR's compliance hereunder. No payment for services rendered under this Agreement shall be made without the prior approval of the City Manager.

SECTION 7. 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 Vendor 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 Vendor, 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 Vendor. The Vendor 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, VENDOR shall only be entitled to the Compensation for those Professional Services satisfactory performed on or before the effective date of termination.

b. Termination For Convenience. The CITY shall have the option, at its sole discretion and without cause, to terminate this Agreement in whole, or in part, by giving ten (30) business days' written notice to VENDOR. Upon the termination of this Agreement as provided herein, the CITY shall provide to VENDOR the part of Compensation which would otherwise be payable to VENDOR for services VENDOR 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 CITY, the Parties agree that VENDOR shall be reimbursed for any "non-refundable" costs that VENDOR has incurred for its services under this Agreement, provided that: (1) such "non-refundable" costs were incurred by the VENDOR prior to the date of termination, and (2) that VENDOR provides the CITY with adequate proof that VENDOR incurred the costs, and is unable to seek a refund for such costs. Such "non-refundable" costs may include, but are not limited to, travel reservations incurred by VENDOR for its performance of services under this Agreement. VENDOR agrees to cease all work under this Agreement on or before the effective date of any notice of termination.

SECTION 8. EMPLOYMENT OF CITY EMPLOYEES.

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

SECTION 9. NON-LIABILITY OF CITY OFFICIALS AND EMPLOYEES.

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

SECTION 10. INDEPENDENT VENDOR.

a. The VENDOR is and shall, at all times, remain as to the CITY a wholly independent vendor. Neither the CITY nor any of its elected officials, officers, employees or agents shall have control over the conduct of the VENDOR except as expressly set forth in this Agreement. The VENDOR shall not at any time or in any manner represent that he is in any manner an elected official, officer, employee or agent of the CITY. No employee benefits shall be available to VENDOR in connection with the performance of this Agreement. Except as provided in this Agreement, CITY shall not pay salary, wages, or other compensation to VENDOR for performance hereunder for CITY, CITY shall not be liable for compensation to VENDOR, VENDOR's employees or VENDOR'S subcontractors 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. CITY shall not deduct from the Compensation paid to VENDOR 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 VENDOR. CITY shall have no responsibility to provide VENDOR, its employees or subcontractors with workers' compensation insurance or any other insurance.

SECTION 11. PERS ELIGIBILITY INDEMNITY.

a. In the event that VENDOR or any employee, agent, or subcontractor of VENDOR providing services under this Agreement claims or is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS as an employee of the CITY, VENDOR shall indemnify, defend, and hold harmless CITY for the payment of any employee and/or employer contributions for PERS benefits on behalf of VENDOR or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of CITY.

b. Notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary, VENDOR and any of its employees, agents, and subcontractors 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 CITY, including but not limited to eligibility to enroll in PERS as an employee of CITY and entitlement to any contribution to be paid by CITY for employer contribution and/or employee contributions for PERS benefits.

SECTION 12. LEGAL RESPONSIBILITIES.

VENDOR 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 VENDOR to comply with this section.

SECTION 13. INDEMNIFICATION.

The VENDOR 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 VENDOR'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 14. INSURANCE COVERAGE.

During the term of this Agreement, VENDOR 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 VENDOR'S performance of this Agreement. Such insurance shall be of the types and in the amounts as set forth below:

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

☐ **Automobile Liability Insurance:** Insurance Services Office Form Number CA 0001 covering, Code 1 (any auto), or if VENDOR 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 VENDOR'S profession, with limit no less than \$1,000,000 per occurrence or claim, \$2,000,000 aggregate.

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

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

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.

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. VENDOR agrees that if it does not keep the aforesaid insurance in full force and effect CITY may either (i) immediately terminate this Agreement for Cause; or (ii) take out the necessary insurance and pay, at VENDOR'S expense, the premium thereon.

At all times during the term of this Agreement, VENDOR shall maintain on file with

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. VENDOR shall, prior to commencement of work under this Agreement, file with CITY's Risk Manager such certificate(s).

VENDOR 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 weeks prior to the expiration of the coverage's.

The general liability and automobile policies of insurance required by this Agreement shall contain an endorsement naming CITY, its officers, employees, agents and volunteers as additional insured. 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 CITY. VENDOR 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.

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

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

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

Procurement of insurance by VENDOR shall not be construed as a limitation of VENDOR'S liability or as fall performance of VENDOR'S duties to indemnify, hold harmless and defend under Section 9 of this Agreement.

SECTION 15. SUBCONTRACT, ASSIGNMENT OR DELEGATION.

VENDOR shall not subcontract, delegate or assign its duties or rights hereunder, either in whole or in part, without the prior written consent of CITY. Any proposed subcontract, delegation, or assignment shall provide a description of the services to be covered, identification of the proposed sub-vendor, 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 VENDOR and shall not bind or purport to bind CITY and shall not release VENDOR 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-vendors. No such subcontract, delegation or assignment shall result in any increase in the amount of total compensation payable to VENDOR under the Agreement.

SECTION 16. 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 17. 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 Article shall survive the expiration or termination of this Agreement.

SECTION 18. 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 19. 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 20. MISCELLANEOUS.

- a. The descriptive paragraph headings of this Agreement are included for purposes of convenience only and shall not control or affect the construction of interpretation of any of its provisions.
- b. Whenever the context hereof shall so require, the singular shall include the plural, the male gender shall include the female gender, and the neuter and vice versa.
- c. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such

invalidity, illegality, or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provisions had never been contained herein.

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

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

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

SECTION 21. 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 personally or on the second 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:

David Sosnowski
Recreation and Community Services Department
City of Montebello
1600 West Beverly Boulevard
Montebello, California 90640
E-mail: dsosnowski@cityofmontebello.com

SECTION 22. NON-DISCRIMINATION AND EQUAL OPPORTUNITY EMPLOYER.

In the performance of this Agreement, VENDOR shall not discriminate against any employee, subcontractor, 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. VENDOR will take affirmative action to ensure that subcontractor 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 23. CONFLICT OF INTEREST.

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

VENDOR covenants not to give or receive any compensation, monetary or otherwise, to or from the ultimate vendor(s) of services to 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 VENDOR. VENDOR's covenant under this section shall survive the termination of this Agreement.

SECTION 24. ENTIRE AGREEMENT.

This Agreement contains the entire understanding between the CITY and VENDOR. 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

CITY OF MONTEBELLO

VENDOR

René Bobadilla, P.E.
City Manager

Dated: _____

ATTEST:

Christopher Jimenez
City Clerk

APPROVED AS TO FORM:

Arnold M. Alvarez-Glasman
City Attorney

Name
Title of Representative

Dated: _____



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, P.E., Director of Public Works/City Engineer

SUBJECT: 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

DATE: May 26, 2021

RECOMMENDATION (S):

It is recommended that the City Council adopt Resolution No. 21-41:

- 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.

FISCAL IMPACT

There is no fiscal impact associated with this particular action. Construction of, and the eventual sales of, these residential units will generate additional property tax. Future budgets will include the positive revenue impacts once the units are built and sold.

BACKGROUND

In 2015, the City of Montebello (“City”) approved the Montebello Hills Specific Plan (“Specific Plan”) for the development of a master planned residential community on 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

Page 2 of 3

Montebello Hills Property (“Project”). The Specific Plan is a comprehensive plan for development of up to 1,200 residential dwelling units on approximately 174 acres of an overall larger area of approximately 488 acres. The Project consists of a combination of residential development, public and private parks, and 343 combined acres of open space, 263.2 acres of which will be dedicated as habitat reserve for the California Gnatcatcher. (“Gnatcatcher”).

Following approval in 2015, opponents challenged the Project in court where the Project was litigated before the Superior Court and Courts of Appeal levels for nearly three (3) years. At each level, the courts found that the Project complied with CEQA, the Brown Act, and was consistent with the City’s General Plan and California Planning and Zoning Laws.

On July 10, 2019, the City of Montebello approved the Final “A” Map for Vesting Tentative Tract Map (“VTTM”) No. 70420 (commonly referred to as an “A” level subdivision map or the “A- Map”) subdividing the Montebello Hills Specific Plan Project area into 78 larger lots.

On January 8, 2020 and in accordance with the Specific Plan and adopted A-Map, the City of Montebello approved Vesting Tentative Tract Map (“VTTM”) No. 82724 (commonly referred to as a “B” level neighborhood map or the “B-Map”) and Site Plan Review 01-19 (collectively referred to as “B-Map - Phase A”) to further subdivide the subject site on a neighborhood level and implement the Montebello Hills Specific Plan Project by subdividing the property into individual lots. Phase A of the B-Map, included 92 new legal lots allowing for the development of 349 residential dwelling units on an approximately 43.39 acre project site. The subject site is located within Planning Areas 1, 2, and a portion of Planning Area 3 as established in the Montebello Hills Specific Plan and the A-Map, which consisted of generally undisturbed vacant land within the City of Montebello.

ENVIRONMENTAL

An Environmental Impact Report (“EIR”) and Mitigation Monitoring and Reporting Program was certified for the Montebello Hills Project on June 10, 2015 pursuant to the California Environmental Quality Act (“CEQA”) Guidelines and local procedures for CEQA implementation. This action of approving the Final Map is a ministerial action and is exempt under CEQA, Statutory Exemptions, Section 15268(b)(3) Ministerial Projects (approval of final subdivision maps), Public Resources Code Section 21080(b)(1), and is a necessary action included within the scope of the above referenced EIR. Therefore, no further environmental review is required.

Upon approval of this Final Map by the City Council, a Notice of Exemption will be filed with the Los Angeles County Clerk’s office.

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

Page 3 of 3

DISCUSSION

Consistent with the previously approved VTTM No. 82724, the B-Map - Phase A Final Map for the Project is being submitted for approval. The B-Map - Phase A Final Map is in substantial conformance to the approved VTTM.

This B-Map - Phase A Final Map has been examined and checked for compliance with Title 16 of the Montebello Municipal Code and the California Subdivision Map Act (California Government Code [“Gov. Code”] Section 66410, *et seq.*). Under State law, a legislative body may not deny approval of a final map it finds that the proposed final map is in substantial compliance with the previously approved tentative map and map conditions (Gov. Code §§ 66473, 66474.1). The City Engineer determined that the B-Map - Phase A Final Map substantially complies with the previously approved VTTM No. 82724, the Specific Plan, and EIR. In addition, the City’s Director of Planning and Community Development has also determined that the B-Map - Phase A Final Map is in substantial conformance with the Specific Plan and the above-referenced approvals.

SUMMARY

The City Council will consider approval of the B-Map - Phase A Final Map for VTTM No. 82724 for the development of 105 single family dwelling units and 244 condominium units for Phase “A” of the Montebello Hills Specific Plan Project.

ATTACHMENT(S):

- A. Attachment A – Resolution No. 21-41
- B. Attachment B – Final Tract Map
- C. Attachment C – Notice of Exemption

RESOLUTION NO. 21-41

**RESOLUTION OF THE CITY OF MONTEBELLO APPROVING
THE B-MAP – PHASE A FINAL MAP FOR VESTED TENTATIVE
TRACT MAP NO. 82724**

RECITALS

WHEREAS, the City of Montebello (“City”) approved the Vesting Tentative Tract Map No. 70420 (“VTTM No. 70420”) for the Montebello Hills Specific Plan Project on June 25, 2015 to allow the development of a master planned residential development consisting of up to 1,200 residential dwelling units; public and private parks; walking trails; open space; internal infrastructure and circulation network, a community center; off-site and on-site infrastructure; and a 262 acre habitat reserve dedicated to the conservation of the California Gnatcatcher;

WHEREAS, an Environmental Impact Report (“EIR”) was previously certified by the City Council for the Montebello Hills Project on June 10, 2015 pursuant to the California Environmental Quality Act (“CEQA”) (Pub. Res. Code §§ 21000 *et seq.*), the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 *et seq.*), and local City of Montebello procedures for CEQA implementation;

WHEREAS, on July 10, 2019, the City approved the Final “A” Map for VTTM No. 70420 (“A-Map”), which subdivided the Montebello Hills Specific Plan Project area into 78 large lots, was in substantial compliance with the approved VTTM No. 70420, applicable conditions of approval, and the Montebello Hills Specific Plan and the Montebello Municipal Code;

WHEREAS, on January 8, 2020, the City approved the Vesting Tentative Tract Map No. 82724 (“VTTM No. 82724”), a “B” level subdivision map, subdividing 43.39 acres into 92 lots on portions of the Montebello Hills Specific Plan Project Area to allow the development of 349 residential dwelling units consisting of 244 attached residential dwelling units and 105 detached single-family residential dwelling units, recreational facilities, and related amenities (“B-Map - Phase A Final Map”). The subject site is located within Planning Areas 1, 2, and a portion of Planning Area 3 as established in the Montebello Hills Specific Plan and the A-Map, which consisted of generally undisturbed vacant land within the City of Montebello;

WHEREAS, Montebello Municipal Code Chapter 16.16 provides the procedures necessary for the approval of Final Map Statute, and to supplement the provisions of the Subdivision Map Act (Government Code Section 66410 *et seq.*) and the subdivision regulations of the city;

WHEREAS, the Planning Commission conducted a duly noticed public hearing upon said application on November 19, 2019 and recommended to the City Council approval of the entitlements;

WHEREAS, the City Council of the City of Montebello conducted a duly notice public hearing prior to the approval of the Tentative Tract Map on January 8, 2020; and

RESOLUTION NO. 21-41

Page 2 of 3

WHEREAS, the City Engineer and staff have reviewed the B-Map - Phase A Final Map finding it to be technically correct and in substantial compliance with the previously approved VTTM No. 82724, the Montebello Hills Specific Plan, all applicable conditions of approval have been substantially satisfied; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:

SECTION 1. The City Council hereby finds that the B-Map - Phase A Final Map is consistent with the Montebello City General Plan, the California Subdivision Map Act (California Government Code Section 66410, *et seq.*), and is in substantial compliance with the previously approved Vested Tentative Tract Map No. 82724.

SECTION 2. The B-Map - Phase A Final Map for VTTM No. 82724 is hereby approved, and the City Clerk, City Treasurer, and City Engineer are authorized to execute the certificate on the Final Map showing the City's approval.

SECTION 3. The approval of this Final Map is exempt from the CEQA, Title 14 of the California Code of Regulations Section 15268(b)(3), Ministerial Projects – approval of final subdivision maps and under California Public Resources Code Section 21080(b)(1).

SECTION 4. If any section, sentence, or portion of this Resolution is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution, and shall continue in full force and effect.

SECTION 5. The City Clerk shall attest and certify to the passage and adoption of this Resolution, and enter it into the book of original resolutions. This Resolution shall be effective immediately upon adoption.

APPROVED AND ADOPTED this 26th day of May 2021.

Kimberly A. Cobos-Cawthorne, Mayor

RESOLUTION NO. 21-41

Page 3 of 3

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. 21-41 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 26th day of May 2021 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

SHEET 1 OF 19 SHEETS
TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

TRACT NO. 82724

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

WILSON MIKAMI CORPORATION

RICHARD A. TETREAULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

OWNERSHIP CERTIFICATE

WE HEREBY STATE THAT WE ARE THE OWNERS OF OR ARE INTERESTED IN THE LANDS INCLUDED WITHIN THE SUBDIVISION SHOWN ON THIS MAP WITHIN THE DISTINCTIVE BORDER LINES, AND WE CONSENT TO THE PREPARATION AND FILING OF SAID MAP AND SUBDIVISION.

WE ALSO DEDICATE TO THE CITY OF MONTEBELLO THE FOLLOWING EASEMENTS:

1. THE EASEMENT FOR EMERGENCY ACCESS AND INGRESS AND EGRESS PURPOSES AS SHOWN ON THIS MAP.
2. THE EASEMENT FOR STORM DRAIN MAINTENANCE AND ACCESS PURPOSES AS SHOWN ON THIS MAP.
3. THE EASEMENT FOR SANITARY SEWER MAINTENANCE AND ACCESS PURPOSES AS SHOWN ON THIS MAP.

METRO HEIGHTS MONTEBELLO, LLC

A DELAWARE LIMITED LIABILITY COMPANY

BY:

BY:

NAME:
TITLE:

NAME:
TITLE:

NOTARY ACKNOWLEDGMENT

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 LOS ANGELES } SS

ON _____ BEFORE ME, _____, A NOTARY PUBLIC,

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(ES), 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:

MY PRINCIPAL PLACE OF BUSINESS IS IN
SIGNATURE _____ COUNTY.

(NAME PRINTED)

MY COMMISSION NO.:
MY COMMISSION EXPIRES: _____

NOTARY ACKNOWLEDGMENT

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 LOS ANGELES } SS

ON _____ BEFORE ME, _____, A NOTARY PUBLIC,

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(ES), 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:

MY PRINCIPAL PLACE OF BUSINESS IS IN
SIGNATURE _____ COUNTY.

(NAME PRINTED)

MY COMMISSION NO.:
MY COMMISSION EXPIRES: _____

SIGNATURE OMISSIONS:

THE FOLLOWING SIGNATURES HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66436(A)(3)(A)&(C) OF THE SUBDIVISION MAP ACT:

J.M. KENT, HOLDER OF A OIL AND GAS LEASE, RECORDED NOVEMBER 9, 1915 IN BOOK 106, PAGE 39 OF LEASES.

CITY OF MONTEBELLO, HOLDER OF EASEMENT FOR PUBLIC STREET AND TRAIL PURPOSES, RECORDED JUNE 04, 2019, AS INSTRUMENT NO. 20190517452, OF OFFICIAL RECORDS.

CITY OF MONTEBELLO, HOLDER OF AN EASEMENT FOR PEDESTRIAN TRAIL AND EMERGENCY ACCESS AND PUBLIC SERVICE VEHICULAR INGRESS AND EGRESS PURPOSES, AS SHOWN ON TRACT NO. 70420, M.B. 1417/ 58-86.

SENTINEL PEAK RESOURCES CALIFORNIA LLC, HOLDER OF AN EASEMENT FOR OIL PRODUCTION SERVICE ROAD, AS SHOWN ON TRACT NO. 70420, M.B. 1417/ 58-86.

