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**CITY OF MONTEBELLO  
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY  
JOINT REGULAR MEETING**

**WEDNESDAY, OCTOBER 26, 2022 AT 5:00 PM**

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

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**CITY COUNCIL/PUBLIC FINANCING AUTHORITY**

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

**CITY MANAGER/EXECUTIVE  
DIRECTOR**

**René Bobadilla, City Manager**

**CITY TREASURER**  
**Rafael Gutierrez**

**CITY ATTORNEY/AUTHORITY  
COUNSEL**

**Arnold M. Alvarez-Glasman**

**CITY CLERK/SECRETARY OF AUTHORITY**

**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  
Director of Public Affairs and Technology**

**Arlene Salazar  
Fernando Pelaez  
Paul Espinosa  
Michael Solorza  
Nicholas Razo  
Joseph Palombi  
James Enriquez  
David Sosnowski  
Adrianna Kendricks  
Michael Chee**

## 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**COVID-19 NOTICE: The City Council rescinded the Declaration of the Local Emergency and the continuation of teleconferencing open meetings pursuant to AB 361 by adopting Resolution No. 22-21 on Wednesday,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/Public Financing Authority Joint Regular Meeting ("Council"/"PFA") 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 and YouTube Channel via the following link: <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

### **RULES OF DECORUM:**

As Established by Ordinance 2443, adopted on October 27, 2021: Signs, placards, banners, horns, noise-making devices, or other similar items shall not be permitted in the audience during a Public Meeting if the presence of such item disturbs, disrupts or otherwise impedes the orderly conduct of the meeting. All persons attending a public meeting shall remain seated in the seats provided, unless addressing the body at the podium or entering or leaving the meeting. No member of the audience shall willfully interrupt the orderly conduct at the meeting, this includes clapping or otherwise speaking from their seats. The presiding officer shall direct the removal of any individual whose willful interruption renders infeasible the orderly conduct of the meeting. In the event the removal of the individual or individuals willfully interrupting the meeting does not restore order, the presiding officer may order the meeting room cleared and continue in session. Speakers shall not engage in willful conduct which interrupts the meeting or interferes with the orderly conduct of the meeting. Any person who becomes boisterous while addressing the Council/PFA or who otherwise disrupts the orderly conduct of the Council/PFA's business shall be subject to removal from the Chambers after being admonished by the presiding officer.

### **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/PFA meetings, you may address the City Council/PFA 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](mailto:ccpubliccomment@cityofmontebello.com), up until the day of the meeting, **Wednesday, October 26, 2022 by 3:00 p.m.** These comments will be submitted to all members of the City Council/PFA 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/PFA. Any requests to provide public comment which is submitted after the deadlines indicated above will not be submitted to the City Council/PFA, 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.montebellocal.gov/cms/One.aspx?portalId=58756&pageId=77219>.

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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/PFA 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/PFA from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor.

**CLOSED SESSION 5:00 P.M.**

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

1. **THREAT TO PUBLIC SERVICES OR FACILITIES**  
Government Code Section 54957  
Consultation with City Manager, Police Chief, City Attorney and other related City officials.
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**  
Government Code Section 54956.8  
Property: 901 Via San Clemente, Montebello CA  
Agency's Negotiator: René Bobadilla, City Manager  
Negotiating Party: Topgolf  
Under Negotiation: Price and Terms

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

**CLOSED SESSION REPORT**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**CORRECTIONS TO THE AGENDA CITY MANAGER**

**CEREMONIAL/PRESENTATIONS**

3. **RECOGNITION OF MUAY THAI TOURNAMENT WINNERS**
4. **RECOGNITION OF SOZENJI BUDDHIST TEMPLE'S 50TH ANNIVERSARY**
5. **BIKE MASTER PLAN/ BIKE RACK INVENTORY PRESENTATION**

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

At this time, the general public may address the City Council/PFA 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.

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State Law prohibits the City Council/PFA 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**

**6. FIRST READING AND INTRODUCTION OF ORDINANCE NO'S. 2454, 2455, AND 2456 APPROVING DEVELOPMENT AGREEMENTS (DA02-22, 03-22, AND 04-22) BETWEEN THE CITY OF MONTEBELLO AND CLEAR CHANNEL OUTDOOR, LLC FOR PROPERTY AT 1720 S. BLUFF ROAD, 1633 WASHINGTON BOULEVARD, AND 1915 W. WHITTIER BOULEVARD**

