



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

WEDNESDAY, FEBRUARY 8, 2023 AT 5:00 PM

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

CITY COUNCIL/PUBLIC FINANCING AUTHORITY

**David N. Torres, Mayor/Chairperson
Scarlet Peralta, Mayor Pro Tem/Vice Chairperson
Angie M. Jimenez, Councilmember/Member
Salvador Melendez, Councilmember/Member
Georgina Tamayo, Councilmember/Member**

CITY MANAGER/EXECUTIVE

**DIRECTOR
René Bobadilla**

CITY TREASURER

David Matanga

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COVID-19 NOTICE: The City Council rescinded the Declaration of the Local Emergency and the continuation of teleconferencing open meetings pursuant to AB 361 by adopting Resolution No. 22-21 on Wednesday,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.montebelloca.gov>, 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@montebelloca.com, up until the day of the meeting, **Wednesday, February 8, 2023 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: [Agendas, Minutes, and Videos](#).

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. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Government Code Section 54956.9(d)(2)
One matter of threat of litigation by Attorney representing Infrastructure Engineering
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
 - a. Government Code Section 54956.9(d)(1)
Neighborhood Elections Now, et al. v. City of Montebello
LASC Case No. 23STCV01567
 - b. Government Code Section 54956.9(d)(1)
John Doe v. City of Montebello
LASC Case No. 22STCP03976

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. **CITIZEN OF THE MONTH - RUBEN MARTINEZ**
4. **BLACK HISTORY MONTH**
5. **AMERICAN HEART MONTH**

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. 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

REGULAR BUSINESS

6. FISCAL YEAR 2022-23 SECOND QUARTER BUDGET REPORT

RECOMMENDATION: It is recommended that the City Council:

1. Receive and file this agenda report and the presentation on the Fiscal Year 2022-23 Second Quarter Budget report; and
2. Amend the budget by increasing appropriations by the listed amounts in the various accounts listed on Attachment B; and
3. Update the Table of Organization/Master Position Control for the Human Resources and Transit Departments (Attachment C); and
4. Take whatever additional actions necessary.

7. REVIEW OF CITY COUNCIL APPLICATIONS RECEIVED AND CONSIDERATION OF APPOINTMENT FOR TWO AT-LARGE CITY COUNCIL SEATS WITH AN ENDING TERM OF NOVEMBER 12, 2024

RECOMMENDATION: It is recommended that the City Council:

1. Review and evaluate applications received by residents interested in being appointed to the vacant at-large City Council seats; and
2. Receive comments from applicants; and
3. Designate those to be appointed to the vacant City Council seats for a two-year period; and
4. 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.

8. ADOPTION OF RESOLUTION NO. 23-07 OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO CONDEMNING AZERBAIJAN'S ILLEGAL BLOCKADE OF NAGORNO-KARABAKH (ARTSAKH)

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-07 condemning Azerbaijan's blockade of Nagorno-Kharabakh (Artsakh); and
2. Take such additional, related action that may be desirable.

9. ADOPT RESOLUTION NO. 23-13 APPROVING THE APPLICATION FOR SPECIFIED GRANT FUNDS FOR THE MONTEBELLO DOWNTOWN SEWER INFRASTRUCTURE IMPROVEMENT PROJECT

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-13 approving the application for grant funding for the Montebello Downtown Sewer Infrastructure Improvement Project; and
2. Authorize the City Manager to execute the financial assistance agreements and any other related documents in a final form approved by the City Attorney; and
3. Take such additional, related action that may be desirable.

10. ADOPT RESOLUTION NO. 23-11 ACCEPTING CERTAIN ROADS AND STREETS INTO THE CITY STREET SYSTEM AND RESOLUTION NO. 23-10 NAMING A CERTAIN PUBLIC STREET AND ROAD "TOPGOLF WAY" AND FINDING SUCH ACTIONS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-11 accepting certain roads and streets into the City Street System, and finding such action exempt from the California Environmental Quality Act ("CEQA"); and
2. Adopt Resolution No. 23-10 naming a certain public street and road "Topgolf Way"; and
3. Authorize the City Manager to execute certificates and any other related documents to consummate the acceptance of said streets or roads, including naming, in a form approved by the City Attorney; and
4. Take such additional, related action that may be desirable.

11. BEACH STREET PAVEMENT AND STORM DRAIN REHABILITATION PROJECT (CP NO. 883) - NOTICE OF COMPLETION

RECOMMENDATION: It is recommended that the City Council:

1. Accept the Beach Street Pavement and Storm Drain Rehabilitation Project (CP No. 883) as completed by Gentry Brothers Inc.; and
2. Find that the requested "Changes in Work" for the project (Attachment A) have no significant effect on the environment and approve changes in the aggregate amount of \$40,088; the final contract amount with Gentry Brothers, Inc. is \$1,441,636; and
3. Approve the Final Total Project Budget (Attachment B); and
4. Authorize the City Clerk to file the Notice of Completion with the Los Angeles County Recorder (Attachment C); and
5. Authorize the City Manager to release the retention payment due to Gentry Brothers, Inc. following the mandatory waiting period from the date of Notice of completion is recorded; and
6. Take such additional, related action that may be desirable.

12. AUTHORIZE THE CITY MANAGER TO EXECUTE THE EXCHANGE AGREEMENT WITH LA METRO OF FEDERAL SURFACE TRANSPORTATION PROGRAM-LOCAL AND HIGHWAY INFRASTRUCTURE PROGRAMS FUNDS

RECOMMENDATION: It is recommended that the City Council:

1. Authorize the City Manager to execute the Exchange Agreement and Assignment of Federal Surface Transportation Program-Local and Highway Infrastructure Programs Funds; and
2. Take such additional, related action that may be desirable.

13. WAIVE THE SECOND READING AND ADOPT ORDINANCE NO. 2461 AMENDING THE GENERAL PLAN AND ZONING DESIGNATION (CASE NO. "PC-2022-0004-GPA-ZC-SPR") FOR THE PROPERTY LOCATED AT 844 SOUTH GREENWOOD AVENUE TO ALLOW THE CONSTRUCTION OF TWELVE (12) RESIDENTIAL DWELLING UNITS

RECOMMENDATION: It is recommended that the City Council:

1. Waive Second Reading and Adopt Ordinance No. 2461 approving a General Plan Amendment ("GPA") and Zone Change ("ZC") (Case No. PC-2022-0004-GPA-ZC-SPR) for the property located at 844 S. Greenwood Avenue ("Project Site"); and
2. FIND and DETERMINE the GPA and ZC to be statutorily exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) considering that CEQA only applies to projects which have the potential for causing a significant effect on the environment; and
3. Take such additional, related action that may be desirable.

14. ADOPT RESOLUTION NO. 23-12, DECLARATION OF SURPLUS LAND FOR CITY-OWNED PROPERTY LOCATED AT 612 W. WHITTIER BOULEVARD, MONTEBELLO, CALIFORNIA 90640

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-12 declaring City-owned property located at 612 W. Whittier Boulevard, Montebello, California surplus land pursuant to Government Code Section 54221(b)(1); and

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

15. AUTHORIZATION TO SUBMIT AN APPLICATION FOR THE CLEAN CALIFORNIA LOCAL GRANT PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1. Authorize the submission of an application to the Clean California Local Grant Program; and
2. Take such additional, related action that may be desirable.

16. AUTHORIZATION TO SUBMIT AN APPLICATION FOR THE LA84 FOUNDATION SUMMER SPLASH GRANT PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1. Authorize the Recreation and Community Services Department's submission of an application for the LA84 Foundation Summer Splash Grant Program on behalf of the City of Montebello; and
2. Take such additional, related action that may be desirable.

17. APPROVAL OF BUREAU OF JUSTICE ASSISTANCE (BJA), PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP (BVP) SOLICITATION FUNDS UTILIZATION

RECOMMENDATION: It is recommended that the City Council:

1. Approve the use of grant funding awarded to the Police Department by the Bureau of Justice Assistance (BJA), Patrick Leahy Bulletproof Vest Partnership (BVP) solicitation funds utilization, in the amount of \$21,628.49; and
2. Amend the Fiscal Year 2022-23 budget and increase appropriations by \$21,628, in grant Account No. 265-8003-6010.60 (Grants, Bulletproof Vest Grant, Personal Protective Equipment [expenditures]) and Account No. 265-99-4198.84 (Grants, Bulletproof Vest Grant [revenue]); and
3. Take such additional, related action that may be desirable.

18. TREASURER'S REPORT FOR THE QUARTER ENDING DECEMBER 31, 2022

RECOMMENDATION: It is recommended that the City Council:

1. Receive and file the Quarterly Treasurer's Report for the quarter ending December 31, 2022 (Second Quarter).

19. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 23-09 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED FEBRUARY 08, 2023

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-09 approving the Warrant Register dated February 08, 2023.

20. APPROVAL OF MINUTES: NOVEMBER 16, 2022 CITY COUNCIL, SUCCESSOR AGENCY, AND PUBLIC FINANCING AUTHORITY JOINT REGULAR MEETING

RECOMMENDATION: It is recommended that the City Council:

1. Approve said minutes as is.

21. WAIVE SECOND READING AND ADOPT ORDINANCE NO. 2451 AMENDING SECTION 2.08.050 OF THE MONTEBELLO MUNICIPAL CODE TO REPEAL THE PROVISION ESTABLISHING A TEMPORARY SEVEN MEMBER CITY COUNCIL TO CAUSE THE CITY COUNCIL TO REMAIN A FIVE MEMBER BODY

RECOMMENDATION: It is recommended that the City Council:

1. Waive the Second Reading and adopt Ordinance No. 2451 repealing that portion of the Montebello Municipal Code section 2.08.050(G) that established a temporary 7-member City Council resulting in the City Council remaining a 5-member body.

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.

- **Salvador Melendez, Councilmember**
- **Georgina Tamayo, Councilmember**

1. **For District 1 residents - open seats for the Parks & Recreation Commission, Planning Commission, and Youth and Education Commission. Please download an application on the City of Montebello's website at:
https://www.montebelloca.gov/departments/administration/city_clerks_office/commissions_and_committees and submit completed applications to the City Clerk's office no later by Wednesday, February 8, 2023 by 5:30 p.m.**

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

1. **Request for Council consensus 1) directing staff to prepare a community survey exploring the effects of COVID in Montebello; and 2) allocating American Rescue Plan Act (ARPA) funds to address the most pressing needs as identified by survey respondents.**
2. **Request for Council consensus reaffirming our commitment to report, on a quarterly basis, the metrics of our Montebello Community Assistance Program (MCAP).**
3. **Request for Council consensus to explore conducting a study through local colleges on the mental and behavioral health issues within Montebello.**
4. **Community announcement on commission vacancies available to District 4 residents.**
5. **Community announcement for, and well-wishes to, the Montebello-Commerce Youth in Government delegation participating in the 75th Model Legislature and Court in Sacramento February 10-13.**
6. **Montebello-Commerce YMCA Youth in Government Delegation Bill Presentation**

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on February 22, 2023 at 5:00 p.m.** which can be live streamed at <https://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, February 5, 2023 at 5:00 p.m.**



Alicia Fernandez, Senior Deputy City Clerk



ITEM # 6

**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members
FROM: René Bobadilla, City Manager
BY: Michael Solorza, Director of Finance
SUBJECT: **FISCAL YEAR 2022-23 SECOND QUARTER BUDGET REPORT**
DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Receive and file this agenda report and the presentation on the Fiscal Year 2022-23 Second Quarter Budget report; and
2. Amend the budget by increasing appropriations by the listed amounts in the various accounts listed on Attachment B; and
3. Update the Table of Organization/Master Position Control for the Human Resources and Transit Departments (Attachment C); and
4. Take whatever additional actions necessary.

FISCAL IMPACT:

The Fiscal Year 2022-23 budget was adopted on June 8, 2022. Since adoption, changes (amendments) to the budget have been made. In addition, there are now seven months of revenue and expenditure results that allow trends to be analyzed and an updated budget forecast to be presented (i.e., actual results through January 31). In addition, presentation of quarterly budget reports on a regular basis shows good financial stewardship and promotes transparency.

The Second Quarter Budget report focuses on the General Fund, and provides updated expenditure and revenue projections for the fiscal year. A brief discussion of the two enterprise funds which record the activity of the City-owned hotels (Hilton Garden Inn and Home2Suites) is part of this report as well.

The General Fund budget was adopted with a \$695,700 surplus: revenue of \$68,685,800 forecasted higher than expenditures of \$67,990,100. Since adoption in June, the budget has been amended – through formal City Council action as well as the “roll-over” of

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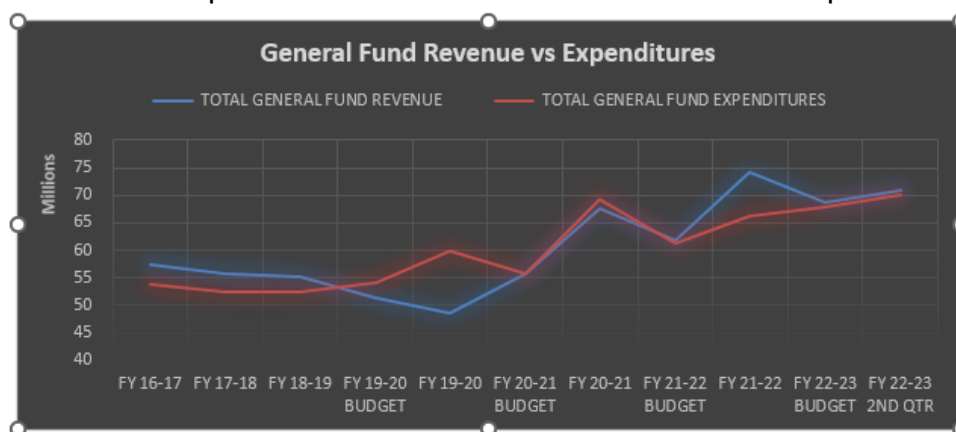
encumbrances from the prior fiscal year. Furthermore, in the ensuing seven months since budget adoption, additional spending data is available to guide department expenditure projections and new information is available on revenue trends.

The updated expenditure and revenue projections for the General Fund are presented in the table below, as well as the adopted and amended budgets for FY 2022-23.

	FY 22-23 ADOPTED BUDGET	FY 22-23 AMENDED BUDGET	FY 22-23 2ND QTR
GENERAL FUND REVENUE	68,685,800	68,685,800	70,872,550
GENERAL FUND EXPENDITURES	67,990,100	70,073,085	69,955,438
	695,700	(1,387,285)	917,112

The projected surplus for FY 2022-23 has increased to \$917,112. This amount accounts for additional revenue above the adopted budget, from new sources as well as updated forecasts, as well as increased expenditures due to changed spending patterns and new expenses not accounted for in the adopted budget. More detail is presented below explaining these changes, and Attachment A provides greater historical data for both revenue and expenditures.

The chart below provides historical context, plotting actual and budgeted General Fund revenue and expenditures from FY 2016-17 to the second quarter of FY 2022-23:



The surplus in FY 2021-22 and the one forecast for the current fiscal year continues a positive trend where projected revenue exceeds forecasted expenditures. Having a General Fund surplus helps build available reserves, placing the City on stronger financial footing as fund balance (i.e., reserves) grows as a percentage of operating revenue.

The paragraphs below present a more detailed discussion of the changes based on 2nd Quarter actuals and their impact on the forecast for fiscal year end. In addition, a detailed discussion of the requested budget amendments (Attachment B) can be found in the "Expenditures" section.

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BACKGROUND/DISCUSSION:

N/A

ENVIRONMENTAL:

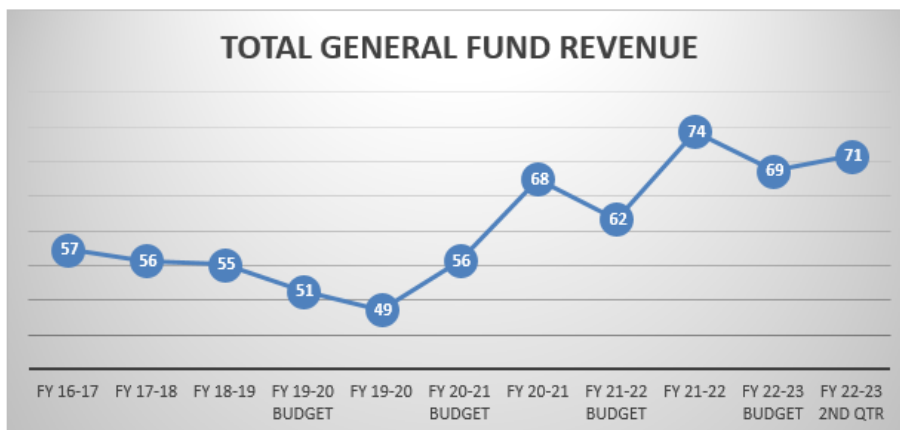
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ANALYSIS:

When the FY 2022-23 budget was adopted on June 8, 2022, revenue and expenditure forecasts were based on April and May information, tempered and informed by prior year and historical data. The closing of the books for FY 2021-22 provided additional, unaudited insight into revenue and expenditure performance. That information along with additional data (i.e., actuals) from July, 2022 – January, 2023 allows an updated forecast for fiscal year-end to be presented.

Revenue

Overall, General Fund revenue is projected to be \$2,186,750 higher than the adopted budget (\$70.873 million vs. \$68.686 million). This increase represents the net impact of changes to revenue accounts across the General Fund. The chart and table below present high-level overviews of General Fund revenue – by totals and major revenue category, with FY 2021-22 unaudited amounts included, while Attachment A provides further detail.



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	FY 20-21 ACTUAL	FY 21-22 ADOPTED	FY 21-22 ACTUAL	FY 22-23 ADOPTED	FY 21-22 FORECAST (2QTR)	Variance
SALES TAX	22,270,247	20,765,000	25,378,979	25,126,900	25,966,000	839,100
PROPERTY TAX	13,714,582	14,293,100	14,195,130	14,875,000	15,083,600	208,600
OTHER TAXES	476,959	610,000	631,085	625,000	600,000	(25,000)
FRANCHISE TAXES	2,316,221	2,183,000	2,300,508	2,445,000	2,665,100	220,100
LICENSES AND PERMITS	5,769,484	5,942,000	7,683,271	6,468,000	6,906,000	438,000
FINES AND FORFEITURES	2,301,787	2,250,000	2,499,502	2,920,000	2,810,000	(110,000)
INVESTMENT INCOME	421,312	575,000	193,103	274,000	275,000	1,000
INTERGOVERNMENTAL	1,098,273	7,500	6,311,327	12,000	12,000	-
CHARGES FOR SERVICE	6,105,784	7,291,850	7,758,585	7,945,800	8,208,350	262,550
OTHER REVENUE	1,640,198	882,500	887,100	982,000	1,334,400	352,400
Sub-total Operating Revenue	56,112,847	54,779,950	67,838,590	61,673,700	63,860,450	2,186,750
TRANSFERS IN	3,570,002	4,100,000	3,637,348	4,100,000	4,100,000	-
PROCEEDS FROM CAPITAL LEASE	5,785,000	-	-	-	-	-
ADMINISTRATIVE OVERHEAD	2,054,000	2,839,200	2,835,525	2,912,100	2,912,100	-
	11,409,002	6,939,200	6,472,873	7,012,100	7,012,100	-
	67,521,849	61,719,150	74,311,463	68,685,800	70,872,550	2,186,750

The largest positive change (in dollars) comes in the Sales Tax category, showing an increase of \$839,100 over the adopted budget, accounting for 38.4% of the total revenue increase of \$2,186,750 (i.e., projected vs. adopted budget). The pandemic wreaked havoc with the economy and society the past three years, but retail activity has improved in recent quarters. All three categories of sales tax continue to perform positively: 1% Bradley Burns, Measure H, and Monterey Park Marketplace.

The table below presents FY 2020-21 and FY 2021-22 actuals and FY 2022-23 budget and updated 2nd Quarter projections for all three sales tax sources:

	FY 20-21 ADOPTED	FY 20-21 ACTUAL	FY 21-22 ADOPTED	FY 21-22 ACTUALS	FY 22-23 ADOPTED	2nd Quarter Projected
Sales Tax 1%	11,270,000	13,507,132	12,470,000	14,617,152	14,380,000	14,766,000
Monterey Park Mktplc	971,000	1,064,486	1,125,000	1,378,534	1,316,900	1,400,000
Measure H	6,000,000	7,698,629	7,170,000	9,383,293	9,430,000	9,800,000
	18,241,000	22,270,247	20,765,000	25,378,979	25,126,900	25,966,000

The dollar increases in sales tax projections equates to a 3.3% overall increase (versus the adopted budget), with Bradley Burns and Measure H sources increasing approximately 2.7% and 3.9% (respectively) over the budgeted amounts. Comparing second quarter forecasted amounts versus FY 2021-22 actuals, overall sales tax (all three categories) is up 2.3%. Staff has conferred with its sales tax consultant (HdL Companies) and feel confident in these updated estimates. Moreover, HdL has indicated that when implementing a new Transaction and Use Tax, it can take one to two years for retailers to fully understand and remit the proper amounts. Heading into the third full year of Measure H, current trends appear more accurate than at this point in prior fiscal years. Data shows that Measure H consistently trends at approximately 66% of the Bradley Burns total.

Property tax shows a slight increase of \$208,600 (1.4%) when compared to the adopted budget. The largest increase is the “secured property tax” category, with the updated 2nd Quarter projection \$107,400 over budget. The majority of secured property tax is received in two tranches: December and April. The ability to utilize December property tax receipts to update the forecast provides a clearer picture of where property tax receipts should end the fiscal year. The amount of Public Safety Augmentation Fund (PSAF)/Proposition 172 and Pass Through revenue is also projected to be higher.

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The \$220,100 increase in the Franchise Taxes category is the net positive impact of the new commercial organic waste charge, and accounts for 10.1% of the total increase in revenue projected for FY 2022-23. The City will receive eleven months of revenue from this charge in FY 2022-23, with the fee first charged starting August 2022. Subsequent quarterly updates will utilize actuals to more accurately project revenue from this source. However, this is a new and continuing stream of revenue that will positively impact the General Fund going forward.

The increase of \$438,000 in the Licenses and Permits category is due to improved performance across the various “building permit” categories: plumbing, electrical, mechanical, etc. This updated forecast accounts for 20.0% of the total increase to General Fund revenue for FY 2022-23. As with last fiscal year, there are some relatively large, one-time permits issued related to the Montebello Hills development. These larger permits are not typical, and staff does not build budgets around the totals that include these one-time permits. However, they do help with annual revenue and the General Fund benefits from that activity. As with the FY 2022-23 budget, the FY 2023-24 revenue budget for this category will be built utilizing “typical” annual revenue totals.

There is an additional source of new (continuing) revenue to the General Fund in the Charges for Services category: fees related to new digital billboards. The City Council recently approved development agreements (November 9, 2022) that will net the City \$50,000 annually in on-going revenue. In addition, the City will receive a one-time incentive fee totaling \$150,000 from the development agreements. Both of these new revenue streams are included in the FY 2022-23 forecast, and contribute to the increase of \$262,550 in the Charges for Services revenue category – accounting for 12.0% of the total increase in projected revenue.

The Other Revenue category is projected to increase \$352,400 over the budget. The majority of this increase (\$300,000), is from reimbursement of overtime for the City providing Student Resource Officers (SROs) to the Montebello Unified School District (MUSD). The City Council approved this cooperative agreement in August, 2022, and the City is reimbursed for the overtime expenditures related to this agreement. The intent of the reimbursement is to be cost neutral, hence a similar increase will be seen in the overtime expenditures of the Police Department.

The additional \$2.187 million in General Fund revenue projected for FY 2022-23 is a positive sign of the recovering economy, improved City operations, addition of new ongoing and one-time sources of revenue and other related changes.

Expenditures

General Fund expenditures are projected to be \$69,955,438 for FY 2022-23. This \$1.965 million increase (2.9%) over the adopted budget takes into account budget amendments approved by the City Council since July, encumbrance rollovers from the prior year, and updated forecasts for various line-item expense categories. The amended budget total is \$70,073,085, a \$2,082,985 increase over the adopted budget. Approximately \$1.3 million of this increase to the adopted budget is from encumbrance roll-overs (open purchase orders) in the Public Works (sewer repairs), Community Development (general plan

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update), Police (body worn cameras) and Fire (battalion command vehicles) Departments.

The table below shows – by Department/operational area –the adopted and amended budgets for FY 2022-23, as well as the updated projections based on actuals through January. Overall, some departments’ expenses are trending higher than the amended budget (e.g., Fire, Parks and Recreation), while others are trending under the amended budget (e.g., Community Development, Police, Public Works):

	2021-22	2022-23		2022-23 2ndQ	Forecast vs.
	Actuals	ADOPTED BUDGET	AMENDED BUDGET	Forecast	Amended
Elected / Administration	2,700,356	2,736,200	2,766,200	3,021,115	254,915
Community Development	2,370,064	2,602,450	2,998,672	2,711,583	(287,089)
Finance / Non-Departmental	8,164,162	5,807,400	6,480,127	6,102,463	(377,664)
Fire	15,300,038	16,887,400	17,243,017	18,138,957	895,940
Human Resources - Information Tech	2,019,760	2,298,300	2,360,719	2,401,558	40,839
Parks and Recreation	5,992,388	3,140,600	3,149,896	3,621,703	471,807
Police	18,820,788	19,611,000	19,795,731	19,296,007	(499,724)
Public Works	10,791,312	14,906,750	15,278,723	14,662,053	(616,670)
	66,158,868	67,990,100	70,073,085	69,955,438	(117,647)

The attached budget amendments (Attachment B), address these budget needs, requesting additional appropriations in Public Works (Engineering), Parks and Recreation and Fire. There is a \$3,145,024 budget amendment required to utilize Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) towards the citywide information technology security, network, storage and productivity project that is currently underway. As noted in prior reports and communication to the City Council, the entire CSLFRF award amount of \$16.59 million was booked as “unrecognized” revenue, per required accounting procedures. As the revenue is used (i.e., expended), it is “recognized” in the appropriate fund and account. The budget adjustment in Attachment B recognizes \$3.145 million in CSLFRF revenue and applies it towards year to date expenses in the capital project fund created to track the information technology project expenses (Fund 325).

There is also a \$350,000 budget adjustment required to provide appropriations for the payment of a settlement agreement (recorded in the Non-Departmental account of the General Fund). The total settlement agreement is for \$700,000, and the second payment of \$350,000 will be made in July, 2023 (FY 2023-24).

A \$15,450,000 budget amendment is required to appropriate the Lease Revenue Bond Series 2022A funds for the Golf Course renovation project. While the Series 2022A transaction closed in October 2022, the bond funds still need to be formally appropriated. Work has begun on the golf course renovation project, and expenses related to Phase 1 and the early stages of Phase 2 have been recorded. In order to pay invoices to vendors related to the work completed, as well as appropriate funds for the life of the project, the budget must be amended. The project's revenue and expenditures are recorded in a separate capital improvement fund (Fund 310), hence there is no impact to the General Fund.

The following paragraphs provide additional explanation of the other budget adjustments

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contained in Attachment B, as well as discussion of the variances from the amended budget.

The majority of the \$616,670 variance (projected savings) in Public Works is comprised of the overall net savings in regular (full-time) salary savings across all divisions (vacancies in budgeted positions), accounting for approximately \$472,000 in savings (i.e., projections under amended budget). There is a budget amendment needed in Public Works as well, for \$429,000 (Attachment B). This amount is what the City was required to remit to CalTrans after conclusion of an incurred cost audit in 2021. The findings from the audit revealed that the City's prior engineering vendor improperly charged certain costs to a CalTrans grant funded project. The City was required to re-pay these funds, and the expense has been recorded in the General Fund, Engineering Division (Account No. 100-30-330-7050). The audit findings and required reimbursement payment to CalTrans were summarized in an agenda report presented to the City Council in June, 2022.

The Police Department is projecting to come in under budget by \$499,724 (2.5% savings compared with the amended budget). While there are increases in overtime in the Patrol and Communication Divisions, this is offset by savings in regular salaries (full-time) in the Patrol, Traffic, Investigative Services and Communications Divisions. There are vacancies across the department – in both sworn and non-sworn personnel – and efforts are being made to recruit and retain both safety and non-safety personnel. Recent City Council action approving hiring and referral bonuses for both Police Officer and Dispatcher positions should help the Department in filling vacancies. The projected budget overages will be covered by shifting appropriations from certain full-time salary and maintenance and operations accounts. Per the budget adoption resolution, this can be handled administratively since total appropriations are not being increased.

Parks and Recreation is projecting an additional \$471,807 in expenses, primarily in part-time wages. As the City expands its offerings of special events and maintains City Hall screening/lobby staffing, part-time salary expenses are trending higher than budgeted in Parks and Recreation. The adopted budget did not anticipate a "full-time" presence in the City Hall lobby, necessary to abide by pandemic restrictions as well as to provide better customer service to those doing business at City Hall. There are recommended budget adjustments across the Department (Attachment B) to address these particular expenditure areas. Specifically, \$203,000 is required to cover additional part-time wages and overtime related to expanded special events and additional (new) special events managed by the Parks and Recreation Department. Related to these additional/expanded events, an additional \$225,000 is needed in supplies and contract services.

The Fire Department is currently trending to have an additional \$895,940 in expenses versus the amended budget (a 5.2% increase). There are a few primary causes for this: regular (full-time) salaries for MCAP staff are currently being charged to the General Fund, overtime in the Suppression and Prevention Divisions are trending higher (vacancies in full-time positions), building repairs/upgrades to the EOC that were not included in the adopted budget, and the Communications Division filled a vacant position

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sooner than anticipated. Approximately 76% of the additional expenses are related to full-time salaries and constant staffing overtime (\$679,000). The additional expenses in constant staffing overtime are directly attributable to vacancies in the Firefighter ranks. In order to maintain required staffing of each unit, additional overtime is necessary. The City Council recently approved hiring and referral bonuses (similar to those approved for the Police Department) in an effort to improve recruitment efforts to help with filling vacancies.

In Administration/Elected, the \$254,915 in additional projected expenses is from additional legal expenses (City Attorney), printing and postal expenses for the quarterly City newsletter, legislative advocacy services, and software that monitors the City's social media presence and provides useful analytics that help guide the City's marketing efforts and messaging. In addition, the Los Angeles County Registrar has provided an updated estimate of General Election costs (November 2022) that are \$25,000 higher than the adopted budget.

The 2nd Quarter expenditure forecast is \$117,647 less than the amended budget amount, and includes the additional expenses described in the paragraphs above. Increasing appropriations as requested in Attachment B will align projected expenses with the amended budget, as well as provide appropriations for the Golf Course Renovation Project and account for progress in upgrading the City's information technology infrastructure. Staff will continue monitoring expenses, and provide updates throughout the budget development process. This mid-year report provides a baseline for developing the FY 2023-24 budget, providing updated expenditure and revenue forecasts that will better inform next year's proposed budget.

Table of Organization

Another recommended action is to update the Master Position Control by adding three (3.0) full-time equivalent (FTE) positions in Human Resources and adding and reducing various positions in Transit, which leads to no net increase in total FTE (Attachment C) in that department. The table below summarizes these changes, with an explanation following:

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Human Resources	FY 2022-23 ADOPTED	FY 2022-23 AMENDED (2ND QTR)	Variance
Human Resources Manager	1.0	2.0	1.0
Human Resources Analyst	2.0	4.0	2.0
	3.0	6.0	3.0
Transportation			
Transit Dispatch Supervisor	15.0	13.0	-2.0
Fleet Services Supervisor	1.0	2.0	1.0
Grants and Project Administrator	1.0	0.0	-1.0
Senior Procurement Analyst	1.0	0.0	-1.0
Senior Management Analyst	1.0	3.0	2.0
Management Analyst	4.0	5.0	1.0
Body Shop Mechanic	1.0	2.0	1.0
Storekeeper	3.0	4.0	1.0
Administrative Assistant	5.0	3.0	-2.0
	32.0	32.0	0.0

The proposal is to add one (1.0) Human Resources Manager and two (2.0) Human Resources Analysts in Human Resources. As the City improves and professionalizes its Human Resources function, it is necessary to add these positions that will focus on employee benefits administration. Recent experience with implementing improved and updated MOUs for nine of the ten employee associations showed the need for increased personnel in Human Resources dedicated to MOU management, interpretation and implementation.

In Transit, several changes are being made that will result in no net gain in total FTE in the department. As the City evaluates its current classification system, Departments are realizing the need to make adjustments to how staff are deployed. Specifically, Transit is reducing Transit Dispatch Supervisor from 15.0 to 13.0 FTE, increasing Fleet Services supervisor from 1.0 to 2.0 FTE, eliminating a Grants and Project Administrator and Senior Procurement Analyst (both positions are vacant) and increasing Senior Management Analyst and Management Analyst by 2.0 and 1.0 FTE respectively, increasing Body Shop Mechanic and Storekeeper by 1.0 FTE each and reducing Administrative Assistant by 2.0 FTE (both positions are vacant). These changes result in no net increase to total FTE in Transit.

Hilton Garden Inn and Home2Suites (Revenue and Expenditures)

The City’s two hotels have revenue and expenditure activity recorded in separate Enterprise Funds (Fund 620 for Hilton Garden Inn and Fund 625 for Home2Suites). These are separate and independent from each other, and also distinct from any Golf Course or Quiet Cannon operations (which have revenue and expenditures recorded in a separate fund, Fund 610).

To that end, it is useful to present second quarter results for both hotels and provide a comparison to second quarter results from prior fiscal years. The table below shows FY 2019-20 through FY 2022-23 second quarter results – revenue and expenditures – for each hotel, with full year FY 2021-22 actuals presented for comparison:

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	2nd Quarter			2nd Quarter	
	FY 2019-20	FY 2020-21	FY 2021-22	FY 2021-22 Actuals	FY 2022-23
Hilton Garden Inn (Fund 620)					
REVENUE	3,288,282	237,969	2,547,633	5,359,743	3,237,703
EXPENDITURES	3,279,588	1,060,720	2,518,265	5,088,671	2,865,003
	8,694	(822,751)	29,367	271,072	372,700
Home2 Suites (Fund 625)					
REVENUE	5,694,307	3,345,493	5,894,249	12,062,484	6,616,903
EXPENDITURES	4,295,629	3,349,126	4,574,434	9,782,114	3,735,449
	1,398,678	(3,633)	1,319,816	2,280,370	2,881,454

For both hotels, it should be noted that the second quarter results in FY 2020-21 reflect the negative impact of the pandemic. For the Hilton Garden Inn, that facility was closed for approximately six months (March – September, 2020) in order to complete a full renovation. The following fiscal year shows the positive impacts from a gradual return to normal occupancy for both hotels.

The Hilton Garden Inn performed well in FY 2021-22, showing a recovery from prior years when occupancy was negatively impacted by the pandemic. The hotel's FY 2021-22 unaudited results show \$5,359,743 in revenue against \$5,088,671 in expenses, for a \$271,072 surplus. For the current fiscal year, revenue has picked up markedly from the same point one year ago. Year to date revenues (July – December, 2022) are \$3,237,703 versus \$2,865,003 in expenditures, showing a \$372,700 year to date surplus. Expenditures for the current year are also up versus last year. But this is due to the hotel being open, requiring increased staff, supplies and related expenses.

The Home2Suites hotel performed very well last fiscal year, ending with a \$2,280,370 surplus (\$12,062,484 million in revenue against \$9,782,114 million in expenditures). Revenue for the current fiscal year is up when compared to the prior year: \$6,616,903 vs. \$5,894,249. Expenditures are trending lower in the current fiscal year: \$3,735,449 versus \$4,574,434. Looking at year-to-date results, Home2Suites has a \$2.881 million surplus, through December, 2022.

The continuing economic recovery, especially in the leisure and travel industries as the pandemic's negative impacts lessen, will have a positive impact on the City's hotels, allowing for the return to pre-pandemic travel patterns and an increase in occupancy rates and room revenue. Moreover, looking medium-term, completion of the golf course renovation and opening of Topgolf will positively impact the hotels. Staff will continue monitoring the City's hotels and reporting their performance on a quarterly basis.

SUMMARY:

This Second Quarter Budget Report provides an overview of General Fund revenue and expenditure performance based on the first seven months of FY 2022-23 (July – January). The General Fund is projected to have a \$917,112 surplus (revenue over expenditures) for FY 2022-23 (\$70,872,550 in revenue versus \$69,955,438 in expenditures).

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An amendment to the Table of Organization is being proposed, adding positions in Human Resources and making changes to several position counts in Transit (which lead to no net gain in total number of employees in Transit). There are also several budget amendments required to align the budget with year-to-date and projected expenses (Attachment B).

This budget “check-in” is an opportunity to update revenue and expenditure forecasts based on prior and current year actuals and serves as the jumping off point for FY 2023-24 budget planning and development. City Council is being asked to receive and file this report and presentation, as well as approve amending the FY 2022-23 budget as outlined in Attachment B and explained in the paragraphs above and update the Master Position Control (Attachment C).

ATTACHMENT(S)

1. ATTACHMENT A, General Fund Expenditure Summary, FY 22_23, 2nd Quarter
2. ATTACHMENT A, General Fund Revenue Summary, FY 22_23, 2nd Quarter
3. ATTACHMENT B, Budget Amendments, FY 22_23, 2nd Quarter
4. ATTACHMENT C, Master Position Control, FY 22_23, 2nd Quarter Update

NEXT STEPS:

N/A

General Fund Expenditure Summary - by Department/Functional Area
Fiscal Years 2016-17 - 2022-23
Actuals, Budget and Forecasted

ATTACHMENT A

	2016-17 Actual	2017-18 Actual	2018-19 Actual	2019-20 Actual	2020-21 Adopted Budget	2020-21 Actual	2021-22 ADOPTED Budget	2021-22 Actuals*	2022-23 ADOPTED BUDGET	2022-23 AMENDED BUDGET	2nd QTR PROJECTED	Variance - Budget v 2nd Qtr
Elected / Administration	1,443,318	1,696,595	2,609,361	2,392,931	2,184,400	2,473,138	2,354,400	2,700,356	2,736,200	2,766,200	3,021,115	254,915
Community Development	1,770,851	1,637,830	2,029,591	1,612,140	2,140,800	1,752,274	2,489,820	2,370,064	2,602,450	2,998,672	2,711,583	(287,089)
Finance / Non-Departmental	6,352,462	5,164,206	4,335,054	6,852,611	4,567,800	14,113,482	5,129,100	8,164,162	5,807,400	6,480,127	6,102,463	(377,664)
Fire	12,542,175	12,472,672	12,901,041	15,114,996	13,690,200	15,310,306	15,814,270	15,300,038	16,887,400	17,243,017	18,138,957	895,940
Human Resources - Information Tech	1,087,205	803,431	866,145	1,239,180	1,312,200	1,742,602	1,928,000	2,019,760	2,298,300	2,360,719	2,401,558	40,839
Parks and Recreation	3,137,144	3,212,671	3,322,872	4,472,874	4,467,100	5,078,363	5,361,550	5,992,388	3,140,600	3,149,896	3,621,703	471,807
Police	19,518,540	19,217,922	18,214,825	19,223,841	18,989,500	18,916,427	18,818,950	18,820,788	19,611,000	19,795,731	19,296,007	(499,724)
Public Works	8,054,815	8,160,100	8,056,232	8,865,983	8,329,500	9,998,328	9,512,600	10,791,312	14,906,750	15,278,723	14,662,053	(616,670)
	53,906,510	52,365,427	52,335,121	59,774,556	55,681,500	69,384,920	61,408,690	66,158,868	67,990,100	70,073,085	69,955,438	(117,647)

*FY 21-22 actuals are unaudited amounts

General Fund Revenue Summary - by Major Category
Fiscal Years 2016-17 - 2022-23
Actuals, Budget and Forecasted

ATTACHMENT A

	FY 16-17 ACTUAL	FY 17-18 ACTUAL	FY 18-19 ACTUAL	FY 19-20 ADOPTED	FY 19-20 ACTUAL	FY 20-21 ADOPTED	FY 20-21 ACTUAL	FY 21-22 ADOPTED	FY 21-22 ACTUAL*	FY 22-23 ADOPTED	2ND QTR PROJECTED	Variance - Budget v 2nd Qtr
SALES TAX	13,267,373	13,118,981	14,031,972	13,146,732	12,817,884	18,241,000	22,270,247	20,765,000	25,378,979	25,126,900	25,966,000	839,100
PROPERTY TAX	11,042,346	11,359,512	12,191,977	12,740,406	12,701,368	13,026,000	13,714,582	14,293,100	14,195,130	14,875,000	15,083,600	208,600
OTHER TAXES	553,462	585,960	614,485	658,200	533,005	599,000	476,959	610,000	631,085	625,000	600,000	(25,000)
FRANCHISE TAXES	1,493,956	2,141,450	2,224,087	2,315,185	2,199,916	2,272,000	2,316,221	2,163,000	2,300,508	2,445,000	2,665,100	220,100
LICENSES AND PERMITS	4,186,912	4,452,210	6,215,378	5,132,840	4,776,531	4,872,800	5,769,484	5,942,000	7,683,271	6,468,000	6,906,000	438,000
FINES AND FORFEITURES	2,251,384	2,185,022	2,165,922	2,023,694	2,186,401	2,600,000	2,301,787	2,250,000	2,499,502	2,920,000	2,810,000	(110,000)
INVESTMENT INCOME	991,127	1,215,614	679,437	402,706	367,133	350,000	421,312	575,000	193,103	274,000	275,000	1,000
INTERGOVERNMENTAL	2,239	6,493	11,003	11,762	10,160	5,500	1,096,273	7,500	6,311,327	12,000	12,000	-
CHARGES FOR SERVICE	6,569,905	6,451,686	6,662,699	6,919,770	6,066,829	7,020,300	6,105,784	7,291,850	7,758,585	7,945,800	8,208,350	262,550
OTHER REVENUE	(2,317)	(10,760)	211,746	-	259,247	384,000	1,640,198	882,500	887,100	982,000	1,334,400	352,400
Sub-total Operating Revenue	40,356,387	41,506,168	45,008,706	43,351,295	41,918,474	49,370,600	56,112,847	54,779,950	67,838,590	61,673,700	63,860,450	2,186,750
TRANSFERS IN	-	-	-	-	-	-	-	-	-	-	-	-
PROCEEDS FROM CAPITAL LEASE	14,645,170	12,257,328	6,758,437	5,888,806	3,987,540	4,300,000	3,570,002	4,100,000	3,637,348	4,100,000	4,100,000	-
ADMINISTRATIVE OVERHEAD	591,423	9,725	1,547,962	-	815,153	-	5,785,000	-	-	-	-	-
Sub-total NON-Operating Revenue	16,936,597	14,154,166	10,192,801	7,994,923	6,685,783	6,330,500	11,409,002	6,939,200	6,472,873	7,012,100	7,012,100	-
TOTAL GENERAL FUND REVENUE	57,292,984	55,660,334	55,201,507	51,346,218	48,604,257	55,701,100	67,521,849	61,719,150	74,311,463	68,685,800	70,872,550	2,186,750

*FY 21-22 actuals are unaudited amounts

Budget Adjustments
2nd Quarter Budget Update, as of 01/2023

DEPARTMENT	ACCOUNT TO AMEND (INCREASE)	BUDGET AMENDMENT AMOUNT	NOTES / REASON FOR BUDGET AMENDMENT
Non-Departmental	100-99-6036	350,000	Settlement Payment
Non-Departmental	100-99-4023.10	3,145,024	Recognize CSLFRF revenue for Information Technology upgrade project; increase revenue budget
Non-Departmental	100-99-7000.85	3,145,024	Recognize CSLFRF revenue for Information Technology upgrade project/transfer out to Fund 325; increase Transfer Out, net effect is zero with increase to revenue account (-4023.10)
Information Technology Upgrades	325-99-4999.30	3,145,024	Recognize CSLFRF revenue for Information Technology upgrade project/transfer in from General Fund; increase Transfer In revenue, offset YTD expenses related to IT project
Golf Course Renovation Project	310-30-302-7055	15,450,000	Appropriate Lease Revenue Bond Series 2022A funds to pay for Golf Course renovation project
Public Works - Engineering	100-30-330-7050	429,000	Payment to Caltrans per incurred cost audit (see 06/2022 City Council action); required to reimburse grant fund for disallowed expenses
Parks and Recreation - Administration	100-70-700-5000.10	142,000	Additional full-time salaries, Recreation Manager
Parks and Recreation - Administration	100-70-700-5000.30	17,000	Additional part-time salaries; City Hall lobby staffing
Parks and Recreation - Administration	100-70-700-6040.10	50,000	Required maintenance and related engineering studies
Parks and Recreation - Recreation	100-70-710-5000.20	84,000	Additional part-time salaries; new and expanded special events
Parks and Recreation - Recreation	100-70-710-5000.30	58,000	Additional part-time salaries; new and expanded special events
Parks and Recreation - Recreation	100-70-710-5010.10	13,000	Additional overtime for full-time staff; new and expanded special events
Parks and Recreation - Recreation	100-70-710-5010.20	14,000	Additional overtime for part-time staff; new and expanded special events
Parks and Recreation - Recreation	100-70-710-5010.30	17,000	Additional overtime for part-time staff; new and expanded special events
Parks and Recreation - Recreation	100-70-710-6000.20	62,000	Supplies for extra special events and enhanced annual events
Parks and Recreation - Recreation	100-70-710-6040.10	113,000	Gym floor refinishing, consultants for grant applicants; additional contract services for special events
Fire - Administration	100-85-850-5000.10	193,000	Additional MCAP related full time salaries hitting General Fund
Fire - Suppression	100-85-860-5010.41	486,000	Constant staffing (OT), due to vacancies in FT positions (required minimum staffing)
		26,563,072	<=TOTAL BUDGET AMENDMENTS



City of Montebello

Fiscal Year 2022-23 Budget

Master Position Control, by Department*

*Includes updated classifications per approved "Classification and Compensation Study"

**Amended as of 02/08/2023

POSITIONS ADDED**

	FY 2019-20	FY 2020-21	FY 2021-22 ADOPTED	FY 2021-22 AMENDED	FY 2022-23 ADOPTED	FY 2022-23 AMENDED**	Variance
Elected							
City Councilmember	5.0	5.0	5.0	5.0	5.0	5.0	0.0
City Clerk	1.0	1.0	1.0	1.0	1.0	1.0	0.0
City Treasurer	1.0	1.0	1.0	1.0	1.0	1.0	0.0
	7.0	7.0	7.0	7.0	7.0	7.0	0.0
Administration							
City Manager	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Assistant City Manager	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Director of Public Affairs/Information Technology	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Assistant Director of Public Affairs	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Public Information Officer	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Senior Deputy City Clerk	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Deputy City Clerk	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Records Coordinator	0.0	0.0	1.0	1.0	1.0	1.0	0.0
Office Manager	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Senior Administrative Assistant	1.0	1.0	0.0	0.0	0.0	2.0	2.0
	6.0	8.0	8.0	8.0	9.0	11.0	2.0
Finance							
Director of Finance	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Assistant Director of Finance	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Accounting Manager	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Accounting Supervisor	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Senior Management Analyst	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Management Analyst	0.0	0.0	1.0	1.0	1.0	1.0	0.0
Accountant	4.0	4.0	4.0	4.0	5.0	5.0	0.0
Senior Finance Technician	5.0	5.0	5.0	5.0	5.0	5.0	0.0
Finance Technician	5.0	5.0	5.0	5.0	5.0	5.0	0.0
Senior Administrative Assistant	1.0	1.0	1.0	1.0	1.0	1.0	0.0
	19.0	20.0	21.0	21.0	22.0	22.0	0.0
Fire							
Fire Chief	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Assistant Fire Chief	0.0	0.0	0.0	1.0	1.0	1.0	0.0
Deputy Fire Chief	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Fire Battalion Chief	3.0	3.0	3.0	3.0	4.0	4.0	0.0
Fire Captain	12.0	13.0	13.0	14.0	14.0	14.0	0.0
Fire Engineer	12.0	12.0	12.0	12.0	12.0	12.0	0.0
Firefighter	24.0	24.0	24.0	24.0	24.0	24.0	0.0
Firefighter/Paramedic Trainee	0.0	4.0	4.0	4.0	4.0	4.0	0.0
Fire Marshal	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Deputy Fire Marshal	1.0	1.0	1.0	1.0	0.0	0.0	0.0
Community Risk Reduction and Education Coordinator	0.0	0.0	1.0	1.0	0.0	0.0	0.0
Senior Fire Inspector	0.0	0.0	1.0	1.0	1.0	1.0	0.0
Fire Inspector	1.0	2.0	2.0	2.0	2.0	2.0	0.0
Assistant Director of Fire	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Grants and Project Administrator	0.0	0.0	1.0	1.0	1.0	1.0	0.0
Senior Management Analyst	2.0	2.0	2.0	2.0	2.0	2.0	0.0
Telecommunications Manager	0.0	1.0	0.0	0.0	0.0	0.0	0.0
Public Safety Radio Supervisor	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Public Safety Radio Technician	0.0	0.0	1.0	1.0	2.0	2.0	0.0
Social Work Supervisor	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Field Response Case Coordinator	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Senior Administrative Assistant	1.0	1.0	1.0	2.0	2.0	2.0	0.0
	59.0	70.0	73.0	76.0	76.0	76.0	0.0



City of Montebello

Fiscal Year 2022-23 Budget

Master Position Control, by Department*

*Includes updated classifications per approved "Classification and Compensation Study"