CITY OF MONTEBELLO, HOLDER OF AN EASEMENT FOR PEDESTRIAN TRAIL PURPOSES, AS SHOWN ON TRACT 70420, M.B. 1417/ 58-86.

PACIFIC LIGHTING SERVICE AND SUPPLY, HOLDER OF AN EASEMENT FOR PIPELINE AND INCIDENTAL PURPOSES, RECORDED DECEMBER 04, 1957 AS INSTRUMENT NO. 699, BOOK 56183, PAGE 106, OF OFFICIAL RECORDS.
(NO WIDTH INDICATED).

AMENDED BY A AGREEMENT RECORDED MARCH 9, 1966 AS
INSTRUMENT NO. 3601, OF OFFICIAL RECORDS.
(10' X 83.5' STRIP).

SURVEYOR'S STATEMENT

THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED UPON A TRUE AND COMPLETE FIELD SURVEY MADE BY ME OR UNDER MY DIRECTION IN NOVEMBER 2018, IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBDIVISION MAP ACT AND LOCAL ORDINANCE AT THE REQUEST OF METRO HEIGHTS MONTEBELLO, LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN NOVEMBER 2018. I HEREBY STATE THAT THIS FINAL MAP SUBSTANTIALLY CONFORMS TO THE CONDITIONALLY APPROVED TENTATIVE MAP; THAT ALL MONUMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED, OR THAT THEY WILL BE SET IN THOSE SUCH POSITIONS WITHIN TWELVE MONTHS FROM THE COMPLETION OF IMPROVEMENTS; THAT THE MONUMENTS ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED; THAT THE NOTES FOR ALL CENTERLINE MONUMENTS AND FOR ALL CENTERLINE THE MONUMENTS WILL BE ON FILE IN THE OFFICE OF THE LOS ANGELES COUNTY SURVEYOR AND CITY ENGINEER OF THE CITY OF MONTEBELLO WITHIN TWELVE MONTHS FROM THE COMPLETION OF IMPROVEMENTS.

RICHARD A. TETREAULT
P.L.S. 7418

DATE



CITY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP AND THAT IT CONFORMS SUBSTANTIALLY TO THE TENTATIVE MAP AND ALL APPROVED ALTERATIONS THEREOF; THAT ALL PROVISIONS OF LOCAL ORDINANCES OF THE CITY OF MONTEBELLO APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP HAVE BEEN COMPLIED WITH; AND THAT ALL PROVISIONS OF SUBDIVISION MAP ACT SECTION 66442(A)(1), (2) AND (3) HAVE BEEN COMPLIED WITH.

JAMES ENRIQUEZ
CITY ENGINEER, CITY OF MONTEBELLO
R.C.E. 55520
EXP: 12/31/2022

DATE



CITY CONTRACT SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP; THAT IT COMPLIES WITH ALL PROVISIONS OF STATE LAW APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP; AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT IN ALL RESPECTS NOT CERTIFIED BY THE CITY ENGINEER.

NICK S. SERVIN, RCE 33538, EXP 6-30-20
CITY CONTRACT SURVEYOR, CITY OF MONTEBELLO

DATE



CITY CLERK CERTIFICATE

I IRMA BERNAL-BARAJAS, CITY CLERK OF THE CITY OF MONTEBELLO, DO HEREBY CERTIFY THAT THAT THIS MAP WAS PRESENTED FOR APPROVAL TO AT REGULAR MEETING THEREOF HELD ON _____ DAY OF _____ 2020, AND THAT THEREUPON SAID CITY COUNCIL DID BY AN ORDER DULY PASSED AND ENTERED APPROVED SAID MAP AND DID ACCEPT ON BEHALF OF THE PUBLIC THE FOLLOWING EASEMENTS AS SHOWN ON THIS MAP:

AND DID ALSO ACCEPT THE FOLLOWING EASEMENTS:

1. THE EASEMENT FOR EMERGENCY ACCESS AND PUBLIC SERVICE VEHICULAR INGRESS AND EGRESS PURPOSES AS DEDICATED.
2. THE EASEMENT FOR STORM DRAIN PURPOSES AS DEDICATED.
3. THE EASEMENT FOR SANITARY SEWER PURPOSES AS DEDICATED.

IRMA BERNAL-BARAJAS
CITY CLERK - CITY OF MONTEBELLO

DATE:

CITY TREASURERS CERTIFICATE

I HEREBY CERTIFY THAT ALL SPECIAL ASSESSMENTS LEVIED UNDER THE JURISDICTION OF THE CITY OF MONTEBELLO TO WHICH THE LAND INCLUDED WITHIN THIS SUBDIVISION OR ANY PART THEREOF IS SUBJECT, AND WHICH MAY BE PAID IN FULL, HAVE BEEN PAID IN FULL.

RAFAEL GUTIERREZ
CITY TREASURER - CITY OF MONTEBELLO

DATE:

COUNTY ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT I HAVE EXAMINED THIS MAP; THAT IT COMPLIES WITH ALL PROVISIONS OF STATE LAW APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP; AND THAT I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT IN ALL RESPECTS NOT CERTIFIED BY THE CITY ENGINEER.

DEPUTY
FABRIZIO G. PACHANO
L.S. NO. 7279
EXPIRES:

DATE



LOS ANGELES COUNTY CERTIFICATIONS AND SEALS

I HEREBY CERTIFY THAT SECURITY IN THE AMOUNT OF \$ _____
HAS BEEN FILED WITH THE EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS SECURITY FOR THE PAYMENT OF TAXES AND SPECIAL ASSESSMENTS COLLECTED AS TAXES ON THE LAND SHOWN ON MAP OF TRACT 82724 AS REQUIRED BY LAW.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

BY: _____ DEPUTY DATE: _____

I HEREBY CERTIFY THAT ALL CERTIFICATES HAVE BEEN FILED AND DEPOSITS HAVE BEEN MADE THAT ARE REQUIRED UNDER THE PROVISIONS OF SECTIONS 66492 AND 66493 OF THE SUBDIVISION MAP ACT.

EXECUTIVE OFFICER, BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA.

BY: _____ DEPUTY DATE: _____

TRACT NO. 82724

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

WILSON MIKAMI CORPORATION

RICHARD A. TETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

BASIS OF BEARINGS:

THE BASIS OF BEARINGS SHOWN FOR THIS SURVEY IS THE CALIFORNIA STATE PLANE COORDINATE SYSTEM (CCS83), ZONE 5, NORTH AMERICAN DATUM 1983 (NAD83), BASED LOCALLY BY CONTINUOUSLY OPERATING REFERENCE STATIONS (CORS) "WNRA" AND "GVRIS", BEING "N 32°08'38" E (BASIS OF BEARINGS) (GRID) AND REPRESENTED HEREON BY THE NEW CENTERLINE OF SAN GABRIEL BOULEVARD BEING "N 41°55'41" W", ALL BEARINGS SHOWN HEREON ARE GRID BEARINGS.

DATUM STATEMENT:

COORDINATES SHOWN HEREON ARE GRID VALUES (UNLESS OTHERWISE NOTED) AND ARE BASED ON THE NAD83, CCS83, ZONE 5, (2017.50 EPOCH) AS DERIVED FROM GEODETIC VALUES PUBLISHED AND COMPUTED BY THE SCRIPPS ORBIT & PERMANENT ARRAY CENTER (SOPAC) AND/OR CALIFORNIA SPATIAL REFERENCE SYSTEM (CSRS), RESPECTIVELY ON 11/11/2017.

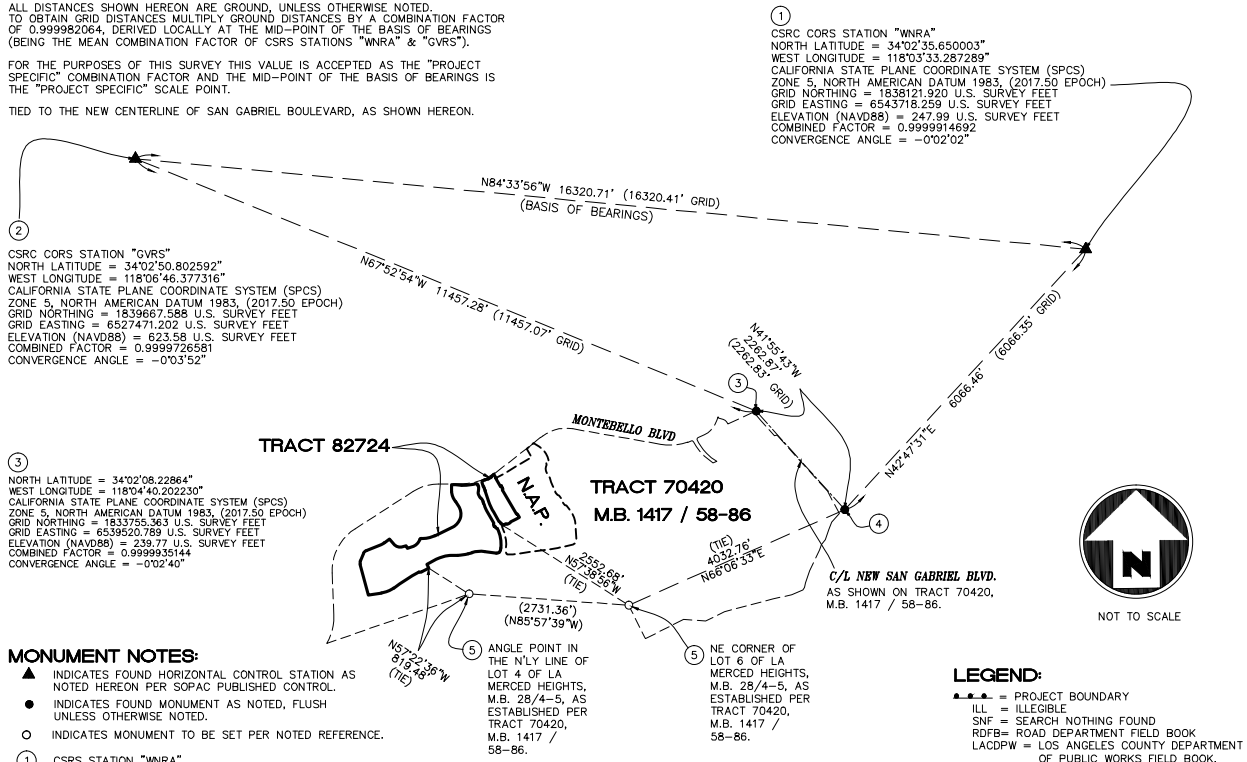
ALL DISTANCES SHOWN HEREON ARE GROUND, UNLESS OTHERWISE NOTED. TO OBTAIN GRID DISTANCES MULTIPLY GROUND DISTANCES BY A COMBINATION FACTOR OF 0.999992064, DERIVED LOCALLY AT THE MID-POINT OF THE BASIS OF BEARINGS (BEING THE MEAN COMBINATION FACTOR OF CSRS STATIONS "WNRA" & "GVRIS").

FOR THE PURPOSES OF THIS SURVEY THIS VALUE IS ACCEPTED AS THE "PROJECT SPECIFIC" COMBINATION FACTOR AND THE MID-POINT OF THE BASIS OF BEARINGS IS THE "PROJECT SPECIFIC" SCALE POINT.

TIED TO THE NEW CENTERLINE OF SAN GABRIEL BOULEVARD, AS SHOWN HEREON.

BENCHMARK:

LACDPW BENCHMARK "Y-11800"
NORTH LATITUDE = 34°02'01.63540"
WEST LONGITUDE = 118°04'33.75450"
CALIFORNIA STATE PLANE COORDINATE SYSTEM (SPCS)
ZONE 5, NORTH AMERICAN DATUM 1983, (2017.50 EPOCH)
GRID NORTHING = 1834686.850 U.S. SURVEY FEET
GRID EASTING = 6538627.262 U.S. SURVEY FEET
ELEVATION (NAVD88) = 230.968 U.S. SURVEY FEET
COMBINED FACTOR = 0.9999943318
CONVERGENCE ANGLE = -0°02'36"



MONUMENT NOTES:

- ▲ INDICATES FOUND HORIZONTAL CONTROL STATION AS NOTED HEREON PER SOPAC PUBLISHED CONTROL.
 - INDICATES FOUND MONUMENT AS NOTED, FLUSH UNLESS OTHERWISE NOTED.
 - INDICATES MONUMENT TO BE SET PER NOTED REFERENCE.
 - ① CSRS STATION "WNRA"
N 1838121.906 E 6543718.405 (2017.50 EPOCH) GROUND
 - ② CSRS STATION "GVRIS"
N 1839667.603 E 6527471.056 (2017.50 EPOCH) GROUND
 - ③ FD. L&T TAGGED "LA CO DPW", FLUSH ON MEDIAN CURB, PER PFWB 1226/7148, ACCEPTED AS P.I. PER TRACT NO. 70420, M.B. 1417 / 58-86.
 - ④ FD. 2" BRASS CAP STAMPED "LA CO ROAD DEPT 1982", IN HAND HOLE PER RDPB 1226/242C, DN 0.65', ACCEPTED AS POINT OF INT. W/TAIN PER TRACT NO. 70420, M.B. 1417 / 58-86.
 - ⑤ INDICATES 2" I.P. TAGGED "LS. 7418", SPIKE AND WASHER, STAMPED, "LS 7814", OR LEAD, TACK & TAG "LS 7418", TO BE SET PER TRACT NO. 70420, M.B. 1417 / 58-86.
 - ⑥ FD. S&W TAGGED RCE 8793, FLUSH, PER TRACT NO. 70420, M.B. 1417 / 58-86, N52°32'34"E 0.18' FROM C/L BC, HELD FOR LINE ONLY.
 - ⑦ FD. 2" BRASS CAP STAMPED "LA CO ROAD DEPT 1972", IN HAND HOLE PER RDPB 1225/291-292, DN 0.5', S89°51'20"W 0.11' FROM C/L EC, PER TRACT NO. 70420, M.B. 1417 / 58-86.
 - ⑧ FD. 2" BRASS CAP STAMPED "LA CO ROAD DEPT 1972", IN HAND HOLE PER RDPB 1225/291-292, DN 0.8', N89°51'20"E 0.13' FROM C/L BC, PER TRACT NO. 70420, M.B. 1417 / 58-86.
 - ⑨ FD. 2" BRASS CAP STAMPED "LA CO ROAD DEPT 1972", IN HAND HOLE PER RDPB 1225/293, DN 0.6', N30°20'48"W (RAD) 0.61' FROM C/L P.O.C., PER TRACT NO. 70420, M.B. 1417 / 58-86.
 - ⑩ INDICATES 1" I.P. TAGGED "LS. 7418", SPIKE AND WASHER, STAMPED, "LS 7814", OR LEAD, TACK & TAG "LS 7418", TO BE SET AT CENTERLINE POINTS OF CONTROL PER TRACT NO. 70420, M.B. 1417 / 58-86.
- ALL TRACT BOUNDARY MONUMENTS SHALL BE A 1" I.P. TAGGED "LS 7418", OR LEAD, TACK & TAG "LS 7418" OR SPIKE & WASHER STAMPED "LS 7418", PER TRACT NO. 70420, M.B. 1417 / 58-86, UNLESS OTHERWISE NOTED.
- 1" I.P. TAGGED "LS 7418" OR LEAD, TACK & TAG "LS 7418" OR SPIKE & WASHER STAMPED "LS 7418" TO BE SET AT ALL LOT CORNERS, UNLESS OTHERWISE NOTED.

NO RIGHT-OF-WAY MONUMENTS WILL BE SET AT B.C.'S, E.C.'S, P.C.C.'S AND P.R.C.'S ALONG STREET RIGHT-OF-WAYS THAT ARE ADJACENT AND CONCENTRIC WITH MONUMENTED STREET CENTERLINES.

1" I.P. TAGGED "LS 7418", SPIKE & WASHER STAMPED, "LS 7418", OR LEAD, TACK & TAG "LS 7418" TO BE SET AT ALL CENTERLINE POINTS OF CONTROL, UNLESS OTHERWISE NOTED.

TIE NOTES WILL BE FURNISHED TO THE CITY ENGINEER/CITY SURVEYOR FOR ALL SET CENTERLINE MONUMENTS.

ALL MONUMENTS TO BE SET WITHIN 90 DAYS AFTER ACCEPTANCE OF IMPROVEMENTS.

LEGEND:

- = PROJECT BOUNDARY
- ILL = ILLEGIBLE
- SNF = SEARCH NOTHING FOUND
- RDPB = ROAD DEPARTMENT FIELD BOOK
- LACDPW = LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS FIELD BOOK.

REFERENCES:

- () = INDICATES MEASURED & RECORD DATA PER TRACT NO. 70420 M.B. 1417 / 58-86.
- N.A.P. = INDICATES A PORTION OF LOT 21 PER TRACT NO. 70420 M.B. 1417 / 58-86.
- "NOT A PART OF THIS SUBDIVISION".

EASEMENT NOTES:

- (A) INDICATES AN EASEMENT FOR EMERGENCY ACCESS AND PUBLIC SERVICE VEHICULAR INGRESS AND EGRESS PURPOSES, DEDICATED TO THE CITY OF MONTEBELLO HEREON.
- (B) INDICATES AN EASEMENT FOR SANITARY SEWER PURPOSES, DEDICATED TO THE CITY OF MONTEBELLO HEREON.
- (C) INDICATES AN EASEMENT FOR STORM DRAIN PURPOSES, DEDICATED TO THE CITY OF MONTEBELLO HEREON.
- (D) INDICATES AN EASEMENT FOR PEDESTRIAN TRAIL PURPOSES, DEDICATED TO THE CITY OF MONTEBELLO PER TRACT NO. 70420 M.B. 1417 / 58-86. (SEE SHEETS 12 & 15)
- (E) INDICATES AN EASEMENT FOR PEDESTRIAN TRAIL AND EMERGENCY ACCESS AND PUBLIC SERVICE VEHICULAR INGRESS AND EGRESS PURPOSES, DEDICATED TO THE CITY OF MONTEBELLO PER TRACT NO. 70420 M.B. 1417 / 58-86. (SEE SHEETS 13 & 16-18)
- (F) INDICATES AN EASEMENT FOR OIL PRODUCTION SERVICE ROAD PURPOSES, AS RESERVED ON TRACT NO. 70420 M.B. 1417 / 58-86. (SEE SHEETS 13 & 16-18)
- (G) INDICATES AN OFFER OF DEDICATION FOR PUBLIC STREET, PUBLIC HIKING TRAIL AND PUBLIC BIKE PATH AND INCIDENTAL PURPOSES, IN FAVOR OF THE CITY OF MONTEBELLO, RECORDED JUNE 4, 2019 AS INSTRUMENT NO. 20190517452, OF OFFICIAL RECORDS. (SEE SHEETS 3, 5, 8 AND 19).
- (H) INDICATES AN OFFER OF DEDICATION FOR PUBLIC STREETS AND HIGHWAY AND INCIDENTAL PURPOSES, IN FAVOR OF THE CITY OF MONTEBELLO, PER TRACT NO. 70420 M.B. 1417 / 58-86. (SEE SHEETS 3, 5, 8 AND 19)

NOTES:

SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT, REFERENCE NOTES, MONUMENT NOTES, LEGEND AND NOTES. SEE SHEET 3 FOR PROJECT BOUNDARY. SEE SHEET 4 FOR INDEX SHEET, LOT PURPOSES. SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES.

TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

TRACT NO. 82724

SHEET 3 OF 19 SHEETS

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS.
ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

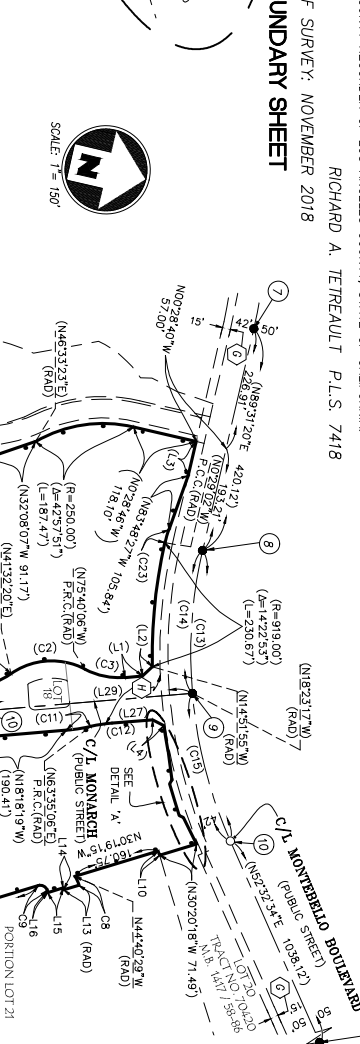
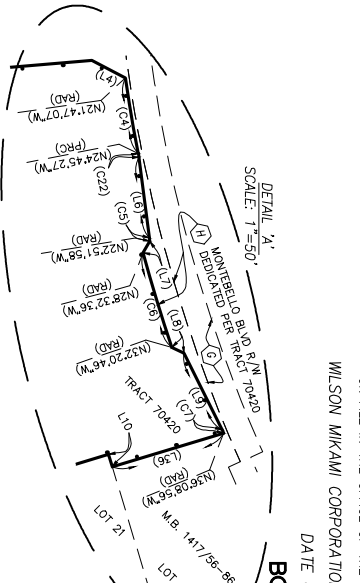
WILSON MIKAMI CORPORATION

RICHARD A. TETREULT P.L.S. 7418

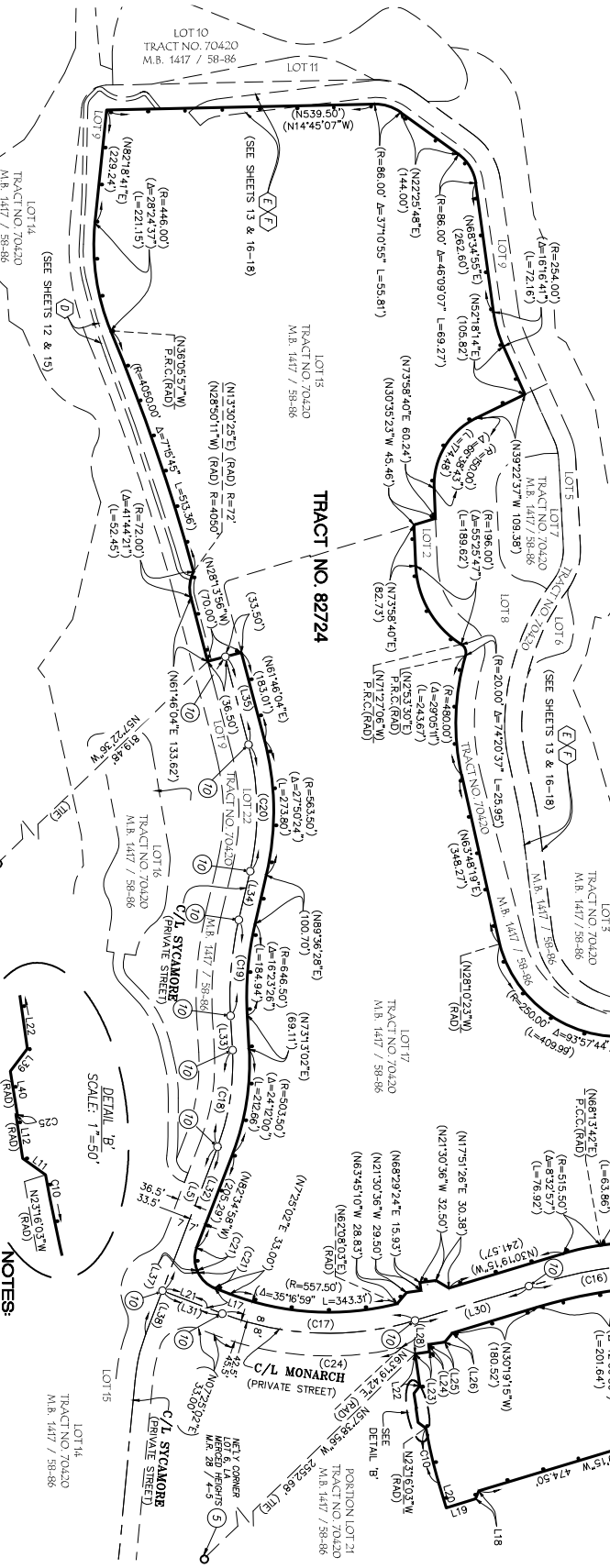
DATE OF SURVEY: NOVEMBER 2018

BOUNDARY SHEET

CURVE TABLE - SHEET 3 ONLY			
CURVE #	RADIUS	DELTA	LENGTH
C1	134.50'	3009.21"	70.79'
C2	131.60'	62.4734"	144.12'
C3	134.50'	32.3813"	76.61'
C4	907.00'	2'58.21"	47.05'
C5	58.50'	2'01.11"	2.06'
C6	918.00'	3'48.10"	60.93'
C7	35.00'	3'52.20"	2.37'
C8	72.00'	1'42.114"	18.04'
C9	13.50'	90'00.00"	21.21'
C10	929.50'	7'03.12"	114.42'
C11	318.50'	8'06.35"	45.08'
C12	281.50'	8'06.35"	39.84'
C13	850.00'	36'58.46"	548.60'
C14	850.00'	1'75.437"	265.70'
C15	850.00'	1'90'4.09"	282.90'
C16	1200.00'	3'74.417"	395.19'
C17	600.00'	2'41'2.00"	198.51'
C18	470.00'	16'23.26"	194.53'
C19	680.00'	2'750.24"	257.53'
C20	530.00'	45'00.00"	46.73'
C21	53.00'	3'54.40"	2.39'
C22	215.00'	6'40.35"	25.05'
C23	645.50'	3'40'5.20"	384.05'
C24	700.00'	0'04.22"	0.89'



LINE TABLE - SHEET 3 ONLY		
LINE #	BEARING	LENGTH
L1	N81°18'19"W	32.06'
L2	N86°50'18"W	28.11'
L3	N69°51'20"E	65.03'
L4	N41°17'54"E	23.30'
L5	N82°34'58"W	404.10'
L6	N69°09'13"E	501.12'
L7	N7°32'38"W	8.16'
L8	N12°35'44"E	32.53'
L9	N49°38'44"E	18.94'
L10	N27°11'08"E	29.50'
L11	N67°18'19"W	29.50'
L12	N50°19'15"W	3.50'
L13	N59°40'45"E	4.00'
L14	N59°40'45"E	4.00'
L15	N82°34'58"W	42.50'
L16	N82°26'45"W	17.10'
L17	N82°26'45"W	62.00'
L18	N82°26'45"W	62.00'
L19	N82°26'45"W	62.00'
L20	N82°26'45"W	62.00'
L21	N82°26'45"W	62.00'
L22	N82°26'45"W	62.00'
L23	N82°26'45"W	62.00'
L24	N82°26'45"W	62.00'
L25	N82°26'45"W	62.00'
L26	N82°26'45"W	62.00'
L27	N82°26'45"W	62.00'
L28	N82°26'45"W	62.00'
L29	N82°26'45"W	62.00'
L30	N82°26'45"W	62.00'
L31	N82°26'45"W	62.00'
L32	N82°26'45"W	62.00'
L33	N82°26'45"W	62.00'
L34	N82°26'45"W	62.00'
L35	N82°26'45"W	62.00'
L36	N82°26'45"W	62.00'
L37	N82°26'45"W	62.00'
L38	N82°26'45"W	62.00'
L39	N82°26'45"W	62.00'
L40	N82°26'45"W	62.00'



NOTES:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
REFERENCE NOTES, MONUMENT NOTES, LEGEND AND NOTES.
SEE SHEET 3 FOR PROJECT BOUNDARY, LEGEND AND NOTES.
SEE SHEETS 4 THROUGH 19 FOR LOT BOUNDARIES.

TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

TRACT NO. 82724

SHEET 4 OF 19 SHEETS

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

WILSON MIKAMI CORPORATION

RICHARD A. TETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

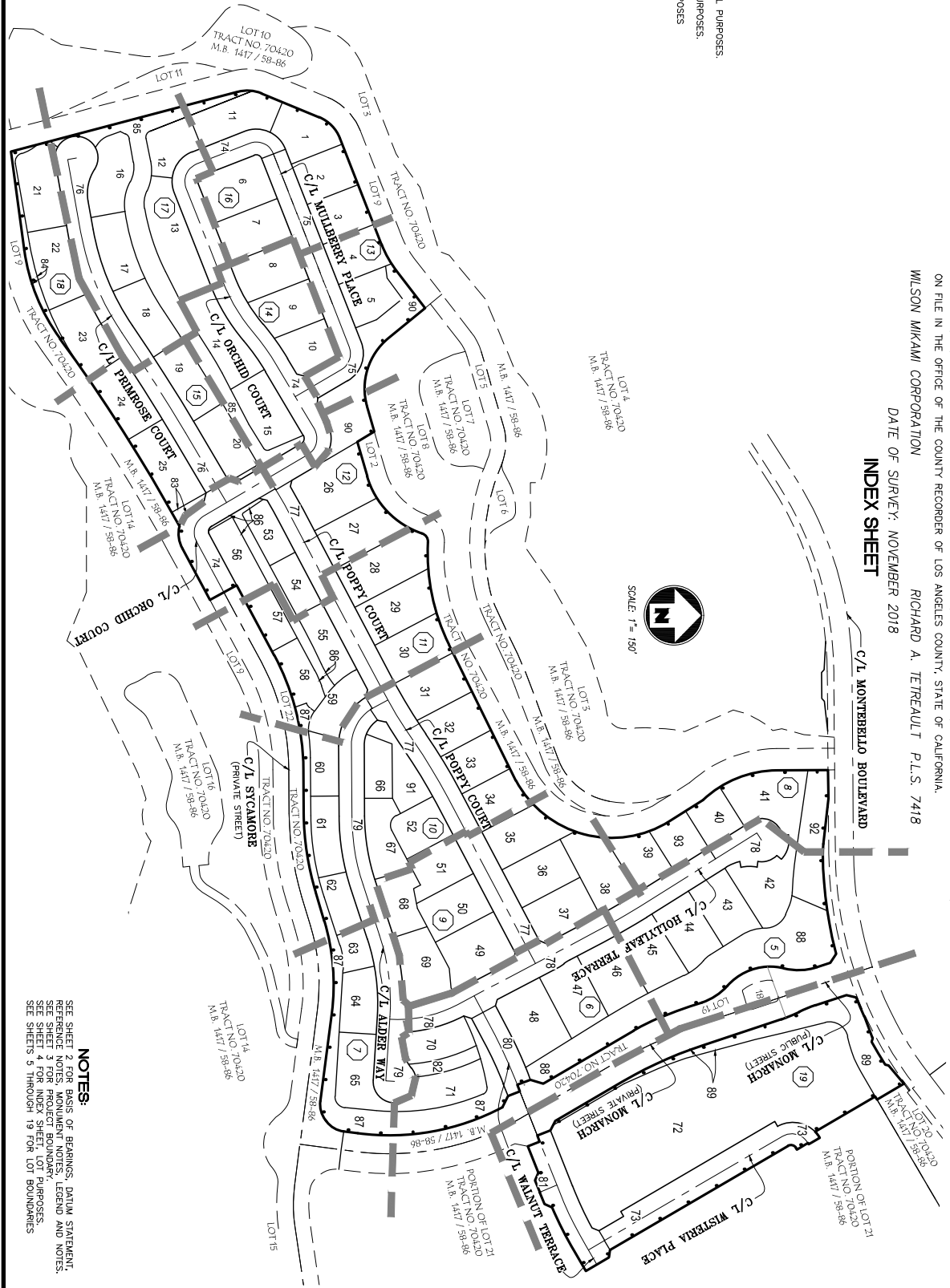
INDEX SHEET

SHEET INDEX

INDICATES SHEET NUMBER

LOT PURPOSE:

LOTS 1 THROUGH 71, AND 93 ARE FOR RESIDENTIAL PURPOSES.
LOT 72 IS FOR RECREATION CENTER PURPOSES.
LOTS 73 THROUGH 81 ARE FOR PRIVATE STREET PURPOSES.
LOT 82 IS FOR PRIVATE COURTYARD PURPOSES.
LOTS 83 THROUGH 89 ARE FOR LANDSCAPING PURPOSES.
LOTS 90 AND 91 ARE FOR PARK PURPOSES.
LOT 92 IS FOR CONSERVANCY SLOPE PURPOSES.



NOTES:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
REFERENCE NOTES, MONUMENT NOTES, LEGEND AND NOTES.
SEE SHEET 4 FOR INDEX SHEET LOT PURPOSES.
SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES

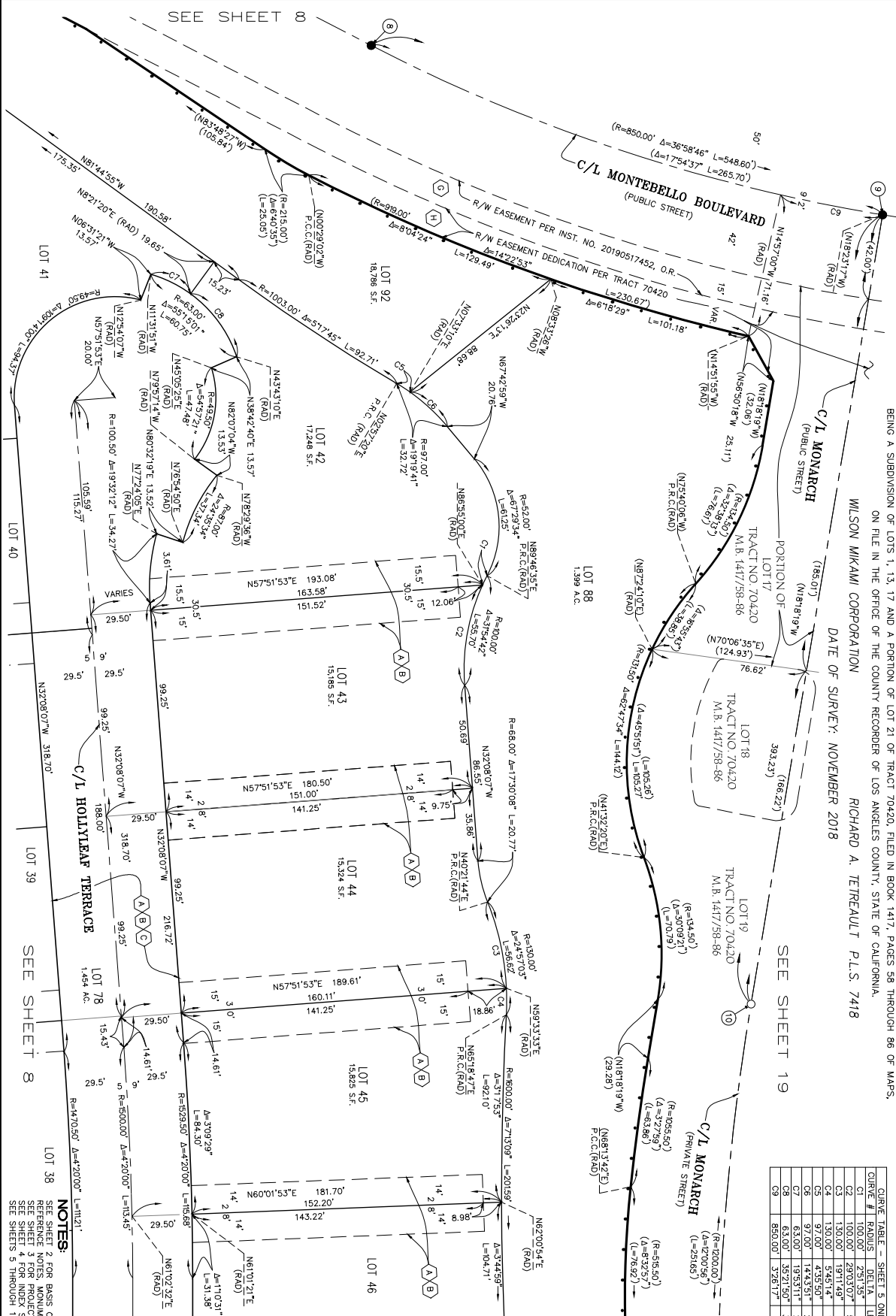
TRACT NO. 82724

WILSON MIKAMI CORPORATION

RICHARD A. TETREAU LT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

CURVE #	RADIUS	DELTA	LENGTH
C1	100.00'	2°51'35"	4.99'
C2	100.00'	2°59'03.07"	50.71'
C3	130.00'	1°9'11.49"	43.56'
C4	130.00'	5°45'1.4"	13.06'
C5	97.00'	4°35'50"	7.76'
C6	97.00'	14°43'51"	24.94'
C7	63.00'	1°9'53.11"	21.87'
C8	63.00'	35°21'50"	38.86'
C9	850.00'	3°26'17"	51.01'



