



CITY OF MONTEBELLO
REGULAR CITY COUNCIL MEETING AGENDA

WEDNESDAY, APRIL 27, 2022 AT 5:00 P.M.

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

CITY COUNCIL

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

CITY MANAGER

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
Paul Espinosa
Michael Solorza
Nicholas Razo
Joseph Palombi
James Enriquez
David Sosnowski
Lupita Ibarra

NOTICES

COVID-19 NOTICE: The City Council rescinded the Declaration of the Local Emergency and the continuation of teleconferencing open meetings pursuant to AB 361 by adopting Resolution No. 22-21 on Wednesday, April 13, 2022. This City Council Meeting will be held in person and will meet at **City Hall – City Council Chambers, 1600 West Beverly Boulevard, Montebello, California.** The meeting will be live streamed and can be watched on the City's website at: <https://www.cityofmontebello.com/government/live-streaming.html>, and may also be viewed on Spectrum Public Access Channel 3 for all Spectrum cable subscribers.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act (ADA) any person with a disability who requires special accommodations in order to participate in a meeting should contact the Administration Office at (323) 887-1437 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 72 hours before this meeting. **Si necesita servicios de traducción, comuníquese con la Oficina del Secretario Municipal 72 horas antes de esta reunión. 如果您需要翻译服务，请在会议前 72 小时联系市书记员办公室**

PUBLIC COMMENTS:

In-Person: For those interested in participating during the Public Comment period(s) or public testimony period for Public Hearings of the City Council meetings, you may address the City Council ***in person the day of the meeting.*** Speakers will be required to fill out a speaker card provided at the door and turn it into the Deputy City Clerk prior to each Public Comment announcement period. Staff will number and call each speaker card in the order received. Closed Session begins at 5:00 p.m. and Regular Session begins no later than 6:00 p.m.

Via Email: The public may also submit emailed comments via the City's email address: ccpubliccomment@cityofmontebello.com, up until the day of the meeting, **Wednesday, April 27, 2022 by 3:00 p.m.** These comments will be submitted to all members of the City Council and may not be read aloud but will be entered into the record of the proceedings to the extent they relate to matters listed on the posted agenda or otherwise address matters/issues within the subject matter jurisdiction of the City Council. Any requests to provide public comment which is submitted after the deadlines indicated above will not be submitted to the City Council, with the exception of non-agenda written item comments which will be held over for the next regularly scheduled meeting.

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

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

OPENING CEREMONIES

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS

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

CLOSED SESSION – 5:00 P.M.

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

1. CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6

Agency Negotiators: René Bobadilla, Nicholas Razo

Employee Groups: Various City employee groups including but not limited to MPMA, MFMA, MMMA, MMPA, MSA, MPOA, MCEA, MFA, SMART-TD, and unrepresented employees

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(2)

One matter related to SB 1383 compliance

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Section 54956.8

Property: 715 W. Whittier Boulevard, Montebello

Agency Negotiator: René Bobadilla, City Manager

Under Negotiation: Price and Terms

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(4)

Initiation of litigation – One matter

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

CLOSED SESSION REPORT

INVOCATION

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA – CITY MANAGER

PRESENTATIONS

5. RECOGNITION OF CITIZEN OF THE MONTH – CINDY FARBER
6. RECOGNITION OF DONATE LIFE PROCLAMATION
7. RECOGNITION OF EMPLOYEE SERVICE FOR 64 CITY OF MONTEBELLO EMPLOYEES
8. RECOGNITION OF NATIONAL CHILD ABUSE PREVENTION
9. RECOGNITION OF NATIONAL VOLUNTEER MONTH
10. RECOGNITION OF AUTISM AWARENESS MONTH
11. RECOGNITION OF ARMENIAN HISTORY MONTH

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

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

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

PUBLIC HEARING

12. CALIFORNIA VOTING RIGHTS ACT (“CVRA”) PUBLIC HEARING NO. 7

RECOMMENDATION: It is recommended that the City Council:

- 1) Receive input from the public regarding the draft City Council district maps (Attachment A) selected for further discussion and consideration; and
- 2) Select the final City Council district map; and
- 3) Once the final City Council district map is selected, assign each City Council seat to a new City Council district; and
- 4) Take such additional, related, action that may be desirable.

REGULAR BUSINESS

13. ADOPT RESOLUTION NO. 22-03 DECLARING THE SURPLUS LAND FOR SUCCESSOR AGENCY-OWNED PROPERTY LOCATED AT 701 W. WHITTIER BOULEVARD, MONTEBELLO, CALIFORNIA

RECOMMENDATION: It is recommended that the Successor Agency to the former Montebello Redevelopment Agency:

- 1) Adopt Resolution No. 22-03 declaring Successor Agency owned property located at 701 W. Whittier Boulevard, Montebello, California surplus land pursuant to Government Code Section 54221(b)(1).