**Amended as of 02/08/2023

POSITIONS ADDED**

	FY 2019-20	FY 2020-21	FY 2021-22 ADOPTED	FY 2021-22 AMENDED	FY 2022-23 ADOPTED	FY 2022-23 AMENDED**	Variance
Human Resources and Information Technology							
Director of Human Resources / Risk Management	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Assistant Director of Human Resources / Risk Management	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Principal Risk Officer	0.0	0.0	0.0	0.0	0.0	1.0	1.0
Human Resources Manager	0.0	0.0	1.0	1.0	1.0	2.0	1.0
Risk Manager	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Senior Human Resources Analyst	2.0	2.0	2.0	2.0	2.0	2.0	0.0
Human Resources Analyst	1.0	1.0	1.0	1.0	2.0	4.0	2.0
Human Resources Technician	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Risk Management Assistant	0.0	0.0	0.0	0.0	0.0	1.0	1.0
Senior Administrative Assistant	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Information Systems Manager	1.0	1.0	2.0	2.0	2.0	2.0	0.0
Information Systems Supervisor	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Information Systems Analyst	3.0	3.0	3.0	3.0	3.0	3.0	0.0
	12.0	12.0	14.0	14.0	16.0	21.0	5.0
Planning and Community Development							
Director of Planning and Community Development	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Assistant Director of Planning and Community Development	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Building Official	1.0	1.0	1.0	1.0	0.0	0.0	0.0
Housing Manager	0.0	0.0	1.0	1.0	1.0	1.0	0.0
Planning Manager	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Economic Development Manager	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Planner	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Assistant Planner	0.0	2.0	2.0	2.0	2.0	2.0	0.0
Code Enforcement Manager	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Code Enforcement Coordinator	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Code Enforcement Officer	3.0	4.0	4.0	4.0	4.0	4.0	0.0
Parking Control Officer	0.0	0.0	0.0	0.0	2.0	2.0	0.0
Combination Building Inspector	0.0	1.0	1.0	1.0	0.0	0.0	0.0
Building Permit Technician	1.0	1.0	2.0	2.0	0.0	0.0	0.0
Senior Management Analyst	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Management Analyst	0.0	2.0	2.0	2.0	2.0	2.0	0.0
Senior Administrative Assistant	1.0	1.0	1.0	1.0	1.0	1.0	0.0
	12.0	19.0	21.0	21.0	20.0	20.0	0.0
Police							
Police Chief	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Police Captain	2.0	2.0	2.0	2.0	2.0	2.0	0.0
Police Lieutenant	5.0	5.0	6.0	6.0	6.0	6.0	0.0
Police Sergeant	10.0	10.0	10.0	10.0	10.0	10.0	0.0
Police Corporal	23.0	23.0	23.0	23.0	23.0	23.0	0.0
Police Officer	33.0	33.0	32.0	32.0	32.0	32.0	0.0
Police Records Supervisor	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Dispatch Supervisor	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Police Dispatcher II	5.0	5.0	5.0	5.0	5.0	5.0	0.0
Police Dispatcher I	5.0	5.0	5.0	5.0	5.0	5.0	0.0
Police Records Technician	9.0	9.0	9.0	9.0	9.0	9.0	0.0
Property and Evidence Technician	2.0	2.0	2.0	2.0	2.0	2.0	0.0
Crime Analyst	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Court Liaison	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Parking Control Officer	1.0	1.0	1.0	1.0	0.0	0.0	0.0
Grants and Project Administrator	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Senior Management Analyst	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Senior Administrative Assistant	1.0	1.0	1.0	1.0	1.0	1.0	0.0
	101.0	102.0	102.0	102.0	102.0	102.0	0.0



City of Montebello

Fiscal Year 2022-23 Budget

Master Position Control, by Department*

*Includes updated classifications per approved "Classification and Compensation Study"

**Amended as of 02/08/2023

POSITIONS ADDED**

	FY 2019-20	FY 2020-21	FY 2021-22 ADOPTED	FY 2021-22 AMENDED	FY 2022-23 ADOPTED	FY 2022-23 AMENDED**	Variance
Public Works							
Director of Public Works	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Assistant Director of Public Works	1.0	1.0	1.0	1.0	2.0	2.0	0.0
Deputy Director	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Principal Engineer	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Assistant Engineer	0.0	0.0	1.0	2.0	2.0	2.0	0.0
Building Official	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Combination Building Inspector	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Building Permit Technician	0.0	0.0	0.0	0.0	2.0	2.0	0.0
Public Works Inspector	0.0	0.0	1.0	1.0	1.0	1.0	0.0
Public Works Superintendent	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Public Works Manager	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Park Maintenance Supervisor	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Street Maintenance Supervisor	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Assistant Tree Maintenance Supervisor	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Building Maintenance Tradeworker II	0.0	0.0	0.0	0.0	2.0	2.0	0.0
Electrician	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Plumber	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Maintenance Worker	7.0	14.0	14.0	14.0	22.0	22.0	0.0
Senior Management Analyst	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Management Analyst	0.0	0.0	0.0	1.0	1.0	1.0	0.0
Senior Administrative Assistant	1.0	1.0	1.0	1.0	1.0	1.0	0.0
	12.0	21.0	23.0	25.0	46.0	46.0	0.0

*Transfer 7.0 FTE from Parks and Recreation - Golf Course Operations, October, 2020

Recreation and Community Services

Director of Recreation and Community Services	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Assistant Director of Recreation and Community Services	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Recreation & Community Services Superintendent**	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Park Maintenance Supervisor	1.0	1.0	1.0	1.0	0.0	0.0	0.0
Building Maintenance Tradeworker II	2.0	2.0	2.0	2.0	0.0	0.0	0.0
Maintenance Worker	8.0	8.0	8.0	8.0	0.0	0.0	0.0
Recreation Manager	0.0	0.0	1.0	1.0	1.0	1.0	0.0
Recreation Supervisor	0.0	0.0	0.0	0.0	1.0	1.0	0.0
Community Services Coordinator	3.0	4.0	4.0	4.0	4.0	4.0	0.0
Management Analyst	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Senior Administrative Assistant	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Golf Course Superintendent / Facility Manager**	1.0	0.0	0.0	0.0	0.0	0.0	0.0
Golf Cart Mechanic*	1.0	0.0	0.0	0.0	0.0	0.0	0.0
Golf Course Equipment Mechanic*	1.0	0.0	0.0	0.0	0.0	0.0	0.0
	21.0	20.0	21.0	21.0	11.0	11.0	0.0

*Golf Course personnel transferred to Public Works as "Maintenance Worker" classification

**Recreation & Comm Services Superintendent transferred to Public Works as "Public Works Superintendent"



City of Montebello

Fiscal Year 2022-23 Budget

Master Position Control, by Department*

*Includes updated classifications per approved "Classification and Compensation Study"

**Amended as of 02/08/2023

POSITIONS ADDED**

	FY 2019-20	FY 2020-21	FY 2021-22 ADOPTED	FY 2021-22 AMENDED	FY 2022-23 ADOPTED	FY 2022-23 AMENDED**	Variance
Transportation							
Director of Transportation	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Assistant Director of Transportation	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Deputy Director	0.0	0.0	0.0	2.0	1.0	1.0	0.0
Public Information Officer	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Transit Administration Manager	1.0	2.0	2.0	2.0	1.0	1.0	0.0
Transit Operations Manager	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Fleet Maintenance Manager	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Maintenance Manager	0.0	0.0	1.0	1.0	1.0	1.0	0.0
Shop Maintenance Supervisor	4.0	4.0	4.0	4.0	4.0	4.0	0.0
Transit Dispatch Supervisor	10.0	12.0	12.0	15.0	15.0	13.0	-2.0
Transit Assistant Manager	3.0	3.0	3.0	3.0	3.0	3.0	0.0
Warehouse Supervisor	1.0	1.0	1.0	1.0	1.0	1.0	0.0
Fleet Services Supervisor	1.0	1.0	1.0	1.0	1.0	2.0	1.0
Grants and Project Administrator	1.0	1.0	1.0	1.0	1.0	0.0	-1.0
Senior Procurement Analyst	0.0	1.0	1.0	1.0	1.0	0.0	-1.0
Senior Management Analyst	0.0	0.0	0.0	0.0	1.0	3.0	2.0
Management Analyst	1.0	3.0	3.0	3.0	4.0	5.0	1.0
Transit Planner	0.0	0.0	0.0	1.0	1.0	1.0	0.0
Associate Planner	0.0	0.0	1.0	0.0	0.0	0.0	0.0
Account Clerk	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Finance Technician	2.0	3.0	3.0	3.0	3.0	3.0	0.0
Senior Administrative Assistant	0.0	1.0	1.0	1.0	1.0	1.0	0.0
Bus Operator	105.0	105.0	120.0	120.0	150.0	150.0	0.0
Heavy Equipment Mechanic	15.0	15.0	15.0	15.0	15.0	15.0	0.0
Fleet Service Worker	13.0	13.0	13.0	13.0	13.0	13.0	0.0
Body Shop Mechanic	1.0	1.0	1.0	1.0	1.0	2.0	1.0
Building Maintenance Tradeworker II	1.0	1.0	1.0	1.0	2.0	2.0	0.0
Maintenance Worker	1.0	1.0	1.0	1.0	0.0	0.0	0.0
Storekeeper	3.0	3.0	3.0	3.0	3.0	4.0	1.0
Administrative Assistant	4.0	5.0	5.0	5.0	5.0	3.0	-2.0
	170.0	182.0	199.0	204.0	234.0	234.0	0.0
Total Full-Time Employees	419.0	461.0	489.0	499.0	543.0	550.0	7.0
							0.0
Total Full-Time Employees Net Elected	412.0	454.0	482.0	492.0	536.0	543.0	7.0

	FY 2019-20	FY 2020-21	FY 2021-22 ADOPTED	FY 2022-22 AMENDED	FY 2022-23 PROPOSED	FY 2022-23 AMENDED	Variance
Administration	6.0	8.0	8.0	8.0	9.0	11.0	2.0
Community Development	12.0	19.0	21.0	21.0	20.0	20.0	0.0
Finance	19.0	20.0	21.0	21.0	22.0	22.0	0.0
Fire	59.0	70.0	73.0	76.0	76.0	76.0	0.0
Human Resources - Information Technology	12.0	12.0	14.0	14.0	16.0	21.0	5.0
Parks and Recreation	21.0	20.0	21.0	21.0	11.0	11.0	0.0
Police	101.0	102.0	102.0	102.0	102.0	102.0	0.0
Public Works	12.0	21.0	23.0	25.0	46.0	46.0	0.0
Transit	170.0	182.0	199.0	204.0	234.0	234.0	0.0
	412.0	454.0	482.0	492.0	536.0	543.0	7.0



ITEM # 7

**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: Arnold M. Alvarez-Glasman, City Attorney

BY: Arnold Glasman, City Attorney

SUBJECT: REVIEW OF CITY COUNCIL APPLICATIONS RECEIVED AND CONSIDERATION OF APPOINTMENT FOR TWO AT-LARGE CITY COUNCIL SEATS WITH AN ENDING TERM OF NOVEMBER 12, 2024

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Review and evaluate applications received by residents interested in being appointed to the vacant at-large City Council seats; and
2. Receive comments from applicants; and
3. Designate those to be appointed to the vacant City Council seats for a two-year period; and
4. Take such additional, related action that may be desirable.

FISCAL IMPACT:

The estimated direct, operating cost of the appointment of two (2) additional Councilmembers for two years would be at least \$130,000. This estimated amount includes operating expenses such as: salary/stipends, benefits (e.g., health, vision, dental, etc.), supplies, travel and meetings (e.g., conferences), telecommunications (e.g., cell phones), etc.. In addition, there would most likely be additional legal expenses related to the City Attorney's office supporting two additional City Council members.

BACKGROUND/DISCUSSION:

At its meeting of January 11, 2023, the City Council gave direction to have City staff return with information to discuss the process by which interested residents can apply for an appointment to the vacancies of the two at-large City Council seats. This item will allow the City Council to discuss and provide guidance to the community on the process

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

Page 2 of 2

to be implemented to fill the vacancies for the two at-large seat terms for a period of two years.

At a special meeting on January 18, 2023, the City Council discussed and established a procedure for the consideration of two (2) at-large City Council seats with an ending term of November 12, 2024. The City Council has received applications by residents interested in being appointed to the vacant at-large City Council seats. These applications will be reviewed by the City Council for consideration of appointment. The deadline to appoint individuals for the vacant at-large City Council seats is February 13, 2023, pursuant to the 60-day timeline set by the Government Code.

ENVIRONMENTAL:

N/A

ANALYSIS:

N/A

SUMMARY:

It is recommended that the City Council review and evaluate applications received by residents interested in being appointed to the vacant at-large City Council seats; receive comments from applicants; and designate those to be appointed to the vacant City Council seats for a two-year period.

ATTACHMENT(S)

1. Item No. 7- Qualified Candidates

NEXT STEPS:

N/A

REQUIRED DOCUMENTS SUBMITTED:

- Application
- Candidate Statement (250+ words)
- Felony Conviction Declaration Form
- Form 700 on file



CITY CLERK'S OFFICE

RECEIVED

Date: JAN23 '23 4:42PM

CANDIDATE INFORMATION		
NAME (FIRST, MIDDLE, LAST) Kimberly, Ann, Cobos-Cawthorne		DATE OF BIRTH 07/30/1980
RESIDENTIAL ADDRESS (NOTE: Cannot be a mailing address or PO Box) 607 Michael Collins Circle Montebello Ca 90640		
TELEPHONE (323) 359-9394	BUSINESS PHONE	
EMAIL ADDRESS Kimberly.Ann.Cobos@gmail.com		
ARE YOU A MONTEBELLO REGISTERED VOTER?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
ARE YOU A RESIDENT OF MONTEBELLO?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
HOW LONG HAVE YOU BEEN A RESIDENT?	42	
ARE YOU A UNITED STATES CITIZEN?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
NOTE: THE CITY OF MONTEBELLO RESERVES THE RIGHT TO USE THE INFORMATION PROVIDED ON THIS APPLICATION TO VERIFY YOUR RESIDENTIAL ADDRESS AND VOITER REGISTRATION STATUS.		

Have you ever been convicted of a crime that would prohibit you from holding elective office pursuant to California elections code section 20?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Rules of law and ethics prohibit appointees from participating in and voting on matters in which they may have a direct or indirect financial interest. Are you aware of any potential conflicts of interest?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
* If yes, please indicate potential conflicts: Yes I am aware, but there are no conflicts of interest I am involved in.		
Are you aware of the time commitment necessary to serve on the city council, and will you have such time? Regular meeting dates are the 2 nd and 4 th Wednesday of each month, with additional special meetings from time to time.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
State law and the city conflict of interest code requires city council members to file a statement of economic interests (form 700) annually as well as related forms when assuming. And leaving office (e.g., sources of income, loans, gifts, investments, interest in real property as required by state law)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Do you agree to file all required forms in a timely manner as required by the city's filing official?		

EMPLOYMENT INFORMATION
OCCUPATION:
EMPLOYER:
ADDRESS:

PLEASE ANSWER THE QUESTIONS BELOW. YOU MAY USE ADDITIONAL SHEETS OF PAPER AS NECESSARY

1. PLEASE LIST YOUR EDUCATION (INCLUDE PROFESSIONAL OR VOCATIONAL LICENSE(S) OF CERTIFICATE(S)).

BS Criminal Justice
MA Forensic Psychology
Certificate Crime Scene Technician
Medicolegal Death Investigator Certification
Doctoral Candidate in Clinical Psychology

2. PLEASE DETAIL YOUR MONTEBELLO COMMUNITY INVOLVEMENT (LIST BOARDS, COMMISSIONS, COMMITTEES OR COMMUNITY SERVICE ORGANIZATIONS/ MEMBERSHIPS THAT YOU HAVE SERVED UPON, VOLUNTEER ASSIGNMENTS, ELECTED OR APPOINTED OFFICE, ETC.).

Culture & Recreation Commissioner 2014-2015
American Legion Auxiliary 2020- current
LA County Sheriff VIDA 2014- current
FBI Citizens Academy Alumni Association 2016- Present
Benevolent and Protective Order of Elks 2010- current

3. PLEASE DESCRIBE ANY BACKGROUND, TRAINING, EXPERIENCE AND INTERESTS THAT YOU BELIEVE QUALIFIES YOU TO SERVE ON THE MONTEBELLO CITY COUNCIL.

4 years as a Montebello City Councilmember, 2 years as Montebello Mayor during the global pandemic. For the 3 years the city budget has been balanced, our current city budget had a surplus of \$600,000.00. Also on my last day in office after my trip to Sacramento with our City Manager Rene Bobadilla, I helped secured funds in the amount of \$15,870,000.00 for sale of our city water company (the city will continue to own the water rights).
Not to mention we will continue to get the Measure H sales tax revenue for the existence of our city, so far it is \$29 million and counting. The city is in sound financial standing, but there is still so much more work that needs to be done here in our community.

4. WHY ARE YOU INTERESTED IN SERVING ON THE MONTEBELLO CITY COUNCIL?

There is still a lot of work that needs to be done citywide, and I am a team player who worked with all on council for the betterment of the city.

Since this is an At-Large seat, the data from the County Recorders office in Norwalk stated the next highest numbers should be from citywide election, not districts should be utilized, which are listed below. Since it was brought at a city council meeting the correct data should be utilized:

Kimberly Cobos-Cawthorne 1041
Rafael Gutierrez 911
Marie Ledezma 880
Steven Andrade 717
Rick Alonzo 686

5. WHAT WOULD BE YOUR AREAS OF PRIORITY IF APPOINTED TO THE MONTEBELLO CITY COUNCIL?

Public Safety has always been my number one concern, we need to retain and expand both our Police and Fire Departments, continue to invest in our infrastructure, maintain fiscally responsibility, continue economic development citywide, continue addressing our homelessness community, citizen participation in city issues and encourage participation at council meetings and improve and preserve open greenspace, continue to apply for grants.

PLEASE NOTE THAT THIS APPLICATION BECOMES PUBLIC INFORMATION

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.



Signature of Applicant

January 20,2023

Date

You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information which you feel may assist the City Council in its evaluation of your application.

Kimberly Cobos-Cawthorne Candidate Statement

Montebello has been my home my entire life. I grew up here, went from elementary through High school here in Montebello. I purchased my first home here in Montebello, where my husband and I plan to raise our family. I have dedicated the last 30 years to serving the community I love. At the age of 15 I joined the Montebello Fire Department Explorer program; it taught me many positive objectives I have used in my adult life. I ran for Montebello City Council in 2018 because our city faced severe challenges, including a State Audit, which our group MATCH90640 (Montebello Activist To Clean House) initiated. Our group testified before the Judicial Legislative Audit Committee and won a unanimous 13-0 Full Forensic Audit. When I ran for office I wanted to be part of the solution, and I was honored that the residents entrusted me with that task when I was elected during my first term. In just four years, and despite a global pandemic and economic shutdown, our City of Montebello has been able to turn around the city's finances from a huge deficit to a record three-year balance budget, with a surplus of funds. We have improved our roads, and infrastructure to repairs and improvements to City Hall, and services for our resident's quality of life. Although we have taken many great strides for improvements, much work still needs to be done. We must improve public safety, expand city programs for residents, and assist in our homeless crisis. We must create jobs and increase business opportunities to strengthen our local economy. I am committed to working with my colleagues, residents, and city staff to maintain our momentum and continue Moving Montebello Forward.

QUALIFIED



CITY OF MONTEBELLO

OFFICE OF THE CITY CLERK

TO: All candidates applying for the City Council Vacancies

SUBJECT: Compliance with Montebello Municipal Code §2.08.040

You have completed an application for the City Council at-large seat. Accordingly, you must comply with the provisions of Montebello Municipal Code §2.08.040, which reads as follows:

2.08.040 - Prohibition of convicted felons from holding elective office.

Any person shall be disqualified from being an elective officer of the City of Montebello if that person has been convicted of a felony. Prior to running for elective office, a candidate is required to execute, under penalty of perjury, a statement indicating the candidate has not been convicted of a felony.

In order to complete your application for City Council, you must complete and file the declaration set forth below and return the same to the Office of the City Clerk no later than **4:00 p.m. on Tuesday, January 24, 2023**. Your failure to file this statement will result in your candidacy being deemed incomplete and accordingly, you will not be eligible for the Council Vacancy.

If you have any questions, please contact Alicia Fernandez at 323-887-1376. Thank you.

DECLARATION OF CANDIDATE REGARDING FELONY CONVICTION

I, Kimberly Cobos-Cawthorne, do hereby declare that I have applied for the City Council Vacancy for the City of Montebello. Pursuant to Montebello Municipal Code §2.08.040, I am required to execute a statement, under penalty of perjury, that I have not been convicted of a felony. I do hereby state and affirm, under penalty of perjury, that I have (check one):

<input checked="" type="checkbox"/> NOT BEEN CONVICTED OF A FELONY
<input type="checkbox"/> BEEN CONVICTED OF A FELONY

Dated: January 20, 2023

Signature: Kimberly Cobos-Cawthorne

Print Name: Kimberly Cobos-Cawthorne

REQUIRED DOCUMENTS SUBMITTED:

- Application
- Candidate Statement (250+ words)
- Felony Conviction Declaration Form
- Form 700 on file



CITY CLERK'S OFFICE

RECEIVED

Date: JUN 24 '23 9:11 AM

CANDIDATE INFORMATION	
NAME (FIRST, MIDDLE, LAST) ABRAHAM LEMOYNE LIM	DATE OF BIRTH 02/12/1967
RESIDENTIAL ADDRESS (NOTE: Cannot be a mailing address or PO Box) [REDACTED]	
TELEPHONE [REDACTED]	BUSINESS PHONE [REDACTED]
EMAIL ADDRESS [REDACTED]	

ARE YOU A MONTEBELLO REGISTERED VOTER?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
ARE YOU A RESIDENT OF MONTEBELLO?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
HOW LONG HAVE YOU BEEN A RESIDENT?	13 YEARS	
ARE YOU A UNITED STATES CITIZEN?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
NOTE: THE CITY OF MONTEBELLO RESERVES THE RIGHT TO USE THE INFORMATION PROVIDED ON THIS APPLICATION TO VERIFY YOUR RESIDENTIAL ADDRESS AND VOTER REGISTRATION STATUS.		

Have you ever been convicted of a crime that would prohibit you from holding elective office pursuant to California elections code section 20?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Rules of law and ethics prohibit appointees from participating in and voting on matters in which they may have a direct or indirect financial interest. Are you aware of any potential conflicts of interest?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
<i>* If yes, please indicate potential conflicts:</i>		
Are you aware of the time commitment necessary to serve on the city council, and will you have such time? Regular meeting dates are the 2 nd and 4 th Wednesday of each month, with additional special meetings from time to time.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
State law and the city conflict of interest code requires city council members to file a statement of economic interests (form 700) annually as well as related forms when assuming. And leaving office (e.g., sources of income, loans, gifts, investments, interest in real property as required by state law)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Do you agree to file all required forms in a timely manner as required by the city's filing official?		

EMPLOYMENT INFORMATION

OCCUPATION:SELF EMPOLYED

EMPLOYER:LAW OFFICES OF ABRAHAM L LIM APC

ADDRE: [REDACTED]

PLEASE ANSWER THE QUESTIONS BELOW. YOU MAY USE ADDITIONAL SHEETS OF PAPER AS NECESSARY

1. PLEASE LIST YOUR EDUCATION (INCLUDE PROFESSIONAL OR VOCATIONAL LICENSE(S) OF CERTIFICATE(S)).

CALIFORNIA STATE BAR LICENSE #225475

2. PLEASE DETAIL YOUR MONTEBELLO COMMUNITY INVOLVEMENT (LIST BOARDS, COMMISSIONS, COMMITTEES OR COMMUNITY SERVICE ORGANIZATIONS/ MEMBERSHIPS THAT YOU HAVE SERVED UPON, VOLUNTEER ASSIGNMENTS, ELECTED OR APPOINTED OFFICE, ETC.).

MONTEBELLO INVESTMENTS COMMISSION 2019-2020
MONTEBELLO PERSONNEL COMMISSION 2021-PRESENT

3. PLEASE DESCRIBE ANY BACKGROUND, TRAINING, EXPERIENCE AND INTERESTS THAT YOU BELIEVE QUALIFIES YOU TO SERVE ON THE MONTEBELLO CITY COUNCIL.

I HAVE SERVED AS LEGAL ADVISER TO SEVERAL NON PROFITS SINCE 2014. I AM CURRENTLY PRESIDENT OF THE LOS ANGELES-MAKATI SISTER CITY AND HAVE SERVED IN THAT CAPACITY SINCE 2014.

4. WHY ARE YOU INTERESTED IN SERVING ON THE MONTEBELLO CITY COUNCIL?
I AM INTERESTED IN SERVING ON THE MONTEBELLO CITY COUNCIL TO CONTINUE MY DESIRE TO SERVE MY COMMUNITY AND MY NEIGHBORS. MY BACKGROUND AND EXPERIENCE IN THE LAW WILL BENEFIT MY COMMUNITY AND BEING ON THE COUNCIL WILL ENSURE THAT THE INTERESTS OF MY COMMUNITY WILL BE HEARD AND ADDRESSED.

5. WHAT WOULD BE YOUR AREAS OF PRIORITY IF APPOINTED TO THE MONTEBELLO CITY COUNCIL?
HOUSING, HEALTH, AND IMMIGRATION.

PLEASE NOTE THAT THIS APPLICATION BECOMES PUBLIC INFORMATION

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.



Signature of Applicant

01/21/2023

Date

You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information which you feel may assist the City Council in its evaluation of your application.

ABRAHAM LeMOYNE LIM



EDUCATION

Juris Doctor 2002
Western State University College of Law
Fullerton, California
Law Review, Member 2000-2002

WORK EXPERIENCE

Attorney-at-Law
Law Offices of Abraham L. Lim APC
Montebello, California
September 2003-Present
U.S. Immigration and Nationality Law
Bankruptcy Law
Crisis Management

SKILLS

Bi-lingual in Tagalog, Conversational in
Mandarin, Fukien, and Spanish

ASSOCIATIONS

American Bar Association
Southern California Chinese Lawyers Association
Los Angeles County Bar Association
Philippine American Bar Association-Director 2004-2006
Filipino-American Library-Board of Directors 2004-2006
Los Angeles-Makati Sister City President 2014-Present

BAR MEMBERSHIPS

United States Supreme Court
California Supreme Court
United States Court of Appeals for the Ninth Circuit
United States District Court Central District of CA

AWARDS

Philippine Heritage Institute's President's Award 2009
Philippine Children's Charities Inc. Lifetime Achievement
And Ambassador of Goodwill 2017

CIVIC ACTIVITIES

University of La Verne College of Paralegal Studies
Advisory Board 1999-2003
Philippine Independence Day Gala Chairman 2017
Commissioner- City of Montebello Investments Committee
2019-December 31, 2020
Commissioner-City of Montebello Personnel Advisory
Commission 2021-Current
Legal Adviser-Coalition of Filipino American Chamber of
Commerce 2020-Current
Legal Adviser-Philippine American Travel Association Inc

LAW OFFICES OF ABRAHAM L. LIM



CANDIDATE STATEMENT

To the honorable Mayor and City Council Members of the City of Montebello

I humbly submit this statement in support of my application for an appointment to the City Council of the City of Montebello.

As a first generation immigrant, it is my duty and commitment to contribute to the city and country I now call home. When I relocated to Los Angeles in 1988 from my home country the Philippines, I have been privileged to enjoy the promises and benefits of work in the great State of California and the fruits of the American way of life.

While working in the garments industry for the first decade of my life in America I worked alongside immigrants from Mexico, Myanmar, the Philippines, Israel, China, and England whose dreams and aspirations were very much like mine. The diversity of the communities in Southern California was inspiring to me.

In my second decade of life in America, I attended law school while working full time with Legal Aid of Pasadena where I advised, assisted, and counseled the poorest of the poor in our community, the San Gabriel Valley. It was while working at Legal Aid where my desire to help the less privileged in our community was born and continued when I completed my law degree and opened my private practice in Immigration Law.

As an immigration lawyer I have helped immigrants begin their lives in America legally. I developed close bonds with my clients and remain their attorney as they progress with their lives in their new home.

Over the years I volunteered my time and services to the Filipino-American community by organizing and promoting events that raised awareness of the immigrant communities in our area, encouraging candidates to run for public office, and served as pro bono legal counsel to various nonprofit organizations that serve our communities.

I engaged in diplomacy by serving as President of the Los Angeles-Makati Sister City since 2014. I serve the City of Montebello as a commissioner as a member of the Investments Committee in 2019 and currently as a member of the Personnel Commission.

If appointed, I shall serve the City of Montebello with the utmost dedication and commitment.



CITY OF MONTEBELLO

OFFICE OF THE CITY CLERK

TO: All candidates applying for the City Council Vacancies

SUBJECT: Compliance with Montebello Municipal Code §2.08.040

You have completed an application for the City Council at-large seat. Accordingly, you must comply with the provisions of Montebello Municipal Code §2.08.040, which reads as follows:

2.08.040 - Prohibition of convicted felons from holding elective office.

Any person shall be disqualified from being an elective officer of the City of Montebello if that person has been convicted of a felony. Prior to running for elective office, a candidate is required to execute, under penalty of perjury, a statement indicating the candidate has not been convicted of a felony.

In order to complete your application for City Council, you must complete and file the declaration set forth below and return the same to the Office of the City Clerk no later than 4:00 p.m. on Tuesday, January 24, 2023. Your failure to file this statement will result in your candidacy being deemed incomplete and accordingly, you will not be eligible for the Council Vacancy.

If you have any questions, please contact Alicia Fernandez at 323-887-1376. Thank you.

DECLARATION OF CANDIDATE REGARDING FELONY CONVICTION

I, ABRAHAM W. LIM, do hereby declare that I have applied for the City Council Vacancy for the City of Montebello. Pursuant to Montebello Municipal Code §2.08.040, I am required to execute a statement, under penalty of perjury, that I have not been convicted of a felony. I do hereby state and affirm, under penalty of perjury, that I have (check one):

Form with checkboxes: [X] NOT BEEN CONVICTED OF A FELONY, [] BEEN CONVICTED OF A FELONY

Dated: January 21, 2023

Signature: [Handwritten Signature]

Print Name: ABRAHAM LEONIDE LIM

REQUIRED DOCUMENTS SUBMITTED:

- Application
- Candidate Statement (250+ words)
- Felony Conviction Declaration Form
- Form 700 on file



CITY CLERK'S OFFICE

RECEIVED

JUN 24 '23 12:43PM

Date: ~~JUN 24 '23 12:43PM~~

CANDIDATE INFORMATION		
NAME (FIRST, MIDDLE, LAST) Marie Ledezma		DATE OF BIRTH 12/19/1972
RESIDENTIAL ADDRESS (NOTE: Cannot be a mailing address or PO Box) 436 1/2 Bradley Ave.		
TELEPHONE (714) 457-0732	BUSINESS PHONE (213) 388-4939	
EMAIL ADDRESS mariecledezma@gmail.com		
ARE YOU A MONTEBELLO REGISTERED VOTER?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
ARE YOU A RESIDENT OF MONTEBELLO?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
HOW LONG HAVE YOU BEEN A RESIDENT?	over 9 years	
ARE YOU A UNITED STATES CITIZEN?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
NOTE: THE CITY OF MONTEBELLO RESERVES THE RIGHT TO USE THE INFORMATION PROVIDED ON THIS APPLICATION TO VERIFY YOUR RESIDENTIAL ADDRESS AND VOITER REGISTRATION STATUS.		

Have you ever been convicted of a crime that would prohibit you from holding elective office pursuant to California elections code section 20?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Rules of law and ethics prohibit appointees from participating in and voting on matters in which they may have a direct or indirect financial interest. Are you aware of any potential conflicts of interest?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
<i>* If yes, please indicate potential conflicts:</i> No conflicts		
Are you aware of the time commitment necessary to serve on the city council, and will you have such time? Regular meeting dates are the 2 nd and 4 th Wednesday of each month, with additional special meetings from time to time.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
State law and the city conflict of interest code requires city council members to file a statement of economic interests (form 700) annually as well as related forms when assuming. And leaving office (e.g., sources of income, loans, gifts, investments, interest in real property as required by state law)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Do you agree to file all required forms in a timely manner as required by the city's filing official?		

EMPLOYMENT INFORMATION

OCCUPATION: Paralegal

EMPLOYER: L. Bishop Austin Attorneys APLC

ADDRESS: 3250 Wilshire Blvd Ste. 1500, Los Angeles CA 90010

PLEASE ANSWER THE QUESTIONS BELOW. YOU MAY USE ADDITIONAL SHEETS OF PAPER AS NECESSARY

1. PLEASE LIST YOUR EDUCATION (INCLUDE PROFESSIONAL OR VOCATIONAL LICENSE(S) OF CERTIFICATE(S)).

Bachelors Degree in Business
Paralegal ABA Certification

2. PLEASE DETAIL YOUR MONTEBELLO COMMUNITY INVOLVEMENT (LIST BOARDS, COMMISSIONS, COMMITTEES OR COMMUNITY SERVICE ORGANIZATIONS/ MEMBERSHIPS THAT YOU HAVE SERVED UPON, VOLUNTEER ASSIGNMENTS, ELECTED OR APPOINTED OFFICE, ETC.).

Over the past 7 years, I have volunteered in various projects in Montebello including:

- Trash clean up at Chet Holifield Park;
- Park beautification at Grant Rae Park;
- Tree planting and clean up at City Park; and
- Planting and beautification of the San Gabriel intersection.

3. PLEASE DESCRIBE ANY BACKGROUND, TRAINING, EXPERIENCE AND INTERESTS THAT YOU BELIEVE QUALIFIES YOU TO SERVE ON THE MONTEBELLO CITY COUNCIL.

My professional background and years of education and training ensure that I have the well-rounded skill set to be a team player. My work requires extensive contribution to the legal team, which involves effective communication and being a skilled researcher. Attorneys rely on me to provide them the information they need and negotiation skills are often an important part of my job. I work collaboratively with my colleagues to problem solve for a positive resolution. My interest in moving our city forward in a positive direction and upholding a standard of "community first" and "residents first" are elements I will apply if I am appointed to serve on the City Council.

4. WHY ARE YOU INTERESTED IN SERVING ON THE MONTEBELLO CITY COUNCIL?

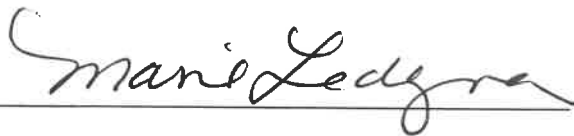
I want to serve in order to give back to my community. I enjoy helping people and my desire grew and became more apparent while watching and attending council meetings. This determination remained evident during campaign season while having extended conversations with numerous residents. I listened to their concerns, ideas and suggestions, and it was clear our community desires positive change. We all expect higher standards of our government leaders, a better quality of life, and a safer community. We want leaders of integrity who will do the right thing even if nobody is watching. As a public servant I will champion the needs and concerns of our constituents, ensuring that all voices are heard. We can accomplish so much more by being positive, working together and building upon the good opportunities that lie ahead.

5. WHAT WOULD BE YOUR AREAS OF PRIORITY IF APPOINTED TO THE MONTEBELLO CITY COUNCIL?

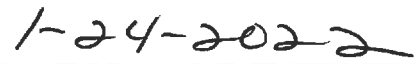
Improving our Public Safety and Infrastructure
Governance Transparency and Labor Relations
Housing, Community and Economic Development

PLEASE NOTE THAT THIS APPLICATION BECOMES PUBLIC INFORMATION

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.



Signature of Applicant



Date

You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information which you feel may assist the City Council in its evaluation of your application.

January 22, 2023

City of Montebello
1600 W. Beverly Blvd.
Montebello, CA 90640

Re: City Council Appointment for Filing of Vacancy

Dear City Council Members:

Please consider this statement for the appointment to the vacant at large City Council Member position.

My name is Marie Ledezma, a proud Montebello resident for over 9 years. I recently ran in the November 8, 2022, election for a seat on the Montebello City Council in District 3. I am proud to say that my small unified campaign team proudly put me only 81 votes away from winning my seat. It was a remarkable outcome considering I had an extremely limited campaign budget, but our team and I certainly had heart, passion and determination. I credit the outstanding voters of my community for believing in me and pushing me through a challenging election. I hope that I am chosen to serve this great city and feel I am a viable candidate. One who is willing to be a team player, serving with passion, integrity, good values, principles, and ethics. If appointed, I believe that together with my Council colleagues, we can lead and work harmoniously together, creating the positive change our community deserves.

I hold a bachelor's degree in business and a paralegal certification with the American Bar Association. I am fluent in Spanish and have over 10 years' experience in litigation, research, transactional law, bankruptcies and family law. As the senior paralegal at my firm, I work side by side with various attorneys and clients with different personalities and perspectives and work together to build a plan of action for a successful resolution. I am no stranger to working under pressure with a group of colleagues to problem solve. I am well equipped to handle the complexities of holding a City Council position.

I have always strived to make a difference through my years of volunteer work ranging in areas such as: working with the Special Olympics, helping clean up our parks, oceans and coastlines, food distribution to those in need and participating in various local community activities. I served as President and Treasurer of the ABC Unified Parent Teacher Association championing good causes and have always recognized the importance of community service and will continue doing my part as a servant leader.

My education, qualifications and professional experience will bring a unique skill set to the Montebello City Council. To quote John C. Maxwell "I believe the bottom line in leadership isn't how far we advance ourselves but how far we advance others. This is achieved by serving others and adding value to their lives."

I am committed to working as a team player - promoting a safe, beautiful, robust, healthy community, while listening and addressing the needs and concerns of our residents.

I appreciate your time and respectfully ask for your consideration.

Sincerely,



Marie Ledezma



CITY OF MONTEBELLO

OFFICE OF THE CITY CLERK

TO: All candidates applying for the City Council Vacancies

SUBJECT: Compliance with Montebello Municipal Code §2.08.040

You have completed an application for the City Council at-large seat. Accordingly, you must comply with the provisions of Montebello Municipal Code §2.08.040, which reads as follows:

2.08.040 - Prohibition of convicted felons from holding elective office.

Any person shall be disqualified from being an elective officer of the City of Montebello if that person has been convicted of a felony. Prior to running for elective office, a candidate is required to execute, under penalty of perjury, a statement indicating the candidate has not been convicted of a felony.

In order to complete your application for City Council, you must complete and file the declaration set forth below and return the same to the Office of the City Clerk no later than **4:00 p.m. on Tuesday, January 24, 2023**. Your failure to file this statement will result in your candidacy being deemed incomplete and accordingly, you will not be eligible for the Council Vacancy.

If you have any questions, please contact Alicia Fernandez at 323-887-1376. Thank you.

DECLARATION OF CANDIDATE REGARDING FELONY CONVICTION

I, Marie Ledezma, do hereby declare that I have applied for the City Council Vacancy for the City of Montebello. Pursuant to Montebello Municipal Code §2.08.040, I am required to execute a statement, under penalty of perjury, that I have not been convicted of a felony. I do hereby state and affirm, under penalty of perjury, that I have (check one):

<input checked="" type="checkbox"/> NOT BEEN CONVICTED OF A FELONY
<input type="checkbox"/> BEEN CONVICTED OF A FELONY

Dated: January 23, 2023

Signature: Marie Ledezma

Print Name: Marie Ledezma

REQUIRED DOCUMENTS SUBMITTED:

- Application
- Candidate Statement (250+ words)
- Felony Conviction Declaration Form
- Form 700 on file



CITY CLERK'S OFFICE

RECEIVED JAN 24 '23 12:59PM

Date: JAN 24 '23 12:59PM

CANDIDATE INFORMATION		
NAME (FIRST, MIDDLE, LAST) Nelly Giselle Nieblas		DATE OF BIRTH 11-01-1978
RESIDENTIAL ADDRESS (NOTE: Cannot be a mailing address or PO Box) [REDACTED]		
TELEPHONE [REDACTED]	BUSINESS PHONE same	
EMAIL ADDRESS [REDACTED]		
ARE YOU A MONTEBELLO REGISTERED VOTER?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
ARE YOU A RESIDENT OF MONTEBELLO?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
HOW LONG HAVE YOU BEEN A RESIDENT?	29 years	
ARE YOU A UNITED STATES CITIZEN?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
NOTE: THE CITY OF MONTEBELLO RESERVES THE RIGHT TO USE THE INFORMATION PROVIDED ON THIS APPLICATION TO VERIFY YOUR RESIDENTIAL ADDRESS AND VOTER REGISTRATION STATUS.		

Have you ever been convicted of a crime that would prohibit you from holding elective office pursuant to California elections code section 20?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Rules of law and ethics prohibit appointees from participating in and voting on matters in which they may have a direct or indirect financial interest. Are you aware of any potential conflicts of interest?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
<i>* If yes, please indicate potential conflicts:</i>		
Are you aware of the time commitment necessary to serve on the city council, and will you have such time? Regular meeting dates are the 2 nd and 4 th Wednesday of each month, with additional special meetings from time to time.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
State law and the city conflict of interest code requires city council members to file a statement of economic interests (form 700) annually as well as related forms when assuming. And leaving office (e.g., sources of income, loans, gifts, investments, interest in real property as required by state law)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Do you agree to file all required forms in a timely manner as required by the city's filing official?		

EMPLOYMENT INFORMATION

OCCUPATION: Manager Digital Equity Projects

EMPLOYER: The Utility Reform Network

ADDRESS: [REDACTED]

PLEASE ANSWER THE QUESTIONS BELOW. YOU MAY USE ADDITIONAL SHEETS OF PAPER AS NECESSARY

1. PLEASE LIST YOUR EDUCATION (INCLUDE PROFESSIONAL OR VOCATIONAL LICENSE(S) OF CERTIFICATE(S)).

Harvard University-John F. Kennedy School Government MPA
University of Southern California- International Relations B.A
Pasadena City College- Certificate Business Administration - Financial Investments
Pasadena City College- Certificate Business Administration- Management
Harvard University Extension School Certificate in Project Management (In Progress)
The American Institute of Professional Bookkeepers- Certificate in Bookkeeping Adjusting Entries

2. PLEASE DETAIL YOUR MONTEBELLO COMMUNITY INVOLVEMENT (LIST BOARDS, COMMISSIONS, COMMITTEES OR COMMUNITY SERVICE ORGANIZATIONS/ MEMBERSHIPS THAT YOU HAVE SERVED UPON, VOLUNTEER ASSIGNMENTS, ELECTED OR APPOINTED OFFICE, ETC.).

Montebello City Commissioner Personnel Advisory Board
Lions Club of Montebello-Member
Former Vice President Montebello Pico Rivera Democratic Club

State Volunteer Appointments
Governor Jerry Brown- Appointee
Legislative Manager and Public Information Officer - CA Council on Developmental Disabilities

Governor Gavin Newsom- Appointee- Board Member
CA Vocational Nursing Psychiatric Technicians Board

3. PLEASE DESCRIBE ANY BACKGROUND, TRAINING, EXPERIENCE AND INTERESTS THAT YOU BELIEVE QUALIFIES YOU TO SERVE ON THE MONTEBELLO CITY COUNCIL.

Please See Attached

4. WHY ARE YOU INTERESTED IN SERVING ON THE MONTEBELLO CITY COUNCIL?
Please See Attached

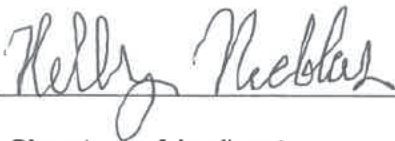
5. WHAT WOULD BE YOUR AREAS OF PRIORITY IF APPOINTED TO THE MONTEBELLO CITY COUNCIL?

if appointed my areas of focus//priorities will be:

- 1) Fiscal and Budget Transparency
- 2) Youth and Adult Workforce Readiness
- 3) Americans With Disabilities Act- Montebello Accessibility Plan

PLEASE NOTE THAT THIS APPLICATION BECOMES PUBLIC INFORMATION

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.



Signature of Applicant

1-24-23

Date

You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information which you feel may assist the City Council in its evaluation of your application.

Question 3- Attachment

Please describe any background, training, experience, and interests that you believe qualifies you to serve on the Montebello City Council

I am a first-generation Mexican-Salvadoran woman and college graduate with a physical disability. As The Utility Reform Network's (TURN) Digital Equity Project Manager, I spearheaded (TURN's grassroots efforts to close the digital divide in California and ensure affordable, reliable, and high-quality Internet service for all California residents.

I previously worked for RespectAbility as Manager for Advocacy, Policy, and Civic Engagement, where I focused on Workforce Development and Education. I was also a City Commissioner on the Personnel Advisory Board for the City of Montebello. As an appointee by Governor Jerry Brown as the Legislation Manager and Public Information Officer at the State Council on Developmental Disabilities, I pushed for the full integration of people with disabilities into the workforce.

As the Director of Public Policy & External Affairs at Public Allies, I worked with Congress and the Obama Administration to protect SSDI benefits for People with Disabilities. I was an invitee to the first-ever White House Forum on Nonprofits in 2013.

My roles with the local government include a tenure at the Los Angeles County Department of Public Social Services and working in the Office of Los Angeles County Supervisor Gloria Molina. I was also a United Nations Observer for the UN Convention on the Rights of Persons with Disabilities and a Program Analyst in Mexico's Office of the Secretary of Education and Health.

I hold a Bachelor of Arts in International Relations from the University of Southern California and a Master of Public Administration degree from Harvard University, Kennedy School of Government. I am also a graduate of Emerge California, New Leaders Council, HOPE Leadership Institute, and a member of the Women's Campaign School at Yale University.

All my professional experience brings a wealth of knowledge of policy formation and implementation to the at-large seat to the Montebello City Council

Question 4-Attachment

Why are you interested in serving on the Montebello City Council?

I have lived in Montebello for 29 years and have proudly been a homeowner for the past 11 years. I've been a fighter for equity and fairness since the age of 7, when my late father looked me straight in the face and said, "God gave you a disabled body but not a disabled mind." He was my role model of equality, and he would say your mother is my equal in every way. My father and mother were partners in every way. My mother was my teacher when it came to equity. During her working years, she worked at a head start program in Montebello; she was a teacher's aide and was not paid the same as her younger counterparts. She lacked the formal education that would give her the proper certification. They both knew that without a formal education, my disability would be an obstacle to my full integration and acceptance into society. They nurtured my beliefs in fairness and equity. Equity is not only a belief you hold but an action you take. As a woman of color with a disability, I represent an intersectional identity. *I also bring my story as a daughter of immigrants who continued working hard to make ends meet just to put food on the table.* Being a community leader is being able to voice the concerns of those not represented within the current political system but also opening doors for people of all backgrounds regardless of gender, race, disability, or economic background.

I represent what is possible when a child of immigrant parents attends college and receives an Ivy League education to give back to her community. Serving as an at-large member of the Montebello City Council would empower me to be the voice for those traditionally not part of the public policy structure. In Montebello, people with disabilities, senior citizens, and nontraditional youth (those out of school and out of work) are not fully engaged in the civic participation and democratic process. As an at-large city council member I would engage with the different city departments to devise a dedicated outreach program that uses a "grassroots engagement" model to bring more voices to the table when it comes to city issues. One in four adults lives with a disability. The City of Montebello needs an accessibility master plan geared towards making all city services and events compliant with the Americans with Disabilities Act. I bring expertise on formulating inclusive policies and procedures that would not only include people with disabilities but senior citizens, families, and youth in all city events. For youth who are out of school and out of work, including older adults, workforce development needs to be a priority for the City of Montebello. Engagement with the workforce boards of Los Angeles County is vital for the economic prosperity of our municipality. With only 37% of our Montebello Unified School District students labeled college ready, that leaves over 60% of students in need of some vocational and workforce training to acquire gainful employment. My professional background in workforce policy and development would help build the partnerships needed to help our youth and adults achieve a prosperous livelihood.

If appointed to the Montebello City Council at-large seat, I come ready to lead on day one with innovative ideas and policy solutions to address the most pressing issues our city faces.

Nelly Nieblas Candidate Statement At- Large Seat Montebello City Council

Every position, volunteer or professional, that I have held has been propelled by one vision: "How do I make the outsider the insider?" The impetus behind this motto has been deeply shaped by my intersectional identity. I am a first-generation low income, Mexican-Salvadoran woman, college graduate, with a physical disability and learning disability (dyslexia). The mere fact that I am a graduate from the Harvard Kennedy School of Government defies the odds: I use what others perceive as obstacles as a driving force to push for transformational change in every organization I have been a part of. My life experience has intersected with many policy issues. If appointed to the Montebello city Council I will bring the same intersectional point of view to my policy decisions coupled with fairness and objectivity in the overall goal of the most positive impact on Montebello residents.

My first job after graduating from college was a congressional fellowship working for the Congressional Hispanic Caucus (CHC) and Congressman Ciro Rodriguez. As a congressional fellow I championed the reauthorization of the Individuals with Disabilities Education Act (IDEA) in 2003-04. The reauthorization would guarantee federal funds for educational programs for students with disabilities across the country. As an AmeriCorps participant, I worked at the grassroots level with low-income immigrant Spanish-speaking populations in Pico Union, Los Angeles. The same neighborhood where my parents fell in love. As a community organizer my work was to empower the Pico Union neighborhood, to advocate for policy change to address inequitable placement of bus stops and bus routes. Which transported thousands of working immigrants: who cleaned houses, provided childcare, mowed lawns, and did general construction in the lavish homes in the Los Angeles' Westside. As the lead coordinator working with six local nonprofits: community residents were able to not only pinpoint problem areas in their neighborhoods including bus stops and bus routes, proposing community centered policy recommendations that advocated for a holistic community-informed transportation plan to the Los Angeles City Council.