NOTES:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
REFERENCE NOTES, MONUMENT NOTES, LEGEND AND NOTES.
SEE SHEET 3 FOR PROJECT BOUNDARY.
SEE SHEET 4 FOR INDEX SHEET, LOT PURPOSES.
SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES

SEE SHEET 6

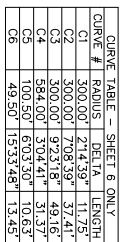
SCALE: 1"=30'

BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS, IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA. ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

RICHARD A. TETREault P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

SCALE: 1"=30'



TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

TRACT NO. 82724

SHEET 7 OF 19 SHEETS

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
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WILSON MIKAMI CORPORATION

RICHARD A. TETREULT P.L.S. 7418

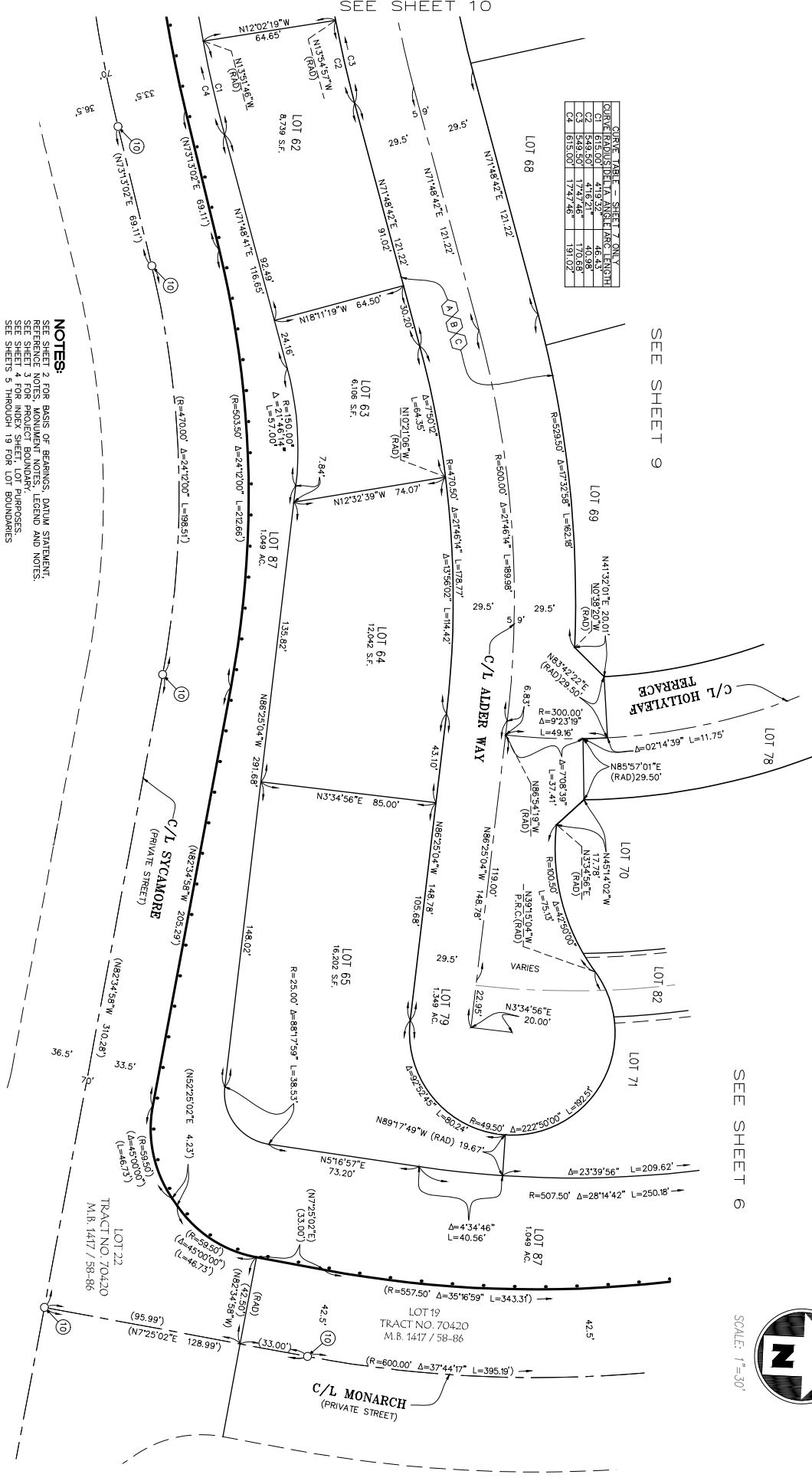
DATE OF SURVEY: NOVEMBER 2018

CURVE TABLE - SHEET 7 ONLY			
LOT	RADIUS (FEET)	ANGLE (DEGREES)	LENGTH (FEET)
62	549.50	416.21	40.88
63	549.50	1747.46	170.68
64	615.00	1747.46	191.07

SEE SHEET 9

SEE SHEET 6

SCALE: 1"=30'



NOTES:

SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
REFERENCE NOTES, MONUMENT NOTES, LEGEND AND NOTES.
SEE SHEET 3 FOR PROJECT BOUNDARY.
SEE SHEET 4 FOR INDEX SHEET, LOT PURPOSES.
SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES.

TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

TRACT NO. 82724

SHEET 8 OF 19 SHEETS

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

WILSON MIKAMI CORPORATION

RICHARD A. JETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

SEE SHEET 5

SCALE: 1"=30'



CURVE TABLE - SHEET 8 ONLY			
CURVE #	RADIUS	DELTA	LENGTH
C1	63.00'	193.311'	21.87'
C2	63.00'	352.150'	38.88'

NOTES:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
SEE SHEET 3 FOR PROJECT BOUNDARY,
SEE SHEET 4 FOR INDEX SHEET, LOT PURPOSES,
SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES

SEE SHEET 9

TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED



SCALE: 1"=30'

SEE SHEET 6

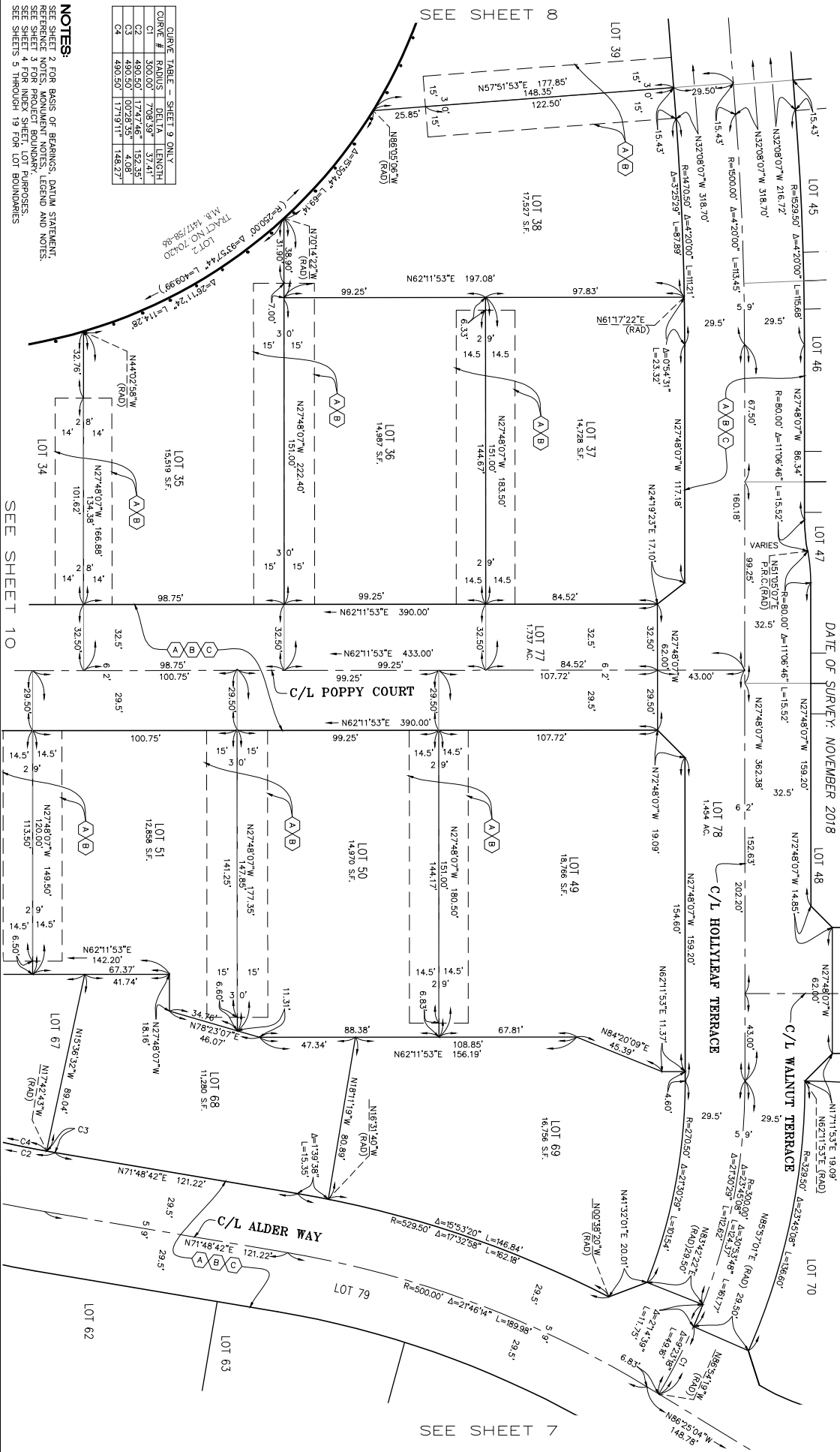
WILSON MIAMI CORPORATION

RICHARD A. TETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

TRACT NO. 82724

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.



CURVE #	RADIUS	DELTA	LENGTH
C1	300.00	1708.59°	31.41'
C2	300.00	1708.59°	31.41'
C3	400.50	10728.55°	4.08'
C4	400.50	17191.11°	148.27'

NOTES:
SHEET 2 FOR BASIS OF BEARINGS, DATA STATEMENT.
SHEET 3 FOR BASIS OF BEARINGS, DATA STATEMENT.
SHEET 4 FOR PROJECT BOUNDARY, LEGEND AND NOTES.
SEE SHEET 5 THROUGH 19 FOR LOT BOUNDARIES.

TRACT NO. 82724

SEE SHEET 9

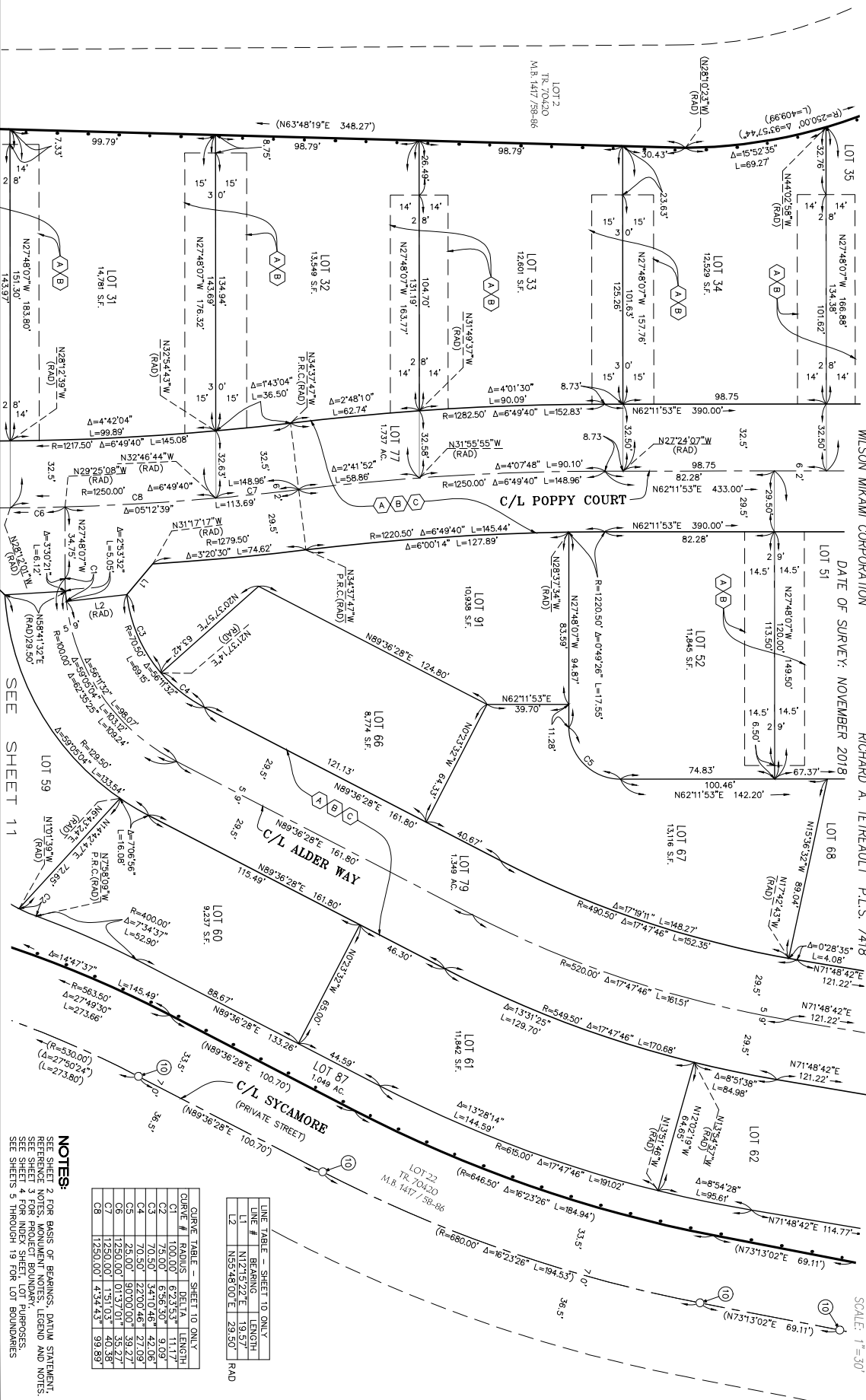
IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

WILSON MIKAMI CORPORATION

DATE OF SURVEY: NOVEMBER 2018

SEE SHEET 7

SCALE: 1"=30'



NOTES:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
REFERENCE NOTES, MONUMENT NOTES, LEGEND AND NOTES.
SEE SHEET 4 FOR INDEX SHEET, LOT PURPOSES.
SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES

CURVE TABLE - SHEET 10 ONLY			
CURVE #	RADIUS	DELTA	LENGTH
C1	1000.00	6°23'53"	11.17
C2	750.00	6°23'53"	9.08
C3	700.00	24°10'48"	47.06
C4	1500.00	24°10'48"	98.27
C5	25.00	90°00'00"	39.27
C6	1250.00	01°37'01"	35.27
C7	1250.00	1°31'03"	40.38
C8	1250.00	4°34'43"	99.89

LINE TABLE - SHEET 10 ONLY			
LINE #	BEARING	LENGTH	RAD
L1	N12°15'22"E	19.57	
L2	N5°48'00"E	29.50	

TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

TRACT NO. 82724

SHEET 11 OF 19 SHEETS

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
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WILSON MIKAMI CORPORATION

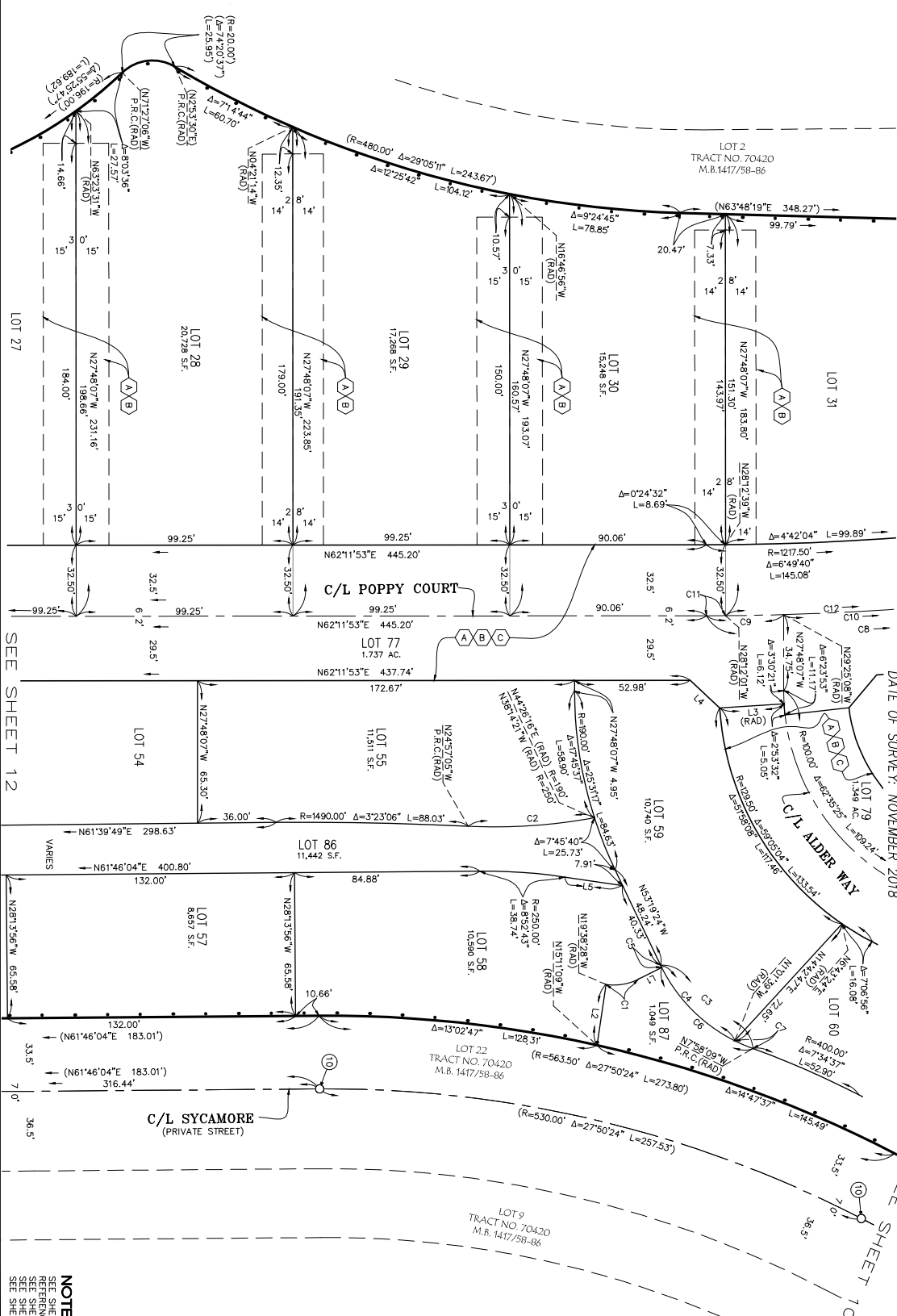
RICHARD A. TETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