14. INTRODUCTION AND FIRST READING OF ORDINANCE NO. 2449 UPDATING MONTEBELLO MUNICIPAL CODE CHAPTER 5.08, TITLE 5 DEALING WITH BUSINESS LICENSES AND REGULATIONS TO UPDATE THE TEMPORARY MORATORIUM ENACTED ON JUNE 24, 2009

RECOMMENDATION: It is recommended that the City Council:

- 1) Introduce and Conduct First Reading of Ordinance No. 2449 Amending Sections 5.08.010, 5.08.020, 5.08.030, 5.08.050 and 5.08.060 of Chapter 5.08, Title 5 (Business Licenses and Regulations) of the Montebello Municipal Code; and
- 2) Take such additional, related, action that may be desirable.

15. APPROVAL OF A RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO FIRE MANAGEMENT ASSOCIATION, A RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO MID-MANAGEMENT ASSOCIATION, A RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO CITY EMPLOYEES' ASSOCIATION, AND A RESOLUTION ADOPTING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEBELLO MID-MANAGEMENT PROFESSIONALS' ASSOCIATION, A RESOLUTION TO MEMORIALIZE UNREPRESENTED NON-MANAGEMENT EMPLOYEES TO ALIGN WITH THE MONTEBELLO CITY EMPLOYEES' ASSOCIATION

RECOMMENDATION: It is recommended that the City Council:

- 1) Approve a Resolution adopting a tentatively agreed upon Comprehensive Memorandum of Understanding (MOU) between the City and the Montebello Fire Management Association (MFMA); and
- 2) Approve a Resolution adopting a tentatively agreed upon Comprehensive Memorandum of Understanding between the City and the Montebello Mid-Management Association (MMMA); and

- 3) Approve a Resolution adopting a tentatively agreed upon Comprehensive Memorandum of Understanding between the City and the Montebello City Employees' Association (MCEA); and
- 4) Approve a Resolution adopting a tentatively agreed upon Comprehensive Memorandum of Understanding between the City and the Montebello Mid-Management Professionals' Association (MMPA).
- 5) Approve a Resolution to memorialize unrepresented non-management employees to align with the Montebello City Employees' Association (MCEA)
- 6) Approve amendment of the Table of Organization/Master Position Control updating staffing in the Transit and Human Resources – Information Technology Departments

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine. Any items a Councilmember wishes to discuss should be designated at this time. All other items may be approved in a single motion. Such approval will also waive the reading of any ordinance.

16. APPROVAL OF AMENDMENT NO. 1 TO LICENSE AGREEMENT NO. 3977 WITH ZENCITY FOR ONGOING SOCIAL MEDIA MONITORING AND ANALYSIS

RECOMMENDATION: It is recommended that the City Council:

- 1) Approve Amendment No. 1 to License Agreement No. 3977 with Zencity for social media analytics, insights and trend monitoring.

17. ADOPT ORDINANCE NO. 2448 APPROVING DEVELOPMENT AGREEMENT NO. 3973/DA-04-21 BETWEEN THE CITY OF MONTEBELLO AND MAGNA & MAGNA, INC. FOR PROPERTY AT 116, 128, AND 136 N. POPLAR AVE (PROJECT SITE A) AND 129-133 N. POPLAR AVE (PROJECT SITE B) – SECOND READING

RECOMMENDATION: It is recommended that the City Council:

- 1) Waive Second Reading and adopt Ordinance No. 2448 approving a Development Agreement No. 3973/DA-04-2 by and between the City of Montebello ("City") and Magna & Magna, Inc.; and
- 2) Take such additional or alternative action that may be desirable.

18. ADOPT RESOLUTION NO. 22-22 AUTHORIZING THE CITY'S SUBMISSION OF TWO (2) APPLICATIONS TO THE FEDERAL TRANSIT ADMINISTRATION TO RECEIVE FUNDING TO PURCHASE ZERO-EMISSION BUSES UNDER THE LOW OR NO EMISSION GRANT PROGRAM AND THE GRANTS FOR BUSES AND BUS FACILITIES PROGRAM

RECOMMENDATION: It is recommended that the City Council:

- 1) Adopt Resolution No. 22-22 authorizing the City's submission of an application to the Federal Transit Administration (FTA) to receive funding to purchase zero-emission buses under two (2) grant programs: (i) the Low or No Emission Grant Program ("Low-No Program"), in the amount of \$13,526,438, and (ii) the Grants for Buses and Bus Facilities Program ("Bus and Bus Facilities Program"); in the amount of \$13,526,438 (collectively, hereinafter the "Grants"); and
 - 2) Take such additional, related, action that may be desirable.
19. **APPROVAL OF AMENDMENT NO. 4 TO AGREEMENT NO. 2836 WITH ALLIED UNIVERSAL SECURITY SERVICES TO PROVIDE SECURITY SERVICES FOR THE MONTEBELLO/COMMERCE METROLINK STATION AND THE EMERGENCY NON-CONGREGATE SHELTER PILOT PROGRAM (OPERATION STAY SAFE)**