As a newly minted Harvard graduate, I was an Associate Legislative Deputy for County Supervisor Gloria Molina, who oversaw parks and libraries and unincorporated areas in East Los Angeles, the same neighborhood in which I spent most my childhood. I worked tirelessly with community organizations, community leaders, constituents, and other elected officials to improve the state of parks (creating open park fitness zones for low-income families) to increase green space and libraries with new computers and Internet access in a neighborhood where both are a rare but a cherished luxury.

I also spent some time in the Los Angeles County Department of Social Services (DPSS) where I was exposed to every single program low-income families depended on for subsistence in the County. I, myself was a recipient of Medi-Cal (California's version of Medicaid) and In-Home Supportive Services (IHSS) which paid my mother a small stipend for all the caretaking my disability required. I spent two years learning the ins and outs of how DPSS programs worked, its eligibility requirements, the loopholes and mismanagement. It is here where I learned the impactful lesson of written policy versus implementation.

For Public Allies, I helped set the policy agenda working closely with the CEO to help Opportunity Youth (6.7 million youth between the ages of 16 to 24 are out of school and out of work in the United States) to participate in the AmeriCorps service program. My official title was Director of Policy and External Affairs. I also focused on opening doors for people with disabilities who wanted to participate in the AmeriCorps program but could not, for fear of losing their health and economic benefits (Medicaid and Medicare/SSI and SSDI). I worked closely with Sen. Chuck Grassley, Sen. Tom Harkin, and Sen. Sherrod Brown to push for legislation that would create an legislative exemption for

Nelly Nieblas Candidate Statement At- Large Seat Montebello City Council

people with disabilities who participate in an AmeriCorps program so people with disabilities including veterans with disabilities cannot lose their benefits.

As a governor appointee (Gov. Jerry Brown), I worked for the State Council on Developmental Disabilities as a legislative manager and information officer. As a community organizer, my professional background in legislative advocacy has honed my ability to take complex policy issues and convert that dry bureaucratic language into easily understood examples of community impact. As Legislative Manager and Information Officer for California State Council on Developmental Disabilities (SCDD), I worked on new policy areas related to Medicaid and Medicare services for people with Intellectual and Developmental Disabilities (I/DD). I managed and adapted a plan that outlined 15 organizational objectives leading the Council's work. My role focused on ensuring the employment policy and support services were at the forefront of our legislative agenda. Under my direction, an instrumental piece of legislation was introduced into the California legislature. The piece of legislation required to superintendent of schools to train teachers throughout the state in the basic screening tests for dyslexia. A piece of legislation near and dear to my heart because I was not diagnosed with dyslexia until I was a junior in college.

As legislative manager for Breathe of Los Angeles County, I worked on the focusing on the environmental impacts of air and environmental pollution have on individual health. Specifically, low-income communities of color that are disproportionately impacted by environmental pollution. The links between pollution and the impact on birthrates with children with disabilities is statistically significant. Although it cannot definitively be said that people who live close to freeways, polluted water streams, contaminated air, or garbage dumps have higher rates of disabilities in their children, my work in these neighborhoods has shown a high propensity of it being a reality. My work focused on pushing for stricter environmental regulations in low-income communities throughout Southern California. Working with the California legislature my advocacy work focused on environmental protections, and health initiatives focusing on the early detection of long-term health conditions in children in low-income communities.

At RespectAbility, a nonprofit dedicated to fighting stigmas and creating opportunities for people with disabilities. I was the Manager for Advocacy, Policy and Civic Engagement. In this role, I focused on building coalitions throughout the Western states of the nation, focused on creating groups of self-advocates with the lived experience of having a disability to advocate for policy changes in their states to improve their lives which include their families. I also focus on equitable opportunities pushing for legislation that makes the workforce more accessible and equitable for people with disabilities, specifically people of color with disabilities. Currently, as the Digital Equity Project Manager for The Utility Reform Network (TURN), I spearhead TURN's grassroots efforts to close the digital divide in California and ensure affordable, reliable, and high-quality Internet service for all California residents.

My work in public policy and equity issues has touched every part of the population from youth and disenfranchised immigrant populations to senior citizens. I bring over 20 years of experience to the appointed position of at-large city councilmember. What has made me successful in my professional career has been my ability to remain objective under immense pressure, my ability to think strategically, also bring an ability to be a bridge builder between factions in different political organizations. I also have an in-depth knowledge of financial management, business administration and budget analysis. The City of Montebello would also be making history by appointing the first ever person with a visible disability to ever serve on the City Council.



CITY OF MONTEBELLO
OFFICE OF THE CITY CLERK

TO: All candidates applying for the City Council Vacancies

SUBJECT: Compliance with Montebello Municipal Code §2.08.040

You have completed an application for the City Council at-large seat. Accordingly, you must comply with the provisions of Montebello Municipal Code §2.08.040, which reads as follows:

2.08.040 - Prohibition of convicted felons from holding elective office.

Any person shall be disqualified from being an elective officer of the City of Montebello if that person has been convicted of a felony. Prior to running for elective office, a candidate is required to execute, under penalty of perjury, a statement indicating the candidate has not been convicted of a felony.

In order to complete your application for City Council, you must complete and file the declaration set forth below and return the same to the Office of the City Clerk no later than **4:00 p.m. on Tuesday, January 24, 2023**. Your failure to file this statement will result in your candidacy being deemed incomplete and accordingly, you will not be eligible for the Council Vacancy.

If you have any questions, please contact Alicia Fernandez at 323-887-1376. Thank you.

DECLARATION OF CANDIDATE REGARDING FELONY CONVICTION

I, Nelly Nieblas, do hereby declare that I have applied for the City Council Vacancy for the City of Montebello. Pursuant to Montebello Municipal Code §2.08.040, I am required to execute a statement, under penalty of perjury, that I have not been convicted of a felony. I do hereby state and affirm, under penalty of perjury, that I have (check one):

<input checked="" type="checkbox"/> NOT BEEN CONVICTED OF A FELONY
<input type="checkbox"/> BEEN CONVICTED OF A FELONY

Dated: January 24, 2023

Signature: Nelly Nieblas

Print Name: Nelly Nieblas

REQUIRED DOCUMENTS SUBMITTED:

- Application
- Candidate Statement (250+)
- Felony Conviction Declaration Form
- Form 700 on File



CITY CLERK'S OFFICE

RECEIVED

Date: JAN 24 '23 4:47PM

*Submitted via email.
Ka.*

CANDIDATE INFORMATION	
NAME (FIRST, MIDDLE, LAST) Rafael Gutierrez	DATE OF BIRTH 9-20-70
RESIDENTIAL ADDRESS (NOTE: Cannot be a mailing address or PO Box) 312 N Vail Ave Montebello CA 90640	
TELEPHONE 323-243-0026	BUSINESS PHONE N/A
EMAIL ADDRESS rgutie1612@gmail.com	

ARE YOU A MONTEBELLO REGISTERED VOTER?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
ARE YOU A RESIDENT OF MONTEBELLO?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
HOW LONG HAVE YOU BEEN A RESIDENT?	47 years	
ARE YOU A UNITED STATES CITIZEN?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
NOTE: THE CITY OF MONTEBELLO RESERVES THE RIGHT TO USE THE INFORMATION PROVIDED ON THIS APPLICATION TO VERIFY YOUR RESIDENTIAL ADDRESS AND VOITER REGISTRATION STATUS.		

Have you ever been convicted of a crime that would prohibit you from holding elective office pursuant to California elections code section 20?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Rules of law and ethics prohibit appointees from participating in and voting on matters in which they may have a direct or indirect financial interest. Are you aware of any potential conflicts of interest?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
<i>* If yes, please indicate potential conflicts:</i>		
Are you aware of the time commitment necessary to serve on the city council, and will you have such time? Regular meeting dates are the 2 nd and 4 th Wednesday of each month, with additional special meetings from time to time.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
State law and the city conflict of interest code requires city council members to file a statement of economic interests (form 700) annually as well as related forms when assuming. And leaving office (e.g., sources of income, loans, gifts, investments, interest in real property as required by state law)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Do you agree to file all required forms in a timely manner as required by the city's filing official?		

EMPLOYMENT INFORMATION

OCCUPATION:High School Teacher/Athletic Director

EMPLOYER:Montebello Unifield School District

ADDRESS:123 S. Montebello Blvd Montebello Blvd Montebello CA 90640

PLEASE ANSWER THE QUESTIONS BELOW. YOU MAY USE ADDITIONAL SHEETS OF PAPER AS NECESSARY

1. PLEASE LIST YOUR EDUCATION (INCLUDE PROFESSIONAL OR VOCATIONAL LICENSE(S) OF CERTIFICATE(S)).

Bachelors Degree (Cal. State University of Long Beach)
Single Subject Teaching Credential (Cal. State University of Long Beach)
Crosscultural, Language and Academic Development Certificate

2. PLEASE DETAIL YOUR MONTEBELLO COMMUNITY INVOLVEMENT (LIST BOARDS, COMMISSIONS, COMMITTEES OR COMMUNITY SERVICE ORGANIZATIONS/ MEMBERSHIPS THAT YOU HAVE SERVED UPON, VOLUNTEER ASSIGNMENTS, ELECTED OR APPOINTED OFFICE, ETC.).

-City of Montebello Elected City Treasurer (2018-2022)
-City of Montebello Investment Committee
-City of Montebello Fiscal Accountability and Investment Committee.
-High School coach/teacher/athletic director/mentor in the community for 33 years at Montebello High School.
-Montebello Baseball Association Volunteer for 10 years. Coach, Tournament Director, Vice President, Commissioner/President, and current Treasurer.
-YMCA youth coach for basketball and baseball/T-Ball. Volunteered during food distribution and provided donations during Thanksgiving.
-Golden State Basketball coach.
-Police Athletic/Activities League coach.
-Montebello Volunteer Program (MVP)
-Montebello Lions Service Club
-Director of Montebello High School Annual Athletic Hall of Fame Scholarship Golf Tournament. The tournament has raised over \$250,000 to support scholarships and athletic teams.

3. PLEASE DESCRIBE ANY BACKGROUND, TRAINING, EXPERIENCE AND INTERESTS THAT YOU BELIEVE QUALIFIES YOU TO SERVE ON THE MONTEBELLO CITY COUNCIL.

During the four years as City Treasurer it provided me an in-depth understanding of the many financial aspects in running the day to day city operations. The FAIC committee allowed me and community members to have conversations to ensure there was transparency and accountability. I feel that committees are an important part of our community involvement. I have gained an understanding of the hours, studies, and the extensive work that it takes to make sure an item is ready for a council discussion and a vote. Many agenda items can and will be critical for our community for many years going forward. My job as athletic director requires me to oversee an annual operating budget of about \$750,000, 600 athletes, 50 teams, and 23 sports. This requires time management, organization and communication skills, that I feel can be an asset when dealing with city business on the council.

4. WHY ARE YOU INTERESTED IN SERVING ON THE MONTEBELLO CITY COUNCIL?

I want to be part of my city's movement to improve everyday life for our residents. My role as city treasure and involvement with the community has provided me with inspiration to represent my community. I want to work with the council to make significant decisions that will benefit Montebello progression. Ultimately, I care deeply for my city that I have lived in the majority of my life and I want to work with you all to continue the vision.

Please see Candidate Statement. I did not want to include that here again.

5. WHAT WOULD BE YOUR AREAS OF PRIORITY IF APPOINTED TO THE MONTEBELLO CITY COUNCIL?

One of my priorities would be the city's finances. Although the city may be financially stable, we need to be very mindful of how we utilize our funds. The city has received large amounts of funds from ARPA and the sale of the water company. We need to be cautious of those dollars and make sure they are being spread throughout the needs of our community. Additionally, we need to be strategic about any bonds moving forward. Another priority for me would be infrastructure, especially our roads and outdoor spaces. The city has made progress on improving our roads; however, we need to continue and explore county, state, and federal funding to keep our roads safe. I'm a strong advocate of sports and outdoor spaces. With today's concern of mental health and lack of time to focus on our health, we can provide an outlet for residents at our local parks. Let's be creative in funding the modernization of our parks and provide a variety of activities as recommended in the Parks Master Plan.

PLEASE NOTE THAT THIS APPLICATION BECOMES PUBLIC INFORMATION

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.



Signature of Applicant

2/24/23

Date

You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information which you feel may assist the City Council in its evaluation of your application.



CITY OF MONTEBELLO

OFFICE OF THE CITY CLERK

TO: All candidates applying for the City Council Vacancies

SUBJECT: Compliance with Montebello Municipal Code §2.08.040

You have completed an application for the City Council at-large seat. Accordingly, you must comply with the provisions of Montebello Municipal Code §2.08.040, which reads as follows:

2.08.040 - Prohibition of convicted felons from holding elective office.

Any person shall be disqualified from being an elective officer of the City of Montebello if that person has been convicted of a felony. Prior to running for elective office, a candidate is required to execute, under penalty of perjury, a statement indicating the candidate has not been convicted of a felony.

In order to complete your application for City Council, you must complete and file the declaration set forth below and return the same to the Office of the City Clerk no later than 4:00 p.m. on Tuesday, January 24, 2023. Your failure to file this statement will result in your candidacy being deemed incomplete and accordingly, you will not be eligible for the Council Vacancy.

If you have any questions, please contact Alicia Fernandez at 323-887-1376. Thank you.

DECLARATION OF CANDIDATE REGARDING FELONY CONVICTION

I, Rafael Gutierrez, do hereby declare that I have applied for the City Council Vacancy for the City of Montebello. Pursuant to Montebello Municipal Code §2.08.040, I am required to execute a statement, under penalty of perjury, that I have not been convicted of a felony. I do hereby state and affirm, under penalty of perjury, that I have (check one):

Form with checkboxes: [X] NOT BEEN CONVICTED OF A FELONY, [] BEEN CONVICTED OF A FELONY

Dated: January 24, 2023

Signature: [Handwritten Signature]
Print Name: Rafael Gutierrez

Candidate Statement

My name is Rafael Gutierrez, I've been a resident of this great city for 47 years. If given the opportunity to represent this city, I would like to give back to the city that has provided so much for my family, my friends, my neighbors, my students and myself since I was 5 years old. I have deep roots here in Montebello and care about moving our city forward for our next generation. I attended schools in the city and graduated from Montebello High School. I was a local success when I was drafted by the Kansas City Royals and also played professionally for the Los Angeles Dodgers. I then came back to inspire and mentor our youth by coaching baseball and teaching at my alma mater. With my experience as the former city treasurer and other community leadership roles, I possess a stronger background than many other candidates. My involvement with various youth organizations and my experience as a teacher provide a unique perspective that will help me serve in this role. My many years as a Montebello resident, a husband, and a father have allowed me to gain multiple perspectives on the needs of our community. I want to be part of improving the safety of our residents, modernizing our parks and repairing our streets. On the bigger scope, seeking funds for the ACE Project-underpass, improving and revitalizing downtown Montebello, attracting small businesses, and developing affordable housing are also of the most importance to me. When making a decision I will consider how it will affect the entire community, is it within the city's financial goals, and how it will impact the city in the future.

My cordial relationships with the current council and city employees, and my willingness to work and learn from fellow colleagues, will enable me to become a council member who will collectively work to make Montebello a better place to live. I respectfully ask for your consideration. Thank you.

-City of Montebello Elected City Treasurer (2018-2022)

-City of Montebello Investment Committee

-High School coach/teacher/athletic director in the community for 33 years at Montebello High School.

-Montebello Baseball Association Volunteer for 10 years. Coach, Tournament Director, Vice President, Commissioner/President, and current Treasurer.

-YMCA youth coach for basketball and baseball/T-Ball. Volunteered during food distribution and provided donations during Thanksgiving.

-Golden State Basketball coach.

-Police Athletic/Activities League coach.

-Montebello Volunteer Program (MVP)

-Montebello Lions Service Club

-Director of Montebello High School Annual Athletic Hall of Fame Scholarship Golf Tournament. The tournament has raised over \$250,000 to support scholarships and athletic teams.

REQUIRED DOCUMENTS SUBMITTED:

- Application
- Candidate Statement (216 words)
- Felony Conviction Declaration Form
- Form 700 on file



CITY CLERK'S OFFICE

RECEIVED

Date: JAN 24 23 4:30PM

Submitted via email on 1/24/23 at 3:5 P

CANDIDATE INFORMATION	
NAME (FIRST, MIDDLE, LAST) Edward, Franco	DATE OF BIRTH 10/17/1964
RESIDENTIAL ADDRESS (NOTE: Cannot be a mailing address or PO Box) 1721 Baldwin Pl. Montebello, CA. 90640	
TELEPHONE 1(213)819-7554	BUSINESS PHONE 1(213)819-7554
EMAIL ADDRESS EdwardFranco@ETrealtygroup.com	

ARE YOU A MONTEBELLO REGISTERED VOTER?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
ARE YOU A RESIDENT OF MONTEBELLO?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
HOW LONG HAVE YOU BEEN A RESIDENT?	58 years	
ARE YOU A UNITED STATES CITIZEN?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
NOTE: THE CITY OF MONTEBELLO RESERVES THE RIGHT TO USE THE INFORMATION PROVIDED ON THIS APPLICATION TO VERIFY YOUR RESIDENTIAL ADDRESS AND VOTER REGISTRATION STATUS.		

Have you ever been convicted of a crime that would prohibit you from holding elective office pursuant to California elections code section 20?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
Rules of law and ethics prohibit appointees from participating in and voting on matters in which they may have a direct or indirect financial interest. Are you aware of any potential conflicts of interest?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO
<i>* If yes, please indicate potential conflicts:</i>		
Are you aware of the time commitment necessary to serve on the city council, and will you have such time? Regular meeting dates are the 2 nd and 4 th Wednesday of each month, with additional special meetings from time to time.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
State law and the city conflict of interest code requires city council members to file a statement of economic interests (form 700) annually as well as related forms when assuming. And leaving office (e.g., sources of income, loans, gifts, investments, interest in real property as required by state law)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Do you agree to file all required forms in a timely manner as required by the city's filing official?		

EMPLOYMENT INFORMATION

OCCUPATION:Realtor

EMPLOYER:Keller Williams Realty - SELA

ADDRESS:8255 Firestone Blvd. Suite #100, Downey, CA. 90241

PLEASE ANSWER THE QUESTIONS BELOW. YOU MAY USE ADDITIONAL SHEETS OF PAPER AS NECESSARY

1. PLEASE LIST YOUR EDUCATION (INCLUDE PROFESSIONAL OR VOCATIONAL LICENSE(S) OF CERTIFICATE(S)).

High School Graduate
Some Collage Education
California Real Estate License

2. PLEASE DETAIL YOUR MONTEBELLO COMMUNITY INVOLVEMENT (LIST BOARDS, COMMISSIONS, COMMITTES OR COMMUNITY SERVICE ORGANIZATIONS/ MEMBERSHIPS THAT YOU HAVE SERVED UPON, VOLUNTEER ASSIGNMENTS, ELECTED OR APPOINTED OFFICE, ETC.).

Montebello Planning Commision
Beverly Hospital Ethics Committee
Friends of Montebello Unified School District - Tresurer
Rotary Club of Montebello - President (2020-21) Tresurer (2021-23) President Elect

3. PLEASE DESCRIBE ANY BACKGROUND, TRAINING, EXPERIENCE AND INTERESTS THAT YOU BELIEVE QUALIFIES YOU TO SERVE ON THE MONTEBELLO CITY COUNCIL.

Licence California Real Estate Agent / Realtor
Beverly Hospital Ethics Committee
Rotary Club of Montebello - Tresurer and Past President

4. WHY ARE YOU INTERESTED IN SERVING ON THE MONTEBELLO CITY COUNCIL?
This is my home city and I want to help make sure we are moving in the right direction for the residents and the city of Montebello.

5. WHAT WOULD BE YOUR AREAS OF PRIORITY IF APPOINTED TO THE MONTEBELLO CITY COUNCIL?
Infrastructure, Communication within the city and residents of Montebello, and working in colaboration with council.

QUALIFIED

PLEASE NOTE THAT THIS APPLICATION BECOMES PUBLIC INFORMATION

I hereby certify that the information contained in this application and any accompanying documents is true and correct to the best of my knowledge.



Signature of Applicant

1/21/2023

Date

You are invited to attach additional pages, enclose a copy of your resume or submit supplemental information which you feel may assist the City Council in its evaluation of your application.



CITY OF MONTEBELLO

OFFICE OF THE CITY CLERK

TO: All candidates applying for the City Council Vacancies

SUBJECT: Compliance with Montebello Municipal Code §2.08.040

You have completed an application for the City Council at-large seat. Accordingly, you must comply with the provisions of Montebello Municipal Code §2.08.040, which reads as follows:

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In order to complete your application for City Council, you must complete and file the declaration set forth below and return the same to the Office of the City Clerk no later than **4:00 p.m. on Tuesday, January 24, 2023**. Your failure to file this statement will result in your candidacy being deemed incomplete and accordingly, you will not be eligible for the Council Vacancy.

If you have any questions, please contact Alicia Fernandez at 323-887-1376. Thank you.

DECLARATION OF CANDIDATE REGARDING FELONY CONVICTION

I, Edward Franco, do hereby declare that I have applied for the City Council Vacancy for the City of Montebello. Pursuant to Montebello Municipal Code §2.08.040, I am required to execute a statement, under penalty of perjury, that I have not been convicted of a felony. I do hereby state and affirm, under penalty of perjury, that I have (check one):

<input checked="" type="checkbox"/> NOT BEEN CONVICTED OF A FELONY
<input type="checkbox"/> BEEN CONVICTED OF A FELONY

Dated: January 24, 2023

Signature: 

Print Name: Edward Franco

CANDIDATE STATEMENT

Edward Franco

Occupation: Realtor/Businessowner

Our city has made some improvements, including a balanced budget, strong support for local businesses to recover from COVID-19, and resources to combat homelessness. But more must be done to secure a better future for all.

I'm a proud Montebello native, and as a husband and father who raised my family here, I understand what's at stake for our community. I was born at Beverly Hospital, attended St. Benedict Elementary, and graduated from Montebello High School.

With years of experience in real estate, my career has focused on helping businesses succeed and improving quality of life for families. I have devoted my life to service and being involved in our neighborhoods, which is why I'm an active member of the Rotary Club, the Neighborhood Watch program, the Ethics Committee at the Beverly Hospital, and the Friends of the Montebello Unified School District Foundation.

As City Councilmember, I will work tirelessly to get things done and put residents first. That's why I am committed to bringing people together to focus on increased transparency, responsive public safety, support for local businesses, and ensuring we are united in the fight for a better Montebello.

Leadership at city hall matters now more than ever. I humbly ask for your vote.

**STATEMENT OF ECONOMIC INTERESTS
COVER PAGE
A PUBLIC DOCUMENT**

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)
Franco Edward

1. Office, Agency, or Court

Agency Name (Do not use acronyms)
City of Montebello

Division, Board, Department, District, if applicable Your Position
City Council

▶ If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: _____ Position: _____

2. Jurisdiction of Office (Check at least one box)

- State Judge, Retired Judge, Pro Tem Judge, or Court Commissioner (Statewide Jurisdiction)
- Multi-County _____ County of _____
- City of Montebello Other _____

3. Type of Statement (Check at least one box)

- Annual:** The period covered is January 1, 2022, through December 31, 2022.
- or- The period covered is _____ through December 31, 2022.
- Assuming Office:** Date assumed _____
- Candidate:** Date of Election _____ and office sought, if different than Part 1: _____
- Leaving Office:** Date Left _____ (Check one circle.)
- The period covered is January 1, 2022, through the date of leaving office.
- or- The period covered is _____ through the date of leaving office.

4. Schedule Summary (required)

▶ Total number of pages including this cover page: _____

Schedules attached

- Schedule A-1 - Investments – schedule attached
- Schedule A-2 - Investments – schedule attached
- Schedule B - Real Property – schedule attached
- Schedule C - Income, Loans, & Business Positions – schedule attached
- Schedule D - Income – Gifts – schedule attached
- Schedule E - Income – Gifts – Travel Payments – schedule attached

-or- **None - No reportable interests on any schedule**

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE
(Business or Agency Address Recommended - Public Document)

DAYTIME TELEPHONE NUMBER EMAIL ADDRESS
(213) 819-7554 EdwardFranco@ETrealtygroup.com

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 1/24/2023
(month, day, year)

Signature 
(File the originally signed paper statement with your filing official.)



ITEM # 8

**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: Arnold Glasman, City Attorney

SUBJECT: ADOPTION OF RESOLUTION NO. 23-07 OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO CONDEMNING AZERBAIJAN'S ILLEGAL BLOCKADE OF NAGORNO-KARABAKH (ARTSAKH)

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Adopt Resolution No. 23-07 condemning Azerbaijan's blockade of Nagorno-Kharabakh (Artsakh); and
2. Take such additional, related action that may be desirable.

FISCAL IMPACT:

N/A

BACKGROUND/DISCUSSION:

The 2022-2023 blockade of Artsakh is an ongoing event in the Nagorno-Karabakh conflict. The Nagorno-Kharabakh region is disputed between Azerbaijan and the breakaway Republic of Artsakh, which has a mostly ethnic-Armenian population and is supported by neighboring Armenia.

The only road connecting Nagorno-Karabakh with Armenia and the outside world, the Lachin corridor, has been blocked by Azerbaijan since December 12, 2022. This block has disrupted access to essential goods and services, including food, fuel and medication for the 120,000 Armenians living in Nagorno-Karabakh, effectively placing them under a blockade. This blockade has led to a severe humanitarian crisis, significantly affecting the most vulnerable populations. As a result, the transfer of critically ill patients is nearly impossible, and hundreds of families remain separated.

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

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This humanitarian crisis was further aggravated by Azerbaijan's disruption of the natural gas supply to Nagorno-Karabakh, which left houses, hospitals and schools without heating.

By sustaining the blockade of the Lachin corridor, Azerbaijan is breaching its international obligations under the trilateral ceasefire statement of November 9, 2020, under which Azerbaijan must guarantee the security of persons, vehicles and cargo moving along the corridor in both directions. The impediments to the use of the Lachin corridor set back the peace process between Armenia and Azerbaijan and undermine international confidence.

ENVIRONMENTAL:

N/A

ANALYSIS:

N/A

SUMMARY:

It is recommended that the City Council adopt Resolution No. 23-07 condemning Azerbaijan's blockade of Nagorno-Kharabakh (Artsakh).

ATTACHMENT(S)

1. Attachment A - Resolution No. 23-07, Artsakh Blockade

NEXT STEPS:

N/A

RESOLUTION NO. 23-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, CONDEMNING AZERBAIJAN'S ILLEGAL BLOCKADE OF NAGORNO-KARABAKH (ARTSAKH)

RECITALS

WHEREAS, whereas the only road connecting Nagorno-Karabakh with Armenia and the outside world, the Lachin corridor, has been blocked by Azerbaijan since December 12, 2022; and

WHEREAS, this has disrupted access to essential goods and services, including food, fuel and medication, for the 120,000 Armenians living in Nagorno-Karabakh, effectively placing them under a blockade; and

WHEREAS, whereas the blockade has led to a severe humanitarian crisis, significantly affecting the most vulnerable populations; and

WHEREAS, the transfer of critically ill patients is nearly impossible and hundreds of families remain separated; and

WHEREAS, this humanitarian crisis was further aggravated by Azerbaijan's disruption of the natural gas supply to Nagorno-Karabakh, which left houses, hospitals and schools without heating; and

WHEREAS, whereas by sustaining the blockade of the Lachin corridor, Azerbaijan is breaching its international obligations under the trilateral ceasefire statement of November 9, 2020, under which Azerbaijan must guarantee the security of persons, vehicles and cargo moving along the corridor in both directions; and

WHEREAS, whereas the impediments to the use of the Lachin corridor set back the peace process between Armenia and Azerbaijan and undermine international confidence; and

WHEREAS, the City of Montebello wishes to condemn the illegal blockade by Azerbaijan of Nagorno Karabakh (Artsakh).

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

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

SECTION 2. The City of Montebello strongly condemns Azerbaijan's blockade of Nagorno-Karabakh, the disruption of the natural gas supply causing tragic humanitarian consequences, and the failure to implement the trilateral ceasefire statement of November 9, 2020.

RESOLUTION NO. 23-07

Page 2 of 3

SECTION 3. The City of Montebello urges Azarbaijan to respect and implement the trilateral ceasefire statement and immediately reopen the Lachin corridor to enable free movement and ensure access to essential goods and services, thus guaranteeing security in the region and safeguarding residents' livelihoods.

SECTION 4. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this resolution.

APPROVED AND ADOPTED THIS 8TH DAY OF FEBRUARY 2023.

David N. Torres, 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. 23-07 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 8th day of February 2023 and that said Resolution was adopted by the following vote, to-wit:

AYES:
NOES:
ABSTAIN:
ABSENT:

RESOLUTION NO. 23-07

Page 3 of 3

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



ITEM # 9

**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: James Enriquez, Director of Public Works

SUBJECT: ADOPT RESOLUTION NO. 23-13 APPROVING THE APPLICATION FOR SPECIFIED GRANT FUNDS FOR THE MONTEBELLO DOWNTOWN SEWER INFRASTRUCTURE IMPROVEMENT PROJECT

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Adopt Resolution No. 23-13 approving the application for grant funding for the Montebello Downtown Sewer Infrastructure Improvement Project; and
2. Authorize the City Manager to execute the financial assistance agreements and any other related documents in a final form approved by the City Attorney; and
3. Take such additional, related action that may be desirable.

FISCAL IMPACT:

The grant funds in the amount of \$2,100,000 are anticipated to fund the entire cost of the Project. No additional appropriations are recommended at this time. Once the grant application has been accepted by the State Water Resources Control Board (SWRCB), staff will return with action to appropriate the funds. Most likely these funds will be included in the proposed Fiscal Year 2023-24 budget for appropriation at that time.

BACKGROUND/DISCUSSION:

In April 2022, the City was contacted by the office of California Assemblymember Christina Garcia, Montebello representative at that time, regarding an opportunity to receive grant funding for a construction project. Staff identified the replacement of deteriorated cement sewers in the downtown area as a much needed and competitive project. A project description and estimate of \$2,100,000 was submitted to the Assemblymember's office as requested. The same project was submitted to Senator Archuleta's Office for consideration of joint support. As result, this grant was supported

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

Page 2 of 2

both in the Senate and Assembly.

The project proposes the replacement of approximately 5,100 lineal feet of existing and severely deteriorated cement sewers in the City's downtown area.

Although the City was notified by the Assemblymember's office in late 2022 that the project funding was approved in the requested amount of \$2,100,000, the State Water Resources Control Board (SWRCB) recently notified the City that the grant funds would be administered through their department. The recommended Resolution is required to initiate the grant management process for the receipt of the funds. The Resolution must be submitted as soon as possible to meet the appropriation deadline of June 30, 2023.

ENVIRONMENTAL:

The proposed project is exempt from CEQA pursuant to California State CEQA Guidelines §15282(k) (Other Statutory Exemptions). This exemption allows for installation of new pipeline or maintenance, repair, restoration, removal, or demolition of an existing pipeline as set forth in Section 21080.21 of the Public Resources Code, as long as the project does not exceed one mile in length. The project consists of replacement of 5,100 linear feet of sewer pipeline and, therefore, qualifies for a statutory exemption from CEQA.

ANALYSIS:

Not Applicable.

SUMMARY:

Subsequent to approval by the City Council of the recommended actions, staff will coordinate the execution of the requisite documents with the State Water Resources Control Board for the receipt of the grant funds to initiate the project delivery process. It is anticipated that formal appropriation of these funds will occur as part of the FY 2023-24 budget development process.

ATTACHMENT(S)

1. Attachment A - Resolution No. 23-13

NEXT STEPS:

N/A

RESOLUTION NO. 23-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, APPROVING THE APPLICATION FOR SPECIFIED GRANT FUNDS

RECITALS

WHEREAS, the State Water Resources Control Board has been delegated the responsibility by the Legislature of the State of California for the administration of a grant to the City of Montebello, setting up necessary procedures governing applications; and

WHEREAS, said procedures established by the State Water Resources Control Board require the applicant's Governing Body to certify by resolution the approval of the project application before submission of said applications to the State; and

WHEREAS, successful Applicants will enter into a contract with the State of California to complete the project.

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

SECTION 1. The City Manager (the "Authorized Representative") or designee is hereby authorized and directed to sign and file, for and on behalf of the City of Montebello, a Financial Assistance Application for a financing agreement from the State Water Resources Control Board for the planning, design, and construction of the City of Montebello Downtown Sewer Infrastructure Improvement Project (the "Project").

SECTION 2. The Authorized Representative, or his/her designee, is designated to provide the assurances, certifications, and commitments required for the financial assistance application, including executing a financial assistance agreement from the State Water Resources Control Board and any amendments or changes thereto.

SECTION 3. The Authorized Representative, or his/her designee, is designated to represent the City of Montebello in carrying out the City's responsibilities under the financing agreement, including certifying disbursement requests on behalf of the City and compliance with applicable state and federal laws.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this resolution.

APPROVED AND ADOPTED THIS 8TH DAY OF FEBRUARY 2023.

David N. Torres, Mayor

RESOLUTION NO. 23-13

Page 2 of 2

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. 23-13 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 8th day of February 2023 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



ITEM # 10

**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: James Enriquez, Director of Public Works

SUBJECT: ADOPT RESOLUTION NO. 23-11 ACCEPTING CERTAIN ROADS AND STREETS INTO THE CITY STREET SYSTEM AND RESOLUTION NO. 23-10 NAMING A CERTAIN PUBLIC STREET AND ROAD “TOPGOLF WAY” AND FINDING SUCH ACTIONS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Adopt Resolution No. 23-11 accepting certain roads and streets into the City Street System, and finding such action exempt from the California Environmental Quality Act (“CEQA”); and
2. Adopt Resolution No. 23-10 naming a certain public street and road “Topgolf Way”; and
3. Authorize the City Manager to execute certificates and any other related documents to consummate the acceptance of said streets or roads, including naming, in a form approved by the City Attorney; and
4. Take such additional, related action that may be desirable.

FISCAL IMPACT:

The subject street is currently under construction as part of the Montebello Municipal Golf Course Renovation Project. Although the acceptance of the street into the City’s Public Street System has no immediate fiscal impact on the City’s budget, it will make the street eligible for funding for construction and future maintenance and operation utilizing special transportation funding sources, unburdening the General Fund of these expenditures in perpetuity.

CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT - MEETING OF FEBRUARY 8, 2023

Page 2 of 3

BACKGROUND/DISCUSSION:

The City Council approved the financing (Lease Revenue Bonds Series 2022B Bonds), development, and lease agreements associated with the Topgolf Montebello Project (the "Project") on September 28, 2022. On November 10, 2022, the City Council awarded a construction contract to McCarthy Building Companies, Inc. ("McCarthy") for the construction of the Project. Financing for the Project closed on December 15, 2022, and McCarthy commenced construction of the Project on January 3, 2023. Completion is scheduled for winter 2024.

ENVIRONMENTAL:

The City has reviewed the proposed actions pursuant to the California Environmental Quality Act ("CEQA") and the City's local CEQA Guidelines and has concluded there is no substantial evidence that the actions will have any significant effect on the environment. The action is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment (14 CCR 15061(b)(3)), and the dedication, acceptance, and naming of a public street does not result in a physical change to the environment. The environmental impacts of the golf course projects, of which the subject street is only an incidental component, were previously analyzed and disclosed in accordance with the requirements of CEQA in that certain Initial Study / Mitigated Negative Declaration and Addendum thereto certified by the City on March 15, 2022.

ANALYSIS:

The Project is adjacent to the Montebello Municipal Golf Course Renovation Project ("GCR Project") and is located along the Via Campo frontage of the golf course campus. The subject street will provide access from Via San Clemente off of Garfield Avenue to the new golf course and clubhouse as well as Topgolf as shown in the site plan (Attachment A). The GCR Project is currently under construction with completion scheduled for late 2023.

Topgolf has requested that the City Council consider naming the new street "Topgolf Way" since it will serve as the primary entrance to the Topgolf venue. Additionally, acceptance of the street as a public street facilitates the construction of utility infrastructure that will serve both the golf course and Topgolf without the necessity to execute multiple, costly and time-consuming easement documents for each of the utility companies. Additionally, permitting utility companies to install infrastructure within a new public street minimizes the amount of infrastructure the City would otherwise assume since the points of service connection can be located closer to the new golf course facilities. Minimizing the amount of infrastructure the City will own and operate will result in annual savings to the City throughout the life of the facilities.

The street that is recommended for acceptance into the City's Public Street System is described in the legal description (Exhibit A of Resolution No. 23-11) and depicted in the plat map (Exhibit B of Resolution No. 23-11) included in Attachment B.

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

Page 3 of 3

In accordance with Streets and Highways Code Section 1806, a street or road may be accepted into the City's street system by resolution of the City Council, and pursuant to Government Code Sections 34091.1 and 34092, the City Council by adoption of a resolution may assign a name to any public street. If the City Council adopts the proposed Resolutions, they will be forwarded to the County of Los Angeles for processing and recordation.

SUMMARY:

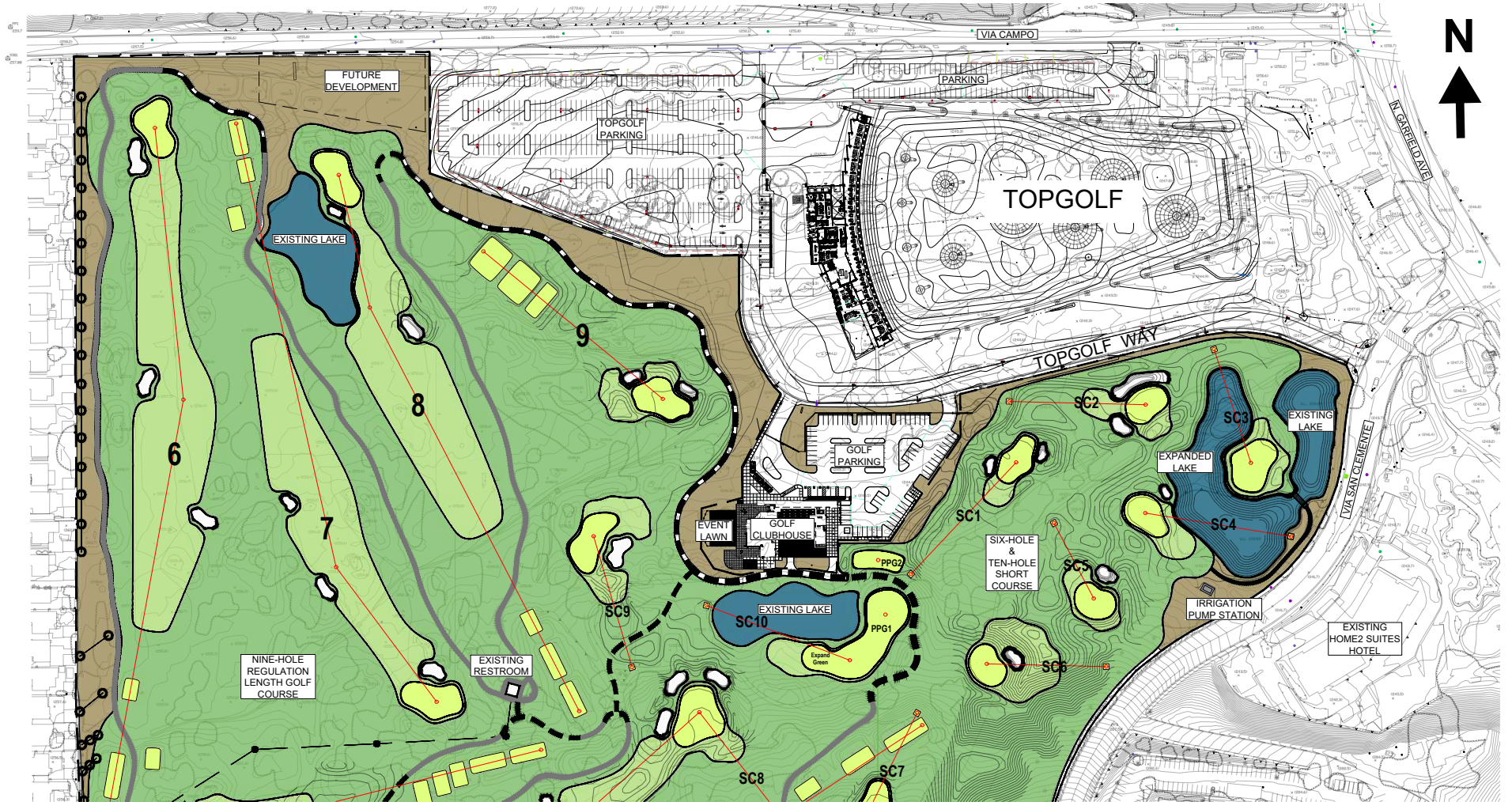
Upon approval by the City Council of the recommended actions, including adoption of Resolution No. 23-10 and Resolution No. 23-11 staff will coordinate the execution of all documents and file them with the appropriate Los Angeles County offices.

ATTACHMENT(S)

1. Attachment A - Site Plan
2. Attachment B - Resolution No. 23-11, Accepting Topgolf Way
3. Attachment C - Resolution No. 23-10, Naming Topgolf Way

NEXT STEPS:

N/A



SITE PLAN

RESOLUTION NO. 23-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, ACCEPTING CERTAIN ROADS AND STREETS INTO THE CITY STREET SYSTEM**RECITALS**

WHEREAS, Section 1806 of the California Streets and Highways Code provides that, except upon the annexation of territory to the City, no public or private street or road shall become a City street or road until the City Council, by resolution, has caused the street or road to be accepted into the City street system; and

WHEREAS, pursuant to Section 1806 of the California Streets and Highways Code, the City Council desires to accept the real property legally described in Exhibit "A" to this Resolution and depicted on the map attached as Exhibit "B" into the City street system.

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

SECTION 1. Effective upon the date that a certified copy of this Resolution is recorded in the Official Records of the County of Los Angeles, the real property and/or parcel legally described in Exhibit "A" to this Resolution and depicted on the map attached as Exhibit "B" is hereby accepted into the City street system.

SECTION 2. The City Clerk is hereby authorized and directed to cause a certified copy of this Resolution, attested by the City Clerk under seal, to be recorded without acknowledgement, certificate of acknowledgment, or further proof in the Official Records of the County of Los Angeles.

SECTION 3. All actions heretofore taken by the officers, employees and agents of the City with respect to the acceptance of conveyance and the recordation of any instrument relating to any and all of the real property and/or parcels described in this Resolution are hereby approved, confirmed, and ratified, and the officers and employees of the City are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all certificates and documents which they may deem necessary or advisable in order to consummate the acceptance of said streets or roads into the City street system and otherwise to effectuate the purposes of this Resolution.

SECTION 4. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this resolution.

RESOLUTION NO. 23-11

Page 2 of 2

APPROVED AND ADOPTED THIS 8TH DAY OF FEBRUARY 2023.

David N. Torres, 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. 23-11 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 8th day of February 2023 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

- Exhibit A – Legal Description
- Exhibit B – Plat Map

EXHIBIT "A"

LEGAL DESCRIPTION

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING TWO PARCELS OF LAND LYING WITHIN LOTS "A", 342 AND 343 OF TRACT NO. 10034, AS PER MAP RECORDED IN BOOK 146, PAGES 51 THROUGH 57 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID PARCELS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF LOT 91 OF SAID MAP, THENCE ALONG THE NORTH LINE OF LOT "A" OF SAID MAP SOUTH 89°40'45" WEST, 901.01 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 89°07'30" WEST, 383.41 FEET; THENCE LEAVING SAID NORTH LINE THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 00°05'03" EAST, 206.05 FEET;
- 2) SOUTH 70°42'16" EAST, 436.40 FEET;
- 3) NORTH 89°54'57" EAST, 167.83 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE, THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 00°05'03" WEST, 103.22 FEET;
- 2) NORTH 89°54'57" EAST, 10.50 FEET;
- 3) NORTH 00°05'03" WEST, 253.79 FEET TO THE NORTH LINE OF SAID LOT "A";

THENCE, ALONG THE NORTH LINE OF SAID LOT, SOUTH 89°40'45" WEST, 40.50 FEET;

THENCE, LEAVING SAID SOUTH LINE, SOUTH 00°05'03" EAST, 356.84 FEET TO A LINE PASSING THROUGH THE TRUE POINT OF BEGINNING HAVING A BEARING OF SOUTH 89°54'57" WEST;

THENCE, ALONG SAID LINE, NORTH 89°54'57" EAST, 30.00 FEET TO THE **TRUE POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 13,372 SQUARE FEET, MORE OR LESS.

SHEET 1 OF 3

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF MONTEBELLO, CALIFORNIA

 **DORC Engineering, Inc.**
Civil Engineering/Land Surveying/Land Planning

160 S. Old Springs Road, Ste. 210
Anaheim Hills, California 92808
(714) 685-6860

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL "B"

BEGINNING AT THE NORTHWEST CORNER OF LOT 91 OF SAID MAP, THENCE ALONG THE NORTH LINE OF LOT "A" OF SAID MAP SOUTH 89°40'45" WEST, 901.01 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 89°07'30" WEST, 383.41 FEET; THENCE LEAVING SAID NORTH LINE THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 00°05'03" EAST, 206.05 FEET;
- 2) SOUTH 70°42'16" EAST, 436.40 FEET;
- 3) NORTH 89°54'57" EAST, 167.83 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE, THE FOLLOWING TEN (10) COURSES:

- 1) SOUTH 00°05'03" EAST, 87.75 FEET;
- 2) NORTH 89°54'57" EAST, 6.00 FEET;
- 3) SOUTH 00°05'03" EAST, 2.32 FEET TO THE BEGINNING OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 94.00 FEET;
- 4) SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°22'12" AN ARC LENGTH OF 46.54 FEET;
- 5) SOUTH 28°27'15" EAST, 64.17 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 64.00 FEET;
- 6) SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61°37'48" AN ARC LENGTH OF 68.84 FEET;
- 7) NORTH 89°54'57" EAST, 97.89 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 464.00 FEET;
- 8) EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°26'29" AN ARC LENGTH OF 108.85 FEET;
- 9) NORTH 76°28'28" EAST, 471.61 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 306.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 36°29'29" AN ARC LENGTH OF 194.89 FEET;
- 10) SOUTH 67°02'03" EAST, 126.90 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF SAID LOT 342, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 339.22 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS SOUTH 61°43'18" EAST;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 342, 343, AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°06'07" AN ARC LENGTH OF 42.05 FEET;

THENCE LEAVING SAID SOUTHEASTERLY LINE THE FOLLOWING TEN (10) COURSES:

- 1) NORTH 67°02'03" WEST, 125.61 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 264.00 FEET;
- 2) WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 36°29'29" AN ARC LENGTH OF 168.14 FEET;
- 3) SOUTH 76°28'28" WEST, 471.61 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 506.00 FEET;

SHEET 2 OF 3

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF MONTEBELLO, CALIFORNIA

**DORC Engineering, Inc.**
Civil Engineering/Land Surveying/Land Planning

160 S. Old Springs Road, Ste. 210
Anaheim Hills, California 92808
(714) 685-6860

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL "B" (CONTINUED)

- 4) WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°26'29" AN ARC LENGTH OF 118.70 FEET;
- 5) SOUTH 89°54'57" WEST, 97.89 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 106.00 FEET;
- 6) NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61°37'48" AN ARC LENGTH OF 114.02 FEET;
- 7) NORTH 28°27'15" WEST, 64.17 FEET TO THE BEGINNING OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 136.00 FEET;
- 8) NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°22'12" AN ARC LENGTH OF 67.34 FEET;
- 9) NORTH 00°05'03" WEST, 90.07 FEET TO A LINE PASSING THROUGH THE TRUE POINT OF BEGINNING HAVING A BEARING OF SOUTH 89°54'57" WEST;
- 10) ALONG SAID LINE, NORTH 89°54'57" EAST, 36.00 FEET TO THE **TRUE POINT OF BEGINNING.**

THE ABOVE DESCRIBED PARCEL CONTAINS 53,790 SQUARE FEET, MORE OR LESS.

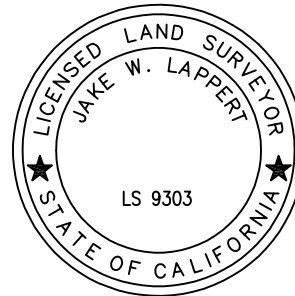
THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.