SEE SHEET 10

SEE SHEET 10

SCALE: 1"=30'



CURVE TABLE - SHEET 11 ONLY				
CURVE #	RADIUS	DELTA	LENGTH	(RAD)
C1	25.00'	34.3516°	15.09'	
C2	250.00'	1.31716°	57.98'	
C3	75.00'	44.3845°	58.45'	
C4	75.00'	37.4215°	49.35'	
C5	75.00'	00.5420°	57.19'	
C6	75.00'	6.5613°	9.09'	
C7	75.00'	6.5613°	9.09'	
C8	1250.00'	1.3701°	148.96'	
C9	1250.00'	5.1239°	113.69'	
C10	1250.00'	0.7354°	8.69'	
C11	1250.00'	4.3443°	99.89'	
C12	1250.00'	4.3443°	99.89'	

NOTES:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
REFERENCE NOTES, MONUMENT NOTES, LEGEND AND NOTES.
SEE SHEET 4 FOR INDEX SHEET, LOT PURPOSES.
SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES

TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

LINE TABLE - SHEET 12 ONLY			
LINE #	BEARING	LENGTH	
L1	N14°24'37"E	19.09'	
L2	N34°34'16"W	55.52'	
L3	N04°28'47"E	8.94'	

CURVE TABLE - SHEET 12 ONLY			
CURVE #	RADIUS	DELTA	LENGTH
C1	13.50'	90°00'00"	21.21'
C2	10.00'	90°00'00"	15.71'
C3	5.00'	83°45'55"	7.31'
C4	13.50'	53°39'58"	12.85'
C5	22.00'	45°54'12"	57.68'
C6	22.00'	41°44'21"	52.45'
C7	72.00'	41°44'21"	52.45'

TRACT NO. 82724

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
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WILSON MIKAMI CORPORATION

RICHARD A. TETREULT P.L.S. 7418

SEE SHEET 11

DATE OF SURVEY: NOVEMBER 2018

SEE SHEET 11



NOTES:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
SEE SHEET 3 FOR PROPOSED BOUNDARY, LEGEND AND NOTES.
SEE SHEET 4 FOR INDEX SHEET, LOT PURPOSES,
SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES

SEE SHEET 14

SEE SHEET 14

SEE SHEET 15

SEE SHEET 15

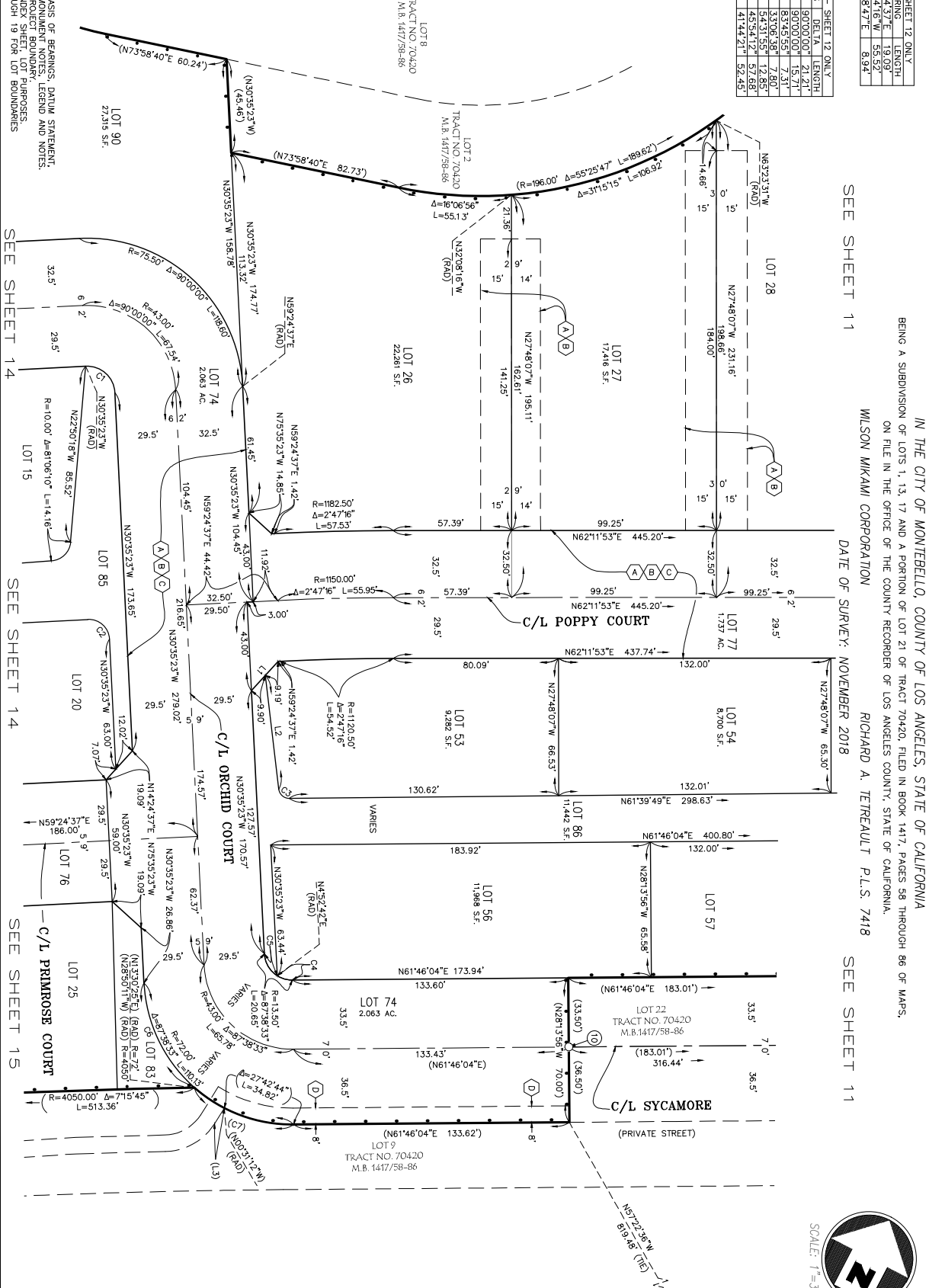
SEE SHEET 15

SEE SHEET 15

SEE SHEET 15

SEE SHEET 15

SEE SHEET 15



TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

SHEET 13 OF 19 SHEETS

TRACT NO. 82724

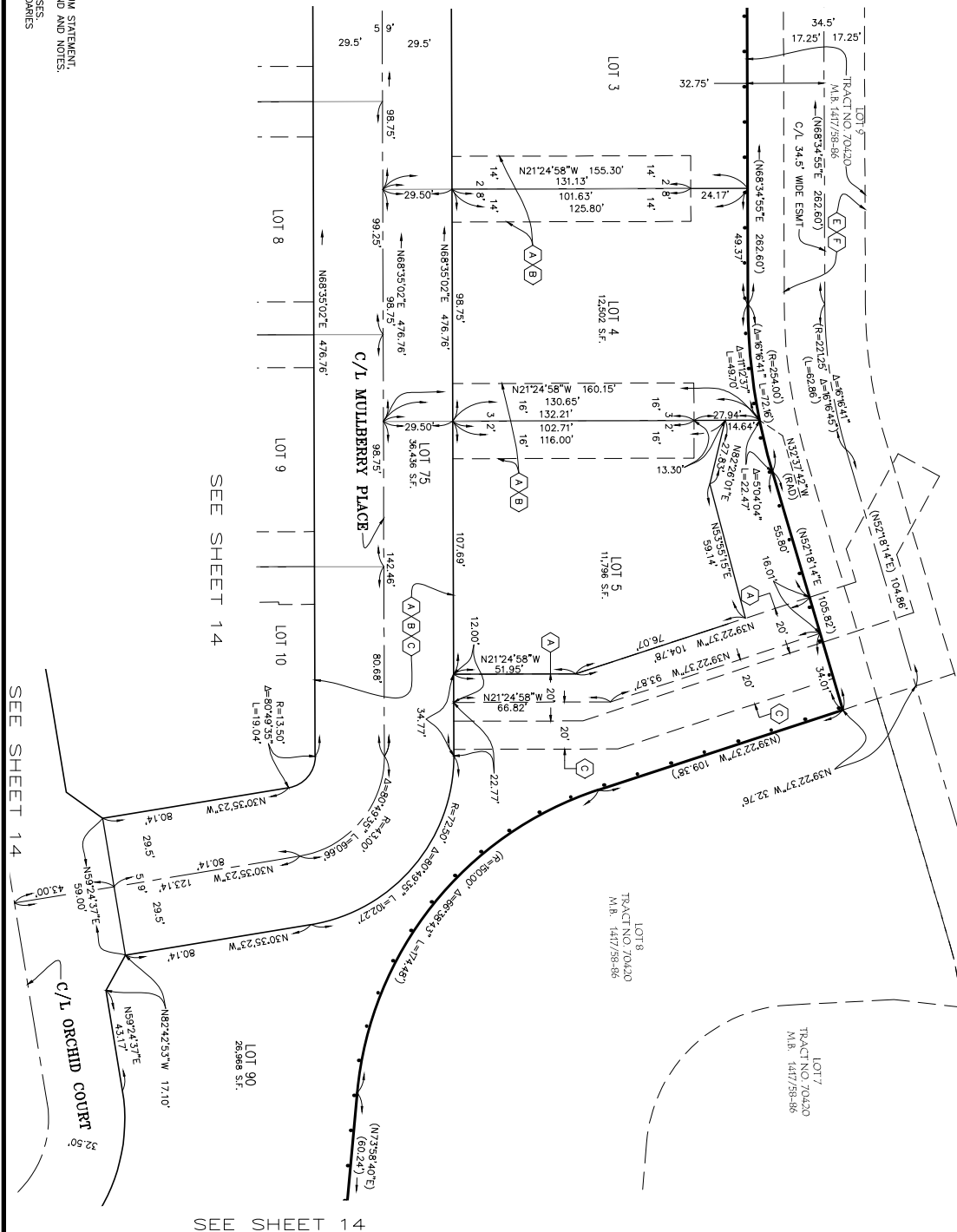
IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
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WILSON MIKAMI CORPORATION

RICHARD A. TETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

SEE SHEET 16



NOTES:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
REFERENCE NOTES, MONUMENT NOTES, LEGEND AND NOTES.
SEE SHEET 3 FOR PROJECT BOUNDARY.
SEE SHEET 4 FOR PROJECT BOUNDARY.
SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES



TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

TRACT NO. 82724

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
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WILSON MIKAMI CORPORATION

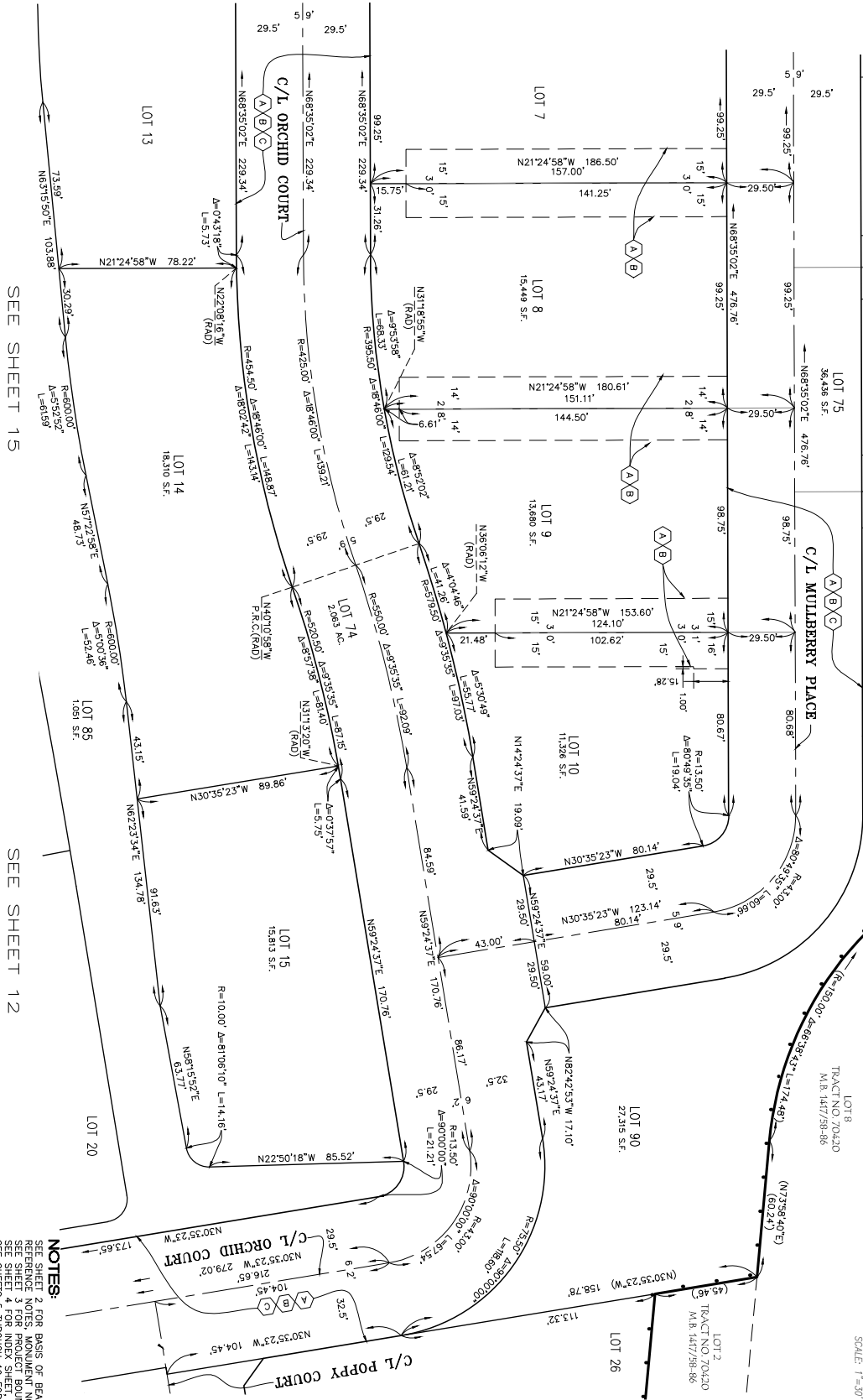
RICHARD A. TETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

SEE SHEET 13

SEE SHEET 16

SEE SHEET 17



SEE SHEET 12

SEE SHEET 15

SEE SHEET 12

NOTES:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
REFERENCE NOTES, MONUMENT NOTES, LEGEND AND NOTES.
SEE SHEET 4 FOR INDEX SHEET LOT PURPOSES.
SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES.

TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

TRACT NO. 82724

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
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WILSON MIKAMI CORPORATION

RICHARD A. TETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

SEE SHEET 14

SEE SHEET 12

LOT 14

LOT 15

LOT 77

LOT 53

LOT 56

LOT 74

LOT 85

LOT 19

LOT 18

LOT 24

LOT 23

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LOT 305

LOT 306

LOT 307

LOT 308

LOT 309

LOT 310

LOT 311

LOT 312

LOT 313

LOT 3

TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

TRACT NO. 82724

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
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WILSON MIKAMI CORPORATION

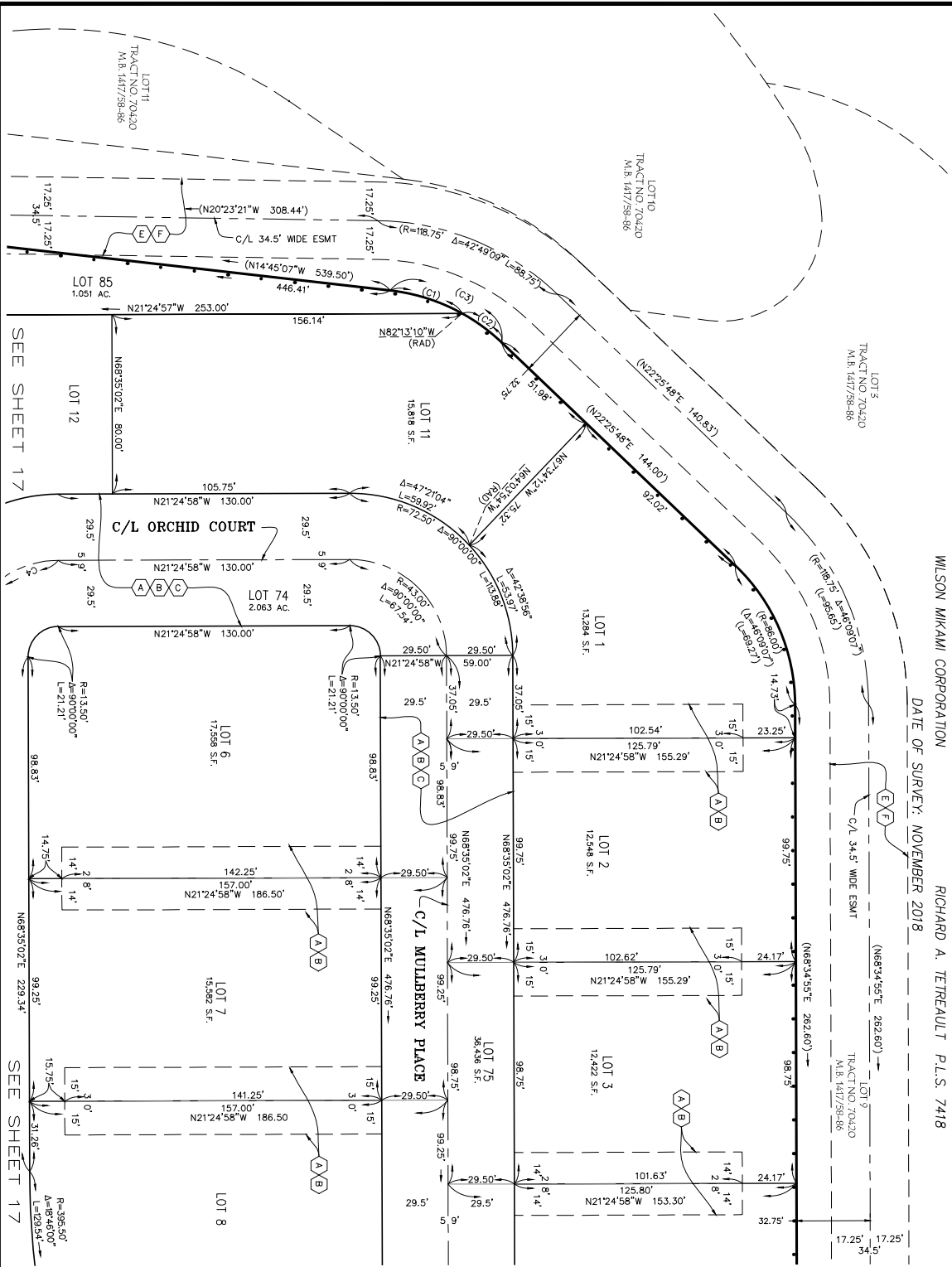
RICHARD A. TETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018



SCALE: 1"=30'

CURVE TABLE - SHEET 5 ONLY			
CURVE #	RADIUS	DELTA	LENGTH
C1	86.00'	22°31'57"	33.82'
C2	86.00'	14°38'58"	21.99'
C3	86.00'	37°05'55"	55.81'
C4	43.00'	90°00'00"	67.54'



NOTES:
SEE SHEET 2 FOR BASIS OF BEARINGS, DATUM STATEMENT,
REFERENCE NOTES, MONUMENT NOTES, LEGEND AND NOTES.
SEE SHEET 3 FOR PRODUCT BOUNDARY PURPOSES.
SEE SHEETS 5 THROUGH 19 FOR LOT BOUNDARIES.

SEE SHEET 16

DATE OF SURVEY: NOVEMBER 2018

SEE SHEET 16

LOT 9
TRACT NO. 70420
M.B. 1417/58-86

(N20°23'21"W 308.44')

11,165 S.F. N21*2

000

9.5'

—

0

C/T C

ORCID

COURT

0.5'

9.5

□

• E

SEE SHEET 14

SEE SHEET 15



SCALE: 1"=30'

CURVE TABLE - SHEET 17 ONLY			
CURVE #	RADIUS	DELTA	LENGTH
C1	49.50'	222°50'00"	192.51'
C2	49.50'	40°10'58"	34.72'
C3	49.50'	121°25'12"	104.90'
C4	49.50'	61°13'50"	52.90'
C5	49.50'	26°42'41"	23.08'
C6	75.00'	34°47'50"	45.55'

TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
93 NUMBERED

SHEET 18 OF 19 SHEETS

TRACT NO. 82724

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, FILED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS,
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WILSON MIKAMI CORPORATION

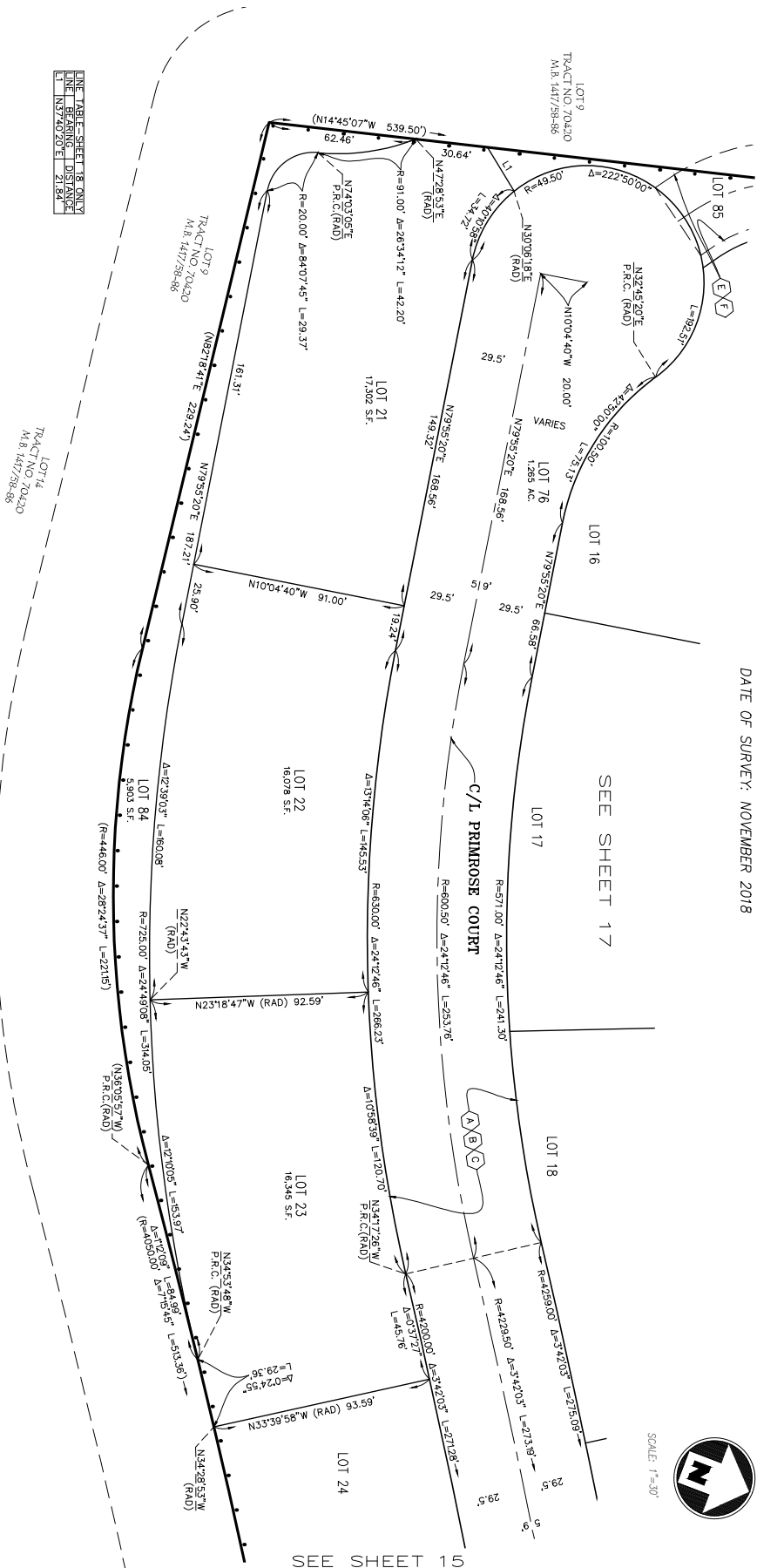
RICHARD A. TETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018

SEE SHEET 17

SEE SHEET 17

SCALE: 1"=30'



SEE SHEET 17 OF 19 SHEETS		
LINE	BEARING	DISTANCE
1	N37°40'20\"E	21.84'

TOTAL ACREAGE: 43.388 AC.
NUMBER OF LOTS:
92 NUMBERED

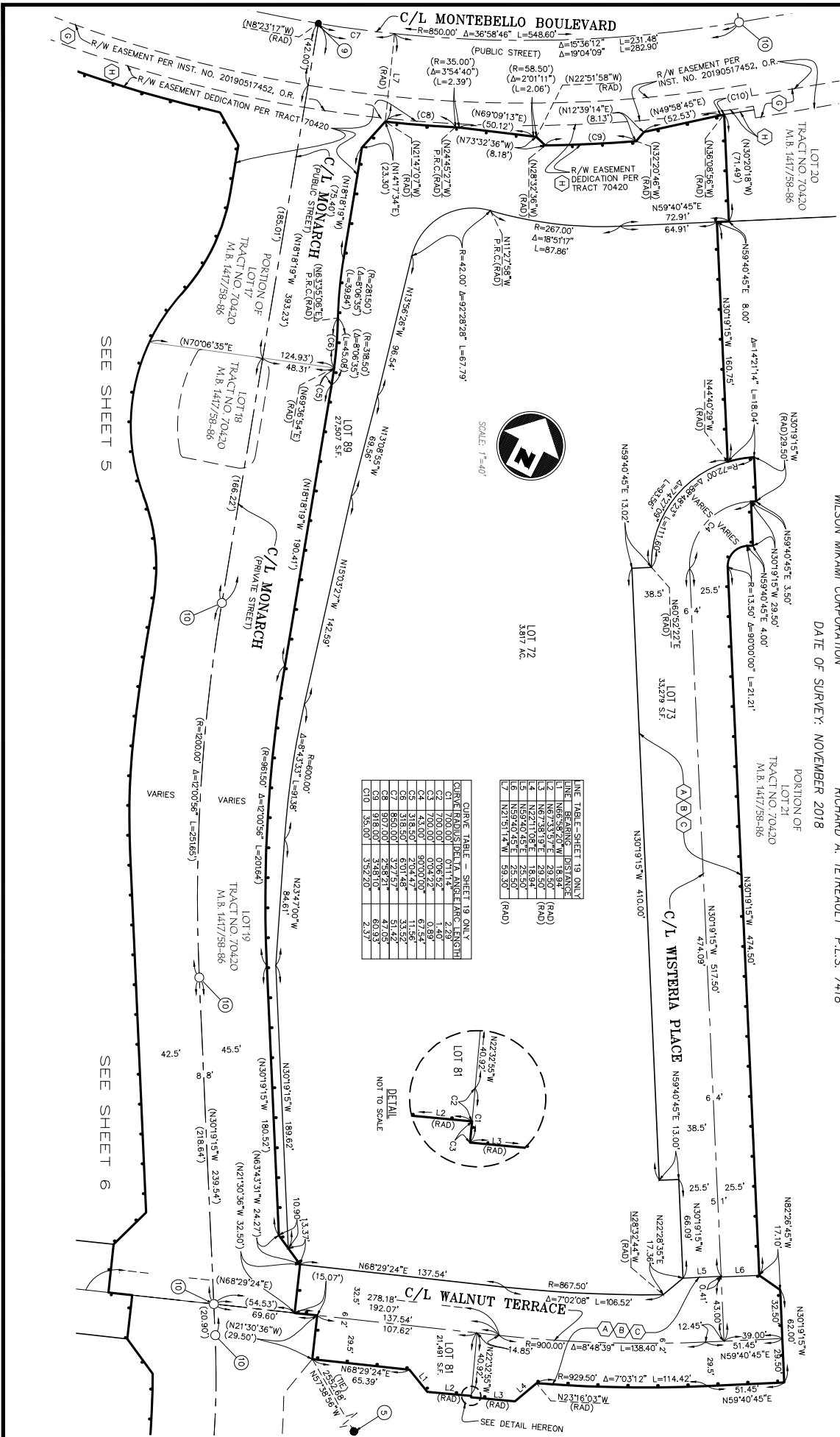
TRACT NO. 82724

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
BEING A SUBDIVISION OF LOTS 1, 13, 17 AND A PORTION OF LOT 21 OF TRACT 70420, RECORDED IN BOOK 1417, PAGES 58 THROUGH 86 OF MAPS.
ON FILE IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, STATE OF CALIFORNIA.

WILSON MIKAMI CORPORATION

RICHARD A. TETREULT P.L.S. 7418

DATE OF SURVEY: NOVEMBER 2018



Notice of CEQA Exemption

ATTACHMENT C

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: Montebello Hills Specific Plan Project – Vesting Tentative Tract Map No. 82724
Project Location: Montebello Hills Specific Plan – 1400 N. Montebello Boulevard, Montebello, CA 90640
Case Number(s): Vesting Tentative Tract Map (VTTM) No. 82724

Description of Nature, Purpose, and Beneficiaries of Project: The proposed project consists of the development of 349 residential units consisting of 244 attached residential dwelling units, 105 detached single family residential dwelling units, recreational facilities, and related amenities consistent with the design guidelines and standards in Planning Area 1, Planning Area 2, and a portion of Planning Area 3 within the approved Montebello Hills Specific Plan.

Name of the Public Agency Approving the Project: City of Montebello
Name of Person or Agency Carrying Out the Project: Toll CAXX, L.P. (“Toll Brothers”)

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 number: CEQA Guidelines Section 15182 and Government Code Section 65457 (residential projects consistent with a community plan/specific plan for which an Environmental Impact Report was certified after January 1, 1980) and Public Resources Code Section 21083.3.

Justification for Project Exemption:

An Environmental Impact Report (“EIR”) was previously certified by the City Council for the Montebello Hills Project on June 10, 2015 pursuant to the California Environmental Quality Act (“CEQA”) (Pub. Res. Code §§ 21000 et seq.), the CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.), and local City of Montebello procedures for CEQA implementation. Based on the whole of the administrative record, the project is exempt from CEQA pursuant to CEQA Guidelines Section 15182 and Government Code Section 65457 (residential projects consistent with a community plan/specific plan for which an EIR was certified after January 1, 1980) and Public Resources Code Section 21083.3. Please see attached memorandum (Attachment A) dated November 12, 2019 regarding the CEQA determination for the Montebello Hills Specific Plan Project B-Map – Phase A, VTTM No. 82724 and Site Plan Review 01-19. Therefore, no further environmental review is required.

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

RESOLUTION NO. 21-42

**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 Nos. 1511, consisting of 8 pages, and including

Warrant No.
General: Checks No. 592788 through 592934;
ACH No. 585 through 621;

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 26th day of May 2021.

Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:

APPROVED AS TO FORM:

Christopher Jimenez, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

RESOLUTION NO. 21-42

Page 2 of 2

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. 21-42 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 26th day of May 2021 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. 1511
From Payment Date: 05/04/21 - To Payment Date: 05/13/21

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
4331 -	General Account				
585	05/06/2021	\$2,725.62	SUPPLIES	2586	AMAZON CAPITAL SERVICES, INC.
586	05/06/2021	\$16,401.82	CONTRACT SERVICES	3016	ANTARES GOLF, LLC
587	05/06/2021	\$1,250.24	CONTRACT SERVICES	35980	SAEED RADMEHR
588	05/06/2021	\$322,912.80	CONTRACT SERVICES	40970	ARAKELIAN ENTERPRISES
589	05/06/2021	\$1,476.48	CONTRACT SERVICES	1237	AZTECA LANDSCAPE
590	05/06/2021	\$443.50	SUPPLIES	10000	CLEAN SWEEP SUPPLY CO. INC
591	05/06/2021	\$500.00	CONTRACT SERVICES	72	COGRAN SYSTEMS LLC
592	05/06/2021	\$22,850.00	CONTRACT SERVICES	3025	COMPLETE LANDSCAPE CARE, INC.
593	05/06/2021	\$1,519.58	VEHICLE PURCHASES	70920	DECALS BY DESIGN, INC.
594	05/06/2021	\$60.00	CONTRACT SERVICES	23660	DAIOHS USA
595	05/06/2021	\$11,069.25	CONTRACT SERVICES	2443	FM THOMAS AIR CONDITIONING, INC.
596	05/06/2021	\$28,625.82	CONTRACT SERVICES	2981	G4S SECURE SOLUTIONS (USA) INC.
597	05/06/2021	\$403.28	SALES TAX LIABILITY	22560	H & H AUTO PARTS WHOLESALE
598	05/06/2021	\$2,767.97	COPIER REPAIR/SERVICES	2793	IBE DIGITAL
599	05/06/2021	\$920.46	VEHICLE MAINTENANCE/EXPENSES	1385	MUNCIE RECLAMATION AND SUPPLY COMPANY
600	05/06/2021	\$64,838.38	CONTRACT SERVICES	35250	NATIONWIDE ENVIRONMENTAL SERVICES
601	05/06/2021	\$41.74	SUPPLIES	1120	NESTLE WATERS NORTH AMERICA
602	05/06/2021	\$10,645.60	CONTRACT SERVICES	2787	S & S LABARGE GOLF INCORPORATED
603	05/06/2021	\$4,330.00	FUEL INVENTORY	1059	AMBER RESOURCES LLC
604	05/06/2021	\$2,400.00	CONTRACT SERVICES	75020	VASQUEZ & CO.,LLP
605	05/06/2021	\$235.00	CONTRACT SERVICES	2865	WEBSTERS BEE REMOVAL SERVICES
606	05/06/2021	\$396.00	VEHICLE MAINTENANCE/EXPENSES	1657	ARTURO ZAVALA'S
607	05/06/2021	\$20,000.00	CONTRACT SERVICES	61050	REFLEX TRAFFIC SYSTEMS



