



**CITY OF MONTEBELLO
CALL AND NOTICE OF A SPECIAL CITY COUNCIL AND PUBLIC FINANCING AUTHORITY
MEETING AGENDA**

THURSDAY, NOVEMBER 10, 2022 AT 5:00 PM

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

NOTICE IS HEREBY GIVEN that a Joint Special Meeting for the City of Montebello City Council and Public Financing Authority (PFA) is hereby called to be held on **Thursday, November 10, 2022 at 5:00 p.m. at City Hall, Council Chambers, located at 1600 West Beverly Boulevard, Montebello, CA 90640**. The meeting will also be live streamed and can be watched on the City's website at: https://cityofmontebello.hosted2.civiclive.com/government/live_streaming, and may also be viewed on Spectrum Public Access Channel 3 for all Spectrum cable subscribers.

COVID-19 NOTICE: The City Council rescinded the Declaration of the Local Emergency and the continuation of teleconferencing open meetings pursuant to AB 361 by adopting Resolution No. 22-21 on Wednesday,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/PAF Meeting will be held in person and will meet at **City Hall – City Council Chambers, 1600 West Beverly Boulevard, Montebello, California.**

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

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, including 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 meeting, 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 immediately following Closed Session.

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, **Thursday, November 10, 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. Any requests to provide public comment which is submitted after the deadlines indicated above will not be submitted to the City Council/PFA.

AGENDA MATERIALS: The agenda/agenda packet are available for public inspection at the City's website at: https://cityofmontebello.hosted2.civiclive.com/departments/administration/city_clerks_office/agendas_minutes_and_videos. 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 ON AGENDA ITEMS ONLY (30 MINUTES)

At this time, the general public may *only* address the City Council/PFA during this Special Meeting on items which have been described in the notice of this Special meeting in accordance with Government Code Section 54954.3(a). Please be aware that the maximum time allotted for members of the public to speak on shall not exceed three (3) minutes per person. State Law prohibits the City Council/PAF 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/Chairperson and Board Members.

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 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, Quiet Cannon Management, Inc., and Affiliated Entities
Under Negotiation: Price and Terms

REGULAR SESSION – IMMEDIATELY FOLLOWING CLOSED SESSION

CLOSED SESSION REPORT

CORRECTIONS TO THE AGENDA CITY MANAGER

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine. Any items a Councilmember/Board Member

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.

2. 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 and Public Financing Authority:

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 under the California Environmental Quality Act (CEQA) 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.

3. AWARD OF CONSTRUCTION CONTRACT - MONTEBELLO MUNICIPAL GOLF COURSE RENOVATION PROJECT PHASE 2 (CP NO. 894-2)

RECOMMENDATION: It is recommended that the City Council and Public Financing Authority:

1. Award a construction contract for the Montebello Municipal Golf Course Renovation Project Phase 2 (CP No. 894-2) in the amount of \$9,664,658 to American Landscape, Inc.; and
2. Authorize the Director of Public Works to review and approve change orders within a five percent (5%) contingency of the contract amount; and
3. Authorize the City Manager to execute the Contract Agreement on behalf of the City; and
4. Approve the updated Total Project Budget (Attachment A); and
5. Approve the Notice of Exemption (Attachment D) for the subject project and authorize the City Clerk to file the Notice of Exemption with Los Angeles Registrar-Recorder; and
6. Take such additional, related, action that may be desirable.

4. REPORT OF EMERGENCY WATER SYSTEM REPAIRS

RECOMMENDATION: It is recommended that the City Council and Public Financing Authority:

1. Receive and file the City Manager’s report of two emergency repairs to the City’s Water System pursuant to Montebello Municipal Code Section 3.20.140 and Public Contracts Code Section 22035; and
2. Determine and find that the Water System repairs are required to prevent a catastrophic failure of a portion of the system affecting the domestic and fire suppression water supply to numerous commercial and residential customers; and
3. By a four-fifths vote of the City Council authorize the dispensing of a formal bidding procedure for the Water System repairs, in accordance with California Public Contract Code Section 22035 and Montebello Municipal Code Chapter 3.20.140; and

4. Authorize the City Manager to finalize a standard construction agreement with Mike Bubalo Construction Co. for the replacement of the fire suppression service for the Quiet Cannon and Hilton Garden Inn at an estimated total cost of \$400,000; and
5. Authorize the City Manager to increase the Fiscal Year 2022-23 Purchase Order for San Gabriel Valley Water Company for Agreement No. 2883 in the amount of \$125,000 for the replacement of a failing pressure reducing valve located at 2323 Via Campo; and
6. Amend the Fiscal Year 2022-23 budget by increasing appropriations by \$525,000 in Account No. 605-99-6040.55 (Water Fund, Contract Services – Water System Maintenance) for the emergency repairs; and
7. Take such additional, related, action that may be desirable.

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 https://www.montebellocal.gov/government/live_streaming (Click on Live Stream).

Date and Posted: November 9, 2022

I, Alicia Fernandez, Sr. Deputy City Clerk for the City of Montebello hereby certify that a copy of this agenda has been posted on or before **Wednesday, November 9, 2022 no later than 5:00 p.m.**



Alicia Fernandez, Sr. Deputy City Clerk