ALL AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



JAKE W. LAPPERT 01/23/2023
PLS 9303 DATE



SHEET 3 OF 3

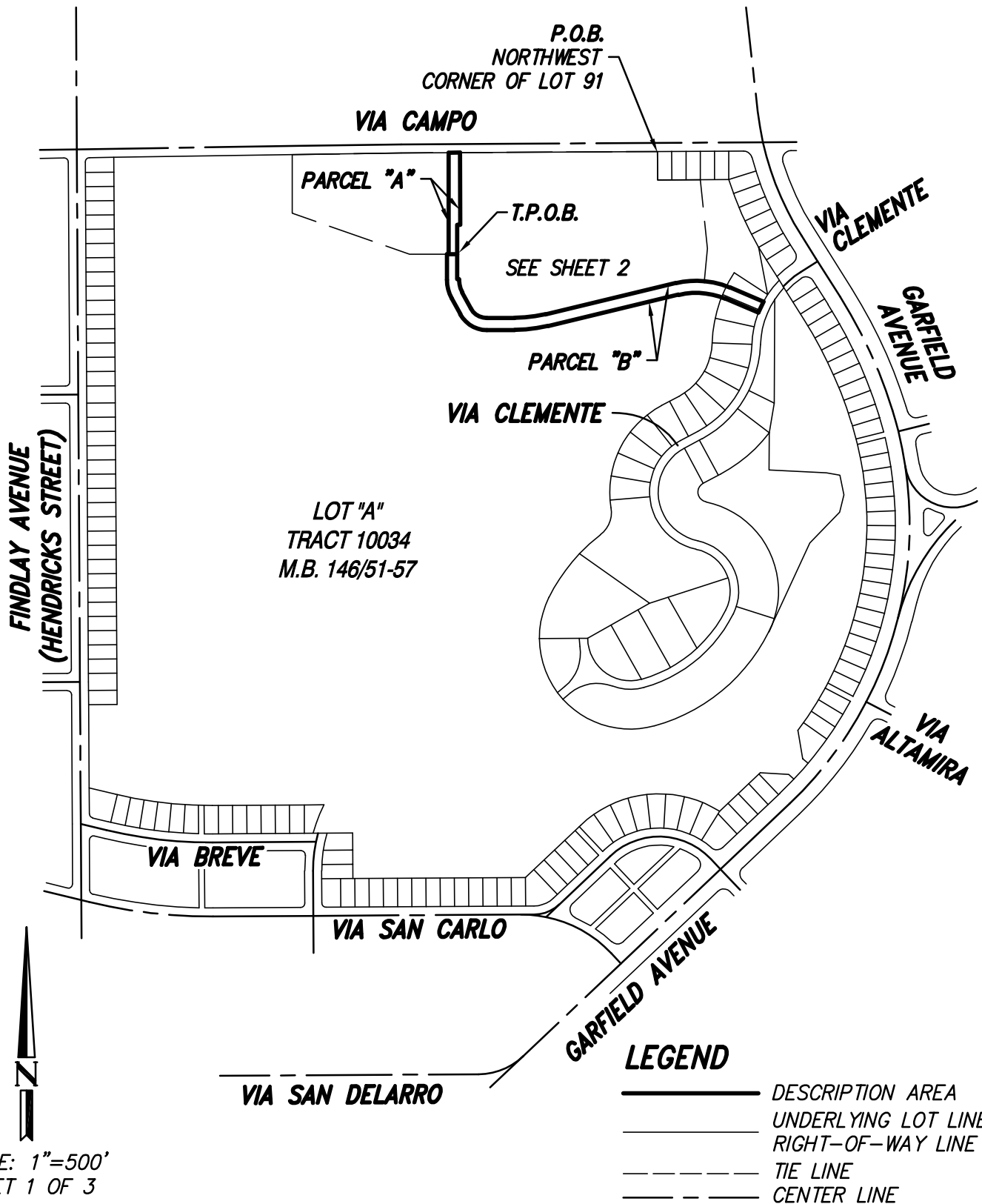
EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF MONTEBELLO, CALIFORNIA

 **DORC Engineering, Inc.**
Civil Engineering/Land Surveying/Land Planning

160 S. Old Springs Road, Ste. 210
Anaheim Hills, California 92808
(714) 685-6860





EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR EXHIBIT "A"



LOT "A"
TRACT 10034
M.B. 146/51-57

LEGEND

-  DESCRIPTION AREA
-  UNDERLYING LOT LINE/
RIGHT-OF-WAY LINE
-  TIE LINE
-  CENTER LINE

SCALE: 1"=500'
SHEET 1 OF 3

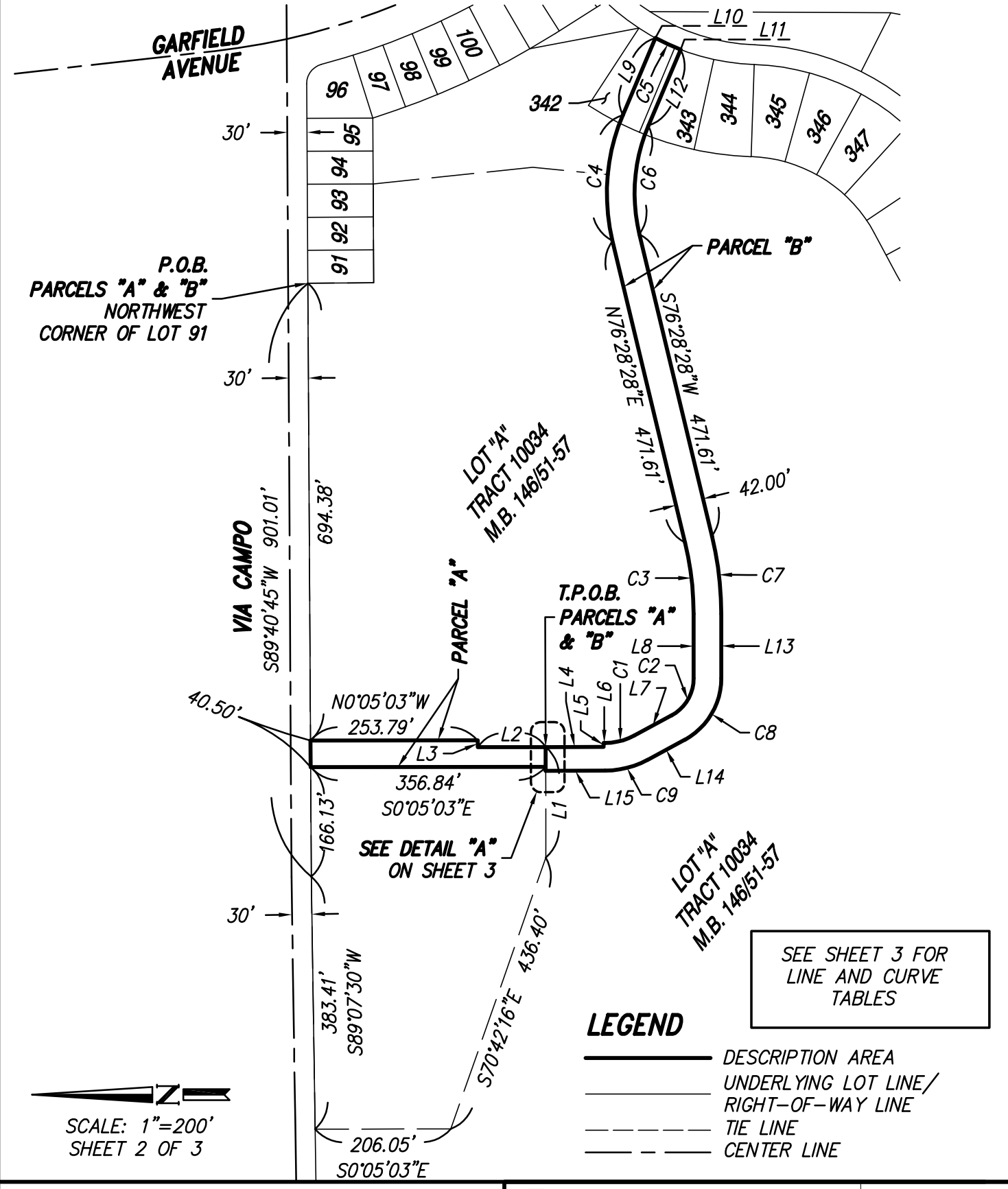
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CITY OF MONTEBELLO, CALIFORNIA

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EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR EXHIBIT "A"



SEE SHEET 3 FOR
LINE AND CURVE
TABLES

LEGEND

- DESCRIPTION AREA
- UNDERLYING LOT LINE/
RIGHT-OF-WAY LINE
- TIE LINE
- CENTER LINE

SCALE: 1"=200'
SHEET 2 OF 3

EXHIBIT "B"
PLAT
CITY OF MONTEBELLO, CALIFORNIA

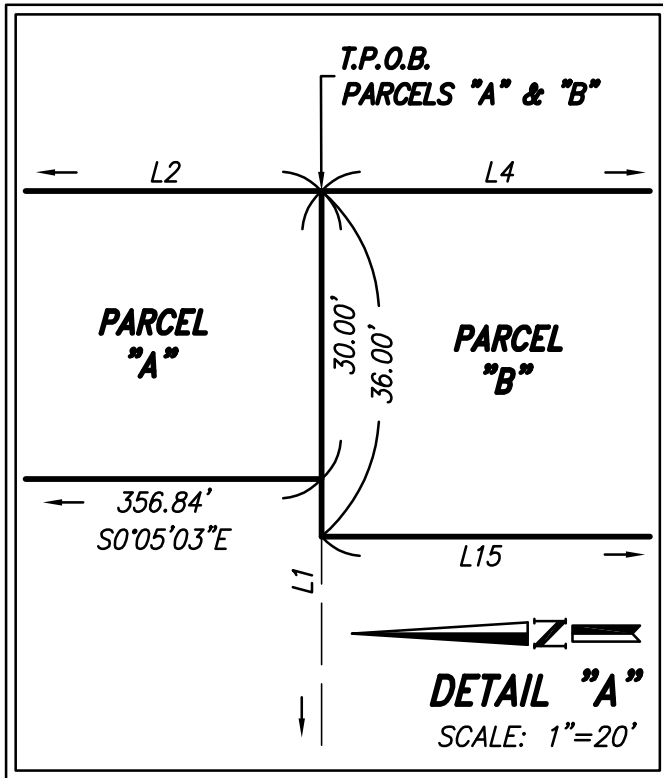
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EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR EXHIBIT "A"



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°54'57"E	167.83'
L2	N00°05'03"W	103.22'
L3	N89°54'57"E	10.50'
L4	S00°05'03"E	87.75'
L5	N89°54'57"E	6.00'
L6	S00°05'03"E	2.32'
L7	S28°27'15"E	64.17'
L8	N89°54'57"E	97.89'
L9	S67°02'03"E	126.90'
L10	S61°43'18"E	(RAD)
L11	S68°49'25"E	(RAD)
L12	N67°02'03"W	125.61'
L13	S89°54'57"W	97.89'
L14	N28°27'15"W	64.17'
L15	N00°05'03"W	90.07'

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C1	28°22'12"	94.00'	46.54'
C2	61°37'48"	64.00'	68.84'
C3	13°26'29"	464.00'	108.85'
C4	36°29'29"	306.00'	194.89'
C5	7°06'07"	339.22'	42.05'
C6	36°29'29"	264.00'	168.14'
C7	13°26'29"	506.00'	118.70'
C8	61°37'48"	106.00'	114.02'
C9	28°22'12"	136.00'	67.34'

SHEET 3 OF 3

EXHIBIT "B"
PLAT
CITY OF MONTEBELLO, CALIFORNIA

DLORC Engineering, Inc.
Civil Engineering/Land Surveying/Land Planning

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Anaheim Hills, California 92808
(714) 685-6860

RESOLUTION NO. 23-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, NAMING A CERTAIN PUBLIC STREET AND ROAD "TOPGOLF WAY"

RECITALS

WHEREAS, Section 34091.1 of the California Government Code provides that, whenever the City Council finds that a name should be adopted and applied to any city street, the City Council may adopt a resolution designating a name for such street; and

WHEREAS, Section 34092 of the Government Code provides that, whenever the name of any street is adopted by the City, the City Clerk shall promptly forward a copy of the resolution providing for such new name to the Board of Supervisors of the County of Los Angeles; and

WHEREAS, the City Council finds and declares that the public street and road that is legally described in Exhibit "A" to this Resolution and depicted on the map attached as Exhibit "B" shall be named "Topgolf Way."

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

SECTION 1. The public street and road that is legally described in Exhibit "A" to this Resolution and depicted on the map attached as Exhibit "B" shall be named "Topgolf Way."

SECTION 2. The City Clerk is hereby authorized and directed to cause a certified copy of this Resolution, attested by the City Clerk under seal, to be forwarded to the Board or Supervisors for the County of Los Angeles in the manner required by Section 34092 of the Government Code.

SECTION 3. EFFECTIVE DATE. This Resolution shall take effect immediately upon its adoption by the City Council and the City Clerk shall certify to the passage and adoption of this resolution.

APPROVED AND ADOPTED THIS 8TH DAY OF FEBRUARY 2023.

David N. Torres, Mayor

RESOLUTION NO. 23-10

Page 2 of 2

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. 23-10 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 8th day of February 2023 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

- Exhibit A – Legal Description
- Exhibit B – Plat Map

EXHIBIT "A"

LEGAL DESCRIPTION

IN THE CITY OF MONTEBELLO, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING TWO PARCELS OF LAND LYING WITHIN LOTS "A", 342 AND 343 OF TRACT NO. 10034, AS PER MAP RECORDED IN BOOK 146, PAGES 51 THROUGH 57 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, SAID PARCELS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF LOT 91 OF SAID MAP, THENCE ALONG THE NORTH LINE OF LOT "A" OF SAID MAP SOUTH 89°40'45" WEST, 901.01 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 89°07'30" WEST, 383.41 FEET; THENCE LEAVING SAID NORTH LINE THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 00°05'03" EAST, 206.05 FEET;
- 2) SOUTH 70°42'16" EAST, 436.40 FEET;
- 3) NORTH 89°54'57" EAST, 167.83 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE, THE FOLLOWING THREE (3) COURSES:

- 1) NORTH 00°05'03" WEST, 103.22 FEET;
- 2) NORTH 89°54'57" EAST, 10.50 FEET;
- 3) NORTH 00°05'03" WEST, 253.79 FEET TO THE NORTH LINE OF SAID LOT "A";

THENCE, ALONG THE NORTH LINE OF SAID LOT, SOUTH 89°40'45" WEST, 40.50 FEET;

THENCE, LEAVING SAID SOUTH LINE, SOUTH 00°05'03" EAST, 356.84 FEET TO A LINE PASSING THROUGH THE TRUE POINT OF BEGINNING HAVING A BEARING OF SOUTH 89°54'57" WEST;

THENCE, ALONG SAID LINE, NORTH 89°54'57" EAST, 30.00 FEET TO THE **TRUE POINT OF BEGINNING**.

THE ABOVE DESCRIBED PARCEL CONTAINS 13,372 SQUARE FEET, MORE OR LESS.

SHEET 1 OF 3

EXHIBIT "A"
LEGAL DESCRIPTION
CITY OF MONTEBELLO, CALIFORNIA

 **DORC Engineering, Inc.**
Civil Engineering/Land Surveying/Land Planning

160 S. Old Springs Road, Ste. 210
Anaheim Hills, California 92808
(714) 685-6860

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL "B"

BEGINNING AT THE NORTHWEST CORNER OF LOT 91 OF SAID MAP, THENCE ALONG THE NORTH LINE OF LOT "A" OF SAID MAP SOUTH 89°40'45" WEST, 901.01 FEET TO AN ANGLE POINT THEREIN; THENCE CONTINUING ALONG SAID NORTH LINE, SOUTH 89°07'30" WEST, 383.41 FEET; THENCE LEAVING SAID NORTH LINE THE FOLLOWING THREE (3) COURSES:

- 1) SOUTH 00°05'03" EAST, 206.05 FEET;
- 2) SOUTH 70°42'16" EAST, 436.40 FEET;
- 3) NORTH 89°54'57" EAST, 167.83 FEET TO THE **TRUE POINT OF BEGINNING**;

THENCE, THE FOLLOWING TEN (10) COURSES:

- 1) SOUTH 00°05'03" EAST, 87.75 FEET;
- 2) NORTH 89°54'57" EAST, 6.00 FEET;
- 3) SOUTH 00°05'03" EAST, 2.32 FEET TO THE BEGINNING OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 94.00 FEET;
- 4) SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°22'12" AN ARC LENGTH OF 46.54 FEET;
- 5) SOUTH 28°27'15" EAST, 64.17 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 64.00 FEET;
- 6) SOUTHEASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61°37'48" AN ARC LENGTH OF 68.84 FEET;
- 7) NORTH 89°54'57" EAST, 97.89 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 464.00 FEET;
- 8) EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°26'29" AN ARC LENGTH OF 108.85 FEET;
- 9) NORTH 76°28'28" EAST, 471.61 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 306.00 FEET; THENCE EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 36°29'29" AN ARC LENGTH OF 194.89 FEET;
- 10) SOUTH 67°02'03" EAST, 126.90 FEET TO A POINT IN THE SOUTHEASTERLY LINE OF SAID LOT 342, SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 339.22 FEET, A RADIAL LINE FROM SAID BEGINNING OF CURVE BEARS SOUTH 61°43'18" EAST;

THENCE ALONG THE SOUTHEASTERLY LINE OF SAID LOTS 342, 343, AND SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°06'07" AN ARC LENGTH OF 42.05 FEET;

THENCE LEAVING SAID SOUTHEASTERLY LINE THE FOLLOWING TEN (10) COURSES:

- 1) NORTH 67°02'03" WEST, 125.61 FEET TO THE BEGINNING OF A CURVE, CONCAVE SOUTHERLY, HAVING A RADIUS OF 264.00 FEET;
- 2) WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 36°29'29" AN ARC LENGTH OF 168.14 FEET;
- 3) SOUTH 76°28'28" WEST, 471.61 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHERLY, HAVING A RADIUS OF 506.00 FEET;

SHEET 2 OF 3

EXHIBIT "A"
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Civil Engineering/Land Surveying/Land Planning

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Anaheim Hills, California 92808
(714) 685-6860

EXHIBIT "A"

LEGAL DESCRIPTION

PARCEL "B" (CONTINUED)

- 4) WESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 13°26'29" AN ARC LENGTH OF 118.70 FEET;
- 5) SOUTH 89°54'57" WEST, 97.89 FEET TO THE BEGINNING OF A CURVE, CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 106.00 FEET;
- 6) NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 61°37'48" AN ARC LENGTH OF 114.02 FEET;
- 7) NORTH 28°27'15" WEST, 64.17 FEET TO THE BEGINNING OF A CURVE, CONCAVE EASTERLY, HAVING A RADIUS OF 136.00 FEET;
- 8) NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 28°22'12" AN ARC LENGTH OF 67.34 FEET;
- 9) NORTH 00°05'03" WEST, 90.07 FEET TO A LINE PASSING THROUGH THE TRUE POINT OF BEGINNING HAVING A BEARING OF SOUTH 89°54'57" WEST;
- 10) ALONG SAID LINE, NORTH 89°54'57" EAST, 36.00 FEET TO THE **TRUE POINT OF BEGINNING.**

THE ABOVE DESCRIBED PARCEL CONTAINS 53,790 SQUARE FEET, MORE OR LESS.

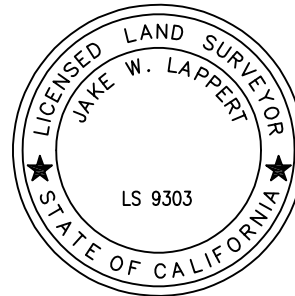
THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS' ACT.

ALL AS SHOWN ON EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

THIS DESCRIPTION WAS PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.



JAKE W. LAPPERT 01/23/2023
PLS 9303 DATE



SHEET 3 OF 3

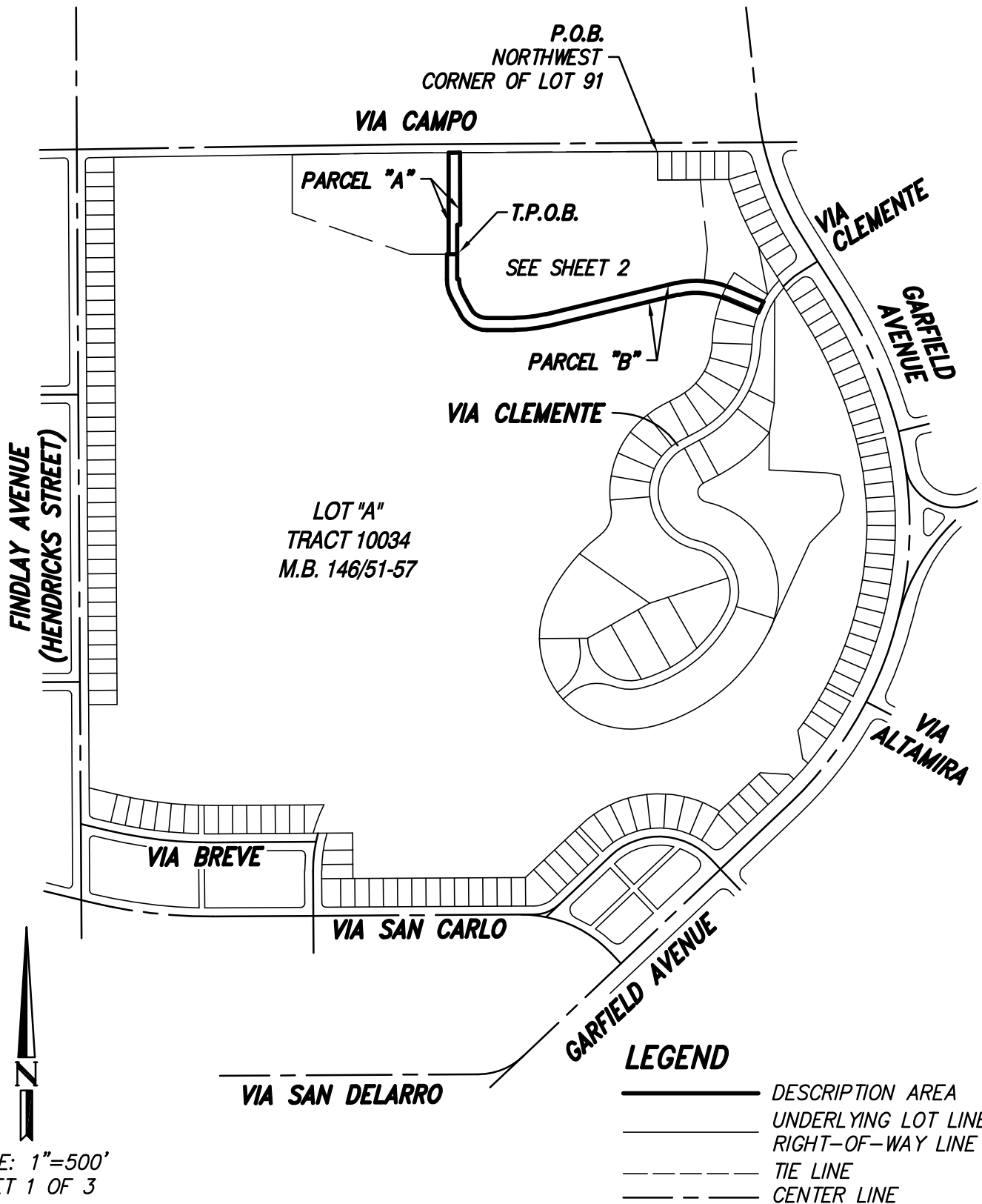
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EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR EXHIBIT "A"



SCALE: 1"=500'
SHEET 1 OF 3

EXHIBIT "B"
PLAT
CITY OF MONTEBELLO, CALIFORNIA

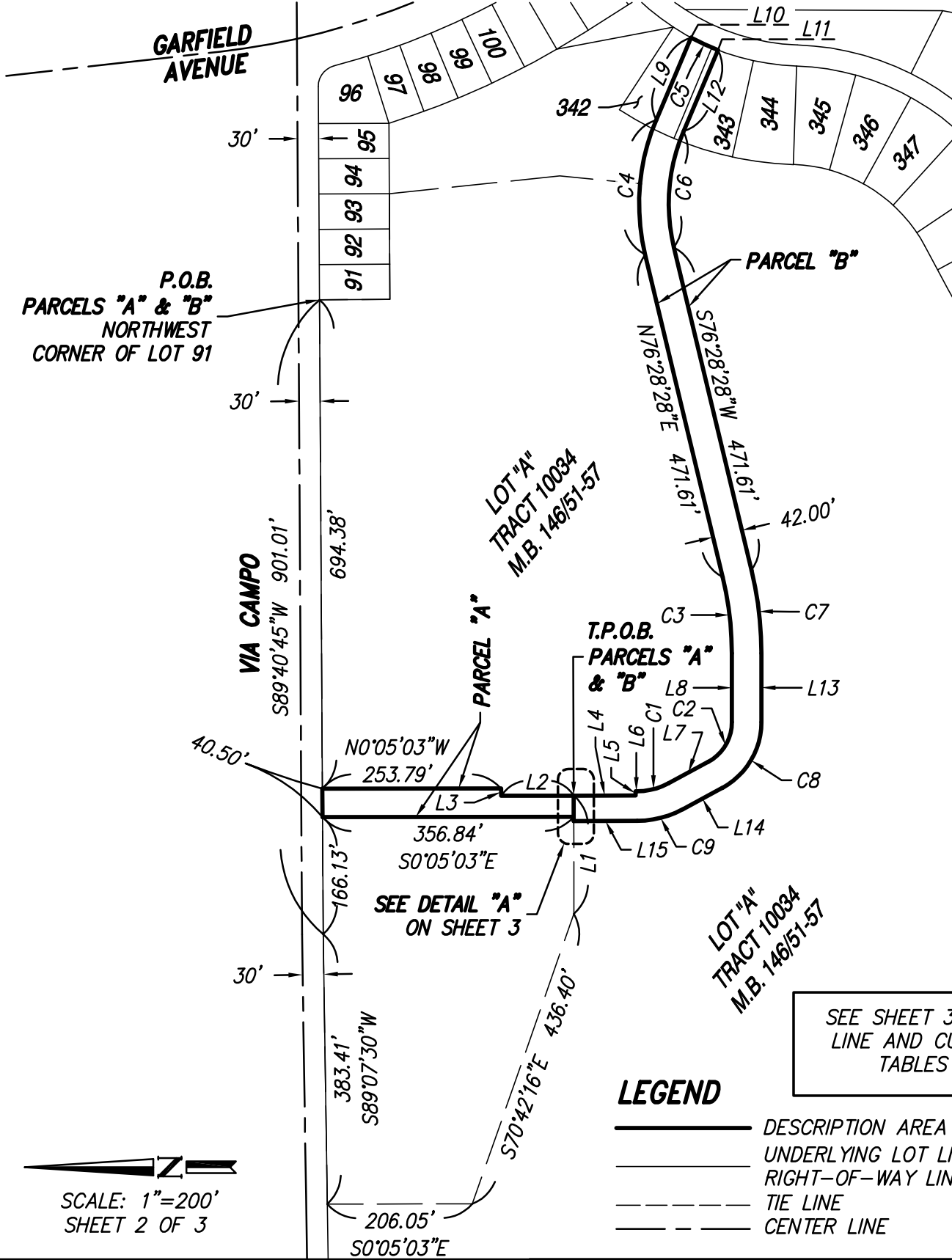
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EXHIBIT "B"

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SEE SHEET 3 FOR
LINE AND CURVE
TABLES

LEGEND

- DESCRIPTION AREA
- UNDERLYING LOT LINE/
RIGHT-OF-WAY LINE
- TIE LINE
- CENTER LINE

SCALE: 1"=200'
SHEET 2 OF 3

EXHIBIT "B"
PLAT
CITY OF MONTEBELLO, CALIFORNIA

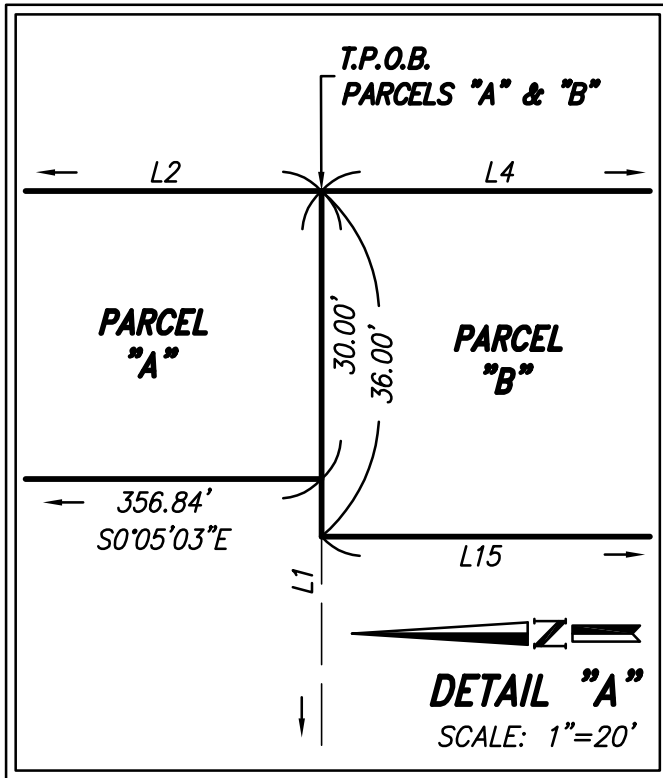
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EXHIBIT "B"

PLAT TO ACCOMPANY LEGAL DESCRIPTION FOR EXHIBIT "A"



LINE TABLE		
LINE	BEARING	DISTANCE
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L3	N89°54'57"E	10.50'
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L5	N89°54'57"E	6.00'
L6	S00°05'03"E	2.32'
L7	S28°27'15"E	64.17'
L8	N89°54'57"E	97.89'
L9	S67°02'03"E	126.90'
L10	S61°43'18"E	(RAD)
L11	S68°49'25"E	(RAD)
L12	N67°02'03"W	125.61'
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CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
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SHEET 3 OF 3

EXHIBIT "B"
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ITEM # 11

**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: James Enriquez, Director of Public Works

SUBJECT: BEACH STREET PAVEMENT AND STORM DRAIN REHABILITATION PROJECT (CP NO. 883) - NOTICE OF COMPLETION

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Accept the Beach Street Pavement and Storm Drain Rehabilitation Project (CP No. 883) as completed by Gentry Brothers Inc.; and
2. Find that the requested “Changes in Work” for the project (Attachment A) have no significant effect on the environment and approve changes in the aggregate amount of \$40,088; the final contract amount with Gentry Brothers, Inc. is \$1,441,636; and
3. Approve the Final Total Project Budget (Attachment B); and
4. Authorize the City Clerk to file the Notice of Completion with the Los Angeles County Recorder (Attachment C); and
5. Authorize the City Manager to release the retention payment due to Gentry Brothers, Inc. following the mandatory waiting period from the date of Notice of completion is recorded; and
6. Take such additional, related action that may be desirable.

FISCAL IMPACT:

The Final Total Project Budget (Attachment B) shows the total funding and sources that were approved by the City Council throughout the life of the project in the total aggregate amount of \$3,236,244. Also shown is the total aggregate expenditures for the project in the amount of \$2,005,972.

The remaining project budget balance of \$1,230,272 will be available for re-programming for other capital improvement projects, utilizing SB1/RMRA (Fund 201) State Gas Tax funding. No additional appropriations are required in order to close the project.

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

Page 2 of 3

BACKGROUND/DISCUSSION:

On December 8, 2021, the City Council awarded a construction contract to Gentry Brothers, Inc. in an amount not-to-exceed \$926,849 for Phase 1 of the project from Vail Avenue to 5th Street. The project included pavement rehabilitation along Beach Street and the removal and reconstruction of existing damaged concrete sidewalks, curb and gutters, cross gutters, concrete driveway approaches, and concrete curb ramps.

On April 13, 2022, The City Council approved a change order to Gentry Brothers, Inc., in the amount of \$534,370. This change added the portion of Beach Street from 5th Street to Bluff Road and compensated the contractor for an increase in asphalt material cost related to supply chain and COVID costs increases passed on from the asphalt plant.

Construction started on December 18, 2021 and was completed on August 26, 2022.

NOTICE OF COMPLETION

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

Concurrent with the preparation of the Notice of Completion, the City Engineer approved the final progress payment based on the agreed upon scope of work; with a five (5%) percent retention being withheld from the progress payments. The final retention payment is released to the contractor sixty (60) days after recordation of the Notice of Completion.

ENVIRONMENTAL:

N/A

ANALYSIS:

The City Engineer completed a field review and reviewed the construction written records concluding that the Project (CP NO. 883) was completed satisfactorily and in accordance with the Project specifications. The project financial records were also reviewed and the final cost is summarized in the Final Total Project Budget (Attachment B).

SUMMARY:

The City Council is requested to accept as complete the Beach Street Pavement and Storm Drain Rehabilitation Project (C.P. No. 883) and authorize the City Clerk to process the Notice of Completion.

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

Page 3 of 3

ATTACHMENT(S)

1. Attachment A - Changes in Work Summary
2. Attachment B - Total Project Budget
3. Attachment C - Notice of Completion, CP No. 883

NEXT STEPS:

N/A

CHANGES IN WORK SUMMARY
February 8, 2023

BEACH STREET REHABILITATION PROJECT
CP NO. 883

Project Description:

The Beach St pavement and storm drain rehabilitation project (Phase I and Phase II) from Vail Ave to Bluff St includes the removal and reconstruction of existing damaged concrete sidewalks, curb & gutters, cross gutters, concrete driveway approaches and concrete curb ramps. The project also includes cold milling and reconstruction of the existing asphalt concrete (AC) pavement, and the replacement of a deteriorated storm drain line, catch basins and manholes.

Changes in Work:

(1)	Additional work on Beach St from 5 th St to Bluff Rd	\$ 448,475
(2)	Increased asphalt material cost	\$ 84,914
(3)	Traffic signal pull box adjustment at Greenwood/Beach	\$ 3,201
(4)	Revised curb ramp construction method	\$ 9,180
(5)	Cement Treated Base (5 th to Bluff Rd) & Ferguson Dr Overlay	\$ 0
(6)	Delay due to unmarked manhole cover	\$ 3,780
(7)	Speed hump replacement – Design Change	\$ 20,277
(8)	Additional work days due to material shortage	\$ 0
(9)	Replace Type C loop detectors	\$ 2,654
(10)	ADA Truncated Dome Pad replacement for existing curb ramps	<u>\$ 996</u>
	Total Changes in Work	\$ 573,477

Description of Changes:

- (1) The project had been split into two phases. Phase 1 was from Vail Ave to 5th St. Phase 2 was from 5th St to Bluff Rd. The phasing was due to the replacement of the storm drain from 5th St to Bluff Rd. Since the storm drain replacement was delayed by permits required by LA County Department of Public Works, Phase 1 was bid for construction to accelerate the completion of the majority of the project. The storm drain was recently replaced in an emergency contract following storm damage in December 2021. The storm drain replacement allowed the road resurfacing to be completed. **This**

additional work was approved by the City Council on April 13, 2022.

- (2) The contractor requested compensation for increased asphalt material cost that was beyond their control. The contractor submitted invoicing from the asphalt supplier demonstrating that the cost of asphalt material had increased since the original bid due to the sharp increase in the cost of petroleum. The increase was \$15 per ton (from \$60.41 to \$75.41 per ton). The total increase for the project was \$84,914. **This increase was approved by the City Council on April 13, 2022.**
- (3) The contractor found an old buried pull box on the corner of Greenwood Ave and Beach St. To complete the work at the intersection, the old pull box needed to be removed and the cables from the traffic signal exposed. The contractor had to excavate a 21'x3' trench at depth of 24-36" for traffic signal conduit/cable adjustments. The extra work was tracked by time and materials.
- (4) The Inspector directed to construct the curb ramps by pouring the curb & gutter separately from the ramp in order to achieve a better quality end product. This requires two separate mobilizations.
- (5) The oversaturated condition of the native soil encountered from 5th St to Bluff Rd required a design change. Cement Treated Base (CTB) was specified in lieu of removal of the existing asphalt and over-excavation to a depth of 18 inches. The consists of grinding and pulverizing the existing asphalt with 12 inches of soil and mixing in 6% of cement to achieve compaction prior to placing pavement. This resulted in a net credit in cost which was used to grand and overlay the pavement on Ferguson St from Pickering Rd to Vail Ave. The net result was a \$0 change order.
- (6) The contractor hit an unmarked manhole cover on Beach St. (not shown on plans) while grinding the pavement which damaged their equipment. The Inspector approved payment for downtime and the repair of the grinder teeth.
- (7) The original design of the speed hump was changed due to concerns from residents that the previous speed hump design was not effective in reducing the speeding in their neighborhood. The city approved a designed change to the speed humps and work was tracked by time and materials. This resulted in an extra cost of \$5,069 per speed hump with a total of 4 speed humps within the limits of the project.
- (8) The contractor requested an additional 30 working days due to unforeseen material shortage and abnormal material procurement times. There was no increase in cost for this change.
- (9) An additional damaged loop detector (1) needed to be replaced that was not included in the original contract.
- (10) During a field visit City staff discovered poor concrete under existing domes, and City staff asked the contractor to remove and replace the concrete area to be paid as Time and Materials.

Revised Contract Amount:

Original contract amount	\$ 926,849
Adjustment for Final Quantities	<u>\$ -58,690</u>
Actual contract work completed	\$ 868,159
Changes in work previously approved	\$ 533,389
Changes in work to be authorized	<u>\$ 40,088</u>
Revised contract amount	<u>\$ 1,441,636</u>
Percent total change to original contract amount	55.6 %

**BEACH STREET REHABILITATION PROJECT
C.P. NO. 883**

FINAL TOTAL PROJECT BUDGET

Project Expenses	Final Cost
Design (West & Associates Engineering Inc.) – (Awarded 11/10/21)	\$ 247,700
Original Construction Contract (Gentry Brothers) – (Awarded 12/08/21)	\$ 926,849
Adjustment for Final Quantities Measured	\$ -58,690
Construction Change Orders - Approved 04/13/2022	\$ 533,389
Construction Change Orders – (Recommended)	\$ 40,088
Construction Management/Inspection (AIM Consulting Services) – (Awarded 01/12/2022)	\$ 92,126
Additional Management/Inspection (AIM Consulting Services)	\$ 76,101
Miscellaneous Expenses:	
Emergency Services/Sewer Inspection CCTV - Mr. Rooter (Approved 1/11/23)	\$ 132,796
PR Traffic Solutions	\$ 1,395
JCL Traffic Services	\$ 974
South Montebello Irrigation District (Relocations)	\$ 13,244
Total Project Cost:	\$ 2,005,972

Project Funding	Budget Amount
SB1 RMRA (Fund 201) - (Appropriated 08/12/2020)	\$ 1,036,244
SB1 RMRA (Fund 201) - (Appropriated 11/10/2021)	\$ 750,000
SB1 RMRA (Fund 201) - (Appropriated 12/08/2021)	\$ 1,450,000
Total Project Budget:	\$ 3,236,244

Note: The project was completed with \$1,230,272 remaining balance. These funds will be available for reprogramming for other projects.

RECORDING REQUESTED BY
CITY OF MONTEBELLO
AND WHEN RECORDED MAIL TO

NAME CITY OF MONTEBELLO
CITY CLERK
STREET ADDRESS 1600 W Beverly Blvd.
CITY Montebello,
STATE CA
ZIP 90640
SPACE ABOVE LINE FOR RECORDERS USE

NOTICE OF COMPLETION

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

Notice is hereby given that:

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

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

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

NAMES

ADDRESSES

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

NAMES

ADDRESSES

7. A work of improvement on the property hereinafter described was completed on October 27, 2022. The general scope of work consisted of the removal and reconstruction of existing sidewalks, curb and gutters, drive approaches, curb ramps, cold milling and repaving the existing streets, adjustments of utility covers, installation of pavement markings and striping, curb painting, installation of traffic detection loops and installation of a Bio-swell retention basin.

8. The name of the contractor, if any, for such work of improvement was Gentry Brothers, Inc.
December 08, 2021

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

(Date of Contract)

9. The property on which said work of improvement was completed is in the City of Montebello County of Los Angeles, State of CA, and is described as follows: **Beach Street Rehabilitation Project CP 883**

Director of Public Works / City Engineer, City of Montebello

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

VERIFICATION

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

Executed on _____, 2023 at City of Montebello, Montebello, CA

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

DO NOT RECORD

REQUIREMENTS AS TO NOTICE OF COMPLETION

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

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

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

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

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

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

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

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

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

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



**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: James Enriquez, Director of Public Works

SUBJECT: AUTHORIZE THE CITY MANAGER TO EXECUTE THE EXCHANGE AGREEMENT WITH LA METRO OF FEDERAL SURFACE TRANSPORTATION PROGRAM-LOCAL AND HIGHWAY INFRASTRUCTURE PROGRAMS FUNDS

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Authorize the City Manager to execute the Exchange Agreement and Assignment of Federal Surface Transportation Program-Local and Highway Infrastructure Programs Funds; and
2. Take such additional, related action that may be desirable.

FISCAL IMPACT:

The City currently has available \$502,363 of Federal Surface Transportation Program-Local (STP-L) and \$297,852 of Highway Infrastructure Programs (HIP) funds that are eligible for the Los Angeles County Metropolitan Transportation Authority (LACMTA) fund exchange program. The total available for exchange is \$800,215. LACMTA charges a 2% administration fee, leaving \$784,211 available in Proposition C funding for the proposed project. Staff will appropriate these Prop C through the budget process once the exchange has been approved.

BACKGROUND/DISCUSSION:

The Los Angeles County Metropolitan Transportation Authority (“LACMTA”) administers Federal transportation funding and is currently offering cities the opportunity to exchange Federal funding for local Proposition C (Prop C) sales tax funds. The streets that are eligible for funding with Prop C do not change relative to the Federal funding sources. However, the Prop C funds require much less administration by the City relative to

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

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Federal funding, hence will be easier to spend.

LACMTA requires that the City designate the proposed project with the fund exchange agreement. Staff proposes the resurfacing of Plaza Drive between Montebello Boulevard and San Gabriel Boulevard. This street is eligible for Prop C funding and is severely deteriorated. It serves as one of the primary ingress and egress routes for the Montebello Town Center and for various bus routes.

ENVIRONMENTAL:

N/A

ANALYSIS:

N/A

SUMMARY:

Staff recommends that the City Council authorize the City Manager to execute the recommended Exchange Agreement of STP-L Funds and HIP Funds for Proposition C funds totaling \$784,211 for the Plaza Drive Resurfacing Project.

ATTACHMENT(S)

1. Attachment A - Agr. No. 4071, Metro Exchange Agreement

NEXT STEPS:

N/A

**EXCHANGE AGREEMENT AND ASSIGNMENT OF FEDERAL SURFACE
TRANSPORTATION PROGRAM-LOCAL AND HIGHWAY INFRASTRUCTURE
PROGRAMS FUNDS**

This Exchange Agreement and Assignment of Federal Surface Transportation Program-Local and Highway Infrastructure Programs Funds ("AGREEMENT"), is made and entered into as of **July 1, 2022**, by and between the **City of Montebello** ("CITY") and the Los Angeles County Metropolitan Transportation Authority ("LACMTA").

RECITALS:

CITY is eligible for and has available Federal Surface Transportation Program-Local ("STP-L Funds") and Highway Infrastructure Programs funds ("HIP Funds").

- A. CITY desires to exchange **\$502,363** of CITY's STP-L Funds ("STP-L Funds Balance") and its total allocation of **\$297,852** of CITY's HIP Funds ("HIP Funds Balance") that LACMTA approved on April 22, 2021 for a like total amount of **\$800,215** of LACMTA Local Transportation Funds ("LACMTA Funds").
- B. LACMTA is willing to exchange **\$800,215** in LACMTA Funds for a like total amount of CITY's STP-L Funds and CITY's HIP Funds subject to the terms and conditions contained herein.
- C. An exchange of CITY's STP-L Funds and CITY's HIP Funds with LACMTA Funds is beneficial to and in the general interest of CITY and LACMTA.

NOW THEREFORE, in consideration of the mutual benefits to be derived by CITY and LACMTA, and of the promises contained herein, it is hereby agreed as follows:

AGREEMENT:

- 1. CITY hereby assigns to LACMTA **\$502,363** of CITY's STP-L Funds and **\$297,852** of CITY's HIP Funds. LACMTA shall be authorized to deduct such amounts from CITY's STP-L Funds Balance and CITY's HIP Funds Balance, respectively. This assignment shall be automatically effective upon full execution of this AGREEMENT without the necessity of the execution, delivery or recording of any further instrument whatsoever. Notwithstanding the foregoing, at LACMTA's request, CITY shall execute and deliver such documents and instruments as may be required to evidence such assignment of STP-L Funds and HIP Funds.
- 2. LACMTA hereby accepts CITY's assignment of CITY's STP-L Funds and CITY's HIP Funds for use on federal-aid eligible project(s), to be determined by LACMTA in its sole and absolute discretion.

3. Upon receipt of (i) a fully executed AGREEMENT, (ii) CITY's written certification of the amounts of CITY's STP-L Funds Balance and CITY's HIP Funds Balance, as defined herein, which CITY's STP-L Funds Balance and CITY's HIP Funds Balance show that CITY has sufficient STP-L Funds and HIP Funds to meet its obligations hereunder, and (iii) LACMTA's deduction of CITY's STP-L Funds and CITY's HIP Funds as provided in paragraph 1 above, LACMTA shall pay CITY \$784,211 of LACMTA Funds which includes the deduction for the processing fee described in paragraph 5 below. For purposes of this AGREEMENT, CITY's "STP-L Funds Balance" and CITY's "HIP Funds Balance" shall mean the amounts of funds contained in CITY's STP-L Funds and CITY's HIP Funds accounts as of the date that this AGREEMENT is fully executed, which include CITY's apportionment share of FY22 STP-L Funds and share of HIP Funds from the federal Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) that was enacted on December 27, 2020. If the STP-L Funds Balance and HIP Funds Balance become insufficient to satisfy CITY's exchange obligations hereunder, CITY hereby authorizes LACMTA to deduct from CITY's future balance of STP-L funds until LACMTA has in the aggregate received the amount of CITY's STP-L Funds and CITY's HIP Funds specified in paragraph 1 above.

4. CITY must complete and submit an Automated Clearing House (ACH) form (Exhibit A) through LACMTA's website to allow LACMTA to make disbursements electronically. Disbursements via ACH will be made at no cost to CITY. If electronic disbursements are not the preferred method of disbursement, CITY may request an exception in writing.

5. CITY shall pay LACMTA a two-percent (2%) processing and administrative fee (the "Processing Fee") in connection with the exchange contemplated by this AGREEMENT. The Processing Fee shall be assessed against the total amount of LACMTA Funds payable to CITY. CITY hereby authorizes LACMTA to deduct the Processing Fee from the amount LACMTA is to pay CITY hereunder.

6. CITY shall expend the LACMTA Funds on an STP-L and HIP Eligible Project and by the Lapsing Date, consistent with the Statement of Work, Schedule and Budget provided in Exhibit B. For the purposes of this AGREEMENT, the "Lapsing Date" shall mean the date that is three (3) years from the date that this AGREEMENT is fully executed. Any LACMTA Funds not expended by the Lapsing Date shall lapse and be returned to LACMTA within thirty (30) days of the Lapsing Date for further programming to third parties as LACMTA determines in its sole discretion.

A. For the purposes of this AGREEMENT, the term "Eligible Project" shall mean the transportation activities described in Exhibit B that: i) would normally qualify under Section 133(b) of Title 23, U.S.C: or ii) are for costs related to preventive maintenance, routine maintenance, debt service payments, availability payments, operations, personnel (including salaries of employees and those employees who have been placed on administrative leave, or contractors), and coverage for other revenue losses due to the coronavirus pandemic. Any other applicable federal regulations and standards related to procurement and project delivery issues may be substituted with applicable state and local regulations, standards, and policies.

- B. The term "expend" as used in Section 6 shall mean "encumbered by an awarded contract or paid for an eligible transportation activity".
- C. If the LACMTA Funds have lapsed and CITY has not returned all or a portion of the lapsed LACMTA Funds to LACMTA, then CITY shall be considered to be in default and agrees that such outstanding payments shall be paid from CITY funds in the following priority: first, from any of CITY's unobligated HIP Funds Balance, then from CITY's STP-L Funds Balance, then from CITY's Proposition A local return funds, then from CITY's Proposition C local return funds, then from CITY's Measure R local return funds, and then from CITY's Measure M local return funds. If CITY is in default hereunder, in addition to all rights and remedies available to LACMTA at law or in equity and without further notice or ability to cure by CITY, CITY hereby authorizes LACMTA to withhold the applicable HIP, STP-L or local return funds in the amount needed to satisfy the outstanding amount of lapsed LACMTA Funds due and owing to LACMTA prior to LACMTA transferring the balance of such funds to the CITY in accordance with the applicable state laws or ordinances.

7. CITY must use the LACMTA Funds in the most cost-effective manner. If CITY intends to use a consultant or contractor to implement all or part of the STP-L and HIP Eligible Project, LACMTA requires that such activities be procured in accordance with CITY's contracting procedures and be consistent with State law as appropriate. CITY will also use the LACMTA Funds in the most cost-effective manner when the LACMTA Funds are used to pay "in-house" staff time. CITY staff or consultants with project oversight roles may not award work to companies in which they have a financial or personal interest. This effective use of funds provision will be verified by LACMTA through on-going project monitoring and through any LACMTA interim and final audits.

8. LACMTA, and/or its designee, shall have the right to conduct audits of CITY's use of the LACMTA Funds, as deemed appropriate, such as financial and compliance audits; interim audits; pre-award audits, performance audits, and final audits. CITY agrees to establish and maintain proper accounting procedures and cash management records and documents in accordance with Generally Accepted Accounting Principles (GAAP). CITY's records shall include, without limitation, any supporting evidence deemed necessary by LACMTA to substantiate CITY's use of LACMTA Funds. These records must be retained by CITY for five years following CITY's last use of the LACMTA Funds. CITY shall reimburse LACMTA for any expenditure not in compliance with the Scope of Work and/or not in compliance with other terms and conditions of this AGREEMENT. The eligibility of costs for CITY's own expenditures submitted to LACMTA for the Eligible Project shall be in compliance with Office of Management and Budget (OMB) Circular A-87 (relocated to Title 2 in the Code of Federal Regulations, Subtitle A, Chapter II, part 225). The eligibility of costs for CITY's contractors, consultants, and suppliers expenditures submitted to LACMTA through CITY's Monthly Progress Reports and Quarterly Expenditures shall be in compliance with OMB Circular A-87 (as relocated) or Federal Acquisition Regulation (FAR) Subpart 31 (whichever is applicable). Findings of the LACMTA audit are final. When LACMTA audit findings require CITY to return monies to LACMTA, CITY agrees to

return the monies within thirty (30) days after the final audit is sent to CITY.