City of Montebello
Register of Demands No. 1511

From Payment Date: 05/04/21 - To Payment Date: 05/13/21

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
608	05/06/2021	(\$20,000.00)	CONTRACT SERVICES	61050	REDFLEX TRAFFIC SYSTEMS
609	05/06/2021	\$9,851.51	CONTRACT SERVICES	110	MICHELIN NORTH AMERICA, INC
610	05/06/2021	(\$9,851.51)	CONTRACT SERVICES	110	MICHELIN NORTH AMERICA, INC
611	05/13/2021	\$455.33	UNIFORM EXPENSE	20350	ALLSTAR FIRE EQUIPMENT INC.
612	05/13/2021	\$4,905.15	MACHINERY & EQUIPMENTS	2586	AMAZON CAPITAL SERVICES, INC.
613	05/13/2021	\$1,435.46	SUPPLIES	35980	SAEED RADMEHR
614	05/13/2021	\$3,954.35	BUILDING IMPROVEMENTS	2102	JOHN P BEROKOFF
615	05/13/2021	\$731.53	VEHICLE MAINTENANCE/EXPENSES	70920	DECALS BY DESIGN, INC.
616	05/13/2021	\$61.19	SUPPLIES	3108	MARIO ESPINOSA
617	05/13/2021	\$3,284.53	BUILDING IMPROVEMENTS	1175	GRAPHIC ELECTRIC, INC.
618	05/13/2021	\$23,393.05	BUILDING IMPROVEMENTS	2793	IBE DIGITAL
619	05/13/2021	\$277.50	CONTRACT SERVICES	26880	SEBASTIAN WATERWORKS, INC.
620	05/13/2021	\$28,343.39	FUEL INVENTORY	1059	AMBER RESOURCES LLC
621	05/13/2021	\$893.02	VEHICLE MAINTENANCE/EXPENSES	1657	ARTURO ZAVALA'S
ACH TOTAL		\$564,548.04			
592788	05/04/2021	\$2,363.96	UTILITY SERVICES	72570	U.S. TELEPACIFIC CORP
592789	05/06/2021	\$253.59	SALES TAX LIABILITY	423	AIR EXCHANGE, INC.
592790	05/06/2021	\$66.00	SUPPLIES	67210	AIR SOURCE INDUSTRIES
592791	05/06/2021	\$687.78	UTILITY SERVICES	2257	AIRESPRING INC.
592792	05/06/2021	\$40.00	VEHICLE MAINTENANCE/EXPENSES	72040	ALFONSO TIRES & REPAIRS, INC.
592793	05/06/2021	\$68.91	SUPPLIES	24200	AAT, INC.
592794	05/06/2021	\$161.00	UTILITY SERVICES	39550	AT&T
592795	05/06/2021	\$57.35	UTILITY SERVICES	39550	AT&T
592796	05/06/2021	\$553.36	UTILITY SERVICES	38380	AT&T
592797	05/06/2021	\$44,880.90	CONTRACT SERVICES	16710	ATKINSON, ANDELSON, LOYA, RUUD & ROMO



City of Montebello
Register of Demands No. 1511

From Payment Date: 05/04/21 - To Payment Date: 05/13/21

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
592798	05/06/2021	\$4,159.65	BUILDING IMPROVEMENTS	2676	BKM OFFICE FURNITURE
592799	05/06/2021	\$219.34	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY
592800	05/06/2021	\$79.98	UTILITY SERVICES	55830	CHARTER COMMUNICATIONS
592801	05/06/2021	\$8,151.13	CONTRACT SERVICES	52710	CLEAN ENERGY FUELS
592802	05/06/2021	\$275.00	CONTRACT SERVICES	34230	PHIL CULBERTSON
592803	05/06/2021	\$46,176.36	RETIREMENT	4110	DELTA DENTAL OF CALIFORNIA
592804	05/06/2021	\$16,435.65	VEHICLE MAINTENANCE/EXPENSES	75340	DELTA MOTOR COMPANY, INC.
592805	05/06/2021	\$685.00	CONTRACT SERVICES	47770	DUTHIE ELECTRIC SERVICE CORPORATION
592806	05/06/2021	\$1,164.24	SUPPLIES	970	EP CONTAINER CORP.
592807	05/06/2021	\$31.75	MAIL/ POSTAL EXPENSE	22400	FEDERAL EXPRESS CORPORATION
592808	05/06/2021	\$829.15	UTILITY SERVICES	2467	FUSION CLOUD SERVICES, LLC
592809	05/06/2021	\$1,080.00	CONTRACT SERVICES	28730	GARFIELD CAR WASH
592810	05/06/2021	\$9.49	MAIL/ POSTAL EXPENSE	3167	GENERAL LOGISTICS SYSTEMS US, INC
592811	05/06/2021	\$3,962.50	CONTRACT SERVICES	46870	HDL COREN & CONE
592812	05/06/2021	\$22.51	SUPPLIES	15440	HOSE-MAN, INC.
592813	05/06/2021	\$6,039.65	CONTRACT SERVICES	16520	I.D.R., INC.
592814	05/06/2021	\$1,400.00	PREPAID EXPENSES	1273	INTERNATIONAL CITY/COUNTY MGMT ASSOC.
592815	05/06/2021	\$566.56	CONTRACT SERVICES	1357	IRON MOUNTAIN INC.
592816	05/06/2021	\$383.36	CONTRACT SERVICES	2152	JOHNSON CONTROLS, INC.
592817	05/06/2021	\$12.00	DUES & SUBSCRIPTIONS	9200	LOS ANGELES COUNTY ASSESSOR OFFICE
592818	05/06/2021	\$915.12	CONTRACT SERVICES	4810	LOS ANGELES COUNTY DEPT OF PUBLIC WORKS
592819	05/06/2021	\$40.00	CONTRACT SERVICES	58760	COUNTY OF LOS ANGELES
592820	05/06/2021	\$9,882.00	CONTRACT SERVICES	11070	LPM CONSULTING, INC.
592821	05/06/2021	\$140.00	POLICE RELATED FEES	3182	VERONICA LUNA
592822	05/06/2021	\$6,582.00	CONTRACT SERVICES	19040	MUNICIPAL CONTRACT ADMINISTRATORS, INC
592823	05/06/2021	\$563.40	CONTRACT SERVICES	934	MISSION COMMUNICATIONS, LLC



City of Montebello
Register of Demands No. 1511

From Payment Date: 05/04/21 - To Payment Date: 05/13/21

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
592824	05/06/2021	\$450.17	VEHICLE MAINTENANCE/EXPENSES	11490	MONTEBELLO AUTOCRAFT
592825	05/06/2021	\$17,664.00	PREPAID EXPENSES	1690	MONTEBELLO FIRE FIGHTERS ASSOCIATION
592826	05/06/2021	\$12,833.73	UTILITY SERVICES	4760	MONTEBELLO LAND & WATER CO.
592827	05/06/2021	\$70.00	POLICE RELATED FEES	881	SANDRA MORALES
592828	05/06/2021	\$4,918.70	VEHICLE MAINTENANCE/EXPENSES	60710	THE AFTERMARKET PARTS COMPANY, LLC
592829	05/06/2021	\$11,133.89	CONTRACT SERVICES	2481	NORTH STAR LAND CARE
592830	05/06/2021	\$583.51	SUPPLIES	1938	P & R PAPER SUPPLY COMPANY INC.
592831	05/06/2021	\$46.16	UTILITY SERVICES	100	PICO WATER DISTRICT
592832	05/06/2021	\$678.30	CONTRACT SERVICES	3147	PMC PLUMBING INC.
592833	05/06/2021	\$324.45	CONTRACT SERVICES	59760	POWER PLUS INTERNATIONAL, INC.
592834	05/06/2021	\$3,050.00	VEHICLE MAINTENANCE/EXPENSES	2687	PRESIDIO HOLDINGS INC.
592835	05/06/2021	\$109.77	SUPPLIES	56260	PRUDENTIAL OVERALL SUPPLY
592836	05/06/2021	\$20,257.00	CONTRACT SERVICES	3044	KAIZER RANGWATA
592837	05/06/2021	\$103,544.97	WATER PURCHASE RESALE	14730	SAN GABRIEL VALLEY WATER CO.
592838	05/06/2021	\$78.50	CONTRACT SERVICES	51850	SECURITY SIGNAL DEVICES INC.
592839	05/06/2021	\$225.00	MACHINERY & EQUIPMENTS	2271	SENSOR ELECTRONICS CORPORATION
592840	05/06/2021	\$51.43	SUPPLIES	2686	THE SHERWIN-WILLIAMS CO.
592841	05/06/2021	\$137.63	PERMITS AND FEES	28240	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
592842	05/06/2021	\$137.63	PERMITS AND FEES	28240	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
592843	05/06/2021	\$143.22	PERMITS AND FEES	28240	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
592844	05/06/2021	\$421.02	PERMITS AND FEES	28240	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
592845	05/06/2021	\$83,572.03	UTILITY SERVICES	45630	SOUTHERN CALIFORNIA EDISON
592846	05/06/2021	\$3,275.20	UTILITY SERVICES	526	T-MOBILE USA, INC.
592847	05/06/2021	\$1,140.00	CONTRACT SERVICES	9270	TANK SPECIALIST OF CALIFORNIA
592848	05/06/2021	\$2,400.19	UTILITY SERVICES	72570	U.S. TELEPACIFIC CORP
592849	05/06/2021	\$1,458.61	CONTRACT SERVICES	1644	TRITECH SOFTWARE SYSTEMS



City of Montebello
Register of Demands No. 1511

From Payment Date: 05/04/21 - To Payment Date: 05/13/21

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
592850	05/06/2021	\$836.00	UNIFORM EXPENSE	64140	TURNOUT MAINTENANCE COMPANY, LLC
592851	05/06/2021	\$7,217.44	COPIER REPAIR/SERVICES	2747	U.S. BANK EQUIPMENT FINANCE
592852	05/06/2021	\$28,900.00	CONTRACT SERVICES	3133	ULTIMATE MAINTENANCE SERVICE
592853	05/06/2021	\$281.23	CONTRACT SERVICES	131	UNITED SITE SERVICES
592854	05/06/2021	\$2,608.20	CONTRACT SERVICES	37	U.S. SECURITY ASSOCIATES, INC.
592855	05/06/2021	\$12,373.44	SALES TAX LIABILITY	3450	VALLEY POWER SYSTEMS, INC.
592856	05/06/2021	\$7,384.72	UTILITY SERVICES	23610	VERIZON WIRELESS
592857	05/06/2021	\$4,394.01	SUPPLIES	67320	WINZER CORPORATION
592858	05/06/2021	\$160.00	CONTRACT SERVICES	3006	WORLD OIL ENVIRONMENTAL SERVICES
592859	05/06/2021	\$39,234.40	CONTRACT SERVICES	3094	WSP USA INC.
592860	05/06/2021	\$1,141.00	CONTRACT SERVICES	71170	YOUNG ELECTRIC SIGN COMPANY
592861	05/13/2021	\$1,026.31	SUPPLIES	3088	WAXIE'S ENTERPRISES, LLC
592862	05/13/2021	\$59.03	UTILITY SERVICES	1732	AT&T CORP.
592863	05/13/2021	\$132.00	CONTRACT SERVICES	1287	ALTA LANGUAGE SERVICES, INC.
592864	05/13/2021	\$2,885.61	UTILITY SERVICES	39550	AT&T
592865	05/13/2021	\$4.67	UTILITY SERVICES	39550	AT&T
592866	05/13/2021	\$42.22	UTILITY SERVICES	73760	AT&T TELECONFERENCE SERVICES
592867	05/13/2021	\$28,631.12	MISCELLANEOUS EXPENSE	13240	BANKCARD CENTER
592868	05/13/2021	\$160.00	VEHICLE MAINTENANCE/EXPENSES	1101	BLACK AND WHITE EMERGENCY VEHICLES
592869	05/13/2021	\$303.00	CONTRACT SERVICES	58240	STATE OF CALIFORNIA-DEPARTMENT OF JUSTICE
592870	05/13/2021	\$214.13	CONTRACT SERVICES	954	CALIFORNIA EMERGENCY PHYSC MED GRP
592871	05/13/2021	\$7,521.67	CARES ACT	37550	CALIFORNIA EMPLOYMENT DEVELOPMENT DEPT
592872	05/13/2021	\$1,621.00	DUES & SUBSCRIPTIONS	3900	CALIFORNIA POLICE CHIEFS ASSOCIATION
592873	05/13/2021	\$3,300.00	CONTRACT SERVICES	34760	CALIFORNIA STATE CONTROLLER'S OFFICE
592874	05/13/2021	\$8,664.00	DUES & SUBSCRIPTIONS	32970	CALIFORNIA TRANSIT ASSOCIATION
592875	05/13/2021	\$9,420.34	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY



City of Montebello
Register of Demands No. 1511

From Payment Date: 05/04/21 - To Payment Date: 05/13/21

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
592876	05/13/2021	\$6,200.00	CONTRACT SERVICES	1303	CERTIFIED ROOFING APPLICATORS, INC.
592877	05/13/2021	\$5,097.67	UTILITY SERVICES	55830	CHARTER COMMUNICATIONS
592878	05/13/2021	\$949.90	UTILITY SERVICES	55830	CHARTER COMMUNICATIONS
592879	05/13/2021	\$297.05	CONTRACT SERVICES	36870	CINTAS CORPORATION
592880	05/13/2021	\$1,552.02	RETIREMENT	3128	CITY OF BELL GARDENS
592881	05/13/2021	\$1,635.00	ADVERTISING/PRINTING SERVICES	1354	DAILY JOURNAL CORPORATION
592882	05/13/2021	\$360.00	CONTRACT SERVICES	41130	MIHM INC.
592883	05/13/2021	\$530.85	UNIFORM EXPENSE	3560	ENTENMANN-ROVIN CO.
592884	05/13/2021	\$1,539.09	SUPPLIES	1844	ESAFETY SUPPLIES, INC.
592885	05/13/2021	\$6,333.10	LEASE PAYMENT	74920	EXECUTIVE CAR LEASING COMPANY
592886	05/13/2021	\$9,270.96	CONTRACT SERVICES	1117	FILE KEEPERS, LLC
592887	05/13/2021	\$27.00	CONTRACT SERVICES	2068	FOCUS MEDICAL IMAGING, INC.
592888	05/13/2021	\$12,000.00	CDBG-CV	3169	FOOTHOLD TECHNOLOGY, INC
592889	05/13/2021	\$15,986.25	VEHICLE MAINTENANCE/EXPENSES	29160	FORD OF MONTEBELLO
592890	05/13/2021	\$4,540.00	CONTRACT SERVICES	71920	TOYETTA L. BEUKES
592891	05/13/2021	\$57.53	SUPPLIES	3350	GARVEY EQUIPMENT COMPANY
592892	05/13/2021	\$811.26	DUES & SUBSCRIPTIONS	1447	GATEWAY WATER MANAGEMENT AUTHORITY
592893	05/13/2021	\$1,600.00	ADVERTISING/PRINTING SERVICES	405	GREGORY C. REUEL
592894	05/13/2021	\$31.46	VEHICLE MAINTENANCE/EXPENSES	506	SPX CORPORATION
592895	05/13/2021	\$1,780.00	CONTRACT SERVICES	2956	GLADWELL GOVERNMENTAL SERVICES, INC.
592896	05/13/2021	\$335.00	CONTRACT SERVICES	180	GLORY GLOBAL SOLUTIONS, INC.
592897	05/13/2021	\$10.36	MAIL/ POSTAL EXPENSE	3167	GENERAL LOGISTICS SYSTEMS US, INC
592898	05/13/2021	\$6,613.86	CONTRACT SERVICES	33460	GOODYEAR TIRE & RUBBER COMPANY
592899	05/13/2021	\$134.72	SUPPLIES	9470	GRAINGER, INC.
592900	05/13/2021	\$328.50	SALES TAX LIABILITY	582	HYDRAULIC ELECTRIC INC.
592901	05/13/2021	\$750.00	CONTRACT SERVICES	3027	JD CUBAN PHOTOGRAPHY LLC



City of Montebello
Register of Demands No. 1511

From Payment Date: 05/04/21 - To Payment Date: 05/13/21

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
592902	05/13/2021	\$405.00	CONTRACT SERVICES	73310	KRONOS INCORPORATED
592903	05/13/2021	\$15.71	SUPPLIES	26670	LIFE-ASSIST, INC.
592904	05/13/2021	\$24,132.50	CONTRACT SERVICES	19040	MUNICIPAL CONTRACT ADMINISTRATORS, INC
592905	05/13/2021	\$3,450.00	CONTRACT SERVICES	2205	MGT OF AMERICA
592906	05/13/2021	\$510.00	DUES & SUBSCRIPTIONS	2355	MONTEBELLO ROTARY
592907	05/13/2021	\$3,750.00	CONTRACT SERVICES	75730	THE NYHART COMPANY
592908	05/13/2021	\$505.96	RETIREMENT	42490	LINDA PAYAN
592909	05/13/2021	\$770.80	CONTRACT SERVICES	54240	PDQ ENTERPRISES, INC.
592910	05/13/2021	\$1,031.97	FUEL	19700	SYNCHRONY BANK
592911	05/13/2021	\$149.54	SUPPLIES	56260	PRUDENTIAL OVERALL SUPPLY
592912	05/13/2021	\$11.50	TRAINING	2585	RIVERSIDE COMMUNITY COLLEGE DISTRICT
592913	05/13/2021	\$617.76	CONTRACT SERVICES	51850	SECURITY SIGNAL DEVICES INC.
592914	05/13/2021	\$92,734.44	IMPROVEMENTS OTHER THAN BUILDING	20770	SEQUEL CONTRACTORS. INC.
592915	05/13/2021	\$1,157.18	SUPPLIES	2686	THE SHERWIN-WILLIAMS CO.
592916	05/13/2021	\$2,580.00	CONTRACT SERVICES	2976	JEREMY P. SOMMERS
592917	05/13/2021	\$7,307.40	UTILITY SERVICES	51430	SOUTH MONTEBELLO IRRIGATION DISTRICT
592918	05/13/2021	\$6,105.26	UTILITY SERVICES	45630	SOUTHERN CALIFORNIA EDISON
592919	05/13/2021	\$23,509.66	FUEL INVENTORY	40520	SOUTHERN CALIFORNIA GAS CO.
592920	05/13/2021	\$476.29	CONTRACT SERVICES	1963	SUEZ WTS SERVICES USA, INC.
592921	05/13/2021	\$4,740.00	CONTRACT SERVICES	3075	AIMEE GALICIA TORRES
592922	05/13/2021	\$25,750.00	CONTRACT SERVICES	3187	TRISTAR RISK MANAGEMENT
592923	05/13/2021	\$535.60	RETIREMENT	27300	ROBERT C. TUFANO
592924	05/13/2021	\$992.00	CONTRACT SERVICES	1166	TURF TEAM INC.
592925	05/13/2021	\$1,170.00	MAIL/ POSTAL EXPENSE	910	UNITED STATES POSTAL SERVICES
592926	05/13/2021	\$1,245.00	TRAINING	11430	WESTGATE CENTER FOR LEADERSHIP
592927	05/13/2021	\$2,836.90	CONTRACT SERVICES	37	U.S. SECURITY ASSOCIATES, INC.