RECOMMENDATION: It is recommended that the City Council:

- 1) Approve Amendment No. 4 to Agreement No. 2836, between the City of Montebello (City) and Allied Universal Security Services (Allied Universal) to exercise a one-year term contract extension to provide security services for the Montebello/Commerce Metrolink Station (Metrolink Station) and the Emergency Non-Congregate Shelter Pilot Program (Operation Stay Safe); and
 - 2) Authorize the City Manager and/or his designee to execute Amendment No. 4 with Allied Universal on behalf of the City; and
 - 3) Take such additional, related, action that may be desirable.
20. **TREASURER'S REPORT FOR THE QUARTER ENDING MARCH 31, 2022**

RECOMMENDATION: It is recommended that the City Council:

- 1) Receive and file the Quarterly Treasurer's Report for the quarter ending March 31, 2022.
21. **PAYMENT OF BILLS: RESOLUTION NO. 22-23 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED APRIL 27, 2022**

RECOMMENDATION: Adopt Resolution No. 22-23 approving the Warrant Register dated April 27, 2022.

22. **APPROVAL OF CITY COUNCIL MINUTES – MARCH 9, 2022 AND MARCH 23, 2022.**

RECOMMENDATION: Approve said minutes as written.

23. **ADOPT RESOLUTION NO. 22-29 FOR THE FISCAL YEAR 2022-23 LEVY OF ANNUAL ASSESSMENTS FOR THE NATASHA LANE SEWER AND STORM DRAIN PUMP STATION ASSESSMENT DISTRICT**

RECOMMENDATION: It is recommended that the City Council:

- 1) Adopt Resolution No. 22-29 (Attachment A) establishing the City's intention for the Fiscal Year 2022-23 Levy of Annual Assessments for the Natasha Lane Sewer and Storm Drain Pump Station Assessment District; and,
- 2) Authorize the City Engineer to prepare and file a Preliminary Engineer's Report; and,
- 3) Take such additional, related actions that may be desirable.

24. ADOPT RESOLUTION NO. 22-30 FOR THE FISCAL YEAR 2022-23 LEVY OF ANNUAL ASSESSMENTS FOR THE NATASHA LANE LANDSCAPE ASSESSMENT DISTRICT**RECOMMENDATION: It is recommended that the City Council:**

- 1) Adopt Resolution No. 22-30 (Attachment A) establishing the City's intention for the Fiscal Year 2022-23 Levy of Annual Assessments for the Natasha Lane Landscape Assessment; and,
- 2) Authorize the City Engineer to prepare and file a Preliminary Engineer's Report; and,
- 3) Take such additional, related actions that may be desirable.

25. AUTHORIZE THE NOTICE INVITING BIDS FOR C.P. # 891 – ANNUAL CONCRETE REPAIR PROGRAM FISCAL YEARS 2021-22 AND 2022-23**RECOMMENDATION: It is recommended that the City Council:**

- 1) Approve the Plans, Specifications, and Estimate (PS&E) for the Annual Concrete Repair Program (C.P. #891);
- 2) Authorize the City Clerk to publish the Notice Inviting Bids (Attachment A);
- 3) Approve the Notice of Exemption (Attachment B) for the subject project and authorize the City Clerk to file the Notice of Exemption with Los Angeles Registrar-Recorder; and
- 4) Take such additional, related, action that may be desirable.

AB 1234 TRAVEL REPORTS

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

COUNCIL ORALS

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

- **Councilmember Peralta**

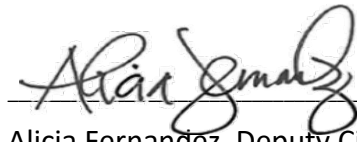
1. Asking for City Council consensus to allow The Department of Mental Health's United Mental Health Promoters Program to use the Senior Center or another City facility and coordinate with Staff to provide free mental health workshops, presentations, and services at no cost to the City or participants.

2. Save the Date: Mother's Day Celebration Mariachi Serenata on May 7, 2022. Inviting all the beautiful moms in Montebello, more details to come!
 3. Appointment of Richard Carlin to the Parks and Recreation Commission
 4. Personnel Commission Vacancy: please request and submit an application to cityclerk@cityofmontebello.com or in person at City Hall.
- **Councilmember Melendez**
 - **Councilmember Torres**
 - **Mayor Pro Tem Jimenez**
 - **Mayor Cobos-Cawthorne**
1. Parking Issues: due to SB 9 and 10 and street sweeping, etc.

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on May 11, 2022 at 5:00 p.m.** which can be live streamed at www.cityofmontebello.com (Click on Live Stream).

I, Alicia Fernandez, Deputy City Clerk for the City of Montebello hereby certify that a copy of this agenda has been posted on or before **Sunday, April 24, 2022 5:00 p.m.**



Alicia Fernandez, Deputy City Clerk