9. The terms of this AGREEMENT shall commence on the date that this AGREEMENT is fully executed and shall terminate once CITY has expended all the LACMTA Funds and all LACMTA audit and reporting requirements have been satisfied.

10. CITY shall fully indemnify, defend and hold LACMTA and its officers, agents, and employees harmless from and against any liability and expenses, including, without limitation, defend costs, any costs or liability on account of bodily injury, death or personal injury of any person, or for damages of any nature whatsoever arising out of (i) a breach of CITY's obligations under this AGREEMENT; or (ii) any act or omission of CITY or its officers, agents, employees, contractors, or subcontractors in the use of the LACMTA Funds.

11. LACMTA shall fully indemnify, defend and hold CITY and its officers, agents, and employees harmless from and against any liability and expenses, including, without limitation, defend costs, any costs or liability on account of bodily injury, death or personal injury of any person, or for damages to or loss of risk of property, any environmental obligations, any legal fees and any claims for damages of any nature whatsoever arising out of (i) a breach of LACMTA's obligations under this AGREEMENT; or (ii) any act or omission of LACMTA or its officers, agents, employees, contractors, or subcontractors in the use of CITY's STP-L Funds and CITY's HIP Funds.

12. This AGREEMENT may be amended or modified only by mutual written consent of LACMTA and CITY.

13. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

CITY OF MONTEBELLO

Alexis Lucero, Senior Management Analyst
City of Montebello
1600 W. Beverly Boulevard
Montebello, CA 90640

LACMTA

Michael Richmai
Senior Manager, Countywide Planning and Development
One Gateway Plaza (Mail Stop: 99-23-3)
Los Angeles, California 90012-2952
RichmaiM@metro.net

14. This AGREEMENT shall be interpreted and governed by the laws of the State of California.

15. This AGREEMENT constitutes the entire understanding between the parties with respect to the subject matter herein.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective officers as of the date stated below.

**LOS ANGELES COUNTY
METROPOLITAN TRANSPORTATION
AUTHORITY**

CITY OF MONTEBELLO

By: _____
Stephanie N. Wiggins
Chief Executive Officer

By: _____
René Bobadilla
City Manager

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Dawyn R. Harrison
Acting County Counsel

Arnold M. Alvarez-Glasman
City Attorney

By: _____
Deputy

By: _____
City Attorney

AUTOMATED CLEARING HOUSE (ACH) PAYMENT AUTHORIZATION

SECTION I: <i>Supplier Information</i>		
Supplier Number:		
Company Name:		
Payment Address:		
City:	State: CA	Zip Code:
Contact Name:	Contact Phone Number:	
Email Address:		
SECTION II: <i>Banking Information</i>		
Tax ID:		
Bank Name (Required):		
Account Name:		
Account Type (Required): <input type="checkbox"/> Checking <input type="checkbox"/> Savings		
Account Number (Required):		
Routing Number (Required):		
SECTION III: <i>Authorization</i>		
Print Name of Authorized Person:		
Print Title :		
Phone Number:		
Signature of Authorized Person:		
Date:		
SECTION IV: <i>Approval - Metro Use Only</i>		
Approved by:	Date:	
Entered by:	Date:	

AUTOMATED CLEARING HOUSE (ACH) PAYMENT AUTHORIZATION

Field	Description
Supplier Number	If you know the supplier number, please enter. If not, not required.
Company Name	Enter name of company doing business with L.A. Metro.
Payment Address	Enter address where payment may be mailed in accordance with Metro records.
Contact Name	Enter name of person from your company that Metro may contact for more information if required.
Contact Phone Number	Enter number where contact person may be reached.
Email Address	Enter the email address where payment detail information can be sent (i.e., information to include payment amount, payment date, description of invoices paid, etc.)
Tax ID Number	Enter company's tax identification number.
Bank Name	Enter the bank name where payments are to be sent (i.e. Bank of America, Washington Mutual, etc.)
Routing Number	Enter the first 9 numbers of the account to which you would like funds sent. This information is located on your check for the account. Do not use information from a deposit slip.
Account Name	Enter the official name of the account.
Account Number	Enter the account number to which funds are to be sent.
Account Type	Check the appropriate account type
Authorized Person & Title	Enter name and title of person of your company authorized to approve ACH transactions.
Signature	Must be a wet signature
Phone Number	Enter phone number where authorized person may be contacted.

AUTOMATED CLEARING HOUSE (ACH) PAYMENT AUTHORIZATION

Please mail your completed form along with a copy of a
voided check to:

Metro Accounts Payable
P.O. Box 512296
Los Angeles, CA 90051

Questions? Please feel free to contact the AP hotline at:

213-922-6811 option 3

STATEMENT OF WORK

Project Title: Plaza Drive Reconstruction

Project Description:

Reconstruction of deteriorated asphalt pavement on Plaza Drive between Montebello Boulevard and San Gabriel Boulevard, including removal of existing asphalt pavement section and construction of new asphalt and road base with minor sidewalk repairs. This street serves Montebello Transit and Foothill Transit bus routes and is severely deteriorated.

Project Schedule:

Advertise	April 2023
Award Contract	June 2023
Start Construction	July 2023
Complete Construction	September 2023

Project Funding:

LACMTA Funds*	\$784,211
Total Project Funding	\$784,211

**Net of 2% processing and administrative fee.*

Project Map:





**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: Joseph Palombi, Director of Planning & Community Development

SUBJECT: WAIVE THE SECOND READING AND ADOPT ORDINANCE NO. 2461 AMENDING THE GENERAL PLAN AND ZONING DESIGNATION (CASE NO. "PC-2022-0004-GPA-ZC-SPR") FOR THE PROPERTY LOCATED AT 844 SOUTH GREENWOOD AVENUE TO ALLOW THE CONSTRUCTION OF TWELVE (12) RESIDENTIAL DWELLING UNITS

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Waive Second Reading and Adopt Ordinance No. 2461 approving a General Plan Amendment ("GPA") and Zone Change ("ZC") (Case No. PC-2022-0004-GPA-ZC-SPR) for the property located at 844 S. Greenwood Avenue ("Project Site"); and
2. FIND and DETERMINE the GPA and ZC to be statutorily exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption) considering that CEQA only applies to projects which have the potential for causing a significant effect on the environment; and
3. Take such additional, related action that may be desirable.

FISCAL IMPACT:

There is no fiscal impact associated with the approval of a General Plan Amendment and Zone Change for the property located at 844 South Greenwood Avenue.

BACKGROUND/DISCUSSION:

On December 6, 2022, the Planning Commission held a duly noticed public hearing and considered the proposal for a General Plan Amendment, Zone Change, and Site Plan Review (Case No. PC-2022-0004-GPA-ZC-SPR) to: 1) amend the General Plan designation from low density residential to high density residential, 2) change the zoning

CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT - MEETING OF FEBRUARY 8, 2023

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designation from R-1 (Single-Family Residential) to R-3 (Multifamily Residential), and 3) allow the construction of twelve (12) dwelling units at 844 S. Greenwood Avenue. The Planning Commission approved a Site Plan Review and recommended that the City Council approve GPA and ZC (Case No. PC-2022-0004-GPA-ZC-SPR). Approval of the Site Plan Review is contingent upon the City Council's approval of the GPA and ZC. The action of the Planning Commission was taken by a 3-0-0-1 vote with 3 members voting in favor of the proposal and 1 member being absent.

On January 25, 2023, the City Council held a duly noticed public hearing and unanimously approved Ordinance No. 2461 approving the GPA and ZC to allow the development of twelve (12) residential dwelling units (Case No. PC-2022-0004-GPA-ZC-SPR) for the property located at 844 South Greenwood Avenue within the City of Montebello.

ENVIRONMENTAL:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the proposed General Plan Amendment and Zone Change (Case No. PC-2022-0004-GPA-ZC-SPR) before the City Council today are not considered a project per the CEQA definition of a project since the activity is statutorily exempt per CEQA Section 15061(b)(3) (Common Sense Exemption). CEQA only applies to projects which have the potential to cause a significant effect on the environment. No physical changes will occur as a result of the proposed General Plan Amendment and Zone Change. The Planning Commission determined that the related Site Plan Review for the construction of twelve (12) units is Categorically Exempt from CEQA under Section §15332 (In-Fill Development Projects). Here, the City Council is specifically being asked to determine and find that the proposed General Plan Amendment and Zone Change are also exempt.

ANALYSIS:

The Project Site is located approximately 980 feet from the intersection of South Greenwood Avenue and Washington Boulevard within the R-1 (Single-Family Residential) zone. The elongated rectangular shaped lot is approximately 36,150 square feet in size and is currently developed with a 740 square foot single-family home. The Project Site is surrounded by multi-family developments zoned for R-3 to the north, south, and west. Single-family homes zoned for R-1 are adjacent to and abut the east and southeast portion of the Project Site. There is an R-1 zoned lot developed with three (3) duplexes immediately to the north of the Project Site.

The Applicant is requesting to change the General Plan designation from Low Density Residential to High Density Residential and to change the zoning designation from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential). Concurrently, the Applicant submitted a Site Plan Review to allow the construct of twelve (12) for rent dwelling units at the Project Site. The Site Plan Review entitlement only requires the review and approval of the Planning Commission, however, such entitlement is contingent upon the City Council's approval of the GPA and ZC. The proposed zoning, general plan amendment, and density is compatible with the surrounding area considering that there

are a significant number of multi-family developments within the immediate vicinity.

As shown in the attached site plan (Attachment E), the configuration of the twelve (12) dwelling units will consist of four (4) detached, two-story (2-story) buildings, with three (3) dwelling units per building. Each proposed building is approximately 7,194 square feet with approximately 2,361 square feet per unit. The proposed lot coverage for the Project Site is forty-five (45) percent, which is under the allowed sixty (60) percent lot coverage. The proposed floor plan will consist of a living room, kitchen, dining area, a powder room and a two-car garage on the first floor. The second floor will consist of a master bedroom suite, two (2) bedrooms, one (1) double vanity bathroom, laundry facilities, and a 77 square foot balcony for each unit. The proposed building height is approximately 25 feet, which will not exceed the allowed height for the proposed zone. Additionally, each unit will be equipped with a private open space ranging from approximately 355-450 square feet. The proposed building architectural treatments will include: a Spanish tile roof, stucco finish, foam trim around the windows, decorative stone on the front façade, decorative entry doors and wooden garage doors.

Per the Montebello Municipal Code (MMC) Chapter 17.52, the proposed project is required to provide two (2) enclosed parking spaces per unit, plus one (1) visitor parking for every three (3) dwelling units. The development as proposed will provide a total of twenty-eight (28) parking spaces, which includes twenty four (24) covered parking spaces and four (4) uncovered visitor parking spaces. Should the City Council consider approving the proposed General Plan amendment and Zone Change, the project as proposed, meets and/or exceeds the required development standards for an R-3 Multi-Family zoned property and will be consistent with the intent of the MMC Chapter 17.10.

GENERAL PLAN LAND USE AND HOUSING ELEMENT

The General Plan Land Use designation for the Project Site is Low Density Residential with a proposed amendment to change the designation to High Density Residential. The following General Plan Land Use Element and Housing Element goals and policies are applicable to the proposed development:

General Plan Land Use Element Goal #1 is “to formulate a plan which is responsive to the needs of the community and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development.”

General Plan Land Use Residential Policy #1 states that “residential development should aim for the density standards outlined in the Housing Element of the General Plan.”

General Plan Housing Element Goal #2 is to “increase housing production to improve affordability for the City’s current and future residents.”

General Plan Land Use Residential Policy #3 states that “opportunities for a variety of living needs should be available in various locations throughout the City”.

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

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General Plan Housing Element Policy #2.6 states that “the City shall streamline entitlement and permitting processes to reduce the cost of new housing and to accelerate housing production.”

The proposed project conforms to the City of Montebello General Plan Land Use and Housing Elements in that the proposed development will allow for the more reasonable development of the lot on which the project is proposed, provide additional housing opportunities, and add to the variety of housing types available in the City. The Project Site is relatively large and is currently surrounded by other multiple family residential uses, with some single family properties also present in the vicinity. Allowing the proposed general plan amendment and zone change to allow the development of twelve (12) units will contribute to the more orderly arrangement of the parcels in the vicinity and the addition of housing will slightly alleviate the need for housing in the area. Additionally, the increased housing production in the area could potentially improve the affordability for the City’s current and future residents by increasing the overall supply of housing in the City. Allowing the project to move forward as proposed is also consistent with Housing Element Policy #2.6 which states that the City shall accelerate housing production.

FINDINGS

Pursuant to Chapter 17.76 (Zone Changes and Amendments) of the MMC, the application for a zone change shall be made on a form provided by the City. The City’s application for zone changes requires the applicant to thoroughly respond to the following items:

1. Describe how the proposed Zone Change is consistent with the objectives and policies of the General Plan;

The zone change is consistent with the objectives and policies of the General Plan in that the density is appropriate to the neighborhood and the surrounding uses. The General Plan Land Use and Housing Element analysis provided above further demonstrates how the proposed zone change is consistent with the objectives and policies of the General Plan. Additionally, the site is physically suitable for the proposed zone change and the increased density should not pose any significant issues for the surrounding parcels considering that there is already a significant number of multiple family residences in the area. The proposed zone change will not conflict with any easements.

2. Detail why the proposed Zone Change is necessary;

The Zone Change is necessary because the proposed project is not achievable under the current zoning designation of the property (R-1). Under the City of Montebello’s R-1 standards, the maximum allowable density of the lot is one (1) dwelling unit whereas under the R-3 standards, one (1) dwelling unit is allowed per 3,000 square feet of lot

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

Page 5 of 5

area. Considering that the size of the lot is approximately 36,000 square feet, the proposed Zone Change will allow for the more reasonable development of the site.

3. Describe how the proposed Zone Change will not create problems harmful to the public health, safety, and general welfare;

The existing site has been constructed as a single family residence with a very large backyard since 1938. The Zone Change and subsequent development would not create problems for public health and safety and may actually reduce problems related to public safety because the large backyard is currently unsupervised and is subject to unlawful use and dumping. The proposed Zone Change and development could also be beneficial to the public health, safety, and general welfare by bringing in more investment money in the area, bringing in construction and related jobs, as well as by providing much needed housing. The adjacent properties have been built to sustain medium and higher densities and the proposed project would allow for more continuity to be present along Greenwood Avenue. The proposed Zone Change and development is in compliance with the R-3 zone and all other sections of the MMC which will ensure that the project will not create problems harmful to public health, safety, and general welfare.

SUMMARY:

Staff is requesting the City Council waive second reading and adopt Ordinance No. 2461 approving the General Plan Amendment and Zone Change under Case No. PC-2022-0004-GPA-ZC-SPR for the property located at 844 S. Greenwood Avenue to allow the related Site Plan Review approved by the Planning Commission to move forward. Additionally, staff is requesting the City Council find and determine the GPA and ZC to be statutorily exempt from the CEQA under section 15061(b)(3) (Common Sense Exemption) considering that CEQA only applies to projects which have the potential for causing a significant effect on the environment.

ATTACHMENT(S)

1. Attachment A - Ordinance No. 2461 (PC-2022-0004-GPA-ZC-SPR)
2. Attachment B - 844 S. Greenwood Site Plan and Elevations
3. Attachment C - Executed Planning Commission Resolution No. 16-22
4. Attachment D - Executed Planning Commission Resolution No. 15-22
5. Attachment E - Final CC Public Hearing Notice - 844 S. Greenwood
6. Attachment F- CEQA NOE - 844 S. Greenwood Avenue

NEXT STEPS:

N/A

ORDINANCE NO. 2461

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT (“GPA”) AND ZONE CHANGE (“ZC”) (“CASE NO. PC-2022-0004-GPA-ZC-SPR”) TO AMEND THE GENERAL PLAN LAND USE DESIGNATION FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL AND CHANGE THE ZONING DESIGNATION FROM R-1 (SINGLE FAMILY) TO R-3 FOR THE PROPERTY LOCATED AT 844 SOUTH GREENWOOD AVENUE (“PROJECT SITE”), AND FINDING THAT THE GENERAL PLAN AMENDMENT AND ZONE CHANGE ARE STATUTORILY EXEMPT UNDER CEQA SECTION 15061(B)(3) (COMMON SENSE EXEMPTION).

WHEREAS, the City of Montebello (“City”) received an application from John Mark Construction Company, Inc. (“Applicant”) for a General Plan Amendment, Zone Change, and Site Plan Review (Case No. PC-2022-0004-GPA-ZC-SPR) to: 1) amend the General Plan designation from low density residential to high density residential, 2) change the zone zoning designation from R-1 (Single Family Residential) to R-3 (Multi-family Residential), and 3) allow the construction of twelve (12) dwelling units at the project site (“Project”) located at 844 S. Greenwood Avenue (“Project Site”); and

WHEREAS, pursuant to Montebello Municipal Code (“MMC”) Chapter 17.76, the reclassification of specific properties from one zone to another can be initiated by motion of City of Montebello Planning Commission (“Planning Commission”) based upon its decision as to whether the public interest, convenience and necessity so requires the change of zone; and

WHEREAS, pursuant to MMC Chapter 17.76, the Planning Commission needs to recommend a specific course of action to the City Council after a public hearing has been conducted on any proposed zone change or amendment; and

WHEREAS, on December 6, 2022, the Planning Commission held a duly noticed public hearing and adopted Planning Commission Resolution No. 16-22 recommending that the City Council approve General Plan Amendment and Zone Change Case No. PC-2022-0004-GPA-ZC-SPR; and

WHEREAS, pursuant to Section 21067 of the Public Resources Code, and Section 15367 of the State California Environmental Quality Act (“CEQA”) Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Montebello is the lead agency for the proposed Project; and

ORDINANCE NO. 2461

Page 2 of 5

WHEREAS, the GPA and ZC (PC-2022-0004-SPR-ZC-GPA) are not considered a "project," as per the CEQA definition of a "project" since the activity is statutorily exempt per CEQA Section 15061(b)(3) (Common Sense Exemption) and no physical changes will occur as a result of the activity; and

WHEREAS, on January 25, 2023, the City Council conducted a duly noticed public hearing on the proposed general plan amendment and zone change, at which the City Council received and considered staff presentations, recommendations, public testimony, and all other substantial evidence presented at the public hearing and included in the record for this matter; and

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

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

SECTION 1. RECITALS. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Ordinance.

SECTION 2. FINDINGS.

A. Pursuant to Chapter 17.76 (Zone Changes and Amendments) of the MMC, the application for a zone change shall be made on a form provided by the City. The City's application for zone changes requires the applicant to thoroughly respond to the following items, which are hereby incorporated as substantial findings of the City Council:

- 1. Describe how the proposed Zone Change is consistent with the objectives and policies of the General Plan;*

The zone change is consistent with the objectives and policies of the General Plan in that the density is appropriate to the neighborhood and the surrounding uses. The General Plan Land Use and Housing Element analysis provided in the staff report further demonstrate how the proposed zone change is consistent with the objectives and policies of the General Plan. Additionally, the site is physically suitable for the proposed zone change and the increased density should not pose any significant issues for the surrounding parcels considering that there is already a significant number of multiple family residences in the area. The proposed zone change is not likely to cause any substantial environmental damage, to cause any serious public health problems. Additionally, the proposed zone change will not conflict with any easements.

2. Detail why the proposed Zone Change is necessary;

The Zone Change is necessary because the proposed project is not achievable under the current zoning designation of the property (R-1). Under the City of Montebello's R-1 standards, the maximum allowable density of the lot is one (1) dwelling unit whereas under the R-3 standards, one (1) dwelling unit is allowed per 3,000 square feet of lot area. Considering that the size of the lot is approximately 36,000 square feet, the proposed Zone Change will allow for the more reasonable development of the site.

3. Describe how the proposed Zone Change will not create problems harmful to the public health, safety, and general welfare;

The existing site has been constructed as a single-family residence with a very large backyard since 1938. The Zone Change and subsequent development would not create problems for public health and safety and may actually lessen problems related to public safety because the large backyard is currently unsupervised and is subject to unlawful use and dumping. The proposed Zone Change and development can also be beneficial to the public health, safety, and general welfare by bringing in more investment money in the area, bringing in construction and related jobs, as well as by providing much needed housing. The adjacent properties have been built up to sustain medium and higher densities and the proposed project would allow for more continuity to be present down Greenwood Avenue. The proposed Zone Change and development is in compliance with the R-3 zone development standards by providing the required open space, parking and setbacks to ensure that the project will not pose any impacts to the public health, safety, and general welfare for the surrounding neighborhood.

SECTION 3. CEQA. The City Council hereby determines and finds that the project is statutorily exempt from CEQA under section 15061(b)(3) (Common Sense Exemption) considering that this section stipulates that CEQA only applies to projects which have the potential for causing a significant effect on the environment. No physical changes will occur as a result of the proposed GPA and ZC. It should be further noted that during the duly noticed Planning Commission public hearing, the Planning Commission also found the related Site Plan Review for the contemplated Project to be Categorically Exempt per Section §15332 (In-Fill Development Projects).

SECTION 4. GENERAL PLAN LAND USE MAP AND ZONE MAP. City staff is hereby directed to amend the City's official General Plan Land Use Map and Zoning Map and amend the General Plan Map from Low Density Residential to High Density Residential and Zoning Map from R-1 (Single Family Residential) to R-3 (Multi-family Residential) for the property located at 844 South Greenwood Avenue.

ORDINANCE NO. 2461

Page 4 of 5

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 division.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after final approval by the City Council.

PASSED, APPROVED AND ADOPTED 8TH DAY OF FEBRUARY 2023.

David N. Torres, Mayor

ORDINANCE NO. 2461

Page 5 of 5

ATTEST:

Christopher Jimenez, City Clerk

APPROVED AS TO FORM:

Arnold M. Alvarez-Glasman, City Attorney

I HEREBY CERTIFY that the foregoing Ordinance was introduced at the regular meeting of the City Council on the 25th day of January, 2023, and was adopted by the City Council of the City of Montebello at its meeting held on the 8th day of February, 2023 by the following vote:

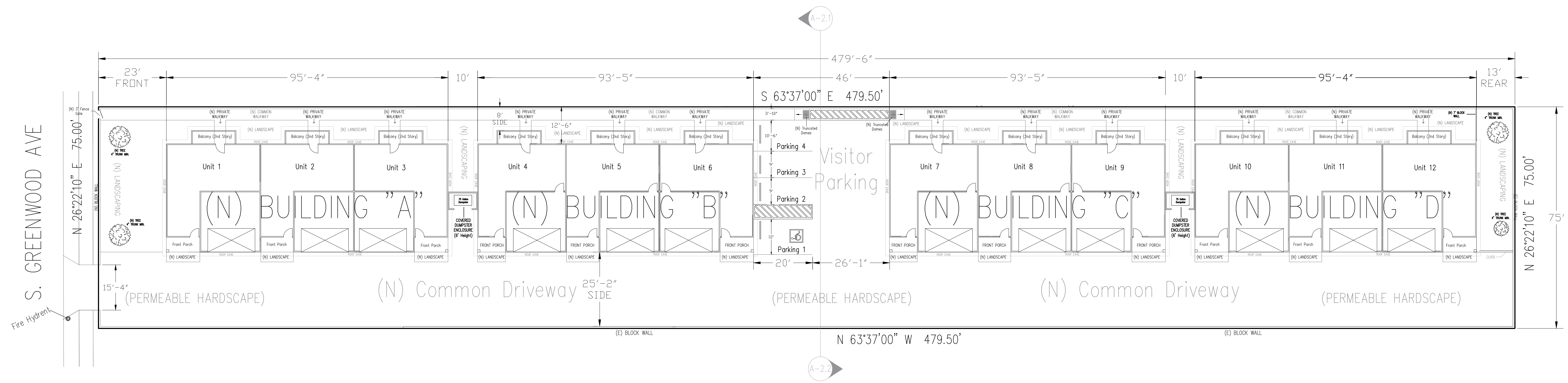
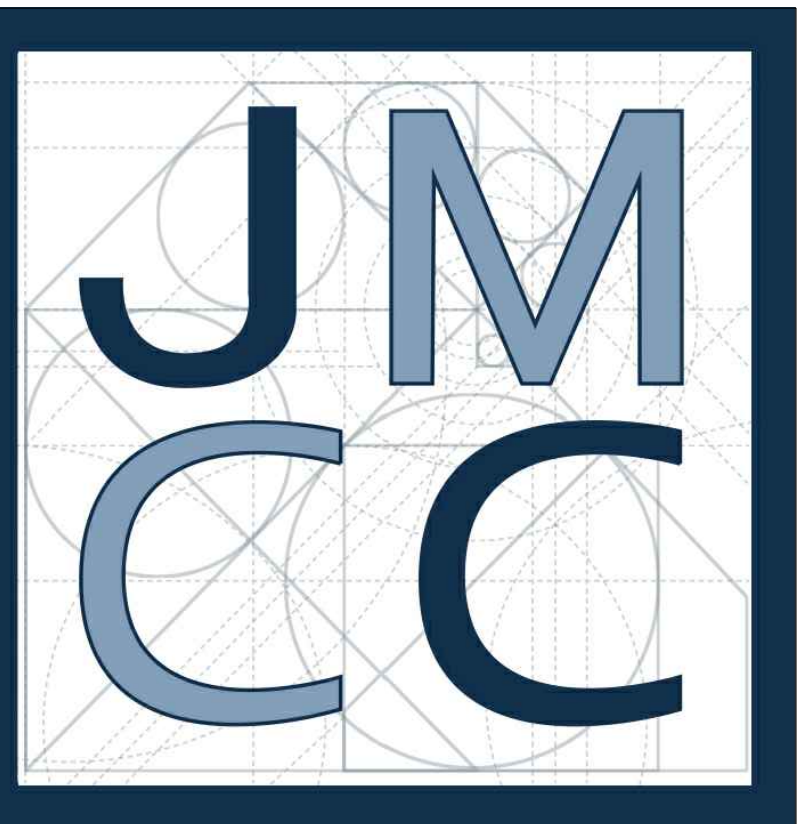
AYES:

NOES:

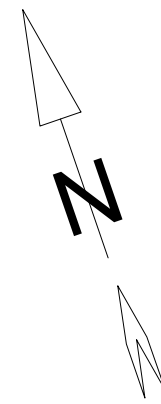
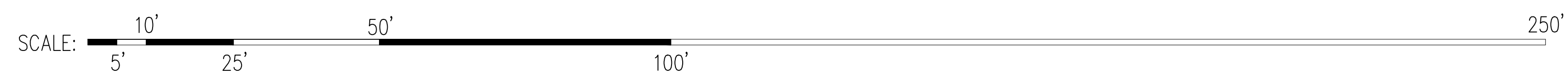
ABSENT:

ABSTAIN:

Christopher Jimenez, City Clerk



PROPOSED SITE PLAN
SCALE: 1/16" = 1'



	UNIT #1	UNIT #2	UNIT #3	UNIT #4	UNIT #5	UNIT #6	UNIT #7	UNIT #8	UNIT #9	UNIT #10	UNIT #11	UNIT #12	TOTAL:
PRIVATE Open Space (Sq Ft)													
NORTH WALKWAY	31	31	31	31	31	31	31	31	31	31	31	31	372
NORTH LANDSCAPE	223	222	223	208	222	223	208	222	224	224	222	286	2,707
SOUTH LANDSCAPE	38	27	38	31	37	38	31	37	38	38	37	38	438
FRONT PORCH	57	55	57	47	55	57	47	55	57	57	55	57	656
BALCONY	68	68	68	68	68	68	68	68	68	68	68	68	816
COMMON Open Space (Sq Ft)													
WALKWAY	1,724												
DRIVEWAY	11,607												
PARKING LOT	2,057												
EAST LANDSCAPE	599												
WEST LANDSCAPE	997												
LANDSCAPE (BETWEEN BUILDINGS)	486												
DUMPSTER AREA	406												

BUILDINGS:
FOOTPRINT: 13,184 Sq Ft
ROOFED AREA: 16,310 Sq Ft

PAVEMENT:
PRIVATE OPEN AREA: 3,799 Sq Ft
TOTAL OF HARDSCAPE AND LANDSCAPED AREAS: 22,936 Sq Ft
TOTAL DRIVEWAY, PARKING, AND DUMPSTERS: 14,070 Sq Ft

PROJECT ADDRESS:
844 S Greenwood Ave
Montebello, CA 90640

PROJECT:
CHANGE IN ZONE, RE-DEVELOP
PROPERTY WITH 12 SINGLE FAMILY
RESIDENCE ON A SINGLE PARCEL

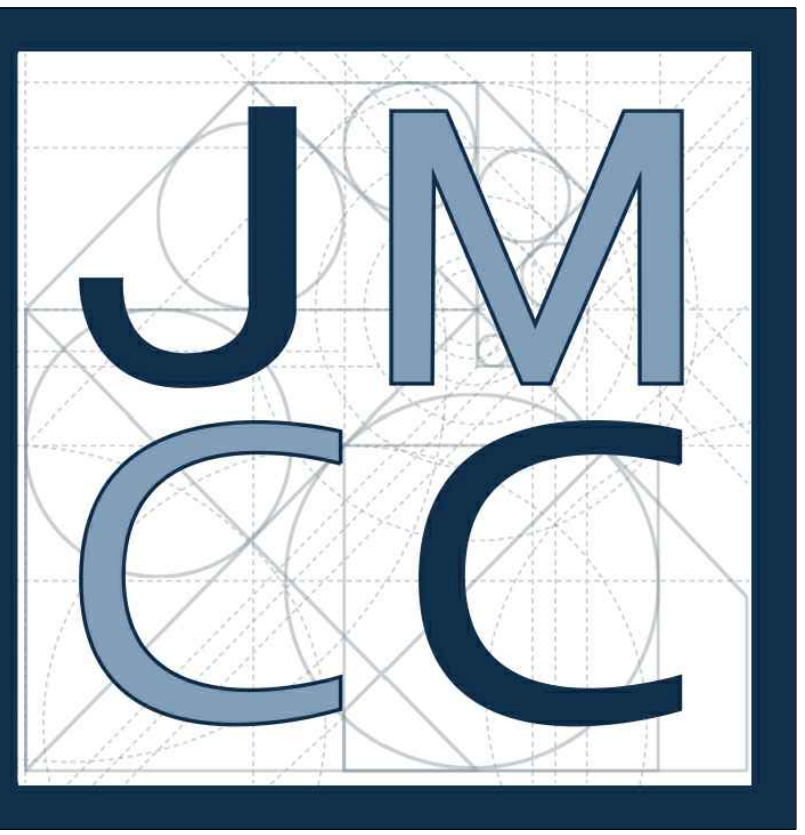
DRAWN BY:

DATE:
9/28/2022

SHEET:
PROPOSED
SITE PLAN

SCALE:
1/16" = 1'

PAGE #:
A-2



SOUTH ELEVATION - RENDERINGS

*NOTE RENDERINGS SHOW PROPOSED FINISHES. DIMENSIONS WILL VARY SLIGHTLY AND SOUTH SIDEWALK HAS BEEN REMOVED

JOHN MARK CONSTRUCTION CO.
125 N. MARENGO AVE
PASADENA, CA 91101

PROJECT ADDRESS:
844 S Greenwood Ave
Montebello, CA 90640

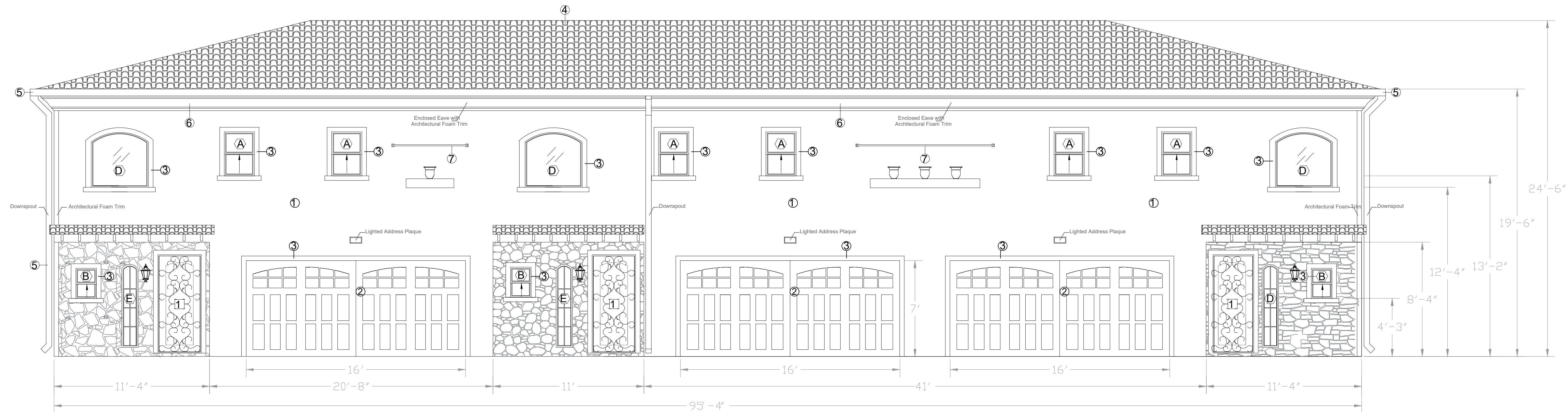
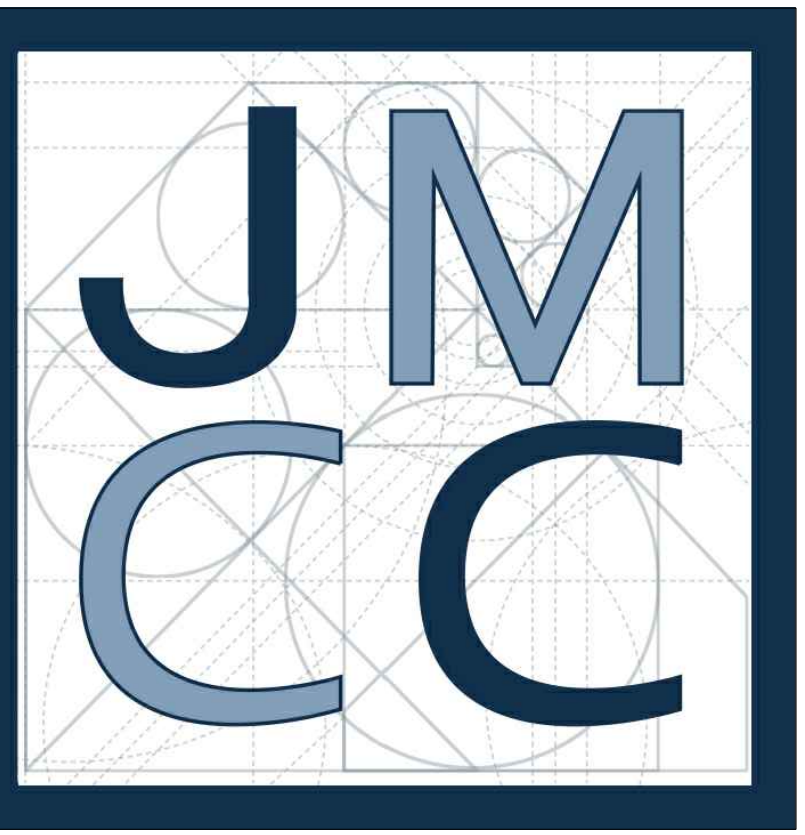
PROJECT:
CHANGE IN ZONE, RE-DEVELOP
PROPERTY WITH 12 SINGLE FAMILY
RESIDENCE ON A SINGLE PARCEL

DRAWN BY:
ANTHONY SANCHEZ

DATE:
9/23/2022

SHEET:
RENDERINGS OF SOUTH
ELEVATION

SCALE:
PAGE #:
A-8.0

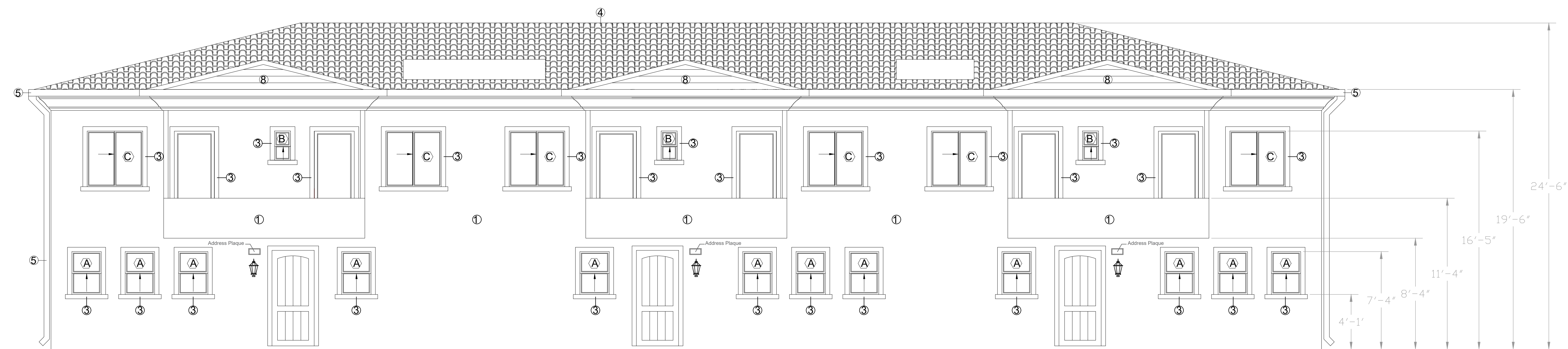


TYP SOUTH ELEVATION - BUILDINGS "A" & "D"

SCALE: 1/4" = 1'

MATERIAL LIST:

- ① Stucco
- ② Wood Garage Door
- ③ Architectural Foam Trim (Around Windows)
- ④ Spanish Style Roofing Tile
- ⑤ Metal Gutters
- ⑥ Architectural Foam Trim (Enclosed Overhang)
- ⑦ Decorative Iron
- ⑧ Siding



TYP NORTH ELEVATION - BUILDINGS "A" & "D"

SCALE: 1/4" = 1'

MATERIAL LIST:

- ① Stucco
- ② Wood Garage Door
- ③ Architectural Foam Trim (Around Windows)
- ④ Spanish Style Roofing Tile
- ⑤ Metal Gutters
- ⑥ Architectural Foam Trim (Enclosed Overhang)
- ⑦ Decorative Iron
- ⑧ Siding

JOHN MARK CONSTRUCTION CO.
125 N. MARENGO AVE
PASADENA, CA 91101

844 S Greenwood Ave
Montebello, CA 90640

PROJECT ADDRESS:

PROJECT: CHANGE IN ZONE, RE-DEVELOP
PROPERTY WITH 12 SINGLE FAMILY
RESIDENCE ON A SINGLE PARCEL

DRAWN BY:

ANTHONY SANCHEZ

DATE:

9/28/2022

SHEET:

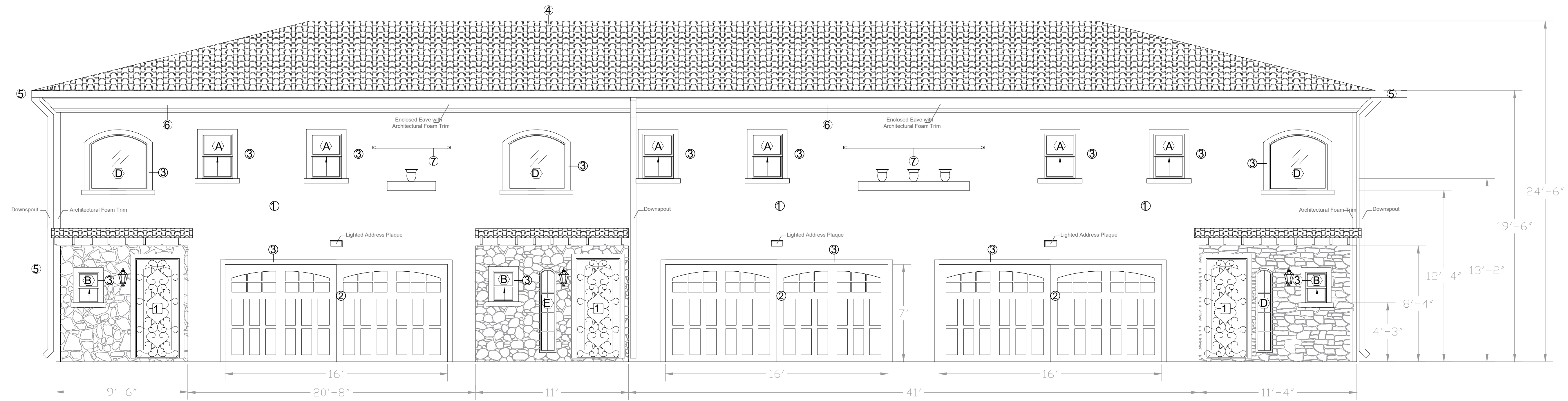
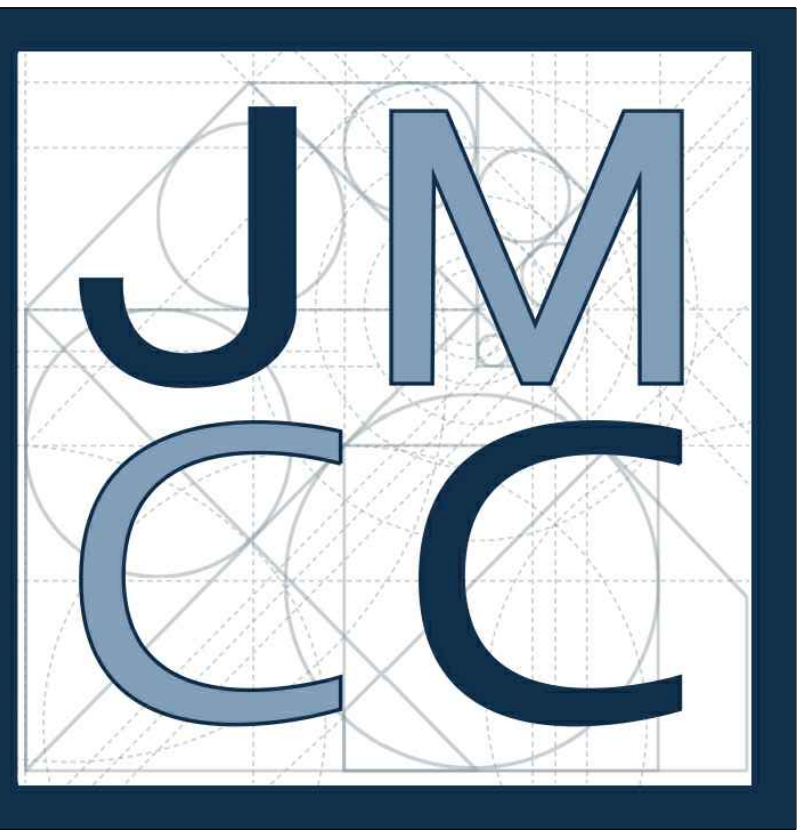
SOUTH AND NORTH ELEVATIONS
(BUILDING A & D)

SCALE:

1/4" = 1'

PAGE #:

A-5.0

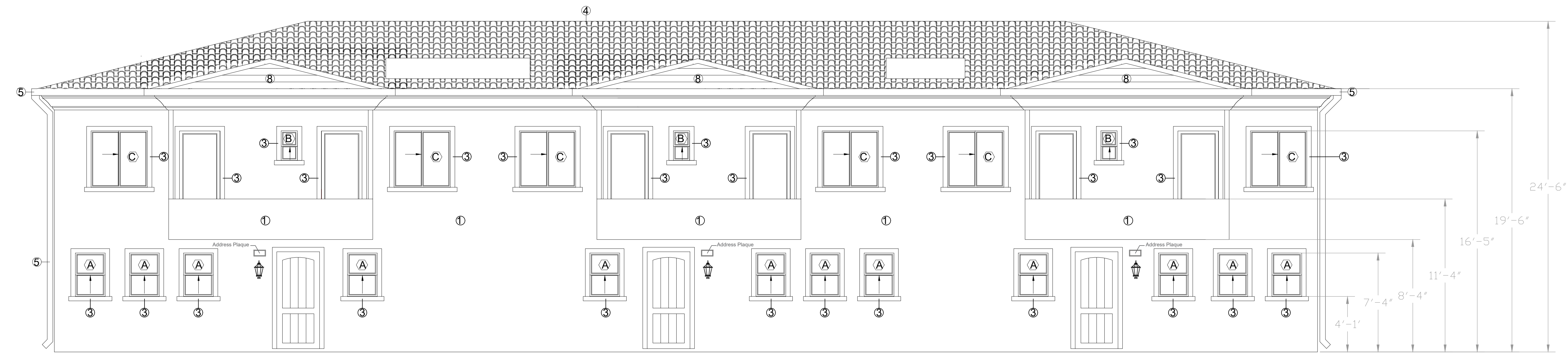


TYP SOUTH ELEVATION - BUILDINGS "B" & "C"

SCALE: 1/4" = 1'

MATERIAL LIST:

- 1 Stucco
- 2 Wood Garage Door
- 3 Architectural Foam Trim (Around Windows)
- 4 Spanish Style Roofing Tile
- 5 Metal Gutters
- 6 Architectural Foam Trim (Enclosed Overhang)
- 7 Decorative Iron
- 8 Siding



TYP NORTH ELEVATION - BUILDINGS "B" & "C"

SCALE: 1/4" = 1'

MATERIAL LIST:

- 1 Stucco
- 2 Wood Garage Door
- 3 Architectural Foam Trim (Around Windows)
- 4 Spanish Style Roofing Tile
- 5 Metal Gutters
- 6 Architectural Foam Trim (Enclosed Overhang)
- 7 Decorative Iron
- 8 Siding

JOHN MARK CONSTRUCTION CO.
125 N. MARENGO AVE
PASADENA, CA 91101

844 S Greenwood Ave
Montebello, CA 90640

PROJECT ADDRESS:

PROJECT: CHANGE IN ZONE, RE-DEVELOP
PROPERTY WITH 12 SINGLE FAMILY
RESIDENCE ON A SINGLE PARCEL

DRAWN BY:

ANTHONY SANCHEZ

DATE:

9/28/2022

SHEET:

SOUTH AND NORTH ELEVATIONS
(BUILDING B & C)

SCALE:

1/4" = 1'

PAGE #:

A-5.1

**CITY OF MONTEBELLO
PLANNING COMMISSION**

RESOLUTION NO. 16-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT (“GPA”) AND ZONE CHANGE (“ZC”) (“CASE NO. PC-2022-0004-GPA-ZC-SPR”) AMENDING THE GENERAL PLAN AND ZONING DESIGNATION FOR THE PROPERTY LOCATED AT 844 SOUTH GREENWOOD AVENUE (“PROJECT SITE”), AND FINDING THAT THE GENERAL PLAN AMENDMENT AND ZONE CHANGE ARE STATUTORILY EXEMPT UNDER CEQA SECTION 15061(B)(3) (COMMON SENSE EXEMPTION).

WHEREAS, the City of Montebello (“City”) received an application from John Mark Construction Company, Inc. (“Applicant”) for a General Plan Amendment, Zone Change, and Site Plan Review (Case No. PC-2022-0004-GPA-ZC-SPR) to allow: 1) the General Plan designation to be changed from low density residential to high density residential, 2) the zone to be changed from R-1 (Single Family Residential) to R-3 (Multifamily Residential), and 3) the construction of twelve (12) dwelling units at the project site (“Project”) located at 844 S. Greenwood Avenue (“Project Site”); and

WHEREAS, pursuant to Montebello Municipal Code (“MMC”) Chapter 17.76, the reclassification of specific properties from one zone to another can be initiated by motion of City of Montebello Planning Commission (“Planning Commission”) based upon its decision as to whether the public interest, convenience and necessity so requires the change of zone; and

WHEREAS, pursuant to MMC Chapter 17.76, the Planning Commission needs to recommend a specific course of action to the City Council after a public hearing has been conducted on any proposed zone change or amendment; and

WHEREAS, pursuant to Section 21067 of the Public Resources Code, and Section 15367 of the State California Environmental Quality Act (“CEQA”) Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Montebello is the lead agency for the proposed Project; and

WHEREAS, the GPA and ZC (PC-2022-0004-SPR-ZC-GPA) are not considered a "project," as per the CEQA definition of a "project" since the activity is statutorily exempt per CEQA Section 15061(b)(3) (Common Sense Exemption); and

WHEREAS, a duly noticed public hearing has been held, at which the Planning Commission received and considered staff presentations, recommendations, public testimony, and all other substantial evidence presented at the public hearing and included in the record for this matter; and

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

NOW THEREFORE, the Planning Commission of the City of Montebello hereby finds, declares and resolves as follows:

SECTION 1. RECITALS. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

SECTION 2. FINDINGS.