City of Montebello
Register of Demands No. 1511

From Payment Date: 05/04/21 - To Payment Date: 05/13/21

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
592928	05/13/2021	\$118.90	UNIFORM EXPENSE	3066	V & V MANUFACTURING
592929	05/13/2021	\$908.56	SALES TAX LIABILITY	3450	VALLEY POWER SYSTEMS, INC.
592930	05/13/2021	\$107.69	SUPPLIES	3088	WAXIE'S ENTERPRISES, LLC
592931	05/13/2021	\$1,746.50	CONTRACT SERVICES	183	WECK LABORATORIES ENVIRONMENTAL SERVICES, INC.
592932	05/13/2021	\$53.35	CONTRACT SERVICES	3140	WEX HEALTH, INC
592933	05/13/2021	\$2,282.25	SUPPLIES	33390	WHITTIER FERTILIZER COMPANY
592934	05/13/2021	\$20,000.00	ACQUISITION	3186	PURE LOGIC ESCROW
CHECK TOTAL		\$906,638.64			
GRAND TOTAL		\$1,471,186.68			



CITY OF MONTEBELLO CITY COUNCIL/SUCCESSOR AGENCY
REGULAR MEETING AGENDA

MINUTES

WEDNESDAY, APRIL 14, 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, Councilmember Peralta, City Treasurer Gutierrez, and City Clerk Jimenez.

STAFF PRESENT – City Attorney Arnold Alvarez-Glasman, 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.

City Attorney Arnold Alvarez-Glasman acknowledged seven (7) 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 6:03 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)

- a. One matter of threat of litigation regarding CVRA

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Francesca Tucker-Schuyler v. City of Montebello, et al.

Los Angeles Superior Court Case No. 20STCV22180

Mayor Cobos-Cawthorne reconvened the meeting at 7:09 p.m. and recessed into the Joint Special Meeting of the City of Montebello City Council and Housing Successor Agency to the Former Community Redevelopment Agency at 7:10 p.m. During Closed Session the City Council (Council) received a briefing on Items 1, 2, and 3. There was no direction or action taken on Item 1 and Item 3; and direction was provided to the City Council on Item 2 which come back at an upcoming regularly scheduled meeting. Counsel provided a briefing on Item 4, but there was no action taken. City Attorney Alvarez-Glasman recommended for Council to entertain a motion to add Item 2.b. under the same Government Code Section 54956.9 9(d)(2) which was not required to be announced under the provisions of the Brown Act. It was motioned by Councilmember Melendez, seconded by Mayor Pro Tem to add Item 2.b.

REGULAR SESSION – 6:30 P.M.**INVOCATION** – Pastor Allen Casuco, First United Methodist Church**FLAG SALUTE** – Police Department, Dispatch Department, Jessica Iniguez and Tiffany Avila**CORRECTIONS TO THE AGENDA – CITY MANAGER**

The following Presentations were added to the Agenda:

- Animal Care and Control Appreciation Week (recognizing SEAACA) Mayor to present to Denise Woodside on behalf of SEAACA
- National 911 Education Month
- National Public Safety Telecommunicators Week April 11-17
 - Rosalina (Rosie) Medina - Dispatcher II -19.5 years
 - Yessenia Preciado - Dispatcher II – 15.5 years
 - Tiffany Avila - Dispatcher II – 7 years
 - Lauren Arriola - Dispatcher II – 6 years
 - Kenia Trejo Uranga - Dispatcher I – 13. 5 years
 - Jessica Iniguez- Dispatcher I – 3 years
 - Haley Erickson - Dispatcher I – 2 years in May
 - Alexandria Tsubokawa - Dispatcher I (in training) -3.5 Months
 - Stacey Smith – communications supervisor – 5.5 years

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

Ms. Kimberly Guillen, Assistant to the Deputy City Clerk, called six (6) 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.

Ms. Alicia Fernandez, Deputy City Clerk, 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.

PRESENTATIONS

4. **RECOGNITION OF CITIZEN OF THE MONTH – ROSEMARY TORRES** – Video presented by Deputy Director of Public Affairs Michael Chee
5. **RECOGNITION OF CANTWELL-SACRED HEART OF MARY HIGH SCHOOL TOP TEN STUDENTS** – Presented by Mayor Cobos-Cawthorne
6. **RECOGNITION OF NATIONAL CHILD ABUSE PREVENTION** – Presented by Mayor Cobos-Cawthorne
7. **RECOGNITION OF NATIONAL VOLUNTEER MONTH** – Presented by Mayor Cobos-Cawthorne
8. **RECOGNITION OF AUTISM AWARENESS MONTH** – Presented by Mayor Cobos-Cawthorne
9. **RECOGNITION OF ARMENIAN HISTORY MONTH** – Presented by Mayor Cobos-Cawthorne and three guest speakers: Viken Pakradouni, ANCA Board Member; David Ghoogasian, Principal at Mesrobian School; and Anoush Kazaryan, ASB President
10. **CITY OF MONTEBELLO 100TH ANNIVERSARY VIDEO RELEASE** – Presented by Deputy Director of Public Affairs Michael Chee

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST**PUBLIC HEARING – NONE****OLD BUSINESS**

11. **APPROVE AMENDMENT NO. 2 TO AGREEMENT NO. 3356 WITH SEBASTIAN WATERWORKS FOR EMERGENCY SEWER REPAIRS AT VARIOUS LOCATIONS**

It was moved by Councilmember Jimenez, seconded by Councilmember Melendez that the City Council:

- 1) Approve Amendment No. 2 to Agreement No. 3356 with Sebastian Waterworks (doing business as Mr. Rooter Plumbing) increasing the Fiscal Year 2020-21 agreement and purchase order amount by \$131,000.

Motion carried unanimously.

REGULAR BUSINESS

- 12. ADOPT RESOLUTION APPROVING: 1) GENERAL PLAN AMENDMENT; 2) ZONE CHANGE FROM R-1 TO R-3 WITH A PLANNED DEVELOPMENT DISTRICT; 3) DENSITY OVERLAY ZONE; 4) HEIGHT OVERLAY ZONE; 5) SITE PLAN REVIEW; 6) PARKING MANAGEMENT PLAN; 7) VESTING TENTATIVE TRACT MAP ("VTTM NO. 83239") TO ALLOW 31 NEW RESIDENTIAL DWELLING UNITS AND RELATED AMENITIES FOR THE PROPERTY LOCATED AT 301 JACMAR DRIVE; AND 8) ADOPTION OF MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM; AND INTRODUCE AND WAIVE FIRST READING OF ORDINANCE APPROVING A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MONTEBELLO AND BRANDYWINE ACQUISITION GROUP LLC**

Ms. Kimberly Guillen, Assistant to the Deputy City Clerk, called eleven (11) members of the public wishing to address the City Council in opposition of the project and one (1) member of the public in support of the project. Speakers were provided three minutes to address the City Council. Speaker cards are on file at the City Clerk's office. Nine (9) repeat speaker cards in opposition of the project were entered into the record.

City Attorney Arnold Alvarez-Glasman, acknowledged twenty-two (22) new public comments in opposition of the project. One (1) repeat comment in support and one (1) repeat comment in opposition of the project were entered into the record. Said comments are on file at the City Clerk's office.

It was moved by Councilmember Melendez, seconded by Mayor Pro Tem Torres that the City Council not approve this item, and refer back to Council with the appropriate Resolution to deny the project.

Motion carried unanimously.

- 13. ADOPT RESOLUTION AUTHORIZING THE DECERTIFICATION OF THE IMPLEMENTATION PLAN AND STATEMENT OF INTENT FOR THE MONTEBELLO COMMUNITY CHOICE AGGREGATION PROGRAM**

It was moved by Mayor Pro Tem Torres, seconded by Councilmember Peralta that the City Council postpone this item.

MOVED: Torres

SECONDED: Peralta

APPROVED: 3-2-0-0

AYES: Cobos-Cawthorne, Torres, Peralta

NOES: Jimenez, Melendez

ABSTAIN: None

ABSENT: None

CONSENT CALENDAR

Item No. 25 was pulled for discussion during the Presentation section of the meeting by Mayor Cobos-Cawthorne. Item No. 14 was pulled for discussion by Mayor Pro Tem Torres, and Item No. 15 was pulled by one member of the public to address a public comment.

14. APPROVE PROFESSIONAL SERVICES AGREEMENT WITH IBE DIGITAL FOR PUBLIC SAFETY INFORMATION TECHNOLOGY STAFF AUGMENTATION SERVICES

Director of Human Resources Nicholas Razo presented a Staff Report to the Council and was available to answer any questions.

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Authorize the City Manager to execute a four-year term agreement with IBE Digital to provide Public Safety Information Technology Staff Augmentation; and
- 2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

15. APPROVE RESOLUTIONS ADOPTING COMPREHENSIVE MEMORANDA OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO POLICE MANAGEMENT ASSOCIATION AND THE MONTEBELLO FIRE MANAGEMENT ASSOCIATION AND THE MONTEBELLO MID-MANAGERS ASSOCIATION

One (1) member of the public submitted a public comment in support of Item No. 15. City Attorney Alvarez-Glasman acknowledged the comment, and said comment is on file at the City Clerk's office. Mayor Pro Tem Torres asked for clarification on this item. Director of Human Resources Nicholas Razo presented the Staff Report to the Council and was available to answer any questions.

Councilmember Jimenez motioned to approve the Resolutions adopting the following Comprehensive Memoranda of Understanding between the City and the Montebello Police Management Association, the Montebello Fire Management Association, and the Montebello Mid-Managers Association, seconded by Councilmember Melendez.

After further discussion, Mayor Pro Tem Torres made a substitute motion to table this matter to the May 12, 2021 City Council Meeting; motion was seconded by Councilmember Peralta.

MOVED: Torres

SECONDED: Peralta

APPROVED: 3-2-0-0

AYES: Cobos-Cawthorne, Torres, Peralta

NOES: Jimenez, Melendez

ABSTAIN: None

ABSENT: None

16. APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 3834 FOR CLEAN SWEEP SUPPLY AND AGREEMENT NO. 3841 FOR WAXIE, FOR CITYWIDE JANITORIAL SUPPLIES

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Approve the Amendment No. 1 to Agreement No. 3834 for Clean Sweep Supply and Agreement No. 3841 for Waxie to provide continued citywide cleaning and janitorial supplies; and
- 2) Authorize the City Manager to execute the amendments on behalf of the City; and
- 3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

17. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP) FOR SECURITY AND FIRE ALARM MONITORING AND REPAIR

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Authorize staff to issue a Request for Proposals (RFP) for Security and Fire Alarm Monitoring and Repair; and
- 2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

18. APPROVE A SOLE SOURCE PURCHASE WITH NFI GROUP, INC., FOR A MAJOR BUS COMPONENT-SIEMENS MONO INVERTERS

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Approve a sole source purchase with NFI Group, Inc., for a major bus component-Siemens Mono Inverters; and
- 2) Authorize the City Manager or his designee to execute the purchase on behalf of the City of Montebello; and
- 3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

19. APPROVE AMENDMENT NO. 3 TO THE METROLINK STATION SECURITY CONTRACT AGREEMENT NO. 2836

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Approve Amendment No. 3 to the Metrolink Station Security Contract Agreement, No. 2836, between the City of Montebello (City) and Allied Universal Security Services to exercise a one-year term contract extension for Metrolink Station security services; and
- 2) Authorize the City Manager and/or his designee to execute a third amendment with Allied Universal Security Services on behalf of the City; and
- 3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

20. AWARD A CONSTRUCTION CONTRACT FOR C.P. # 885 – ANNUAL CONCRETE REPAIR PROGRAM CDBG PROJECT (FISCAL YEAR 2020-21) TO CT&T CONCRETE PAVING INC.

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Award a Construction Contract for C.P. # 885 – Annual Concrete Repair Program CDBG Project (Fiscal Year 2020-21 and Bid No. 21-28) in the amount of \$180,827.50 to CT&T Concrete Paving Inc., the lowest responsive and responsible bidder; and
- 2) Amend the Fiscal Year 2020-21 budget by increasing appropriations in Fund 200 (Gas Tax) by \$38,339 (Account No. 200-99-7116); and
- 3) Approve the Total Project Budget (Attachment A); and
- 4) Authorize the City Manager to execute the Contract Agreement (Attachment B), and any related documents; and
- 5) Authorize the Director of Public Works to review and approve change orders within a 25% contingency of the original contract amount as recommended by the City Engineer.

Motion carried unanimously.

21. STREET TREE REMOVAL AT PROPERTY OWNER'S REQUEST AT 405 S. PICKERING WAY

Mayor Cobos-Cawthorne commended Staff on this item.

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Authorize the removal of a healthy street tree at 405 S. Pickering Way at the property owner's request in accordance with M.M.C. 12.08.080.

Motion carried unanimously.

22. ADOPTION OF A RESOLUTION APPROVING A COVID-19 FEE WAIVER PROGRAM TO ASSIST ELIGIBLE RESIDENTS IN THE CITY OF MONTEBELLO

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Adopt the proposed Resolution approving a COVID-19 Fee Waiver Program; and
- 2) Amend the Fiscal Year 2020-21 budget to increasing appropriations by \$10,000 in Account No. 100-99-998-7053, COVID-19, Bad Debt Expenses; and
- 3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

23. ADOPT RESOLUTION DENOUNCING XENOPHOBIA, RACISM, AND ANY ACTS OF VIOLENCE AGAINST THE ASIAN AMERICAN AND PACIFIC ISLANDER COMMUNITY IN THE CITY OF MONTEBELLO

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Approve the proposed Resolution; and
- 2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

24. CONSIDERATION AND ADOPTION OF AN ORDINANCE ADDING CHAPTER 9.70 TO TITLE 9 OF THE MONTEBELLO MUNICIPAL CODE FOR THE COLLECTION OF EVICTION DATA IN THE CITY OF MONTEBELLO

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Waive first reading and introduce the Ordinance Adding Chapter 9.70 to Title 9 of the Montebello Municipal Code for the Collection of Eviction Data in 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 carried unanimously.

25. ADOPT A RESOLUTION RECOGNIZING THE INDEPENDENCE OF THE REPUBLIC OF ARTSAKH

Mayor Pro Tem Torres spoke in support of this item and recommended proceeding forward with adopting the Resolution.

It was moved by Mayor Pro Tem Torres, seconded by Councilmember Peralta that the City Council:

- 1) Approve the proposed Resolution; and
- 2) Submit the adopted Resolution to the State Representative, Sister City, and the President of the United States.

Motion carried unanimously.

26. PAYMENT OF BILLS: RESOLUTION APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED APRIL 14, 2021

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council adopt the proposed Resolution approving the Warrant Register dated April 14, 2021.

Motion carried unanimously.

27. APPROVAL OF CITY COUNCIL MINUTES – MARCH 10, 2021 AND MARCH 31, 2021

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez 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 Peralta

- a. Action steps for the development and implementation of a community Farmer's Market
- b. Establishment of Montebello Community Services Foundation to expand funding for youth and recreational programming
- c. Commission/Committee appointments:
 - 1) Fiscal Accountability and Investment – Susy Contreras
 - 2) Personnel Advisory Commission – Richard Carlin
 - 3) Youth and Education Commission – Soliel Hernandez
 - 4) Parks and Recreation Commission – Dillon Arreola

Councilmember Peralta asked for Council consensus on implementing a temporary Farmer's Ad Hoc Committee. Councilmember Peralta and Melendez volunteered to be members of the Committee, which was supported by the Council. Councilmember Peralta also asked for consensus for establishing community services to expand funding and

programming, while working with Council to begin the formation of a 501(c)(3) in the City of Montebello.

2. Mayor Pro Tem Torres

- a. Confidential Employee Satisfaction Survey
- b. Montebello-Pico Rivera Democrats Club
- c. Addressing Equity Issues in the Strategic Planning Session and General Plan

Mayor Pro Tem Torres commended staff in their quick action in applying to the Urban Tree Canopy Program. Councilmember Peralta mentioned that they are looking to expand their work and would like the City to participate in a pilot program, Ms. Peralta asked for the Council's support in submitting letters of support to the Gateway Council of Governance that would support their application for funding for a grant program. Ms. Peralta stated that she would share the letter of support to Staff and Council. Mayor Pro Tem Torres also notified Council about the Affordable Housing Workshop scheduled for April 27, 2021. Additionally, Mr. Torres asked for Council Consensus to direct the City to include equity and social justice topics in the sessions to ensure all aspects of the community are addressed as the Strategic Plan and General Plan are updated. Furthermore, Mayor Pro Tem Torres asked for consensus on an Employee Satisfaction Survey to be conducted by mutual third party.

3. Mayor Cobos-Cawthorne

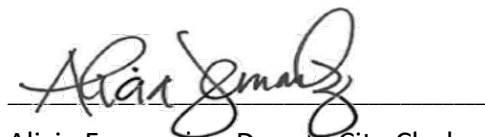
- a. Orange tier update
- b. Rosenberg's Rules

Mayor Cobos-Cawthorne postponed her Council Oral items to the next regularly scheduled meeting.

ADJOURNMENT

Mayor Cobos-Cawthorne motioned to adjourn the meeting at 11:27 p.m., seconded by Mayor Pro Tem. Motion Carried unanimously.

THE MINUTES OF APRIL 14, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 26TH DAY OF MAY 2021.



Alicia Fernandez, Deputy City Clerk