**RECOMMENDATION: It is recommended that the City Council:**

1. Introduce and waive first reading of Ordinance No. 2454 approving a Development Agreement (DA 02-22) by and between the City of Montebello and Clear Channel Outdoor, LLC for the property located at 1720 S. Bluff Road (Attachment A), and find the project is exempt pursuant to Sections 15061(b)(3) ("Common Sense Exemption") and 15303 ("New Construction or Conversion of Small Structures") of the CEQA Guidelines; and
2. Introduce and waive first reading of Ordinance No. 2455 approving a Development Agreement (DA 03-22) by and between the City of Montebello and Clear Channel Outdoor, LLC for the property located at 1633 Washington Blvd. (Attachment B), and find the project is exempt pursuant to Sections 15061(b)(3) ("Common Sense Exemption") and 15303 ("New Construction or Conversion of Small Structures") of the CEQA Guidelines; and
3. Introduce and waive first reading of Ordinance No. 2456 approving a Development Agreement (DA 04-22) by and between the City of Montebello and Clear Channel Outdoor, LLC for the property located at 1915 W. Whittier Blvd. (Attachment C), and find the project is exempt pursuant to Sections 15061(b)(3) ("Common Sense Exemption") and 15303 ("New Construction or Conversion of Small Structures") of the CEQA Guidelines; and
4. Take such additional and/or related action that may be desirable.

**7. ADOPT RESOLUTION NO. 22-88 TO APPROVE SUBMITTAL OF AN APPLICATION FOR THE PERMANENT LOCAL HOUSING ALLOCATION (PLHA) PROGRAM FORMULA FUNDING PLAN**

**RECOMMENDATION: It is recommended that the City Council:**

1. Conduct Public Hearing and adopt Resolution No. 22-88 approving the submission of the grant application for the Permanent Local Housing Allocation (PLHA) Program Formula Funding Plan to collect the City's \$1,900,548 five-year allocation; and
2. Hold a Public Hearing for the consideration of approval of the City's Permanent Local Housing Allocation Program Funding Plan and Resolution; and
3. Take such additional, related, action that may be desirable.

**REGULAR BUSINESS**

**8. AMENDMENT OF AGREEMENTS RELATED TO QUIET CANNON MANAGEMENT AND ASSOCIATED BUSINESS ENTITIES**

**RECOMMENDATION: It is recommended that the City Council:**

1. Approve the amended Agreements related to the Quiet Cannon Management (QMC) and associated business entities related to the Golf Course Improvements in substantially the form as presented; 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 may be approved in a single motion. Such approval will also waive the reading of any ordinance.

**9. ADOPT RESOLUTION NO. 22-84 APPROVING PLANS AND SPECIFICATIONS FOR THE MONTEBELLO DRIVING RANGE PROJECT – TOPGOLF MONTEBELLO; APPROVING A CONTRACT WITH MCCARTHY BUILDING COMPANIES FOR CONSTRUCTION AND CONSTRUCTION MANAGEMENT SERVICES FOR THE MONTEBELLO DRIVING RANGE PROJECT – TOPGOLF MONTEBELLO, AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH**

**RECOMMENDATION: It is recommended that the City Council:**

1. Approve final plans and specifications for the Montebello Driving Range Project – Topgolf Montebello (“Project”) prepared by Aria Group Architects, Inc.; and
2. Approve the waiver of competitive bidding and find that McCarthy Building Companies is the only available and qualified contractor to provide the professional and construction services required to develop the Project; and
3. Approve and award a Guaranteed Maximum Price (GMP) Construction Contract to McCarthy Building Companies for construction and construction management services for the Project; and
4. Approve a Notice of Exemption for the subject project and authorize the City Clerk to file the Notice of Exemption with the Los Angeles County Registrar-Recorder; and
5. Authorize the City Manager to make necessary non-monetary changes to the Construction Contract within the Guaranteed Maximum Price (not-to-exceed the net proceeds of the bonds) before execution; and
6. Authorize the City Manager to execute the Construction Contract in a form approved by the City Attorney; and
7. Take any other additional actions necessary.

**10. ADOPT RESOLUTION NO. 22-87 FOR AN AWARD FROM THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION (CAL FIRE) FIRE PREVENTION GRANTS PROGRAM**

**RECOMMENDATION: It is recommended that the City Council:**

1. Adopt Resolution NO. 22-87 for an award from the California Department of Forestry and Fire Protection (CAL FIRE) Fire Prevention Grants Program; and
2. Take such additional, related, action that may be desirable.

**11. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 22-85 APPROVING THE CITY WARRANT REGISTER OF DEMANDS OCTOBER 26, 2022**

**RECOMMENDATION: It is recommended that the City Council:**

1. Adopt Resolution No. 22-85 approving the Warrant Register dated October 26, 2022.

**AB 1234 TRAVEL REPORTS**

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

**COUNCIL ORALS**

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

- **Kimberly A. Cobos-Cawthorne, Mayor**

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

**ADJOURNMENT**

The City of Montebello will adjourn to the next **Regular Meeting on November 16, 2022 at 5:00 p.m.** which can be live streamed at [www.montebelloca.gov](http://www.montebelloca.gov) (Click on Live Stream).

I, Alicia Fernandez, Senior Deputy City Clerk for the City of Montebello hereby certify that a copy of this agenda has been posted on or before **Sunday, October 23, 2022 5:00 p.m.**



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Alicia Fernandez, Senior Deputy City Clerk