A. Pursuant to Chapter 17.76 (Zone Changes and Amendments) of the MMC, the application for a zone change shall be made on a form provided by the City. The City's application for zone changes requires the applicant to thoroughly respond to the following items, which are hereby incorporated as substantial findings of the Planning Commission:

1. *Describe how the proposed Zone Change is consistent with the objectives and policies of the General Plan;*

The zone change is consistent with the objectives and policies of the General Plan in that the density is appropriate to the neighborhood and the surrounding uses. The General Plan Land Use and Housing Element analysis provided in the staff report further demonstrate how the proposed zone change is consistent with the objectives and policies of the General Plan. Additionally, the site is physically suitable for the proposed zone change and the increased density should not pose any significant issues for the surrounding parcels considering that there is already a significant number of multiple family residences in the area. The proposed zone change is not likely to cause any substantial environmental damage, to cause any serious public health problems. Additionally, the proposed zone change will not conflict with any easements.

2. *Detail why the proposed Zone Change is necessary;*

The Zone Change is necessary because the proposed project is not achievable under the current zoning designation of the property (R-1). Under the City of

Montebello's R-1 standards, the maximum allowable density of the lot is one (1) dwelling unit whereas under the R-3 standards, one (1) dwelling unit is allowed per 3,000 square feet of lot area. Considering that the size of the lot is approximately 36,000 square feet, the proposed Zone Change will allow for the more reasonable development of the site.

3. Describe how the proposed Zone Change will not create problems harmful to the public health, safety, and general welfare;

The existing site has been constructed as a single family residence with a very large backyard since 1938. The Zone Change and subsequent development would not create problems for public health and safety and may actually lessen problems related to public safety because the large backyard is currently unsupervised and is subject to unlawful use and dumping. The proposed Zone Change and development can also be beneficial to the public health, safety, and general welfare by bringing in more investment money in the area, bringing in construction and related jobs, as well as by providing much needed housing. The adjacent properties have been built up to sustain medium and higher densities and the proposed project would allow for more continuity to be present down Greenwood Avenue. The proposed Zone Change and development is in compliance with the R-3 zone and all other sections of the MMC which will ensure that the project will not create problems harmful to the public health, safety, and general welfare.

SECTION 3. CEQA. The Planning Commission hereby determines and finds that the project is statutorily exempt from CEQA under section 15061(b)(3) (Common Sense Exemption) considering that this section stipulates that CEQA only applies to projects which have the potential for causing a significant effect on the environment. No physical changes will occur as a result of the proposed GPA and ZC. The approval of this resolution is advisory to the City Council and no final action is taken, further justifying this action being exempt from CEQA under section 15061(b)(3). It should be further noted that during the duly noticed public hearing, the Planning Commission also found the related Site Plan Review for the contemplated Project to be Categorically Exempt per Section §15332 (In-Fill Development Projects).

SECTION 4. APPROVALS. The Planning Commission of the City of Montebello hereby finds and determines that the public interest, convenience, and necessity call for the approval of the zone change and recommends City Council approval of the General Plan Amendment and Zone Change (PC-2022-0004-GPA-ZC-SPR) to allow the General Plan designation to be changed from low density residential to high density residential and to allow the zone to be changed from R-1 (Single Family Residential) to R-3

(Multifamily Residential).

SECTION 5. The Director of Planning and Community Development shall certify the adoption of this resolution and shall forward a copy of it to the City Council.

PASSED AND ADOPTED this 6th day of December, 2022 by the Planning Commission.

Chair Cuevas:	<input checked="" type="checkbox"/> AYE () NOE () ABSENT () ABSTAIN
Vice-Chair Del Rio:	() AYE () NOE <input checked="" type="checkbox"/> ABSENT () ABSTAIN
Commissioner Alikasianian:	<input checked="" type="checkbox"/> AYE () NOE () ABSENT () ABSTAIN
Commissioner Lomeli:	<input checked="" type="checkbox"/> AYE () NOE () ABSENT () ABSTAIN
Vacant:	() AYE () NOE () ABSENT () ABSTAIN



Victor Cuevas, Chair

ATTEST:



Joseph A. Palombi, Director
Planning & Community Development Department

**CITY OF MONTEBELLO
PLANNING COMMISSION**

RESOLUTION NO. 15-22

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO, CALIFORNIA, APPROVING SITE PLAN REVIEW (“CASE NO. PC-2022-0004-GPA-ZC-SPR”) WITH CONDITIONS TO ALLOW THE CONSTRUCTION OF TWELVE (12) RESIDENTIAL DWELLING UNITS FOR THE PROPERTY LOCATED AT 844 SOUTH GREENWOOD AVENUE (“PROJECT SITE”) AND FINDING THAT THE SITE PLAN REVIEW IS CATEGORICALLY EXEMPT UNDER CEQA SECTION 15332 (IN-FILL DEVELOPMENT PROJECTS) (ENV NO. 03-22-CE).

WHEREAS, the City of Montebello (“City”) received an application from John Mark Construction Company, Inc. (“Applicant”) for a General Plan Amendment, Zone Change, and Site Plan Review (Case No. PC-2022-0004-GPA-ZC-SPR) to allow: 1) the General Plan designation to be changed from low density residential to high density residential, 2) the zone to be changed from R-1 (Single Family Residential) to R-3 (Multifamily Residential), and 3) the construction of twelve (12) dwelling units at the project site (“Project”) located at 844 S. Greenwood Avenue (“Project Site”); and

WHEREAS, the approval of a Site Plan Review is required per Montebello Municipal Code (“MMC”) Chapter 17.74 to allow the construction of twelve (12) residential dwelling units; and

WHEREAS, pursuant to MMC Chapter 17.74, Section 17.74.010, the purpose of the Site Plan Review is to minimize or preclude potential adverse impacts to the public interest or on abutting properties and adjacent residential, commercial and industrial neighborhoods, resulting from the design or layout of a proposed development; and

WHEREAS, pursuant to MMC Chapter 17.74, Section 17.74.020, the Planning Commission shall have the authority to review and approve, approve with conditions or deny approval of a development plan through a Site Plan Review process; and

WHEREAS, pursuant to MMC Chapter 17.74, Section 17.74.080, the Planning Commission may approve a development plan subject to a Site Plan Review with such conditions as the Planning Commission finds are warranted by the circumstances involved; and

WHEREAS, pursuant to Section 21067 of the Public Resources Code, and Section 15367 of the State California Environmental Quality Act ("CEQA") Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Montebello is the lead agency for the proposed Project; and

WHEREAS, the SPR (PC-2022-0004-GPA-ZC-SPR) is considered a "project," as per the California Environmental Quality Act definition of a "project"; and

WHEREAS, the project is Categorically Exempt per CEQA Section 15332, Class 32 (In-Fill Development Projects); and

WHEREAS, a duly noticed public hearing has been held, at which the Planning Commission received and considered staff presentations, recommendations, public testimony, and all other substantial evidence presented at the public hearing and included in the record for this matter; and

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

NOW THEREFORE, the Planning Commission of the City of Montebello hereby finds, declares and resolves as follows:

SECTION 1. RECITALS. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

SECTION 2. FINDINGS.

A. Site Plan Review. Based on the substantial evidence presented to and considered by the Planning Commission at the public hearing on the Application, the Planning Commission makes the following findings pursuant to Chapter 17.74 of the Montebello Municipal Code:

1. That the proposed design for improvement complies with all requirements of the Montebello Municipal Code;

The proposed design for the project has been reviewed by the Planning Department staff and the design has been determined to be consistent with all requirements of the MMC. The proposed project complies with all the requirements for parcels in the R-3 zone including the maximum density, maximum number of bedrooms, minimum lot area, minimum lot width, minimum lot depth, maximum lot coverage, maximum building height, maximum building length, minimum open

space requirements, setback requirements, minimum parking requirements, as well as the other development standards specified within Chapter 17.10 of the MMC (Residential Zones Generally). Additionally, the project proposal must still go through the Building Department, Fire Department, and Planning Department plan check process after being entitled which will provide an additional opportunity for the City's departments to ensure that the proposed design is consistent with all requirements of the MMC.

2. That the proposed design for improvement is consistent with the City's General Plan; and

The proposed design for improvement is consistent with the goals and policies outlined within the City's General Plan. General Plan Land Use Element Goal #1 states that it is a goal of the City "to formulate a plan which is responsive to the needs of the community and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development." General Plan Land Use Element Goal #2 is to "increase housing production to improve affordability for the City's current and future residents." Both of these goals relate to the project proposed at the Project Site in that the housing development will positively impact the housing needs of the community and the increased housing production will also improve the affordability for the City's current and future residents. Aside from being consistent with these two goals, the proposed design for improvement is also consistent with General Plan Land Use Element Residential Policies #1 and #3 as well as with General Plan Housing Element Policy #2.6. These policies relate to residential developments being consistent with the density standards outlined within the Housing Element, with the City providing opportunities for a variety of living needs, and with accelerating housing production in the City. The proposed design will assist the City in meeting its housing goals and policies outlined within the Housing Element and the General Plan.

3. That the proposed design for improvement will not have any significant adverse impact on the surrounding properties or on the general public welfare.

The proposed design for improvement will not have any significant adverse impact on the surrounding properties or on the general public welfare. The existing site has been constructed as a single-family residence with a very large backyard since 1938. The development of the site as a multi-family residence will allow for the more reasonable development of the project site and may lessen problems related to public safety because the large backyard is currently unsupervised and is subject to unlawful use and dumping. The proposed design for improvement can

also be beneficial to the general public welfare by bringing in more investment money in the area, bringing in construction and related jobs, as well as by providing much needed housing. The adjacent properties have been built up to sustain medium and higher densities and the proposed project would allow for more continuity to be present down Greenwood Avenue.

SECTION 3. CEQA. The Planning Commission hereby determines and finds that the project is exempt from CEQA under Categorical Exemption §15332 (In-Fill Development Projects) Class 32 exemption considering that none of the exceptions found under CEQA Section §15300.2 apply and considering that the project meets all of the following conditions:

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- (c) The project site has no value as habitat for endangered, rare or threatened species.
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.
- (e) The site can be adequately served by all required utilities and public services.

The proposed project meets all of the conditions required to be classified as a Class 32 CEQA exemption. After the change of zone and general plan amendment, the project will be consistent with the applicable general plan and zoning designations, policies and regulations. The proposed development occurs within city limits on a site of .83 acres surrounded by already developed urban/residential uses. The proposed project has been verified to present no value as habitat for endangered, rare, or threatened species and significant effects relating to traffic, noise, air quality, or water quality are not anticipated. Additionally, the site can be adequately served by all required utilities and public services.

SECTION 4. APPROVALS. The Planning Commission hereby approves the Application for Site Plan Review (PC-2022-0004-GPA-ZC-SPR), subject to the conditions herein below, together with the condition that this approval shall be conditioned upon the City Council's approval of Applicant's simultaneous applications for a General Plan Amendment and Zone Change (PC-2022-0004-GPA-ZC-SPR).

SECTION 5. CONDITIONS. The Planning Commission finds that the foregoing conditions of approval are necessary and appropriate.

A. Planning Division Conditions

1. The Applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers, and employees from any claim, action, or proceeding brought against the City, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the Applicant's project or application (collectively referred to as "proceedings"). The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities, and expenses incurred or awarded in connection with the proceedings whether incurred by the Applicant, the City and/or the parties initiating or bringing such proceedings. This indemnity provision shall include the Applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth herein. The City shall have the right to choose its own legal counsel to represent the City's interest in the proceedings.
2. The development of the subject site shall be consistent with all of the provisions of the Montebello Municipal Code ("MMC"), General Plan Amendment, Zone Change, and Site Plan Review Case No. PC-2022-0004-GPA-ZC-SPR/ENV No. 03-22, and the specifications of the City's Planning Division ("Planning Division" or "Planning Department").
3. Within thirty (30) days of the Planning Division transmittal of the Acceptance Form, the Applicant shall sign and return a copy of the Acceptance Form, agreeing to the conditions of approval and acknowledging that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval. Failure to return the Acceptance Form within thirty (30) days shall constitute grounds for terminating the permit.
4. The Director of Planning & Community Development ("Director"), at any time, can call for a review of the approved conditions of approval at a duly noticed public hearing before the Planning Commission. These condition(s) may be modified, or new condition(s) added to reduce any impacts of the use.

5. Minor modifications to the development plans shall be allowed subject to the review and approval of the Director or the assigned designee. The modifications must be in substantial conformance with the approved project.
6. The Applicant or successor in interest shall meet the applicable code requirements and all other City department regulations.
7. In the event the Applicant violates or fails to comply with any conditions of approval of this permit, no further permits, licenses, approvals, or certificate of occupancy shall be issued until such violation(s) has been fully remedied.
8. Construction shall only occur between the hours of 7:00 a.m. and 8:00 p.m. Monday thru Friday, and 9:00 a.m. to 6:00 p.m. on Saturdays, Sundays, and legal holidays, except in the case of an emergency where such action is immediately required to prevent injuries to persons or damage to property, as determined by the Building Official.
9. A sign shall be posted on the property, subject to the review of the Planning Manager, which shall identify the address and phone number of the owner and/or primary contact for the purposes of responding to questions and complaints during the construction period and shall indicate the hours of construction work.
10. All units with garage access shall be equipped with secure doors. The vehicular access-opening doors shall be equipped with automatic garage door openers.
11. The Applicant, Owner, Management and/or successor of the use shall bear full cost of all monitoring and inspection activities to be conducted by City staff or its designated consultant representative(s) as necessary to ensure compliance with the conditions of this Resolution.
12. Any change, expansion, intensification and/or modification to the proposed plans use, or mode of operations shall be subject to the review and approval by the Director who may take action or call for review by the Montebello Planning Commission ("Planning Commission") at a noticed public hearing.
13. This approval shall not supersede the approval of any other responsible agencies. The Applicant shall comply with all Federal, State and local laws.

14. The approval of the entitlement shall expire if the rights granted are not exercised within one (1) year from the effective date. Exercise of right shall mean issuance of a building permit to commence construction or similar activities demonstrating the intent to proceed with the project, as determined by the Director.
15. A copy of the approved Resolution shall be attached to the construction plans for any site improvement at the submittal of plans for plan check.
16. The site shall be attractively landscaped and maintained in accordance with the standards established in the MMC and to the satisfaction of the Planning Department.
17. It is the responsibility of the Applicant to have all graffiti on the site removed within twenty-four (24) hours of its appearance, or be subject to citation from the City of Montebello Code Enforcement Division.

B. Building Division Conditions

1. The development and utilization of the site shall comply with all the provisions of the current Building, Plumbing, Mechanical, Electrical, Energy, CALGreen, Fire Codes, City Ordinances, as well as additional requirements from the Montebello Building and Safety Division.

C. Public Works – Engineering Conditions of Approval

1. Comply with County of Los Angeles low impact development stormwater management requirements for large-scale non-designated projects.
2. Submit hydrology analysis, geotechnical report including percolation tests and LID recommendations, and Low Impact Development plan and report to retain the Delta Stormwater Quality Design Volume on site through infiltration to City Engineer for review.
3. Submit erosion and sediment control plan to City Engineer for review.
4. Submit topographic survey map, precise grading plan, drainage plan, and driveway approach to City Engineer for review.
5. All engineering plans and reports shall bear the stamp and signature of a registered civil engineer.

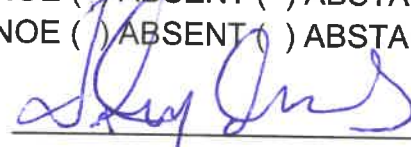
6. Submit earthwork calculations stamped and signed by the Civil Engineer of Record.
7. Trash enclosures shall be covered by roofs.
8. Additional Public Works – Engineering comments may be added during the plan check process.

D. Fire Department Conditions

1. The development shall comply with all applicable provisions of the California Fire Code, referenced NFPA standards, and local ordinances.
2. The applicant shall provide a fire flow report based 2019 Edition California Fire Code, Appendix B/BB. Provide additional public hydrants if applicable.
3. The applicant shall provide a fire hydrant plan based on 2019 Edition California Fire Code and City of Montebello local amendments.
4. The applicant shall provide an underground fire main/fire sprinkler supply plan based on 2019 Edition California Fire Code and NFPA 13/24 and Montebello Fire Department's plan check submittal requirements and notes.
5. The applicant shall provide a fire Sprinkler Overhead plan based on 2019 Edition California Fire Code and NFPA 13/13R and Montebello Fire Department's plan check submittal requirements and notes.
6. The applicant shall provide a fire standpipe plan based on 2019 Edition California Fire Code and NFPA 14.
7. The applicant shall provide a fire alarm plan based on 2019 Edition California Fire Code and NFPA 72 and Montebello Fire Department's plan check submittal requirements and notes.
8. Additional requirements maybe added during the plan check process.

PASSED AND ADOPTED this 6th day of December, 2022 by the Planning Commission.

Chair Cuevas:	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NOE	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Vice-Chair Del Rio:	<input type="checkbox"/> AYE	<input type="checkbox"/> NOE	<input checked="" type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Commissioner Alikasianian:	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NOE	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Commissioner Lomeli:	<input checked="" type="checkbox"/> AYE	<input type="checkbox"/> NOE	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN
Vacant:	<input type="checkbox"/> AYE	<input type="checkbox"/> NOE	<input type="checkbox"/> ABSENT	<input type="checkbox"/> ABSTAIN



Victor Cuevas, Chair

ATTEST: 

Joseph A. Palombi, Director
Planning & Community Development Department



**CITY OF MONTEBELLO CITY COUNCIL
NOTICE OF PUBLIC HEARING**

NOTICE TO CONSIDER A GENERAL PLAN AMENDMENT & ZONE CHANGE
CEQA Guidelines § 15061(b)(3)

NOTICE IS HEREBY GIVEN that the City of Montebello City Council (the “City Council”) will conduct a public hearing regarding the General Plan Amendment and Zone Change (Case No. PC-2022-0004-SPR-ZC-GPA) for the property located at 844 S. Greenwood Avenue, Montebello, California 90640. The Public Hearing will be held in the Council Chamber of the City Council located at 1600 W. Beverly Blvd.

PUBLIC HEARING INFORMATION:

Date: Wednesday, January 25, 2022
Time: 6:00 p.m., or as soon as possible thereafter as the matter can be heard
Place: City Hall Council Chambers, 1600 W. Beverly Blvd., Montebello, CA 90640

PROJECT DESCRIPTION: The project site is an approximately .83-acre (36,150 square feet) parcel and is currently developed with one 740 square foot single-family home. The proposed project would demolish the existing single-family home and construct twelve (12) for rent dwelling units (14.46 dwelling units per acre). As a part of the proposal, the applicant seeks to change the General Plan designation of the property from Low Density Residential to High Density Residential and to change the zoning designation from R-1 (Single-Family Residential) to R-3 (Multi-Family Residential). The twelve (12) for rent dwelling units would be located within four (4) detached, two-story buildings with a building coverage of 45% of the site and a building height of 24’ – 6”. Parking would be provided per the City’s parking requirements, with a total of 28 parking spaces: 2 enclosed residential parking spaces within a garage per unit plus 4 parking spaces for guests (3 standard visitor parking spaces and 1 handicap parking). The project includes the following discretionary reviews: General Plan Amendment and Zone Change.

APPLICANT: John Mark Construction Company, Inc.

ENVIRONMENTAL: Pursuant to the California Environmental Act (CEQA), the project is statutorily exempt from CEQA under section 15061(b)(3) (Common Sense Exemption) considering that CEQA only applies to projects which have the potential for causing a significant effect on the environment. No physical changes will occur as a result of the proposed General Plan Amendment and Zone Change.

For those interested in making public comments, you may address the City Council in person during the public comment period or public testimony period for public hearings by attending the Montebello Council Chambers at 1600 W. Beverly Blvd., Montebello, California on Wednesday, January 25, 2022 at 6:00 p.m. In addition, the City has created an email address (ccpubliccomment@montebelloca.gov) where the public can submit written public comments no later than Wednesday, January 25, 2022 at 3:00 p.m. These comments may not be read aloud but will be entered into the record and submitted to all members of the City Council. The email address for City Council meetings can be located on the City’s webpage under the City Clerk tab, https://www.montebelloca.gov/departments/administration/city_clerks_office/city_council_successor_agency_meetings. If you challenge the subject matter in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council, at, or prior to, the Public Hearing. The proposed material is available by contacting the City Clerk’s Office at 323-887-1216.

Alicia Fernandez, Deputy City Clerk

Date Published: January 12, 2022

Notice of CEQA Exemption

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: 844 S. Greenwood Multifamily Residential Project

Project Location: 844 S. Greenwood Avenue

Case Number(s): PC-2022-0004-GPA-ZC-SPR & ENV No. 03-22-CE

Description of Nature, Purpose, and Beneficiaries of Project: The project involves changing the General Plan designation of the project location from low density residential to high density residential and changing the zone of the property from R-1 (single family residential) to R-3 (multifamily residential) to facilitate the construction of twelve (12) dwelling units on behalf of the property owner, Julio Juarez.

Name of the Public Agency Approving the Project: City of Montebello

Name of Person or Agency Carrying Out the Project: Jack Kozakar on behalf of John Mark Construction Company, Inc.

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:
- Common Sense Exemption. Section number: CEQA Section §15061(b)(3)

Justification for Project Exemption:

The project is considered covered by the common sense exemption found under CEQA Section §15061(b)(3). The common sense exemption section states that “CEQA applies only to projects which have the potential for causing a significant effect on the environment” and also states that “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 activity is not subject to CEQA.” The proposed General Plan Amendment and Zone Change do not have the potential to degrade the quality of the environment or have a significant effect on the environment. Additionally, a separate Notice of Exemption has been prepared for the Site Plan Review related to the construction of the twelve (12) residential units proposed at the site and the Planning Commission found this portion of the project to be exempt from CEQA pursuant to CEQA Section §15300.2 (In-Fill Development Projects).

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

Area Code/Telephone/Extension: (323) 887-1478

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

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

- Signed by Lead Agency
- Signed by Applicant



ITEM # 14

**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: Joseph Palombi, Director of Planning & Community Development

SUBJECT: ADOPT RESOLUTION NO. 23-12, DECLARATION OF SURPLUS LAND FOR CITY-OWNED PROPERTY LOCATED AT 612 W. WHITTIER BOULEVARD, MONTEBELLO, CALIFORNIA 90640

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Adopt Resolution No. 23-12 declaring City-owned property located at 612 W. Whittier Boulevard, Montebello, California surplus land pursuant to Government Code Section 54221(b)(1); and
2. Take such additional, related action that may be desirable.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

BACKGROUND/DISCUSSION:

The City-owned property and its improvements at 612 W. Whittier Boulevard within the City of Montebello (the “Property” also identified as Los Angeles County Assessor’s Parcel No. 6346-027-904) is located along the Whittier Boulevard commercial corridor and within the proposed Downtown Montebello Specific Plan (“DMSP”) area. The DMSP will establish land uses and commercial activities that are intended to enhance the visitors' experience to Montebello businesses along Whittier Boulevard. The subject property is comprised of approximately 3,250 square feet, including a 1,488 square foot existing commercial/office building with related amenities including an outdoor patio area. The property is currently zoned C-2 (General Commercial). General City-owned public surface parking is located to the rear of the property. The space is currently vacant and used primarily by City departments for special events and related matters. Any proposed use of the subject location should complement existing retail uses along the

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

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corridor.

Staff would like to initiate a process to reactivate this location within downtown Montebello to help strengthen the economic viability of the area.

ENVIRONMENTAL:

Declaring the Property surplus land will not result in a direct or reasonably foreseeable indirect or direct physical change in the environment and in light of the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and since it can be seen with certainty that there is no possibility that the proposed action may have a significant effect on the environment, the adoption of the Resolution is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

ANALYSIS:

Effective January 1, 2020, Assembly Bill 1486 significantly amended the Surplus Land Act (the "SLA") (Govt Code 54220), and the process by which local agencies dispose of real property, and gave the California Department of Housing and Community Development ("HCD") the authority to monitor and enforce compliance with the SLA.

Specifically, and as further clarified by HCD's Guidelines for Implementing the SLA that were published in April 2021, before a public agency sells or leases real property the SLA requires the agency to first make a determination as to whether the property is "surplus land" or "exempt surplus land". The agency's determination must be made at a public meeting and supported by written findings, and the determination must be submitted to HCD to review before the agency proceeds with disposition of the property.

If the property is "surplus land", the local agency must send a written "notice of availability" ("NOA") of the land for sale or lease to HCD and other development entities listed in the SLA.

Development entities that receive a copy of the NOA have sixty (60) days to express interest in developing the surplus land for affordable housing, open space, or transit purposes, and the agency must engage in good faith negotiations for at least ninety (90) days with entities making an offer for the surplus land in response to the NOA.

If the City and an interested party do not agree on sale or lease terms during the good faith negotiation period, or alternatively, if no entity responds to the NOA, the local agency may sell or lease the surplus land as otherwise permitted by law. A local agency may reject an offer when the interested entity is not responsive to a local agency's reasonable conditions or restrictions as described in the NOA and reviewed in advance by HCD.

SUMMARY:

In order for the City to explore a future long-term ground lease, the Property must be

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
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declared “surplus land” per California Government Code sections 54220-54234 et seq. Any proposed use must be compatible with existing retail uses along the corridor and consistent with the long-term vision of a vibrant and diverse retail environment along the Whittier Boulevard commercial corridor. Any proposed action with regard to disposition subsequent to the mandated SLA process will be presented to the City Council for consideration under a separate staff report.

If the Resolution is adopted by the City Council, staff would expeditiously send the Resolution and draft NOA to HCD for review prior to properly circulating this information. If approved by HCD, staff will proceed with the 60-day circulation period under the SLA.

ATTACHMENT(S)

1. Attachment A - Resolution No. 23-12, 612 Whittier Blvd._SLA

NEXT STEPS:

N/A

RESOLUTION NO. 23-12

A Resolution Declaring a City-Owned Property located at 612 W. Whittier Bl. To be “Surplus Land” for Purposes of California’s Surplus Land Act Subject to Conditions and Restrictions on its Development

WHEREAS, the subject property consists of approximately 3,250 gross square footage, including a 1,488 square foot existing improved building and an outdoor patio. The property is zoned C-2 (General Commercial). General city-owned public parking is located to the rear of the property

WHEREAS, the property is located along the Whittier Bl. Commercial corridor and within the proposed Downtown Montebello Specific Plan which will propose land uses and commercial activities that will enhance the visitors experience to Montebello businesses along historic Whittier Bl.

WHEREAS, effective on January 1, 2020, Assembly Bill 1486 significantly amended the Surplus Land Act (the “SLA”) (Government Code Section 54220), and the process by which local agencies dispose of real property, and gave the California Department of Housing and Community Development (“HCD”) the authority to monitor and enforce compliance with the SLA.

WHEREAS, and as further clarified by HCD’s Guidelines for Implementing the SLA that were published in April 2021, before a public agency sells or leases real property the SLA requires the agency to first make a determination as to whether the property is “surplus land” or “exempt surplus land”; the agency’s determination must be made at a public meeting and supported by written findings, and the determination must be submitted to HCD to review before the agency proceeds with disposition of the property.

WHEREAS, the Act and Guidelines authorize local agencies to impose reasonable development conditions or restrictions on the sale or lease of surplus land, provided any such conditions or restrictions are first reviewed by HCD and included in the City’s “notice of availability” (“NOA”) distributed to the governmental entities and affordable housing sponsors identified in the Act, and the Act preserves the City’s local jurisdictional authority and discretion to approve land use, zoning, or entitlement decisions in connection with surplus land;

WHEREAS, the City Council has scheduled and conducted a public meeting at which it has considered staff reports and presentations, public testimony, and other evidence presented in connection with this matter, and all prerequisites to the adoption of this Resolution have been duly performed.

RESOLUTION NO. 23-12

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

SECTION 1: Based upon staff reports, presentations, public testimony, and other matters presented to the City Council during the public meeting at which this item was considered, the City Council finds and declares that the foregoing recitals are true and correct and incorporated into this Resolution as a material part hereof; and based upon such matters, the City Council makes the additional factual findings and declarations set forth below.

SECTION 2: The City Council hereby declares that the Site is “surplus land” within the meaning of the Act, provided that and conditioned upon the following: the City shall only offer the Site for lease, and shall not offer the Site for sale, allowing the City to exercise appropriate long-term control over the use and operation of the subject property for the benefit of the City, local residents, in a manner consistent with its dedicated public purpose.

SECTION 3. The City Manager is authorized and directed to issue a notice of availability of the Site for lease pursuant to the Act with future development thereof conditioned as described in Section 2, provided that before circulation of the notice of availability, the City Manager shall first provide a copy of this Resolution and the proposed notice of availability to HCD for review as directed by the Guidelines. Upon completion of HCD’s review, the City Manager is authorized and directed to take such further actions as are reasonably necessary to effectuate the purpose of this Resolution and satisfy the pre-disposition requirements of the Act.

SECTION 4. This Resolution has been reviewed with respect to the applicability of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) (“CEQA”), and approval of this Resolution is not subject to CEQA pursuant to CEQA Guidelines Section 15060(c)(2). This action will not result in a direct or reasonably foreseeable indirect physical change in the environment, as it does not commit the City to a definite course of action and thus does not constitute a formal approval of any agreement related to the Property pursuant to CEQA Guidelines Section 15352.

SECTION 5. The City Clerk shall certify to the passage and adoption of this resolution, which shall become effective immediately upon adoption.

APPROVED AND ADOPTED this 8th day of February 2023

RESOLUTION NO. 23-12

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David Torres, Mayor

ATTEST:

APPROVED AS TO FORM:

Christopher Jimenez, City Clerk

, 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. 23-12 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 8th day of February 2023 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



ITEM # 15

**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members
FROM: René Bobadilla, City Manager
BY: David Sosnowski, Director of Recreation and Community Services
SUBJECT: AUTHORIZATION TO SUBMIT AN APPLICATION FOR THE CLEAN CALIFORNIA LOCAL GRANT PROGRAM
DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Authorize the submission of an application to the Clean California Local Grant Program; and
2. Take such additional, related action that may be desirable.

FISCAL IMPACT:

With Montebello City Council authorization, staff will apply for a competitive grant funding opportunity through the California Department of Transportation's (Caltrans) Clean California Local Grant Program (Clean CA), Cycle 2 program. The City could potentially receive up to \$5,000,000 in funding for the beautification and placemaking of existing public spaces.

Clean CA requires a 12.5% funding match of total project costs based upon factors such as area median income and the City's CalEnviroScreen score. Therefore, the City will be responsible for an estimated Six Hundred Twenty-Five Thousand Dollars (\$625,000) in matching project funds if awarded a Five Million Dollar (\$5,000,000) grant. The matching funds may be cash, other grant awards, staff time devoted to the project, or in-kind donations. Staff will return with a plan to fund the required match and/or a request to amend the budget if the grant application is successful, with any final plan dependent upon the actual award amount.

BACKGROUND/DISCUSSION:

Staff is seeking authorization from the City Council to submit an application to Caltrans

CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT - MEETING OF FEBRUARY 8, 2023

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for Cycle 2 of the Clean CA Local Grant Program. The Clean CA Cycle 2 program will provide approximately \$296 million in grant funds to beautify and improve streets and roads, tribal lands, parks, pathways, and transit centers to restore pride in public places. Goals of the program include enhancing, rehabilitating, restoring, or installing measures to beautify and improve public spaces and to enhance public health, cultural connections and community placemaking by improving public spaces for walking and recreation.

Staff is proposing improvements to Chet Holifield Park in an effort to enhance park amenities and features for the community to utilize. Proposed improvements include, but are not limited to, the addition of new picnic areas and shelters; upgrades to existing pathways, lighting, and parking lots; and relocation and renovation of a soccer field, baseball field, and basketball courts.

The addition of new proposed amenities are based upon the *Level of Service Analysis* completed for the Parks Master Plan. Due to the Montebello population, the analysis determined additional and/or improved amenities are needed within the City to best serve the community, particularly sports fields. Improvements will also incorporate sustainable designs such as bioswales, smart irrigation systems, LED lighting, parking lot solar panels, and permeable pathways.

As part of the grant application process, staff will also conduct community outreach to formulate a final park design prior to submitting the grant application. Applications are due in April 2023 and awards are expected to be announced in September 2023. If awarded, City Council will be requested to authorize a Resolution to accept grant funds, as well as take action to appropriate the grant funds.

ENVIRONMENTAL:

N/A

ANALYSIS:

N/A

SUMMARY:

That the City Council authorize the submission of an application to the Clean California Local Grant Program.

ATTACHMENT(S)

None

NEXT STEPS:

N/A



**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: David Sosnowski, Director of Recreation and Community Services

**SUBJECT: AUTHORIZATION TO SUBMIT AN APPLICATION FOR THE LA84
FOUNDATION SUMMER SPLASH GRANT PROGRAM**

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Authorize the Recreation and Community Services Department's submission of an application for the LA84 Foundation Summer Splash Grant Program on behalf of the City of Montebello; and
2. Take such additional, related action that may be desirable.

FISCAL IMPACT:

With Montebello City Council authorization, Recreation and Community Services Department ("Department") staff will apply for a competitive grant funding opportunity through the LA84 Foundation *Summer Splash Grant Program*. The City of Montebello could potentially receive up to \$25,000 in funding to provide swimming lessons to the community. The grant does not require any matching funds and would provide supplemental funding to the City's existing aquatics programming. Should the City be successful and be awarded a grant, Staff will return to City Council to formally appropriate the grant funds.

BACKGROUND/DISCUSSION:

The LA84 Foundation aims to provide every Southern California child the opportunity to learn to swim. The goal of the program is to partner with swim lesson providers and water safety advocates across Southern California to support swimming lessons and educate children and their families on the importance of water safety and the value of learning to swim. The grants being offered are intended to augment existing programming.

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The City currently offers aquatics programming in the summer months at the George Hensel Aquatic Center. This includes swim lessons which are offered to all ages at varying skill levels. Lessons are available for morning and evening sessions. During the 2022 summer season, the Department had a total of 679 registered participants for swim lessons. Through grant funding, the City aims to make swim lessons more easily accessible to the community.

Eligible expenses for funding include instructor costs and swim lesson registration discounts. If awarded funding, the Department plans to utilize funding to expand existing programming by hiring additional swim instructors to accommodate a greater number of participants. Registration for swim lessons often fills up quickly and more instructors would allow for the Department to increase the number of participants accepted while continuing to follow best practices for instructor to student ratios. Additionally, funding would be used to offer swim lessons at a discounted rate to all participants.

ENVIRONMENTAL:

N/A

ANALYSIS:

N/A

SUMMARY:

City staff recommends that the City Council authorize the submission of an application to the LA84 Foundation Summer Splash Grant Program and authorize the Department to take such additional, related, action that may be desirable. Should the City be successful in the grant award, Staff will return to appropriate the funding.

ATTACHMENT(S)

None

NEXT STEPS:

N/A



ITEM # 17

**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: Paul Espinosa, Police Chief

SUBJECT: APPROVAL OF BUREAU OF JUSTICE ASSISTANCE (BJA), PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP (BVP) SOLICITATION FUNDS UTILIZATION

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Approve the use of grant funding awarded to the Police Department by the Bureau of Justice Assistance (BJA), Patrick Leahy Bulletproof Vest Partnership (BVP) solicitation funds utilization, in the amount of \$21,628.49; and
2. Amend the Fiscal Year 2022-23 budget and increase appropriations by \$21,628, in grant Account No. 265-8003-6010.60 (Grants, Bulletproof Vest Grant, Personal Protective Equipment [expenditures]) and Account No. 265-99-4198.84 (Grants, Bulletproof Vest Grant [revenue]); and
3. Take such additional, related action that may be desirable.

FISCAL IMPACT:

The City of Montebello is being awarded \$21,628 from the Bureau of Justice Assistance (BJA), Patrick Leahy Bulletproof Vest Partnership (BVP) program. Although the City must pay upfront costs, half of all related, authorized expenditures will be reimbursed by the Grant. Reimbursement claims will be submitted as expenses are incurred based on the needs of the Police Department.

The total expected cost for the purchase of the ballistic vests is \$43,257. There is a 50% required match from the City in the amount of \$21,628. The City's 50% match will come from the General Fund. There is sufficient funding in the Police Department's Fiscal Year 2022-23 budget for this required matching amount.

To keep up to date on safety requirements, a ballistic vest must be replaced every five

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
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years. It should be noted that the overall fiscal impact to the City of Montebello is reduced because the Police Department would have to purchase these vests at full replacement costs if the grant is not accepted. The department applies for this grant annually to assist with the purchase of new and replacement vests.

BACKGROUND/DISCUSSION:

The Patrick Leahy Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998, is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement to help offset the cost of purchasing ballistic vests.

On September 21, 2022, the Police Department was awarded a BJA-BVP Grant in the amount of \$21,628. The time period of the Grant is April 1, 2022 to August 31, 2024. Funding from this Grant has been approved for the reimbursement of half of the total cost of the purchase of National Institute of Justice (NIJ) compliant ballistic vests.

Every sworn police officer with the Montebello Police Department is issued a ballistic vest that they are required to wear while on duty. These vests have a manufacturers warranty of five years, at which time they must be replaced. This equipment is crucial to provide public safety personnel with live-saving equipment during the performance of their duties.

ENVIRONMENTAL:

N/A

ANALYSIS:

Montebello Police Department Policy 1024 states the guidelines for the proper use and replacement of body armor. Per policy, "all field officers in uniform shall wear their Department issued soft body armor at all times. The Administration supervisor shall ensure that body armor is issued to all officers when the officer begins service at the Montebello Police Department and that, when issued, the body armor meets or exceeds the standards of the National Institute of Justice. The Administration supervisor shall establish a body armor replacement schedule and ensure that replacement body armor is issued pursuant to the schedule or whenever the body armor becomes worn or damaged to the point that its effectiveness or functionality has been compromised."

Best practice strategies will be implemented to ensure that Department equipment is issued to personnel as required per Policy 1024.

SUMMARY:

The Department has been awarded a BVP Grant in the amount of \$21,628. The Grant award will enable the Department to purchase and equip all sworn personnel with a uniquely fitted ballistic vest that shall be replaced on a 5 year replacement cycle per manufacturing specifications. It is critical that sworn personnel are provided the

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

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necessary equipment to perform their duties in the safest manner.

City Council is being asked to authorize the proposed use of the Grant as further outlined in the attached award letter and amend the FY 2022-23 budget by increasing appropriations by \$21,628, in grant Account No. 265-8003-6010.60 (Grants, Bulletproof Vest Grant, Personal Protective Equipment [expenditures]) and Account No. 265-99-4198.84 (Grants, Bulletproof Vest Grant [revenue]).

ATTACHMENT(S)

1. Attachment A - BVP Application
2. Attachment B - BVP Award Notification

NEXT STEPS:

N/A

APPLICATION SUMMARY

Date Submitted to BVP: 06/26/22

Application Status: Approved by BVP

APPLICATION PROFILE

Participant MONTEBELLO CITY

Fiscal Year 2022

Number of Agencies Applied 0

Total Number of Officers for Application 70

Number of Officers on Approved Applications 70


APPLICATION PROFILE

Fiscal Year 2022

Vest Replacement Cycle 5 

Number of Officers 70

Number of Stolen or Damaged Emergency Replacement Needs 0

Number of Officer Turnover 6 

REVIEW APPLICATION



Application Profile



Application



NIJ Approved Vests



Submit Application

Below is the current status of your application.

REVIEW BVP APPLICATION FOR FUNDING

Applicant	Quantity	Total Cost	Date Submitted	Application Status
MONTEBELLO CITY	55	\$43,256.97		Approved by BVP
Grand Totals:	55	\$43,256.97		

Padilla, Vanessa

From: BVP Email Account <ojp@public.govdelivery.com>
Sent: Wednesday, September 21, 2022 9:21 AM
To: Padilla, Vanessa
Subject: [External Email] Bulletproof Vest Partnership (BVP) – FY 2022 Award Announcement

Dear BVP applicant,

The Bureau of Justice Assistance (BJA) is pleased to inform you that your jurisdiction will receive an award under the Fiscal Year (FY) 2022 Patrick Leahy Bulletproof Vest Partnership (BVP) solicitation. These funds have been posted to your account in the **BVP System**. A complete list of FY 2022 BVP awards is available at: <https://www.ojp.gov/program/bulletproof-vest-partnership/overview>.

Important: Jurisdictions must be registered in the SAM system (<https://www.sam.gov/SAM/>) in order to be paid for any 2022 BVP funds. Please ensure the banking information in SAM is up to date. For more information about renewing and updating your existing SAM registration, or registering in SAM as a new entity, please visit <https://sam.gov/content/status-tracker>. The SAM Helpdesk can be reached at 866-606-8220.

The FY 2022 award may be used for National Institute of Justice (NIJ) compliant armored vests which were ordered after April 1, 2022. The deadline to request payments from the FY 2022 award is August 31, 2024, or until all available funds have been requested. Awards will not be extended past that date, and any unused funds will be forfeited.

Please see the following website for a list of NIJ compliant vests: <https://citec.org/compliance-testing-program/compliant-product-lists/>. As a reminder, all jurisdictions that applied for FY 2022 BVP funding certified that a mandatory wear policy was in place for their jurisdiction. BJA will be conducting reviews of the mandatory wear policies as funds are requested from the BVP System. For more information on the BVP mandatory wear policy, please see the BVP Frequently Asked Questions document: https://www.ojp.gov/sites/g/files/xyckuh241/files/media/document/FAQsBVP MandatoryWearPolicy_0.pdf.

Finally, please visit the following page for checklists and guides for each step of the BVP process: <https://www.ojp.gov/program/bulletproof-vest-partnership/program-resources>.

For questions regarding the BVP Program or your award, please do not hesitate to contact the BVP Help Desk at vests@usdoj.gov or 1-877-758-3787.

In addition, please visit BJA's Officer Robert Wilson III Preventing Violence Against Law Enforcement Officers and Ensuring Officer Resilience and Survivability (VALOR) Initiative website to obtain other information

regarding officer safety: [VALOR Officer Safety and Wellness Initiative | Overview | Bureau of Justice Assistance \(ojp.gov\)](#). The VALOR Initiative is a comprehensive set of programs that deliver no-cost officer safety, wellness, resilience training, resources, and technical assistance to law enforcement throughout the country. VALOR brings together the latest research and practices to address current and emerging officer safety and wellness issues/threats. Please see the VALOR Initiative Overview-Booklet for a detailed synopsis of this important initiative: [BJA VALOR INITIATIVE \(ojp.gov\)](#).

Thank you BVP Program Support Team

Bureau of Justice Assistance

This email was sent to vpadilla@cityofmontebello.com using GovDelivery Communications Cloud on behalf of: Department of Justice · Washington, DC

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.



**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: Michael Solorza, Director of Finance

SUBJECT: TREASURER'S REPORT FOR THE QUARTER ENDING DECEMBER 31, 2022

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Receive and file the Quarterly Treasurer’s Report for the quarter ending December 31, 2022 (Second Quarter).

FISCAL IMPACT:

Attached is a cash report and portfolio summary as of December 31, 2022 (Attachments A and B). This report provides a snapshot at quarter end of the City’s cash position, detailing balances in various accounts and types of investments.

The table below summarizes available cash by major type of account, comparing June 2021 vs. 2022 and December 2021 vs. 2022 ending balances. The “General” account combines Bank of the West, Local Agency Investment Fund (LAIF), and various Certificates of Deposit, and represents the most liquid and accessible source of cash for the City to pay ongoing expenses:

	June 30, 2021	Dec 31, 2021	June 30, 2022	Dec 31, 2022	Var to Same Qtr/Prior Yr
General	53,894,820	62,080,332	78,705,924	71,627,595	17,732,775
Successor Agency	13,524,868	15,406,546	19,405,616	15,302,825	1,777,957
Housing Successor Agency	455,562	622,422	633,672	1,056,552	600,991
Trust & Agency	1,300,657	1,350,283	1,091,804	1,118,880	(181,777)
401 a(h) Trust Accounts	13,565	13,564	13,564	13,564	(0)
	69,189,471	79,473,148	99,850,581	89,119,417	19,929,946

As of December 31, 2022, total available cash was \$19.930 million greater than the same quarter, prior year. Cash is down versus June 30, 2022, but that is expected as expenses

CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT - MEETING OF FEBRUARY 8, 2023

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fluctuate at different times each year, and revenue is received at varying points in the year as well. The City's overall cash position has improved over the last several years. For example, the June balance for the past seven years is shown below:

	Ending Balance June 30	Change
2016	48,156,295	
2017	51,477,779	3,321,484
2018	57,115,173	5,637,394
2019	84,146,400	27,031,227
2020	73,346,322	(10,800,078)
2021	69,189,471	(4,156,851)
2022	99,850,581	30,661,110

Comparing December ending balances from prior years, in 2016 overall cash was \$33.071 million, versus \$89.119 million as of December 2022 – a \$56.048 million improvement in the City's available cash position (LAIF, Bank of the West, etc.).

The continuing strength of the City's cash position is due to a number of reasons. A primary factor contributing to the additional cash is proceeds from Measure H, the City's ¾ cent transaction and use tax. Property tax receipts are also up, as overall assessed values in the City continue to grow. It should also be noted that monthly cash balances do fluctuate, as monthly expenses can vary considerably from month to month, especially when comparing prior years. The City receives numerous grants from Federal, State and local governmental agencies, with expenses and concomitant revenue reimbursement varying depending on the grant award and the particular progress made in the project.

Despite these natural fluctuations in cash flow, one can see by the tables above that the City's overall cash position has grown steadily over the past seven years. This improvement in cash flow ensures daily expenses are easily met, with no danger of having to postpone payments due to lack of liquidity. Sufficient liquidity is just one of many positive signs of the City's progress towards financial stability and security.

The City receives income from the investment of idle cash. This revenue varies based on balances and current interest rate environments. The historically low interest rates of the past decade have limited the amount of revenue received from idle cash investments. However, interest rates have risen markedly in the past twelve months, as the Federal Reserve continues to raise the federal funds rate in an effort to combat high inflation.

The effective rate of return on the City's investment portfolio as of December 31, 2022 was 0.93%, with the fiscal year to date earnings rate at 1.14%. It is useful to compare these rates of return to various U.S. Treasuries, as a general benchmark. Recent data (January 9) have the 10-year yield at 3.55%, 5-year at 3.69% and the 2-year yield at 4.24%. The inverted yield-curve – where shorter-term treasuries have higher yields than longer-term ones despite carrying lower risk – is not often seen, and is often viewed as a harbinger to recession. The majority of the City's idle cash is held in LAIF, with the September yield (most recent available) at 1.35%, up from 0.75% in June, and more than

CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT - MEETING OF FEBRUARY 8, 2023

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five times the September 2021 yield of 0.24%.

The City's current investment policy allows funds to be invested in a broad range of Government Code approved fixed income vehicles. Staff will work to analyze opportunities that will help the City's idle cash work harder (i.e., earn additional income) while not sacrificing safety or liquidity.

BACKGROUND/DISCUSSION:

State Government Code Section 53600 et al governs the investment of idle cash by local agencies. In addition, local agencies are required to have City Council approved investment policies which further dictate how funds are invested. Government Code Section 53646(b), as well as the City's investment policy, provide for quarterly reporting of investment activity. The quarterly report, along with details found in Attachments A and B, are designed to provide additional information, comparing current year balances and performance to prior years, etc.

The City of Montebello holds idle cash in various depositories:

- Bank of the West checking accounts (i.e., General used to pay bills, Payroll for bi-weekly payroll, etc.)
- Local Agency Investment Fund (LAIF)
- Multi-Bank Securities (MBS) (i.e., Certificates of Deposit)

The investment of idle cash is predicated on the principals of: liquidity, safety and yield, in that order. The City earns interest from the various deposits, hence the diversification of where cash is held. However, the first and foremost priority is having adequate liquidity to pay daily operating costs: payroll, invoices for goods and services, etc.

Cash flow varies throughout the fiscal year, based on timing of the receipt of revenue. The receipt of property tax revenue in April and December causes the largest inflow in daily cash, followed by quarterly sales tax "true up" payments (i.e., March, June, etc.), receipt of Successor Agency revenue (Redevelopment Property Tax Trust Fund) in January and June, etc.

Therefore, the City maintains a reasonable balance in its checking account – the most liquid account utilized for daily expenses. The LAIF account with the State Treasurer provides additional liquidity. Depending on cash flow needs, withdrawals or deposits are made from/to the LAIF account into/out of the General checking account. Finally, investment in Certificates of Deposit through a clearinghouse service (i.e., Multi-Bank Securities) provides additional yield with funds not needed for immediate liquidity deposited accordingly (approximately \$1.736 million).

The table below provides an overview of the City's major liquid cash accounts: Bank of the West checking and the two separate LAIF accounts, at quarter end from June, 2020 through December, 2022. The changing amounts in available cash illustrate the trends

CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT - MEETING OF FEBRUARY 8, 2023

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of incoming revenue vs. outgoing expenses throughout the year. The average quarterly balance for the City’s checking account since June 2020 is \$8.789 million, more than sufficient to meet weekly expenses.

Year	Month	Bank of the West (Checking)	LAIF (General)	LAIF (Successor Agency)
2020	JUNE	\$ 5,706,451	\$ 39,978,695	\$ 9,502,193
2020	SEPTEMBER	\$ 3,632,854	\$ 28,523,514	\$ 9,536,864
2020	DECEMBER	\$ 3,413,754	\$ 20,998,975	\$ 9,557,116
2021	MARCH	\$ 5,259,121	\$ 23,031,241	\$ 9,572,227
2021	JUNE	\$ 11,921,868	\$ 37,556,500	\$ 9,582,684
2021	SEPTEMBER	\$ 2,298,948	\$ 47,583,249	\$ 9,020,508
2021	DECEMBER	\$ 10,757,576	\$ 46,614,203	\$ 8,996,214
2022	MARCH	\$ 8,220,964	\$ 57,639,656	\$ 14,001,395
2022	JUNE	\$ 8,644,963	\$ 65,334,697	\$ 14,012,253
2022	SEPTEMBER	\$ 3,429,416	\$ 50,945,633	\$ 14,038,487
2022	OCTOBER	\$ 7,790,663	\$ 43,651,105	\$ 14,086,255
2022	NOVEMBER	\$ 15,211,636	\$ 39,651,105	\$ 14,086,255
2022	DECEMBER	\$ 27,973,777	\$ 39,651,105	\$ 14,086,255
		\$ 8,789,384	\$ 41,627,668	\$ 11,544,516

The City’s Investment Policy was most recently reviewed and approved by the City Council on June 8, 2022. Prior to that, the policy was reviewed, approved and updated on: June 23, 2021, October 28, 2020, and August 19, 2019. The Government Code requires an annual review and approval of the investment policy statement – even if no changes are made.

The 2019 approval was the first time the City’s investment policy was updated since 2011, with a previous update done in 2007. These infrequent reviews and updates were clearly in violation of Government Code, which has been rectified over the last three years. Moreover, Staff has endeavored to present a more thoroughly researched quarterly Treasurer’s report, with detailed background and explanations of the various investment accounts – a marked improvement over prior years reports presented with no discussion or analysis (such as that contained in this report).

In an effort to ensure the City complies with State law, the investment policy will continue to be presented annually along with budget adoption (June of each year). This process will ensure an annual review and update (as necessary) of the investment policy by the City Council, ensuring the City complies with State statutes.

The updated version of the City’s investment policy was submitted to the California Municipal Treasurers Association (CMTA) for consideration of their investment policy review and award program. The CMTA investment policy program utilizes public treasury officials to review public agency policies to ensure they comply with best practices and Government Code. For the first time in the City’s 101 year history, the City’s policy was submitted and passed the review with flying colors. Having passed this review process is one more indication of the progress made in achieving fiscal sustainability in Montebello, as its policies adhere to best practices.

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
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ENVIRONMENTAL:

N/A

ANALYSIS:

N/A

SUMMARY:

It is recommended that the City Council receive and file the Quarterly Treasurer's Report for the quarter ending December 31, 2022.

ATTACHMENT(S)

1. Attachment A - Cash Summary, December FY 2022_23
2. Attachment B - December 2022 Investment Statement

NEXT STEPS:

N/A

**CITY OF MONTEBELLO
MONTHLY CASH REPORT (ALL ACCOUNTS)
BALANCE AS OF DECEMBER 31, 2022**

BANK OF THE WEST

	<u>Account Number</u>	<u>Account Name</u>	<u>12/31/22</u>
1	XXXX-XX770	Housing Successor Agency of the City of Montebello	\$1,056,552.27
2	XXXX-XX093	Successor Agency of the City of Montebello	\$1,216,570.09
3	XXXX-71041	City of Montebello	\$2,266,713.60
4	XXXX-00184	City of Montebello - FSA	\$7,021.34
5	XXXX-XX331	General	\$27,973,776.51
6	XXXX-XX287	Trust & Agency	\$6,063.99
7	XXXX-XX803	Police Retiree Health Account	\$779,125.70
8	XXXX-XX267	Payroll	\$0.00
9	XXXX-XX362	Fire Retiree Health Account	\$326,668.99
			\$33,632,492.49

STATE OF CALIFORNIA

	<u>Account Number</u>	<u>Account Name</u>	<u>12/31/22</u>
1	XX-XX-551	General	\$39,651,105.19
2	XX-XX-068	Successor Agency City of Mtb for Mtb RDA	\$14,086,255.17
			\$53,737,360.36

FIRST MERCANTILE TRUST

	<u>Account Number</u>	<u>Account Name</u>	<u>12/31/22</u>
	XXX-XX-X746	CORPORATE ACCOUNT	\$12.98
	XXX-XX-X999	TRUST ACCOUNT	\$13,551.48
			\$13,564.46

Pershing LLC - CDs

	<u>Account Number</u>	<u>Account Name</u>	<u>12/31/22</u>
	CD	Enerbank USA (10/9/19-9/13/23)	\$249,000.00
	CD	Sallie Mae Bank (10/9/19-9/18/24)	\$247,000.00
	CD	RIA Federal Credit Union (10/11/19-10/11/23)	\$249,000.00
	CD	BMW Bank North America (10/11/19-10/11/23)	\$247,000.00
	CD	Merrick Bank (10/18/19-10/18/24)	\$249,000.00
	CD	Morgan Stanley Bank (10/30/19-10/30/24)	\$247,000.00
	CD	HSBC Bank USA (5/7/20-5/7/25)	\$248,000.00
			\$1,736,000.00

Total General Cash/Investments	\$71,627,595.30
Total SA Cash/Investments	\$15,302,825.26
Total HSA Cash/Investments	\$1,056,552.27
Total T&A Cash/Investments	\$1,118,880.02
Total Trustee Cash	\$13,564.46
Total Cash/Investments	\$89,119,417.31

CITY OF MONTEBELLO
Portfolio Management
Portfolio Summary
December 31, 2022

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Local Agency Investment Funds	39,651,105.19	39,651,105.19	39,651,105.19	95.81	1	1	1.292	1.310
Savings Accounts	6.38	6.38	6.38	0.00	1	1	0.493	0.500
Negotiable CDs	1,736,000.00	1,736,000.00	1,736,000.00	4.19	1,658	510	1.755	1.780
	41,387,111.57	41,387,111.57	41,387,111.57	100.00%	71	22	1.311	1.330

Investments

Cash, Pending Redemptions and Accrued Interest

Passbook/Checking (not included in yield calculations)	30,240,490.11	30,240,490.11	30,240,490.11		1	1	0.000	0.000
Accrued Interest at Purchase		707.17	707.17					
Pending Redemptions	778,566.49	778,566.49	778,566.49					
Subtotal		31,019,763.77	31,019,763.77					
Total Cash, Pending Redemptions and Investments	72,406,168.17	72,406,875.34	72,406,875.34		71	22	1.311	1.330

Total Earnings	December 31 Month Ending	Fiscal Year To Date
Current Year	46,732.99	369,265.45
Average Daily Balance	59,195,186.62	64,528,249.95
Effective Rate of Return	0.93%	1.14%

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CITY OF MONTEBELLO
Portfolio Management
Portfolio Details - Investments
December 31, 2022

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Local Agency Investment Funds												
	200	STATE OF CALIFORNIA		07/01/2019	39,651,105.19	39,651,105.19	39,651,105.19	1.310		1.310	1	
	Subtotal and Average		39,651,105.19		39,651,105.19	39,651,105.19	39,651,105.19			1.310	1	
Savings Accounts												
	500	F&A FEDERAL CREDIT UNION		07/01/2019	6.38	6.38	6.38	0.500		0.500	1	
	600	PACIFIC PREMIER/PLAZA BANK		07/01/2019	0.00	0.00	0.00	1.918		1.918	1	
	Subtotal and Average		6.38		6.38	6.38	6.38			0.500	1	
Negotiable CDs												
	40	BMW BANK NORTH AMERICA		10/11/2019	247,000.00	247,000.00	247,000.00	1.850		1.851	283	10/11/2023
	34	ENERBANK USA		10/09/2019	249,000.00	249,000.00	249,000.00	1.800		1.801	255	09/13/2023
	53	HSBC BANK USA		05/07/2020	248,000.00	248,000.00	248,000.00	1.300		1.300	857	05/07/2025
	47	MERRICK BANK		10/18/2019	249,000.00	249,000.00	249,000.00	1.900		1.902	656	10/18/2024
	31	MORGAN STANLEY PRIVATE BANK		10/09/2019	247,000.00	247,000.00	247,000.00	1.900		1.902	613	09/05/2024
	43	RIA FEDERAL CREDIT UNION		10/11/2019	249,000.00	249,000.00	249,000.00	1.800		1.801	283	10/11/2023
	33	SALLIE MAE BANK		10/09/2019	247,000.00	247,000.00	247,000.00	1.900		1.902	626	09/18/2024
	Subtotal and Average		1,736,000.00		1,736,000.00	1,736,000.00	1,736,000.00			1.780	510	
Total and Average			59,195,186.62		41,387,111.57	41,387,111.57	41,387,111.57			1.330	22	

**CITY OF MONTEBELLO
Portfolio Management
Portfolio Details - Cash
December 31, 2022**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity
Checking Accounts											
	100	BANK OF THE WEST		08/31/2019	30,240,490.11	30,240,490.11	30,240,490.11			0.000	1
		Average Balance	0.00	Accrued Interest at Purchase		707.17	707.17				1
				Subtotal		30,241,197.28	30,241,197.28				
		Total Cash and Investments	59,195,186.62		71,627,601.68	71,628,308.85	71,628,308.85			1.330	22

CITY OF MONTEBELLO
Portfolio Management
Portfolio Details with Earnings - Investments
December 31, 2022

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Current Rate	Days To Maturity	YTM	Accrued Interest	Unrealized Gain/Loss	Maturity Date
Local Agency Investment Funds													
	200	LAIF		07/01/2019	39,651,105.19	39,651,105.19	39,651,105.19	1.310	1	1.310	-45,839.12	0.00	
	Subtotal and Average		39,651,105.19		39,651,105.19	39,651,105.19	39,651,105.19	1.310	1	1.310	-45,839.12	0.00	
Savings Accounts													
	500	F&A		07/01/2019	6.38	6.38	6.38	0.500	1	0.500	0.11	0.00	
	600	PLAZA		07/01/2019	0.00	0.00	0.00	1.918	1	1.918	-7,546.80	0.00	
	Subtotal and Average		6.38		6.38	6.38	6.38	0.500	1	0.500	-7,546.69	0.00	
Negotiable CDs													
	40	BMW		10/11/2019	247,000.00	247,000.00	247,000.00	1.850	283	1.851	1,026.57	0.00	10/11/2023
	34	ENERBA		10/09/2019	249,000.00	249,000.00	249,000.00	1.800	255	1.800	601.69	0.00	09/13/2023
	53	HSBC		05/07/2020	248,000.00	248,000.00	248,000.00	1.300	857	1.300	470.35	0.00	05/07/2025
	47	MERR		10/18/2019	249,000.00	249,000.00	249,000.00	1.900	656	1.902	570.31	0.00	10/18/2024
	31	MORGAN		10/09/2019	247,000.00	247,000.00	247,000.00	1.900	613	1.902	1,080.03	0.00	09/05/2024
	43	RIA		10/11/2019	249,000.00	249,000.00	249,000.00	1.800	283	1.801	626.25	0.00	10/11/2023
	33	SALLIE		10/09/2019	247,000.00	247,000.00	247,000.00	1.900	626	1.902	1,080.03	0.00	09/18/2024
	Subtotal and Average		1,736,000.00		1,736,000.00	1,736,000.00	1,736,000.00	1.778	510	1.780	5,455.23	0.00	
Total and Average			59,195,186.62		41,387,111.57	41,387,111.57	41,387,111.57	1.330	22	1.330	-47,930.58	0.00	

CITY OF MONTEBELLO
Portfolio Management
Portfolio Details with Earnings - Cash
December 31, 2022

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Current Rate	Days To Maturity	YTM	Accrued Interest	Unrealized Gain/Loss
Checking Accounts												
	100	BOFW		08/31/2019	30,240,490.11	30,240,490.11	30,240,490.11	0.000	1	0.000	0.00	0.00
Average Balance			0.00	Accrued Interest at Purchase		707.17	707.17					
				Subtotal		30,241,197.28	30,241,197.28					
Total Cash and Investments			59,195,186.62		71,627,601.68	71,628,308.85	71,628,308.85	0.768	13	0.768	-47,930.58	0.00

CITY OF MONTEBELLO
Portfolio Management
Investment Status Report - Investments
December 31, 2022

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Local Agency Investment Funds												
	200	LAIF	39,651,105.19	1.310		07/01/2019	1.292	1.310	07/30 - Quarterly		39,651,105.19	39,651,105.19
Local Agency Investment Funds Totals			39,651,105.19				1.292	1.310		0.00	39,651,105.19	39,651,105.19
Savings Accounts												
	500	F&A	6.38	0.500		07/01/2019	0.493	0.500	04/30 - Monthly		6.38	6.38
	600	PLAZA	0.00	1.918		07/01/2019	1.892	1.918	05/31 - Monthly		0.00	0.00
Savings Accounts Totals			6.38				0.493	0.500		0.00	6.38	6.38
Negotiable CDs												
	40	BMW	247,000.00	1.850	10/11/2023	10/11/2019	1.826	1.851	04/11 - 10/11		247,000.00	247,000.00
	34	ENERBA	249,000.00	1.800	09/13/2023	10/09/2019	1.776	1.801	10/13 - Monthly	Received	249,000.00	249,000.00
	53	HSBC	248,000.00	1.300	05/07/2025	05/07/2020	1.282	1.300	11/07 - 05/07		248,000.00	248,000.00
	47	MERR	249,000.00	1.900	10/18/2024	10/18/2019	1.876	1.902	11/18 - Monthly		249,000.00	249,000.00
	31	MORGAN	247,000.00	1.900	09/05/2024	10/09/2019	1.876	1.902	03/05 - 09/05	437.16	247,000.00	247,000.00
	43	RIA	249,000.00	1.800	10/11/2023	10/11/2019	1.777	1.801	11/11 - Monthly		249,000.00	249,000.00
	33	SALLIE	247,000.00	1.900	09/18/2024	10/09/2019	1.876	1.902	03/18 - 09/18	270.01	247,000.00	247,000.00
Negotiable CDs Totals			1,736,000.00				1.755	1.780		707.17	1,736,000.00	1,736,000.00
Investment Totals			41,387,111.57				1.311	1.330		707.17	41,387,111.57	41,387,111.57

**CITY OF MONTEBELLO
Portfolio Management
Investment Status Report - Cash
December 31, 2022**

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Checking Accounts												
	100	BOFW	30,240,490.11			08/31/2019	0.000	0.000	07/31 - Monthly		30,240,490.11	30,240,490.11
Cash Totals			30,240,490.11							0.00	30,240,490.11	30,240,490.11
Total Cash and Investments			71,627,601.68				1.311	1.330		707.17	71,627,601.68	71,627,601.68

CITY OF MONTEBELLO
Portfolio Management
Portfolio Details - Pending Redemptions
December 31, 2022

Security #	Investment #	Issuer	Purchase Settlement Date	Mat/Sale Settlement Date	Par Value
Certificates of Deposit - CU					
	52A	F&A FEDERAL CREDIT UNION	04/27/2021	04/27/2022	280,566.49
	51	ST. VINCENT'S MEDICAL FCU	04/02/2020	04/02/2021	249,000.00
				Subtotal	529,566.49
Negotiable CDs					
	36	MEDALLION BANK	10/10/2019	10/12/2021	249,000.00
				Subtotal	249,000.00
Total Pending Redemptions					778,566.49

CITY OF MONTEBELLO
Portfolio Management
Activity By Type
December 1, 2022 through December 31, 2022

CUSIP	Investment #	Issuer	Beginning Balance	Stated Rate	Transaction Date	Purchases or Deposits	Redemptions or Withdrawals	Ending Balance
Local Agency Investment Funds (Monthly Summary)								
		Subtotal	39,651,105.19					39,651,105.19
Savings Accounts (Monthly Summary)								
		Subtotal	6.38					6.38
Checking Accounts (Monthly Summary)								
	100	BANK OF THE WEST				12,846,828.90	0.00	
		Subtotal	17,393,661.21			12,846,828.90	0.00	30,240,490.11
Negotiable CDs								
		Subtotal	1,736,000.00					1,736,000.00
		Total	58,780,772.78			12,846,828.90	0.00	71,627,601.68

CITY OF MONTEBELLO
Portfolio Management
Activity Summary
December 2021 through December 2022

Month End	Year	Number of Securities	Total Invested	Yield to Maturity		Managed Pool Rate	Number of Investments Purchased	Number of Investments Redeemed	Average Term	Average Days to Maturity
				360 Equivalent	365 Equivalent					
December	2021	18	50,116,776.29	1.323	1.341	1.310	0	0	92	39
January	2022	18	61,142,328.69	1.317	1.336	1.310	0	0	75	30
February	2022	18	61,142,328.69	1.317	1.336	1.310	0	0	75	29
March	2022	18	61,142,328.69	1.317	1.336	1.310	0	0	75	27
April	2022	18	63,157,703.08	1.313	1.331	1.310	0	1	68	25
May	2022	17	57,307,703.08	1.315	1.333	1.310	0	0	74	25
June	2022	16	68,307,703.08	1.311	1.330	1.310	0	0	63	20
July	2022	16	68,418,639.33	1.311	1.330	1.310	0	0	63	19
August	2022	16	62,918,639.73	1.313	1.331	1.310	0	0	68	19
September	2022	16	53,177,639.73	1.313	1.331	1.310	0	3	65	21
October	2022	16	45,387,111.57	1.310	1.328	1.310	0	2	64	23
November	2022	11	41,387,111.57	1.311	1.330	1.310	0	0	71	24
December	2022	11	41,387,111.57	1.311	1.330	1.310	0	0	71	22
Average		16	56,537,932.70	1.314%	1.333%	1.310	0	0	71	25

CITY OF MONTEBELLO
Portfolio Management
Distribution of Investments By Type
December 2021 through December 2022

Security Type	December 2021	January 2022	February 2022	March 2022	April 2022	May 2022	June 2022	July 2022	August 2022	September 2022	October 2022	November 2022	December 2022	Average by Period
Certificates of Deposit - Bank														
Certificates of Deposit - CU	0.6	0.5	0.5	0.5										0.2%
Local Agency Investment Funds	93.0	94.3	94.3	94.3	95.3	94.8	95.7	95.7	95.3	95.8	96.2	95.8	95.8	95.1%
Money Market Funds														
Commercial Paper Disc. -At Cost														
Federal Agency Issues Disc.-At Cost														
Treasury Discounts -At Cost														
Miscellaneous Discounts -At Cost														
Savings Accounts														
Checking Accounts														
Negotiable CDs	6.4	5.3	5.3	5.3	4.7	5.2	4.4	4.4	4.7	4.2	3.8	4.2	4.2	4.8%

CITY OF MONTEBELLO
Portfolio Management
Interest Earnings Summary
December 31, 2022

	December 31Month Ending	Fiscal Year To Date
CD/Coupon/Discount Investments:		
Interest Collected	2,788.38	26,940.16
Plus Accrued Interest at End of Period	5,455.23	4,327.58
Less Accrued Interest at Beginning of Period	(5,626.55)	(10,254.48)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
	<hr/>	<hr/>
Interest Earned during Period	2,617.06	21,013.26
Adjusted by Capital Gains or Losses	0.00	0.00
	<hr/>	<hr/>
Earnings during Periods	2,617.06	21,013.26
<hr/>		
Pass Through Securities:		
Interest Collected	0.00	0.00
Plus Accrued Interest at End of Period	0.00	0.00
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
	<hr/>	<hr/>
Interest Earned during Period	0.00	0.00
Adjusted by Premiums and Discounts	0.00	0.00
Adjusted by Capital Gains or Losses	0.00	0.00
	<hr/>	<hr/>
Earnings during Periods	0.00	0.00
<hr/>		
Cash/Checking Accounts:		
Interest Collected	0.00	316,408.49
Plus Accrued Interest at End of Period	-53,385.81	-53,385.81
Less Accrued Interest at Beginning of Period	(-97,501.74)	(-85,229.51)
	<hr/>	<hr/>
Interest Earned during Period	44,115.93	348,252.19
<hr/>		
Total Interest Earned during Period	46,732.99	369,265.45
Total Capital Gains or Losses	0.00	0.00
<hr/>		
Total Earnings during Period	46,732.99	369,265.45

SUCCESSOR AGENCIES MTB
Portfolio Management
Portfolio Summary
December 31, 2022

Investments	Par Value	Market Value	Book Value	% of Portfolio	Term	Days to Maturity	YTM 360 Equiv.	YTM 365 Equiv.
Local Agency Investment Funds	14,086,255.17	14,086,255.17	14,086,255.17	100.00	1	1	0.334	0.339
Investments	14,086,255.17	14,086,255.17	14,086,255.17	100.00%	1	1	0.334	0.339
Cash								
Passbook/Checking (not included in yield calculations)	1,216,570.09	1,216,570.09	1,216,570.09		1	1	0.000	0.000
Total Cash and Investments	15,302,825.26	15,302,825.26	15,302,825.26		1	1	0.334	0.339

Total Earnings	December 31 Month Ending	Fiscal Year To Date
Current Year	4,055.69	24,022.01
Average Daily Balance	15,302,026.87	16,475,086.93
Effective Rate of Return	0.31%	0.29%

Reporting period 12/01/2022-12/31/2022

Run Date: 01/02/2023 - 15:39

Portfolio SA
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**SUCCESSOR AGENCIES MTB
Portfolio Management
Portfolio Details - Investments
December 31, 2022**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity	Maturity Date
Local Agency Investment Funds												
	100	STATE OF CALIFORNIA		07/01/2019	14,086,255.17	14,086,255.17	14,086,255.17	0.339		0.339	1	
		Subtotal and Average	14,086,255.17		14,086,255.17	14,086,255.17	14,086,255.17			0.339	1	
		Total and Average	15,302,026.87		14,086,255.17	14,086,255.17	14,086,255.17			0.339	1	

**SUCCESSOR AGENCIES MTB
Portfolio Management
Portfolio Details - Cash
December 31, 2022**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Stated Rate	S&P	YTM 365	Days to Maturity
Checking Accounts											
	200	BANK OF THE WEST		08/31/2019	1,216,570.09	1,216,570.09	1,216,570.09			0.000	1
		Average Balance	0.00								1
	Total Cash and Investments		15,302,026.87		15,302,825.26	15,302,825.26	15,302,825.26			0.339	1

SUCCESSOR AGENCIES MTB
Portfolio Management
Portfolio Details with Earnings - Investments
December 31, 2022

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Current Rate	Days To Maturity	YTM	Accrued Interest	Unrealized Gain/Loss	Maturity Date
Local Agency Investment Funds													
	100	LAIF		07/01/2019	14,086,255.17	14,086,255.17	14,086,255.17	0.339	1	0.339	-3,518.16	0.00	
	Subtotal and Average		14,086,255.17		14,086,255.17	14,086,255.17	14,086,255.17	0.339	1	0.339	-3,518.16	0.00	
	Total and Average		15,302,026.87		14,086,255.17	14,086,255.17	14,086,255.17	0.339	1	0.339	-3,518.16	0.00	

**SUCCESSOR AGENCIES MTB
Portfolio Management
Portfolio Details with Earnings - Cash
December 31, 2022**

CUSIP	Investment #	Issuer	Average Balance	Purchase Date	Par Value	Market Value	Book Value	Current Rate	Days To Maturity	YTM	Accrued Interest	Unrealized Gain/Loss
Checking Accounts												
	200	BOFW		08/31/2019	1,216,570.09	1,216,570.09	1,216,570.09	0.000	1	0.000	0.00	0.00
	Average Balance		0.00									
Total Cash and Investments			15,302,026.87		15,302,825.26	15,302,825.26	15,302,825.26	0.312	1	0.312	-3,518.16	0.00

**SUCCESSOR AGENCIES MTB
Portfolio Management
Investment Status Report - Investments
December 31, 2022**

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Local Agency Investment Funds												
	100	LAIF	14,086,255.17	0.339		07/01/2019	0.334	0.339	07/15 - Quarterly		14,086,255.17	14,086,255.17
Local Agency Investment Funds Totals			14,086,255.17				0.334	0.339		0.00	14,086,255.17	14,086,255.17
Investment Totals			14,086,255.17				0.334	0.339		0.00	14,086,255.17	14,086,255.17

**SUCCESSOR AGENCIES MTB
Portfolio Management
Investment Status Report - Cash
December 31, 2022**

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	YTM 360	YTM 365	Payment Dates	Accrued Interest At Purchase	Current Principal	Book Value
Checking Accounts												
	200	BOFW	1,216,570.09			08/31/2019	0.000	0.000	09/30 - Monthly		1,216,570.09	1,216,570.09
Cash Totals			1,216,570.09							0.00	1,216,570.09	1,216,570.09
Total Cash and Investments			15,302,825.26				0.334	0.339		0.00	15,302,825.26	15,302,825.26

SUCCESSOR AGENCIES MTB
Portfolio Management
Activity By Type
December 1, 2022 through December 31, 2022

CUSIP	Investment #	Issuer	Beginning Balance	Stated Rate	Transaction Date	Purchases or Deposits	Redemptions or Withdrawals	Ending Balance
Local Agency Investment Funds (Monthly Summary)								
			14,086,255.17					14,086,255.17
		Subtotal						
Checking Accounts (Monthly Summary)								
	200	BANK OF THE WEST				825.00	0.00	1,216,570.09
		Subtotal	1,215,745.09			825.00	0.00	1,216,570.09
		Total	15,302,000.26			825.00	0.00	15,302,825.26

**SUCCESSOR AGENCIES MTB
Portfolio Management
Activity Summary
December 2021 through December 2022**

Month End	Year	Number of Securities	Total Invested	Yield to Maturity		Managed Pool Rate	Number of Investments Purchased	Number of Investments Redeemed	Average Term	Average Days to Maturity
				360 Equivalent	365 Equivalent					
December	2021	2	8,996,214.26	0.334	0.339	0.339	0	0	1	1
January	2022	2	14,001,394.63	0.334	0.339	0.339	0	0	1	1
February	2022	2	14,001,394.63	0.334	0.339	0.339	0	0	1	1
March	2022	2	14,001,394.63	0.334	0.339	0.339	0	0	1	1
April	2022	2	14,012,253.29	0.334	0.339	0.339	0	0	1	1
May	2022	2	14,012,253.29	0.334	0.339	0.339	0	0	1	1
June	2022	2	14,012,253.29	0.334	0.339	0.339	0	0	1	1
July	2022	2	14,038,487.21	0.334	0.339	0.339	0	0	1	1
August	2022	2	14,038,487.21	0.334	0.339	0.339	0	0	1	1
September	2022	2	14,038,487.36	0.334	0.339	0.339	0	0	1	1
October	2022	2	14,086,255.17	0.334	0.339	0.339	0	0	1	1
November	2022	2	14,086,255.17	0.334	0.339	0.339	0	0	1	1
December	2022	2	14,086,255.17	0.334	0.339	0.339	0	0	1	1
Average		2	13,647,029.64	0.334%	0.339%	0.339	0	0	1	1

**SUCCESSOR AGENCIES MTB
 Portfolio Management
 Distribution of Investments By Type
 December 2021 through December 2022**

Security Type	December 2021	January 2022	February 2022	March 2022	April 2022	May 2022	June 2022	July 2022	August 2022	September 2022	October 2022	November 2022	December 2022	Average by Period
Certificates of Deposit - Bank														
Certificates of Deposit - CU														
Local Agency Investment Funds	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0%
Money Market Funds														
Federal Agency Issues Disc.-At Cost														
Treasury Discounts -At Cost														
Savings Accounts														
Checking Accounts														

**SUCCESSOR AGENCIES MTB
Portfolio Management
Interest Earnings Summary
December 31, 2022**

	December 31Month Ending	Fiscal Year To Date
CD/Coupon/Discount Investments:		
Interest Collected	0.00	0.00
Plus Accrued Interest at End of Period	0.00	0.00
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
	0.00	0.00
Interest Earned during Period	0.00	0.00
Adjusted by Capital Gains or Losses	0.00	0.00
	0.00	0.00
Earnings during Periods	0.00	0.00
Pass Through Securities:		
Interest Collected	0.00	0.00
Plus Accrued Interest at End of Period	0.00	0.00
Less Accrued Interest at Beginning of Period	(0.00)	(0.00)
Less Accrued Interest at Purchase During Period	(0.00)	(0.00)
	0.00	0.00
Interest Earned during Period	0.00	0.00
Adjusted by Premiums and Discounts	0.00	0.00
Adjusted by Capital Gains or Losses	0.00	0.00
	0.00	0.00
Earnings during Periods	0.00	0.00
Cash/Checking Accounts:		
Interest Collected	0.00	26,234.07
Plus Accrued Interest at End of Period	-3,518.16	-3,518.16
Less Accrued Interest at Beginning of Period	(-7,573.85)	(-1,306.10)
	4,055.69	24,022.01
Interest Earned during Period	4,055.69	24,022.01
Total Interest Earned during Period	4,055.69	24,022.01
Total Capital Gains or Losses	0.00	0.00
Total Earnings during Period	4,055.69	24,022.01

RESOLUTION NO. 23-09
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO
APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS

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

SECTION 1. That the reference is hereby made to that certain Register of Audited Demand No.1545, consisting of 6 pages, and including:

Warrant No.

General: Checks No. 598818 through 598917
ACH No. 3509 through 3565

Successor Agency: Check No. 1499 through 1499

On file in the office of the City Clerk, the same having been audited and approved by the Assistant 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 08th day of February 2023.

David N. Torres, Mayor

ATTEST:

APPROVED AS TO FORM:

RESOLUTION NO. 23-09

Page 2 of 2

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.23-09 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 08th day of February 2023 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

- Exhibit A – Warrant Register



City of Montebello
Register of Demands No. 1545
From Payment Date 01/13/23 - To Payment Date 01/26/23

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
General Account					
3509	01/19/2023	\$5,980.92	SUPPLIES	2586	AMAZON CAPITAL SERVICES INC
3510	01/19/2023	\$538,281.40	CONTRACT SERVICES	3944	AMERICAN LANDSCAPE, INC.
3511	01/19/2023	\$2,247.30	VEHICLE MAINTENANCE/EXPENSES	47980	AMERICAN MOVING PARTS
3512	01/19/2023	\$40.00	CARPOOL INCENTIVE	61470	ERIKA L ANDRADE
3513	01/19/2023	\$177.42	VEHICLE MAINTENANCE/EXPENSES	1101	BLACK AND WHITE EMERGENCY VEHICLES LLC
3514	01/19/2023	\$30.00	CARPOOL INCENTIVE	3809	SAMANTHA CHENELIA
3515	01/19/2023	\$70.00	CARPOOL INCENTIVE	3384	ALICIA FERNANDEZ
3516	01/19/2023	\$7,656.72	CONTRACT SERVICES	371	FLO-SERVICES INC
3517	01/19/2023	\$40.00	CARPOOL INCENTIVE	2572	MARLENE GIL
3518	01/19/2023	\$40.00	CARPOOL INCENTIVE	3123	NEIRA YESSIE GRANADOS
3519	01/19/2023	\$40.00	CARPOOL INCENTIVE	3196	MICAH HERD
3520	01/19/2023	\$40.00	CARPOOL INCENTIVE	4280	NADINE HERNANDEZ
3521	01/19/2023	\$37.49	SUPPLIES	2811	LIGHT BULB DEPOT 38 LLC
3522	01/19/2023	\$30.00	CARPOOL INCENTIVE	3810	ALEXIS LUCERO
3523	01/19/2023	\$9,045.00	CONTRACT SERVICES	35250	NATIONWIDE ENVIRONMENTAL SERVICES
3524	01/19/2023	\$1,491.00	CONTRACT SERVICES	3028	ONWARD ENGINEERING
3525	01/19/2023	\$40.00	CARPOOL INCENTIVE	138	BRIANNON PADILLA
3526	01/19/2023	\$30.00	CARPOOL INCENTIVE	3291	JOSEPH PALOMBI
3527	01/19/2023	\$30.00	CARPOOL INCENTIVE	59960	JO ANN PANOSIAN
3528	01/19/2023	\$1,050.00	CONTRACT SERVICES	13680	PEERY & ASSOCIATES INC
3529	01/19/2023	\$456.00	CONTRACT SERVICES	2925	R-DOORS INC
3530	01/19/2023	\$40.00	CARPOOL INCENTIVE	3712	MATTHEW ROBERT RAMOS
3531	01/19/2023	\$33.71	SUPPLIES	1120	BLUETRITON BRANDS INC
3532	01/19/2023	\$3,054.00	CONTRACT SERVICES	952	RELIANT IMMEDIATE CARE MEDICAL GROUP INC
3533	01/19/2023	\$40.00	CARPOOL INCENTIVE	69960	NICOLE I SAUCEDO
3534	01/19/2023	\$40.00	CARPOOL INCENTIVE	2985	KEVIN SAYCOCIE
3535	01/19/2023	\$40.00	CARPOOL INCENTIVE	24280	MARTIN SOLANO



City of Montebello
Register of Demands No. 1545
From Payment Date 01/13/23 - To Payment Date 01/26/23

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
3536	01/19/2023	\$30.00	CARPPOOL INCENTIVE	3001	MICHAEL SOLORZA
3537	01/19/2023	\$40.00	CARPPOOL INCENTIVE	3053	MICHAEL TELLES
3538	01/19/2023	\$80.00	CARPPOOL INCENTIVE	1091	JANELLE TORRES
3539	01/19/2023	\$7,000.00	CONTRACT SERVICES	3433	VECTIS DC LLC
3540	01/19/2023	\$37.99	VEHICLE MAINTENANCE/EXPENSES	3163	BANK OF AMERICA
3541	01/19/2023	\$4,837.11	TRAINING	3163	BANK OF AMERICA
3542	01/19/2023	\$256.33	SUPPLIES	3163	BANK OF AMERICA
3543	01/26/2023	\$1,652.44	UNIFORM EXPENSE	20350	ALLSTAR FIRE EQUIPMENT INC
3544	01/26/2023	\$168.82	SUPPLIES	2586	AMAZON CAPITAL SERVICES INC
3545	01/26/2023	\$746.34	VEHICLE MAINTENANCE/EXPENSES	47980	AMERICAN MOVING PARTS
3546	01/26/2023	\$35,319.02	CONTRACT SERVICES	3016	ANTARES GOLF LLC
3547	01/26/2023	\$2,890.76	ADVERTISING/PRINTING SERVICES	35980	SAEED RADMEHR
3548	01/26/2023	\$38,466.32	WATER PURCHASE RESALE	19120	CENTRAL BASIN MUNICIPAL WATER DISTRICT
3549	01/26/2023	\$2,953.90	SUPPLIES	10000	CLEAN SWEEP SUPPLY CO INC
3550	01/26/2023	\$737.05	CONTRACT SERVICES	2889	COMLOCK SECURITY GROUP INC
3551	01/26/2023	\$28,050.97	CONTRACT SERVICES	75950	FIESTA TAXI COOPERATIVE INC
3552	01/26/2023	\$2,060.00	CDBG-CV	3169	FOOTHOLD TECHNOLOGY INC
3553	01/26/2023	\$501.33	VEHICLE MAINTENANCE/EXPENSES	22560	H & H AUTO PARTS WHOLESALE
3554	01/26/2023	\$450.00	CONTRACT SERVICES	16760	LIEBERT CASSIDY WHITMORE
3555	01/26/2023	\$968.60	SUPPLIES	26670	LIFE-ASSIST INC
3556	01/26/2023	\$255,823.61	IMPROVEMENTS OTHER THAN BUILDIN	26880	SEBASTIAN WATERWORKS INC
3557	01/26/2023	\$116,101.73	CONTRACT SERVICES	35250	NATIONWIDE ENVIRONMENTAL SERVICES
3558	01/26/2023	\$41,617.80	CONTRACT SERVICES	42180	PCAM LLC
3559	01/26/2023	\$50,357.14	CONTRACT SERVICES	54240	PDQ ENTERPRISES INC
3560	01/26/2023	\$18.74	ADVERTISING/PRINTING SERVICES	2594	THE SAUCE CREATIVE SERVICES CORP
3561	01/26/2023	\$40,562.88	FUEL INVENTORY	1059	AMBER RESOURCES LLC
3562	01/26/2023	\$57.87	SUPPLIES	31270	STARBOARD TACK SUPPLY INC
3563	01/26/2023	\$5,461.71	SUPPLIES	3088	WAXIES ENTERPRISES LLC



City of Montebello
Register of Demands No. 1545
From Payment Date 01/13/23 - To Payment Date 01/26/23

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
3564	01/26/2023	\$285.00	CONTRACT SERVICES	2865	WEBSTERS BEE REMOVAL SERVICES
3565	01/26/2023	\$359.50	CONTRACT SERVICES	183	WECK LABORATORIES ENVIRONMENTAL SERVICES INC
ACH TOTAL		\$1,207,993.92			
598818	01/19/2023	\$1,480.12	VEHICLE MAINTENANCE/EXPENSES	3333	A & A FLEET PAINTING INC
598819	01/19/2023	\$94.48	UTILITY SERVICES	39550	AT&T
598820	01/19/2023	\$4,108.24	UTILITY SERVICES	39550	AT&T
598821	01/19/2023	\$125.00	DUES & SUBSCRIPTIONS	2717	CALIFORNIA CLETS USERS GROUP
598822	01/19/2023	\$115.63	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY
598823	01/19/2023	\$69.98	UTILITY SERVICES	55830	CHARTER COMMUNICATIONS
598824	01/19/2023	\$28,000.00	CONTRACT SERVICES	3417	CITY OF SANTA FE SPRINGS
598825	01/19/2023	\$33,850.00	MACHINERY & EQUIPMENTS	69970	COMMLINE INC
598826	01/19/2023	\$1,494.03	CONTRACT SERVICES	3920	FIRST PLACE GLASS, INC.
598827	01/19/2023	\$30.00	CARPPOOL INCENTIVE	3706	ALEX GILLMAN
598828	01/19/2023	\$635.00	GENERAL GOVERNMENT	3831	GUILLE GOMEZ
598829	01/19/2023	\$1,994.92	LEASE PAYMENT	2405	JCB FINANCE
598830	01/19/2023	\$4,728.85	SUPPLIES	1578	UNIFORM HEADQUARTERS
598831	01/19/2023	\$1,051.12	TRAVEL & MEETINGS	3507	MARK KIM
598832	01/19/2023	\$40.00	CARPPOOL INCENTIVE	3893	MICHAEL FRANCO LOPEZ
598833	01/19/2023	\$440.59	MISCELLANEOUS EXPENSE	43760	ALFRED MARTINEZ
598834	01/19/2023	\$350,000.00	SETTLEMENTS	72730	RAFFI MINASIAN
598835	01/19/2023	\$317.46	VEHICLE MAINTENANCE/EXPENSES	54300	SHAK ENTERPRISES INC
598836	01/19/2023	\$40.00	CARPPOOL INCENTIVE	3657	STACEY MORALES
598837	01/19/2023	\$22,800.04	CONTRACT SERVICES	34750	MBN SERVICES INC
598838	01/19/2023	\$895.00	CONTRACT SERVICES	23340	ORANGE COUNTY TANK TESTING INC
598839	01/19/2023	\$40.00	CARPPOOL INCENTIVE	65330	WENDY PEREZ
598840	01/19/2023	\$87.12	SUPPLIES	56260	PRUDENTIAL OVERALL SUPPLY
598841	01/19/2023	\$75.00	TRAINING	51460	RIO HONDO COMMUNITY COLLEGE



City of Montebello
Register of Demands No. 1545
From Payment Date 01/13/23 - To Payment Date 01/26/23

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
598842	01/19/2023	\$40.00	CARPPOOL INCENTIVE	3584	BRENDA RODRIGUEZ
598843	01/19/2023	\$304.00	TRAINING	3448	SAVAGE TRAINING GROUP LLC
598844	01/19/2023	\$4,975.10	CONTRACT SERVICES	673	SILVER & WRIGHT LLP
598845	01/19/2023	\$25,860.49	UTILITY SERVICES	45630	SOUTHERN CALIFORNIA EDISON
598846	01/19/2023	\$300.00	DUES & SUBSCRIPTIONS	29600	SOCAL PUBLIC LABOR RELATIONS COUNCIL
598847	01/19/2023	\$26,893.00	CONTRACT SERVICES	3946	SPIRIT GENERAL CONTRACTING & DESIGN, INC
598848	01/19/2023	\$73,401.84	FRINGE BENEFITS	25850	STANDARD INSURANCE COMPANY
598849	01/19/2023	\$312.50	CONTRACT SERVICES	65440	TIERRA WEST ADVISORS
598850	01/19/2023	\$699.00	TRAINING	2699	KIM TUNRER
598851	01/19/2023	\$9,923.92	CONTRACT SERVICES	3406	UNIVERSAL PROTECTION SERVICE LP
598852	01/19/2023	\$4,363.40	CONTRACT SERVICES	37	US SECURITY ASSOCIATES INC
598853	01/19/2023	\$3,307.50	VEHICLE MAINTENANCE/EXPENSES	3450	VALLEY POWER SYSTEMS INC
598854	01/19/2023	\$204.60	SUPPLIES	9470	W W GRAINGER INC
598855	01/19/2023	\$1,359.51	CONTRACT SERVICES	3951	MARGARITA ZAVALA
598856	01/26/2023	\$120.00	PARKS AND RECREATION	3535	HECTOR RAMIREZ
598857	01/26/2023	\$527.01	SUPPLIES	1670	ADAMSON POLICE PRODUCTS
598858	01/26/2023	\$1,419.00	CONTRACT SERVICES	1287	ALTA LANGUAGE SERVICES INC
598859	01/26/2023	\$230.00	CONTRACT SERVICES	3881	APEX INVESTIGATIVE SERVICES, INC.
598860	01/26/2023	\$2,932.53	UTILITY SERVICES	38380	AT&T
598861	01/26/2023	\$6,205.07	UTILITY SERVICES	39550	AT&T
598862	01/26/2023	\$2,134.10	VEHICLE MAINTENANCE/EXPENSES	278	ATLAS RADIATOR INC
598863	01/26/2023	\$1,640.00	CONTRACT SERVICES	17870	THE BANK OF NEW YORK MELLON
598864	01/26/2023	\$106,625.00	CONTRACT SERVICES	3953	BANNER BANK
598865	01/26/2023	\$250.00	GENERAL GOVERNMENT	3963	ROSANA BARRERA
598866	01/26/2023	\$1,372.50	CONTRACT SERVICES	239	BEST BEST & KRIEGER LLP
598867	01/26/2023	\$2,468.85	CONTRACT SERVICES	27170	BEVERLY HOSPITAL
598868	01/26/2023	\$250.00	GENERAL GOVERNMENT	3965	SIMONE BIVENS
598869	01/26/2023	\$11,766.33	CONTRACT SERVICES	3130	BLAIS & ASSOCIATES LLC



City of Montebello
Register of Demands No. 1545
From Payment Date 01/13/23 - To Payment Date 01/26/23

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
598870	01/26/2023	\$306.90	DUE TO CALIFORNIA BUILDING STANDARDS COMMISSION	68300	CALIFORNIA BUILDING STANDARDS COMMISSION
598871	01/26/2023	\$58.78	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY
598872	01/26/2023	\$250.00	GENERAL GOVERNMENT	3962	ALMA CASTANEDA
598873	01/26/2023	\$95.98	UTILITY SERVICES	55830	CHARTER COMMUNICATIONS
598874	01/26/2023	\$349.52	CONTRACT SERVICES	36870	CINTAS CORPORATION NO 3
598875	01/26/2023	\$1,660.00	CONTRACT SERVICES	3204	COASTAL OCCUPATIONAL MEDICAL GROUP
598876	01/26/2023	\$422.01	PERMITS AND FEES	31150	DEPARTMENT OF CONSERVATION
598877	01/26/2023	\$300.00	TRAINING	3959	BAILEY DUGGAN
598878	01/26/2023	\$193.00	CONTRACT SERVICES	1117	FILE KEEPERS LLC
598879	01/26/2023	\$60.00	PARKS AND RECREATION	3954	FLORES SILVIA
598880	01/26/2023	\$60.00	PARKS AND RECREATION	2094	JESUS GARCIA
598881	01/26/2023	\$113.00	CONTRACT SERVICES	3637	GENEX SERVICES LLC
598882	01/26/2023	\$270,658.21	CONTRACT SERVICES	13750	CITY OF GLENDALE
598883	01/26/2023	\$300.00	TRAINING	3745	RUBEN GONZALEZ
598884	01/26/2023	\$9,433.02	CONTRACT SERVICES	33460	GOODYEAR TIRE & RUBBER COMPANY
598885	01/26/2023	\$33.59	VEHICLE MAINTENANCE/EXPENSES	15440	HOSE-MAN INC
598886	01/26/2023	\$1,149.76	VEHICLE MAINTENANCE/EXPENSES	582	HYDRAULIC ELECTRIC INC
598887	01/26/2023	\$11,100.00	CONTRACT SERVICES	3480	JEFFREY ALAN TRAVIS
598888	01/26/2023	\$300.00	TRAINING	3960	GENEVIEVE LASTRA
598889	01/26/2023	\$60.00	PARKS AND RECREATION	3966	MICHELLE LOPEZ
598890	01/26/2023	\$250.00	GENERAL GOVERNMENT	3964	MARIE MONTANA
598891	01/26/2023	\$1,489.96	VEHICLE MAINTENANCE/EXPENSES	54300	SHAK ENTERPRISES INC
598892	01/26/2023	\$15,673.50	CONTRACT SERVICES	34750	MBN SERVICES INC
598893	01/26/2023	\$2,733.79	VEHICLE MAINTENANCE/EXPENSES	2480	SOCAL AUTO & TRUCK PARTS INC
598894	01/26/2023	\$334,100.81	IMPROVEMENTS OTHER THAN BUILDING	3399	NCM ENGINEERING CORP
598895	01/26/2023	\$206.02	SUPPLIES	15620	OFFICE DEPOT INC
598896	01/26/2023	\$4.84	UTILITY SERVICES	36610	CITY OF PICO RIVERA
598897	01/26/2023	\$1,398.03	SUPPLIES	56260	PRUDENTIAL OVERALL SUPPLY



City of Montebello
Register of Demands No. 1545
From Payment Date 01/13/23 - To Payment Date 01/26/23

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
598898	01/26/2023	\$300.00	TRAINING	3958	GINO RODRIGUEZ
598899	01/26/2023	\$891.89	UTILITY SERVICES	14730	SAN GABRIEL VALLEY WATER CO
598900	01/26/2023	\$23,728.33	UTILITY SERVICES	45630	SOUTHERN CALIFORNIA EDISON
598901	01/26/2023	\$25,766.25	UTILITY SERVICES	40520	SOUTHERN CALIFORNIA GAS CO
598902	01/26/2023	\$3,312.60	VEHICLE MAINTENANCE/EXPENSES	60710	THE AFTERMARKET PARTS COMPANY LLC
598903	01/26/2023	\$2,017.50	CONTRACT SERVICES	71210	STAR-DUST TOURS INC
598904	01/26/2023	\$2,760.37	UTILITY SERVICES	72570	US TELEPACIFIC CORP
598905	01/26/2023	\$1,125.00	CONTRACT SERVICES	3647	TIM KARL TRAEGER
598906	01/26/2023	\$1,614.18	SUPPLIES	45120	ULINE INC
598907	01/26/2023	\$73,257.03	CONTRACT SERVICES	3406	UNIVERSAL PROTECTION SERVICE LP
598908	01/26/2023	\$4,172.67	CONTRACT SERVICES	37	US SECURITY ASSOCIATES INC
598909	01/26/2023	\$10,000.00	MAIL/ POSTAL EXPENSE	68120	USPS-HASLER
598910	01/26/2023	\$135.00	GENERAL GOVERNMENT	3955	VANESSA VALDEZ
598911	01/26/2023	\$938.70	VEHICLE MAINTENANCE/EXPENSES	2701	VARGAS DIESEL INC
598912	01/26/2023	\$63.43	SUPPLIES	9470	W W GRAINGER INC
598913	01/26/2023	\$4,470.21	VEHICLE MAINTENANCE/EXPENSES	25860	WAYNE HARMEIER INC
598914	01/26/2023	\$55.00	CONTRACT SERVICES	3006	WORLD OIL ENVIRONMENTAL SERVICES
598915	01/26/2023	\$18,472.82	CONTRACT SERVICES	3731	YUNEX LLC
598916	01/26/2023	\$579.70	CONTRACT SERVICES	2905	ZUTRA WATER
598917	01/26/2023	\$250.00	GENERAL GOVERNMENT	3938	YOLANDA FIGUEROA
CHECK TOTAL		\$1,569,069.23			
Successor Agency (SA)					
1499	01/26/2023	\$4,100.00	CONTRACT SERVICES	15180	STEARNS CONRAD AND SCHMIDT CONSULTING ENG
SA TOTAL		\$4,100.00			
GRAND TOTAL		\$2,781,163.15			



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

MINUTES

WEDNESDAY, NOVEMBER 16, 2022 AT 5:00 PM

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

OPENING CEREMONIES

CALL TO ORDER

Mayor/Chairperson Cobos-Cawthorne called the meeting to order at 5:04 p.m.

ROLL CALL

Members present were Mayor/Chairperson Cobos-Cawthorne, Mayor Pro Tem Jimenez/Vice Chairperson (arrived at 5:07 p.m.), Councilmember/Member Peralta, Councilmember/Member Melendez, and Councilmember/Member Torres. City Clerk/Board Secretary Jimenez and Treasurer Gutierrez were also present (Treasurer Gutierrez arrived at 5:55 p.m.).

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.

There were Closed Session speaker cards or public comments submitted by the public.

CLOSED SESSION 5:00 P.M.

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

Item 2a. was added to the agenda as a subsequent need matter pursuant to Government Code Section 54956.9 (d)(4). It was motioned by Councilmember Melendez, seconded by Councilmember Peralta, that the item be added; the motion was approved unanimously.

Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:08 p.m. to consider the following Closed Session items, including the added item:

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

Walk On Item No. 2.5.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(4)

One matter related to GFC

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

CLOSED SESSION REPORT

Mayor Cobos-Cawthorne reconvened the meeting at 6:05 p.m.

All five members were present to discuss all Closed Session items. City Attorney Arnold Alvarez-Glasman provided the following report to City Council: a briefing was provided on Item No. 1, no action taken and nothing to report; a briefing and update was provided on Item No. 2, no action taken and nothing to report; Item No. 2.5 was related to a further resolution claim and settlement agreement with Garfield Financial Corporation. The City Council provided authority and direction to the City Attorney and City Manager's office, consistent with the terms discussed in Closed Session, the City attorney's office will execute the necessary release from Garfield Financial Corporation to effectuate those terms; Item No. 2.5 was approved unanimously by the City Council.

INVOCATION

City Treasurer Rafael Gutierrez led the City Council in the Invocation.

PLEDGE OF ALLEGIANCE

Director Razo led the City Council in the Pledge of Allegiance.

CORRECTIONS TO THE AGENDA CITY MANAGER

City Manager Bobadilla stated there were no corrections to the agenda. City Attorney Alvarez-Glasman later stated that there was a correction needed on Item No. 26, Agreement No. 4043, paragraph #7 to be removed from the agreement and a final version will be provided.

CEREMONIAL/PRESENTATIONS

3. **RECOGNITION OF CITIZEN OF THE MONTH - ERNIE PERALTA**
Presented by Mayor Cobos-Cawthorne.

4. **RECOGNITION OF MENS HEALTH AWARENESS MONTH**
Presented by Mayor Cobos-Cawthorne.

5. RECOGNITION OF ALZHEIMER DISEASE AWARENESS MONTH

Presented by Mayor Cobos-Cawthorne.

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. 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.

The Public Comment period started at 6:21 p.m. The City Clerk's Office acknowledged two (2) members of the public wishing to address the City Council. Speakers were provided three minutes to address the City Council and said speaker cards are on file at the City Clerk's office.

The City Clerk's Office acknowledged two (2) written public comment(s) submitted to the City's public comment email address; said comments are on file at the City Clerk's office.

One (1) additional speaker card was submitted after the written comments were read; said speaker was provided three minutes to address the City Council and the speaker card is on file at the City Clerk's office. The Public Comment Period ended at 6:37 p.m.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

Director Sosnowski provided the City Council an update of the upcoming City events.

PUBLIC HEARING

6. PUBLIC HEARING APPROVING AN ENERGY SERVICES CONTRACT WITH THERMA, LLC.

NOTE: This Public Hearing has been canceled.

RECOMMENDATION:

The Public Hearing was canceled.

REGULAR BUSINESS

7. INTRODUCE AND WAIVE FIRST READING OF ORDINANCE NO. 2457 AMENDING CHAPTER 2.14 OF THE MONTEBELLO MUNICIPAL CODE TO UPDATE THE RULES OF ORDER AND PROCEDURE FOR THE CONDUCT OF ALL CITY COUNCIL AND SUCCESSOR AGENCY MEETINGS, PROCEEDINGS, AND BUSINESS

RECOMMENDATION: It is recommended that the City Council:

1. Introduce and waive First Reading of Reading of Ordinance No. 2457 Amending Chapter 2.14 of the Montebello Municipal Code Updating the Rules of Order and Procedure for the Conduct of all City Council and Successor Agency Meetings, Proceedings, and Business; and
2. Take such additional related action that may be desirable.

City Attorney Alvarez presented the Staff Report and was available to answer any questions.

Councilmember Torres stated that there are still provisions that are concerning. Councilmember Melendez stated that the Ordinance complies with State law regarding decorum procedures. Councilmember Peralta stated that she would like the City Council to provide feedback, specifically comments related to community engagement.

Councilmember Melendez motioned to approve as recommended by staff, seconded by Mayor Pro Tem Jimenez and passed by the following vote:

MOVED: Melendez	SECONDED: Jimenez	APPROVED: 3-2-0-0
AYES: Melendez, Jimenez, Cobos-Cawthorne		
NOES: Peralta, Torres		
ABSTAIN: None		
ABSENT: None		

8. **FISCAL YEAR 2022-23 FIRST QUARTER BUDGET REPORT**

RECOMMENDATION: It is recommended that City Council:

1. Receive and file this agenda report and the presentation on the Fiscal Year 2022-23 First Quarter Budget; and
2. Update the Table of Organization/Master Position Control by adding four (4.0) positions (Attachment C) to various departments; and
3. Approve Resolution No. 22-91(Attachment D) amending the Compensation Plan to add two (2.0) new job classifications; and
4. Take such additional, related action that may be desirable.

Director Solorza provided a PowerPoint presentation to the City Council with an overview of the following: FY, Budget Development 5 year cycle, Process Improvements, FY 22-23 Updated Year-End Forecast, FY 22-23 General Fund Revenue; Sources of Revenue Adopted Budget; Revenue Projections, FY 22-23 Sales Tax Focus, General Fund Expenditures, Expenditures by Function Adopted Budget, Department Expenditures, and was available to answer any questions.

City Manager Bobadilla stated that from 2000-2019 the City of Montebello never had a balanced budget and currently the City Council has adopted three surplus budgets.

Councilmember Torres asked for clarification on the 8 million dollar surplus and Director Solorza provided an explanation. In addition, Councilmember Torres asked clarifying questions regarding the Human Resources positions and Director Razo provided a briefing to explain the need. Councilmember Melendez commended the staff and stated that he supports staff needs. Councilmember Peralta commended the staff and asked for clarification on how ARPA funds became surplus funds and promoted prioritizing positions in public safety. Mayor Pro Tem Jimenez commended the staff and stated her support for the healthy surplus. Mayor Cobos-Cawthorne asked for clarification on the use of ARPA funds; Director Solarza provided clarification.

It was motioned by Mayor Pro Tem Jimenez, seconded by Councilmember Melendez to approve the item as recommended by staff; the motion was approved unanimously.

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.

Councilmembers Torres and Peralta pulled Item No's. 9, 13, and 20. In addition, Councilmember Torres pulled Item No's. 18 and 23 and Mayor Cobos-Cawthorne pulled Item No. 16. It was motioned by Councilmember Melendez, seconded by Councilmember Torres, that Item No's. 10-12, 14-15, 17, 19, 21-22, and 26 be approved; the motion passed unanimously.

9. **SECOND READING AND ADOPTION 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. Waive second reading and adopt 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. Waive second reading and adopt 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. Waive second reading and adopt 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, related action that may be desirable.

Councilmembers Torres and Peralta pulled this item for discussion. Councilmember Torres stated his opposition to approving Ordinance 2456 which would be near a residential area. Furthermore, Councilmember Torres suggested directing staff to conduct a study to determine the locations where the electronics could be installed in the future.

Councilmember Torres motioned to approve Ordinance No's. 2454 and 2455, and conduct a study to determine a new location stated in Ordinance No. 2456.

Councilmember Melendez asked if approving only two of the Ordinances would affect the contractual obligation with Clear Channel Outdoor, LLC. City Manager Bobadilla stated that it would affect the contractual obligation. Councilmember Peralta seconded the motion and supported Councilmember Torres' comments. Councilmember Melendez suggested making a substitute motion to adopt Ordinance No's. 2454 and 2455 and tabling the discussion related to Ordinance No. 2456 to allow for further discussion. City Manager Bobadilla asked if Clear Channel Outdoor LLC representative, Mr. Lawson, could have an opportunity to comment prior to a vote being taken. Mr. Lawson commented that he understands the location is in question but there is an existing sign in that location and the new sign would improve the technology directing the lights to streets rather than various locations. Furthermore, Mr. Lawson encouraged that all three Ordinances pass and he would work with the Council on solutions for the location in question. Councilmember Melendez clarified his substitute motion and stated it was to table the item in its entirety at a future meeting; the motion was seconded by Councilmember Torres. Clear Channel stated that if there was a continuation of this item, that he respectfully asked the item not be brought for further consideration, and considered approving the item and working with the City Council to address areas of concern.

After further discussion, Councilmember Melendez amended his substitute motion to pass Ordinance No's. 2454, 2455 and bring back Ordinance No. 2456 for a Second Reading and consideration of adoption at a future meeting. To avoid confusion, Councilmember Melendez withdrew his substitute motion.

Director Palombi stated that the signs could be monitored. This would include mitigating the impact of the signs and revisiting the matter if it becomes an issue. Mr. Lawson explained that a baseline would be established and an Illumination Engineer would put together a report to take the current readings now versus when the new board is installed. A new report will be conducted and the boards are continuously monitored; a light sensor is on the board that automatically updates remotely. With that understanding, Councilmember Torres withdrew his original motion and motioned to approve Ordinance 2454 and 2455 unconditionally and Ordinance No. 2456 with the conditions discussed; the motion was seconded by Mayor Pro Tem Jimenez and approved unanimously.

- 10. ADOPT CITY COUNCIL RESOLUTION NO. 22-90/SUCCESSOR AGENCY RESOLUTION NO. 22-04 APPROVING THE PURCHASE AND SALE AGREEMENT FOR THE PROPOSED DISPOSITION OF REAL PROPERTY LOCATED AT 701-705 W. WHITTIER BOULEVARD AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT ON BEHALF OF THE CITY OF MONTEBELLO**

RECOMMENDATION: It is recommended that the City Council/Successor Agency to the former Community Redevelopment Agency of the City of Montebello adopt City Council Resolution No. 22-90/Successor Agency Resolution No. 22-04:

1. Finding that the sale of the Property is exempt under CEQA pursuant to CEQA Guidelines Section 15312 – Class 12 Categorical Exemption relating to the sale of surplus government property and CEQA Guidelines Section 15060(c)(3) because the sale does not have the potential for creating a significant effect on the environment and therefore it is not a project as defined by the CEQA Guidelines Section 15378; and
2. Approving the Successor Agency's disposition of the real property located at 701-705 W. Whittier Boulevard in the City of Montebello, California identified as Los Angeles County Assessor's Parcel No. 6349-007-917 for \$500,000; and
3. Approving the form and material terms of the Purchase and Sale Agreement No. 4049, and authorize the Executive Director (i.e. City Manager) and Agency Counsel (i.e. City Attorney) to finalize negotiations and the agreement (provided that no material changes to the purchase price or property are made); and
4. Authorize the Executive Director to execute the final Purchase and Sale Agreement between the Successor Agency to the Redevelopment Agency of the City of Montebello and SAM Entertainment Group LLC, and any related documents necessary to reasonably complete the proposed disposition in accordance with the final agreement; and
5. Adopt City Council Resolution No. 22-90/Successor Agency Resolution No. 22-04 to Declare the Property "Surplus" and Certify Compliance with the Surplus Land Act.
6. Take such additional, related action that may be necessary to implement the approved transaction.

Approved unanimously.

11. NOTICE OF COMPLETION - CP NO. 881, VARIOUS STREETS IMPROVEMENT PROJECT

RECOMMENDATION: It is recommended that the City Council:

1. Accept the Various Streets Improvement Project (CP No. 881), as completed by Sequel Contractors, Inc.; and
2. Approve the final contract amount with Sequel Contractors, Inc. for the construction of the Project in the amount of \$898,308, including change orders; and
3. Authorize the City Clerk to execute, verify and file the Notice of Completion (Attachment A) with the Los Angeles County Registrar-Recorder; and
4. Authorize the City Manager to release the retention payment due to Sequel Contractors, Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
5. Approve the Final Total Project Budget (Attachment B); and
6. Take such additional, related, action that may be desirable.

Approved unanimously.

12. AUTHORIZATION OF FINAL INVOICE PAYMENT FOR AGREEMENT NOS. 3504 AND 3066 - INFRASTRUCTURE ENGINEERS

RECOMMENDATION: It is recommended that the City Council:

1. Authorize payment of final invoices for Agreement Nos. 3504 and 3066 with Infrastructure Engineers in the aggregate amount of \$208,654; and
2. Reaffirm the termination of Agreement Nos. 3504 and 3066 with Infrastructure Engineers; and
3. Take such additional, related, action that may be desirable.

Approved unanimously.

13. APPROVAL OF AGREEMENT NO. 4047 WITH KTU&A (DBA KTUA) FOR THE RIO HONDO RIVER ACCESS IMPROVEMENT PROJECT DESIGN SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve Agreement No. 4047 with KTU&A (dba "KTUA") for design and architectural services for the Rio Hondo River Access Improvement Project (RH Project); and
2. Find and determine that the Rio Hondo Project is exempt from CEQA pursuant to Categorical Exemption Section 15301 (Class – 1, Existing Facilities) and Section 15311 (Class – 11, Accessory Structures) of the CEQA Guidelines; and
3. Authorize the City Manager to execute the Agreement on behalf of the City; and
4. Amend the Fiscal Year 2022-23 budget by increasing expenditure and revenue appropriations by \$477,750 in Measure A – Parks Fund 221 (Account No. 221-99-6040.96, (Measure A Local, Other Contract Services - Engineering Design Services) and 221-99-3630.60 (Measure A Local, Special Revenue Measure A Local); and
5. Take such additional, related action that may be desirable.

Councilmember Torres asked if it would be best to proceed with an RFP for this item. Director Sosnowski provided clarification that there was no interest from any of the consultants on the bench and KTUA assisted with the initial process; therefore, is best suited for the project. Councilmember Torres motioned to approve this item as recommended by staff; the motion was seconded by Councilmember Peralta and approved unanimously.

14. AUTHORIZE THE CITY MANAGER TO APPROVE A LEASE AGREEMENT WITH E-Z-GO DIVISION, OF TEXTRON INCORPORATED, FOR FORTY-SIX (46) ELECTRIC GOLF CARTS

RECOMMENDATION: It is recommended that the City Council:

1. Approve a five-year lease agreement for electric golf carts with E-Z-GO Division of Textron Inc. for use at the Montebello Golf Course (Golf Course); and
2. Authorize the City Manager to execute the lease agreement on behalf of the City; and
3. Take such additional, related action that may be desirable.

Approved unanimously.

15. AWARD A PROFESSIONAL SERVICES AGREEMENT, NO. 4040, TO UNIVERSAL PROTECTION SERVICE, LP DBA ALLIED UNIVERSAL SECURITY SERVICES, FOR THE UNARMED TRANSIT SECURITY GUARD SERVICES REQUEST FOR PROPOSAL NO. 22-7

RECOMMENDATION: It is recommended that the City Council:

1. Award a Professional Services Agreement, No. 40-40 to Universal Protection Service, LP dba Allied Universal Security Services, for a three-year (3-year) term with the option for renewal of up to two (2) additional one-year (1-year) terms, for a total not-to-exceed amount of Two Million, Seven Hundred and Nine Thousand, Two-Hundred and Thirty-Nine Dollars (\$2,709,239) over the three-year term; and
2. Authorize the City Manager to take actions necessary to execute and finalize an agreement on behalf of the City of Montebello; and
3. Take such additional, related action that may be desirable.

Approved unanimously.

16. APPROVAL TO PROVIDE RECRUITMENT INCENTIVES TO QUALIFIED FIREFIGHTERS/PARAMEDICS

RECOMMENDATION: It is recommended that the City Council:

1. Approve a Lateral Bonus Recruitment Incentive Program to provide recruitment incentives for qualified Firefighter/Paramedics and referral bonuses to current employees; and

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

Mayor Cobos-Cawthorne pulled this to express her support and made a motion to approve the item as recommended by Staff; the motion was seconded by Councilmember Peralta and passed unanimously.

17. APPROVAL TO SUBMIT GRANT APPLICATION TO THE BOARD OF STATE AND COMMUNITY CORRECTIONS, PROPOSITION 64 PUBLIC HEALTH AND SAFETY GRANT PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1. Approve the submission of the grant application for the Board of State and Community Corrections (BSCC), Proposition 64 Public Health and Safety Grant Program; and
2. Take such additional, related action that may be desirable.

Approved unanimously.

18. APPROVAL OF PROFESSIONAL SERVICES AGREEMENT NO. 4039 WITH KIM TURNER, LLC FOR POLICE COMMUNICATIONS CONSULTING SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve the attached Professional Services Agreement No. 4039 with Kim Turner, LLC in an amount not to exceed \$59,378; and
2. Take any additional actions necessary to effectuate the procurement of services.

Councilmember Torres pulled this item for discussion but waived his comments and made a motion to approve the item as recommended by staff, seconded by Councilmember Peralta; the motion was approved unanimously.

19. ADOPT RESOLUTION NO. 22- 86 AMENDING THE MASTER FEE SCHEDULE AND ESTABLISHING CONCEALED WEAPONS PERMIT (CCW) APPLICATION FEES

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 22-86, Amending the Master Fee Schedule establishing Concealed Weapons Permit (CCW) Application Fees; and
2. Take such additional, related action that may be desirable.

Approved unanimously.

20. APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT NO. 3957 WITH 789, INC. TO RETAIN PROFESSIONAL SERVICES FOR CITYWIDE BRANDING NEEDS.

RECOMMENDATION: It is recommended that the City Council:

1. Approve Amendment No. 1 to Agreement No. 3957, between the City of Montebello and 789 ,Inc. for ongoing professional graphics design and support for Citywide branding services; and
2. Authorize the City Manager and/or his designee to execute Amendment No. 1 with 789, Inc. on behalf of the City; and
3. Take such additional, related action that may be desirable.

Councilmember Torres pulled this item for discussion and made a statement in opposition to bringing this forward for an increase. He also asked a clarifying question about the discrepancy with the expiration date stated in the amendment. Director Chee stated that the correct date would be to extend the term to June of 2023, which is when the current scope of work should be completed. Councilmember Torres asked if it would be appropriate to update the Amendment with that

correction; Director Chee agreed to do so.

It was motioned by Councilmember Torres, seconded by Mayor Prop Tem Jimenez to approve the item with that change; the motion was approved unanimously.

21. APPROVAL OF AGREEMENT NO. 4048 - LS-1 OPTION E AGREEMENT WITH SOUTHERN CALIFORNIA EDISON TO REPLACE HIGH PRESSURE SODIUM VAPOR STREET LIGHTS WITH LIGHT-EMITTING DIODE STREET LIGHTS

RECOMMENDATION: It is recommended that the City Council:

1. Approve an LS-1 Option E authorization with Southern California Edison (SCE) to replace high pressure sodium vapor (HPSV) street lights with light-emitting diode (LED) street lights, 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. Authorize the City Manager or his designee to sign the authorization agreement; and
3. Take all necessary, additional actions as necessary.

Approved unanimously.

22. TREASURER'S REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2022

RECOMMENDATION: It is recommended that the City Council:

1. Receive and file the Quarterly Treasurer's Report for the quarter ending September 30, 2022.

Approved unanimously.

23. AUTHORIZATION TO APPROVE ADDITIONAL PURCHASES FROM THE SAUCE CREATIVE SERVICES CORPORATION FOR FISCAL YEAR 2022-23

RECOMMENDATION: It is recommended that the City Council:

1. Approve an additional \$100,000 for community promotions, general printing, and graphic design services from The Sauce Creative Services Corporation (The Sauce); and
2. Take any additional actions necessary to effectuate the procurement of services.

Councilmember Torres inadvertently pulled this item and motioned to approve as recommended by staff; seconded by Councilmember Melendez and approved unanimously.

24. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 22-89 APPROVING THE CITY WARRANT REGISTER OF DEMANDS NOVEMBER 16, 2022

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 22-89 approving the Warrant Register dated November 16, 2022.

Approved unanimously.

25. APPROVAL OF CITY COUNCIL MINUTES – AUGUST 24, 2022 SPECIAL CITY COUNCIL MEETING; AUGUST 24, 2022 CITY COUNCIL MEETING; SEPTEMBER 14, 2022 JOINT CITY COUNCIL AND PUBLIC FINANCING AUTHORITY MEETING; SEPTEMBER 28, 2022 JOINT CITY COUNCIL AND PUBLIC FINANCING AUTHORITY; OCTOBER 12, 2022 JOINT CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AND; AND OCTOBER 26, 2022 JOINT CITY COUNCIL AND PUBLIC FINANCING AUTHORITY

RECOMMENDATION: It is recommended that the City Council:

1. Approve said minutes as written.

Approved unanimously.

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

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

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.

Approved unanimously.

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).

Nothing to support.

COUNCIL ORALS

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

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

No Council Orals

- **Angie M. Jimenez, Mayor Pro Tem**

No Council Orals.

- **David N. Torres, Councilmember**

No Council Orals.

- **Scarlet Peralta, Councilmember**

No Council Orals.

- **Salvador Melendez, Councilmember**

No Council Orals.

ADJOURNMENTThe City of Montebello will adjourn to the next **Regular Meeting on December 14, 2022 at 5:00 p.m.** which can be live streamed at www.cityofmontebellocal.com (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, November 13, 2022 5:00 p.m.**



Alicia Fernandez, Senior Deputy City Clerk

Mayor Cobos-Cawthorne adjourned in the memory of Mr. Phillip Joseph Pace. Councilmember Torres motioned, seconded by Mayor Cobos-Cawthorne to adjourn the meeting at 8:15 p.m.

THE MINUTES OF NOVEMBER 16, 2022 ARE HEREBY APPROVED AND ADOPTED ON THIS 8TH DAY OF FEBRUARY 2023.

PUBLIC COMMENTS 11/16/2022

Guillen, Kimberly (Admin)

From: Malou Reyes <malou@mitchtsailaw.com>
Sent: Wednesday, November 16, 2022 12:51 PM
To: comment, ccpublic
Cc: Cobos-Cawthorne, Kimberly Ann; Jimenez, Angie; Peralta, Scarlet; Melendez, Salvador; Torres, David; Bobadilla, Rene; Jason Cohen; Mitchell M. Tsai Attorney at Law, P.C.
Subject: [External Email] City Council Meeting 11/16/22 - Comment Letter
Attachments: 20221116_Torres_Montebello_DigitalSignageCmntLtr_Signed.pdf

Good afternoon,

Our office would like to submit the attached comment letter for tonight's City Council meeting.

Please confirm receipt of this email.

Thank you,
Malou

--

Malou Reyes

Paralegal
Mitchell M. Tsai, Attorney At Law
139 South Hudson Avenue Suite 200
Pasadena, CA 91101
Phone: (626) 314-3821
Fax: (626) 389-5414
Email: Malou@mitchtsailaw.com
Website: <http://www.mitchtsailaw.com>

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F: (626) 389-5414
E: info@mitchtsailaw.com



139 South Hudson Avenue
Suite 200
Pasadena, California 91101

VIA E-MAIL

November 16, 2022

Montebello City Council
City of Montebello
1600 West Beverly Boulevard
Montebello, California
Em: ccpubliccomment@cityofmontebello.com

RE: Comment on the City of Montebello’s Second Reading and Adoption of Ordinances 2454, 2455, 2456 and Approving Development Agreements DA02-22, 03-22, and 04-22 (November 16, 2022 City Council Meeting, Agenda Item 9)

Dear Mayor Cabos-Cawthorne and Honorable Members of the City Council:

On behalf of our client, a concerned Montebello citizen, my office is submitting these comments for the City of Montebello’s (the “**City**”) November 16, 2022, City Council meeting for the adoption of ordinances 2454, 2455, 2456 and approving the development agreements DA02-22, 03-22, and 04-22 concerning the off-premises digital display signs (the “**Project**”).

I. Background.

The applicant Clear Channel Outdoor, LLC (“**CCO**”), the operator of 24 existing poster panel outdoor advertising signs along streets within the City intends to replace some of its static signs with digital face signs, and on September 28, 2022 filed a request with the City to enter three separate development agreements to that effect.

On October 18, 2022 the City’s planning commission (the “**Planning Commission**”) held a hearing where they unanimously recommended that the City’s city council (the “**City Council**”) approve the development agreements.

The Project is now before City Council, who will decide whether to approve the development agreements allowing for the digital signage replacements. It was only recently that our client became aware of the unlawful actions taken by the Planning Commission, hence the timing of this letter.

Specifically, the replacement of these signs is in violation of the very codes that the Project relies on, and as such the City Council should deny approval of the development agreements and the Project.

II. The Project Is in Violation of All the Relevant Ordinances Concerning the Project.

The municipal codes at issue do not offer the foundation upon which the City and CCO base implementation of the Project. Montebello Municipal Code (“MMC”) sections 17.62.105(B)(1) and (2) requires digital signs to be within 200 feet of the I-5 Freeway and 600 feet of the 60 Freeway. The signs are located at 1720 S. Bluff Road, 1633 Washington Boulevard, and 1915 W. Whittier Boulevard. As indicated below¹, estimated distances between these locations and the I-5 and 60 Freeways is far in excess of the statutory limits set by the municipal code.

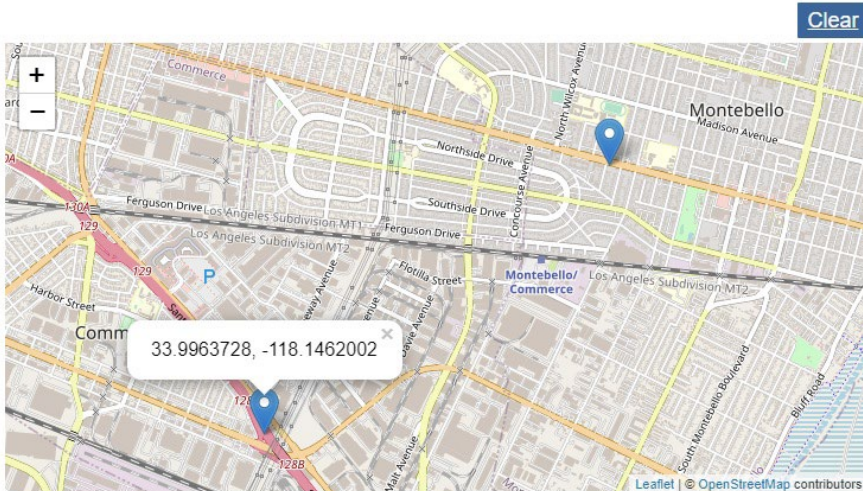
1915 W. Whittier Boulevard Estimated Distances to the I-5 and 60 Freeways:

Distance on Map

Click the map below to set two points on the map and find the shortest distance (great circle/air distance) between them. Once created, the marker(s) can be repositioned by clicking and holding, then dragging them.

Result

The distance between [34.0125190, -118.1212610] and [33.9963728, -118.1462002] is:
2.92 km or 1.81 miles



Distance in a coordinate system

¹ The distances were estimated using google maps and calculator.net:
<https://www.calculator.net/distance-calculator.html>.

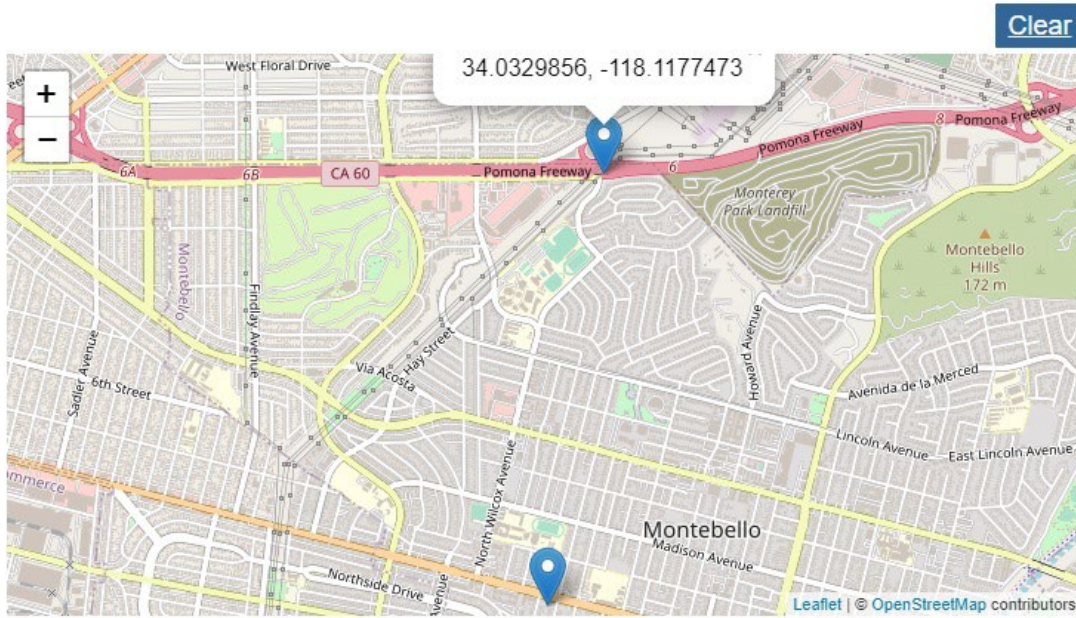
Distance on Map

Click the map below to set two points on the map and find the shortest distance (great circle/air distance) between them. Once created, the marker(s) can be repositioned by clicking and holding, then dragging them.

Result

The distance between [34.0122133, -118.1210089] and [34.0329856, -118.1177473] is:

2.32 km or 1.44 miles



Distance in a coordinate system

1633 E. Washington Estimated Distances to the I-5 and 60 Freeways:

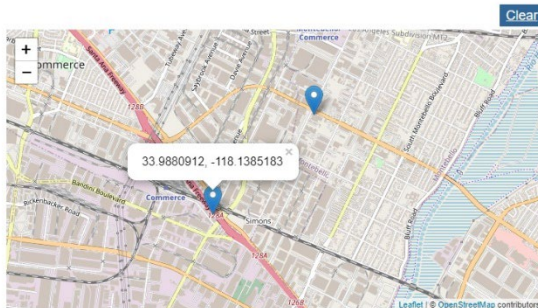
Distance on Map

Click the map below to set two points on the map and find the shortest distance (great circle/air distance) between them. Once created, the marker(s) can be repositioned by clicking and holding, then dragging them.

Result

The distance between [33.9976604, -118.1267273] and [33.9880912, -118.1385183] is:

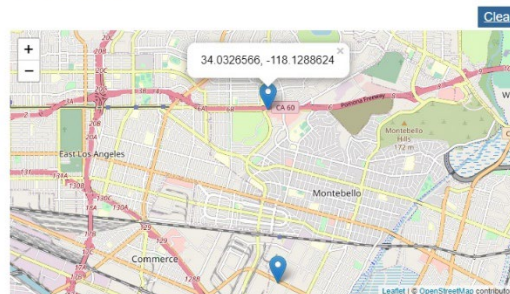
1.52 km or 0.95 miles



Result

The distance between [33.9975069, -118.1265235] and [34.0326566, -118.1288624] is:

3.90 km or 2.43 miles



Distance in a coordinate system

Distance in a 2D coordinate plane:

The distance between two points on a 2D coordinate plane can be found using the following distance formula

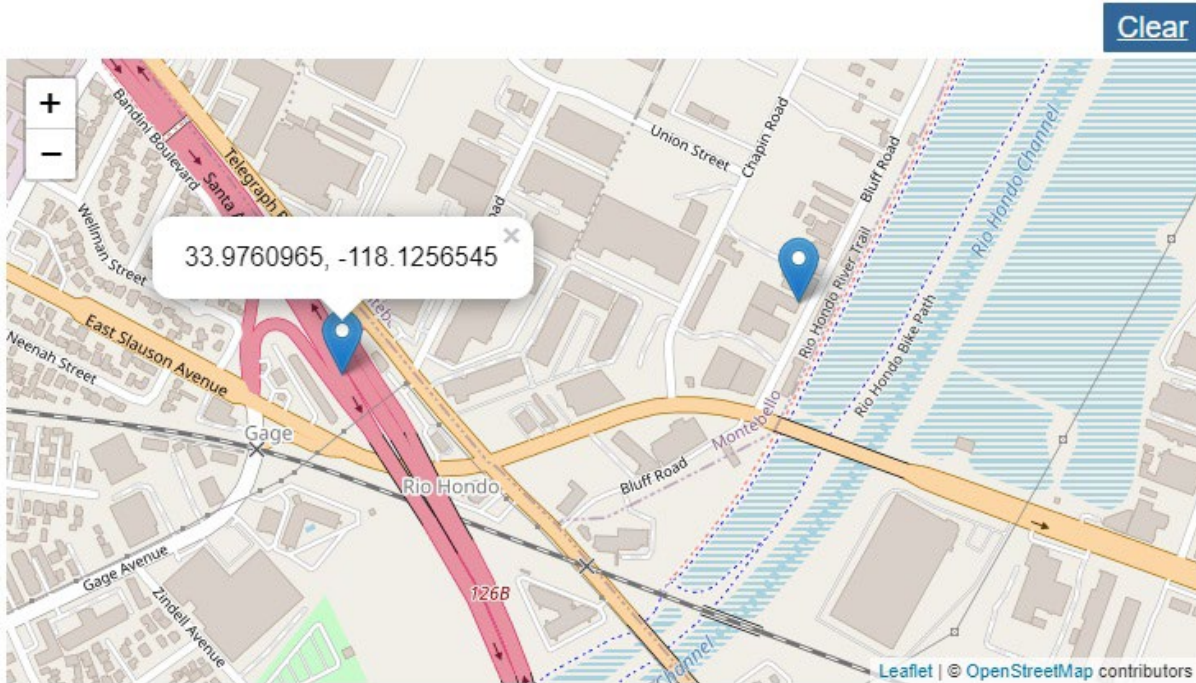
1720 S. Bluff Road to the I-5 and 60 Freeways:

Even the location with one of the closest proximities (1720 to the I-5 is an estimated .34 miles away, or 1800 feet from the I-5) is still 1600 feet beyond the allotted distance under the MMC.

Result

The distance between [33.9768761, -118.1196731] and [33.9760965, -118.1256545] is:

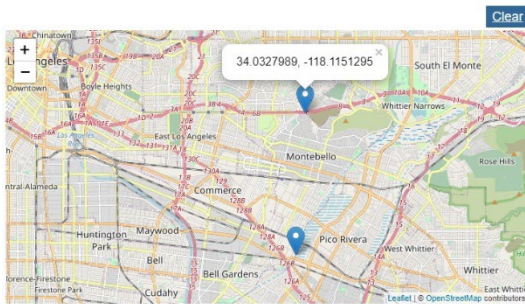
0.5595 km or 0.3476 mile



Result

The distance between [33.9767193, -118.1196463] and [34.0327989, -118.1151295] is:

6.23 km or 3.87 miles



It is clear that every location violates MMC § 17.62.105(B) for the type of signage being proposed.

Furthermore, MMC § 17.62.105(E)(10) also precludes digital signs to exist within 200 feet of a residential zoned property. The 1915 W. Whittier Boulevard may qualify here, as there are single-family residences to the south, east, and north, and potentially adjacent to the residential properties to the south. A google maps estimate places the nearest single-family residence approximately 100 feet of the digital sign proposed at 1915 W. Whittier Boulevard, and therefore in violation of MMC § 17.62.105(E)(10). Despite this, the City made no mention of this code section or proper analysis of this property's potential violation of it. The City has a duty to investigate and determine compliance with this code section before approving or recommending for approval the development agreements and the Project.

Additionally, each ordinance also cites to incorrect codes in its recitals, and specifically government code sections 5200, 5412, and 5443.5. There are no such government code sections, but presumably the City and CCO intended to reference the Business and Professions Code sections. However, it is unclear if this was in error or which code section the ordinance is really referencing. With this outstanding ambiguity, City Council should not approve these ordinances until it is resolved.

III. The City is Abusing Its Police Power if It Approves the Project.

The City is obligated to fully assess all considerations and potential violations of the law, which it has failed to do not only with the MMC governing proximate distances to the I-5 and 60, but also the potential proximity to residential zones. The City has either willfully or inadvertently omitted all of the above considerations, violations, and potential violations of the MMC. Whether willful or not, the Planning Commission has inappropriately and unlawfully recommended for approval ordinances that are in violation of local laws.

Beyond that, the City has also occluded from the public its justifications for approving the digital signs. Specifically, all of the proposed ordinances contain language that approval of the development agreements for the Project utilize the California Constitution's police power (see ordinances recitals paragraph 6 and Section 3). This law states that "a county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws." California Constitution Article XI, § 7. However no agenda item or discussion

made mention of the City’s use of its police power, why it is being used, how the very use of this law is not in conflict with its own language (not in conflict with general laws) and how it violates MMC §§ 17.62.105(B) and (E) being consistent with the public’s health, safety, or general welfare. More specifically, how a digital sign being near several residential zones would be a “relocation and distribution of existing displays to more appropriate locations within the City” or how a 1:1 replacement would be consistent with “an overall reduction in the number of outdoor advertising signs in the City as part of the City’s planned development.”

This is also in violation of California Government Code (“CGC”) section 54954.2(a)(3), also known as the Brown Act. This section prohibits any action or discussion be undertaken on any item not appearing on the posted agenda, and here the agenda did not disclose the pertinent item of the California Constitution police powers embedded in the ordinance being used to supersede the existing ordinances, or an explanation or justification of that law for this purpose.

Furthermore, the introduction of these ordinances would result in a conflict of laws, because as already illustrated the new ordinances, if enacted, would conflict with current MMC §§ 17.62.105(B)(1) and (2). This imposes on any local agency tasked with enforcing either ordinance to violate the conflicting ordinance and its obligations under CGC § 53091 requiring local agencies to “comply with *all* applicable building ordinances of the county or city in which the territory of the local agency is situated. [emphasis added.]” Relevant agencies cannot be expected to comply with two conflicting ordinances and still maintain their duty under CGC § 53091. Egregiously, the proposed ordinances claim to be consistent with the City’s General Plan and the Municipal Code (see Recital 6 and Section 3 pp. 55-56) when they are anything but.

The approval of these ordinances would also conflict with MMC § 17.62.105(E)(2) concerning permitting, which also requires the signage to comply with the I-5 and 60 freeway proximity requirements. None of the requisite language is contained in the development agreements, and should be.

The lack of transparency, multitudinous incongruencies, and conflict of laws is, if anything, closer to a clandestine abuse of the City’s police power rather than a lawful and good-faith exercise of it to shoehorn unlawful development without properly informing the public of its intentions and strategies for approving projects such as this one.

IV. Conclusion.

In sum, our office requests on behalf of a concerned Montebello citizen that the City Council reject the Project in light of the multiple violations of the Project's Montebello Municipal Code, state law, and its inappropriate and surreptitious abuse of its police power to force this Project through the approval process.

If the City has any questions or concerns please do not hesitate to contact my office.

Sincerely,



Jason A. Cohen, Esq.
Mitchell M. Tsai, Attorney at Law
Attorneys for a Concerned Montebello Citizen

cc:

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LATHAM & WATKINS LLP

November 16, 2022

VIA EMAIL

Montebello City Council
City of Montebello
1600 W. Beverly Boulevard
Montebello, California 90640
Email: ccpubliccomment@cityofmontebello.com

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Los Angeles	Tokyo
Madrid	Washington, D.C.

Re: Montebello Sign Reduction Program (Ordinances 2454, 2455, 2456 and Approving Development Agreements DA02-22, 03-22, and 04-22)

Dear Honorable Mayor and Honorable City Councilmembers:

We write to respond to the letter submitted this afternoon on behalf on an unnamed Montebello resident objecting to the sign reduction program being implemented by our client, Clear Channel Outdoor, and the City of Montebello through the three development agreements referenced above.

As stated in the prior staff reports on these matters and explained by the City Director of Planning & Community Development at the October 26, 2022, City Council Meeting, the proposed development agreements fully comply with state law and the City's Municipal Code.

Business and Professions Code section 5412 specifically empowers the City to "enter into relocation agreements on whatever terms are agreeable to the display owner and the city...and to adopt ordinances or resolutions providing for relocation of displays." The City has done just that through the adoption of section 17.62.105.A, which specifically incorporates section 5412 and also section 17.62.105.C.2 that allows for relocations in place upon the City Council's approval of development agreements by way of ordinance. Further, to the extent there is any inconsistency with the existing Municipal Code, which there is not, the City is fully empowered to supersede such ordinances through the adoption of subsequent ordinances, which these development agreements are. (*See Blotter v. Farrell* (1954) 42 Cal.2d 804, 811.)

Thank you very much for your attention to this matter.

Very truly yours,

/s/ Benjamin Hanelin
Benjamin J. Hanelin
of LATHAM & WATKINS LLP

LATHAM & WATKINS^{LLP}

cc: Mr. Joseph Palombi (JPalombi@cityofmontebello.com)

October 26, 2022

Good evening Mayor and Council;

Upon reviewing candidate 460's I saw David Torres had 2 donations of \$5,000.00 each from his parents for total of \$10,000.00 was that from the \$353,000.00 missing HUD Money?

The City should run a property profile on the 3 house former city administrator purchased on the same street Park Ave. He transferred ownership to his children, so you Mr. Torres never purchased a home in Montebello. Were those 3 homes purchased with HUD affordable housing grant money? Would that not be a huge conflict of interest? Where is your so called transparency on that money Mr. Torres?

I was not on your list to get that ridiculous booklet you wrote filled with lies, such as Attachment C 10/27/2021 Council meeting when you were removed from Pro Tem position. You wrote it was because you posted the audit, but moron it was not released till October 2022 not 2021, last year Opps you lied. FYI you were fired from your paralegal job in the LA City Attorney's office for Sexual Harassment and Stalking, so stop trying to make these pages of lies seem like a legal document.

As for Zoe McKinney Staff Attorney with the ACLU doesn't she have ties to you Mr. Torres? Her letter to the City of Montebello is currently under investigation.

Attach G 6/22/2021 and 5/31/2022 is bogus it's ridiculous, if you had your way the City could not buy a pencil without your approval.

Attachment H 8/10/2022 with all th attacks and medicals issues you have caused over 17 employees, they should have all total medical services covered. Dealing with your hostile demands, they deserve a paid vacation away from you. David Torres you are TOXIC.

In closing once the lawsuits are made public and the Taxpayer realize what you have done and the hundreds of thousands of our money you are going to

cost the residents I gurantee you will never be re-elected in 2 years. When all you had to do was say you were sorry, but you're too arrogant to take responsibility for your actions.

Rafael Gutierrez will win your District and soon our city will be rid of you. Too bad the Mayor trusted you, she should have left you the loser when you ran the first time without her support, a Loser!

Mariann Ochoa
Montebello Resident



SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session Non-Agenda Item **AGENDA ITEM NO.** _____

Meeting Date: 11/16/22 **Time Received:** 5:00pm **Date Received:** 11/16

SPEAKER'S FULL NAME: LEVAN PROTIERO **PHONE:** 323-621-8525
(Optional)

ADDRESS: 845 50th St MONTEBELLO
(Optional)

ORGANIZATION REPRESENTED: ~~_____~~

Opposed In Support Neutral **TOPIC:** _____

NOTES: about tentatively Bills being made at 849 50th
(not the only place)

ACCOMMODATIONS: _____

Translation Needed: No Yes Language: _____

Received by Staff _____ **Received Via:** Email Phone In Person



SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak. Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment:

Closed Session

Non-Agenda Item

AGENDA ITEM NO. _____

Meeting Date: 11-16-22

Time Received: 5:24 pm

Date Received: 11-16-22

SPEAKER'S FULL NAME: ANNA Jurado

PHONE: _____
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

Opposed In Support Neutral **TOPIC:** _____

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No Yes Language: _____

Received by Staff _____

Received Via: Email Phone In Person



ITEM # 21

**CITY OF MONTEBELLO
CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: Arnold M. Alvarez-Glasman

BY: Arnold Glasman, City Attorney

**SUBJECT: WAIVE SECOND READING AND ADOPT ORDINANCE NO. 2451
AMENDING SECTION 2.08.050 OF THE MONTEBELLO MUNICIPAL
CODE TO REPEAL THE PROVISION ESTABLISHING A TEMPORARY
SEVEN MEMBER CITY COUNCIL TO CAUSE THE CITY COUNCIL TO
REMAIN A FIVE MEMBER BODY**

DATE: February 8, 2023

RECOMMENDATION(S):

It is recommended that the City Council:

1. Waive the Second Reading and adopt Ordinance No. 2451 repealing that portion of the Montebello Municipal Code section 2.08.050(G) that established a temporary 7-member City Council resulting in the City Council remaining a 5-member body.

FISCAL IMPACT:

The estimated savings would include (a) the cost of the appointment of two (2) additional Councilmembers and their services for two years will be at a minimum \$100,000, which includes salary, benefits and staffing; and (b) the cost of a special election will be from \$250,000 to \$300,000 for a city-wide election, with an addition of \$100,000 for service costs. Repealing section 2.08.050(G) will save the General Fund between \$100,000 to \$400,000.

BACKGROUND/DISCUSSION:

At its meeting of June 22, 2022, the City Council adopted Ordinance No. 2451 that designated City Council seats to be placed on the ballot in the November 2022 election and to retain the two (2) at-large Council seats currently in place, thus expanding the City Council composition to seven members on a temporary basis. On December 14, 2022, five Councilmembers took their oath of office. Of these five (5) Councilmembers, two (2)

CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT - MEETING OF FEBRUARY 8, 2023

Page 2 of 3

were incumbents who were newly elected into a District seat, thereby allowing the, to carry out the remaining 2 years of their elective term. An issue has arisen which places into question whether the City Council has to fill the two at-large seats or does not have the authority to recognize that these two seats exist. This action would address this issue and by repealing the language which created the two seats on a temporary basis, thus eliminating the existence of the two seats.

ENVIRONMENTAL:

N/A

ANALYSIS:

The City Council also has the authority and the discretion to repeal by ordinance that portion of the Montebello Municipal Code section 2.08.050(G) that established a temporary seven-member City Council. Currently, Montebello Municipal Code section 2.08.050(G) reads as follows:

“In addition to the five councilmembers to be newly elected in the November 2022 election, the two incumbent at-large councilmember seats will remain in office and will continue to serve as a councilmember until the expiration of their term, forming a temporary seven member legislative body. This provision will sunset on the date that the members elected from Districts 2 and 4 take their oath of office as a result of the election occurring in November 2024. At that time, the two existing at-large city council seats will be eliminated. Commencing with the November 2024 election, Districts 2 and 4 will become 4-year term seats, and only the five city council district seats will remain active, reverting the legislative body of the City of Montebello from seven members to five members.”

As a result of the November 2022 elections, the incumbent Councilmembers who were serving in the at-large seats were elected to new District seats for a 2-year term. Accordingly, the law prohibiting the shortening of an elective term of a sitting Councilmember is not violated because the Councilmembers will be carrying out the rest of their term without interruption. Therefore, the City Council can repeal the provisions of the Montebello Municipal Code requiring the short term composition of the City Council to be expanded to seven (7) members and having the membership of the City Council remain at five (5).

SUMMARY:

It is recommended that the City Council conduct a second reading and adopt Ordinance No. 2451 repealing that portion of the Montebello Municipal Code Section 2.08.050(G) that established a temporary 7-member City Council resulting in the City Council remaining a 5-member body.

ATTACHMENT(S)

1. Attachment A - Ordinance No. 2451

**CITY COUNCIL AND PUBLIC FINANCING AUTHORITY AGENDA REPORT -
MEETING OF FEBRUARY 8, 2023**

Page 3 of 3

NEXT STEPS:

N/A

ORDINANCE NO. 2451

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, AMENDING SECTION 2.08.050 OF CHAPTER 2.08 OF THE MONTEBELLO MUNICIPAL CODE TO REPEAL THE PROVISION ESTABLISHING A TEMPORARY SEVEN MEMBER CITY COUNCIL TO CAUSE THE CITY COUNCIL TO REMAIN A FIVE MEMBER BODY

WHEREAS, the City of Montebello (“City”) is a general law city, which was previously governed by five (5) council members who were all elected by all voters in the City in an at-large voting system; and

WHEREAS, at its meeting on February 9, 2022, the City Council adopted Ordinance No. 2444 establishing the by-district election process of Councilmembers to be implemented in the November 2022 election; and

WHEREAS, at its meeting on May 11, 2022, the City Council adopted Resolution No. 22-34 that formally adopted the City’s Council District Map consisting of five (5) districts; and

WHEREAS, pursuant to Government Code section 36501, the government of a general law city is vested in a city council of at least five (5) members; and

WHEREAS, as a result of the November 2022 election, two incumbent City Councilmembers who had a remainder of two years of their elective term were newly elected into District seats and will carry out the remainder of their elective term therein as members elected “by-districts”; and

WHEREAS, on June 22, 2022, the City of Montebello adopted Ordinance No. 2451 establishing a temporary seven (7) member legislative body, set to sunset after the November 2024 election; and

WHEREAS, certain issues have arisen which places into question the City’s ability to expand to a seven (7) member body and to address these issues, the City Council desires to remain a five (5) member legislative body; and

WHEREAS, the City and the City Council, by adopting this ordinance, are repealing that provision of Montebello Municipal Code Section 2.08.050 G which established a temporary seven (7) member legislative body, and which would cause the City Council to remain a five (5) member body.

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

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

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

2.08.050 – Municipal Elections.

- A. Pursuant to Sections 1301 and 1000 of the California Elections code, commencing with the statewide election to be held on November 6, 2018, the city of Montebello’s general municipal elections shall be held on the first Tuesday after the first Monday in November of even-numbered years to coincide with the statewide election.
- B. Pursuant to Sections 34886 and 34871(a) of the California Government Code, Council members will be elected on a by-district elections system. The term “by-district” as used in this Section shall mean election of members of the City Council by voters of the district alone. Candidates for council seats in each district shall be nominated and elected only by the voters of that district.
- C. Except as provided in subsection (D) of this Section, each Council Member must be a resident of and a registered voter in the council district from which the member is nominated at the time the member is nominated, elected, and throughout that member’s term of office. In the event any Council Member ceases to be a resident of the district from which the member was nominated, the office shall immediately become vacant and shall be filled in the same manner as herein provided for other vacancies. If a Council Member ceases to be a resident of the district from which the Member was nominated solely because of a change in the boundaries of the districts, the Member shall not lose office during that term by reason of such change pursuant to California Government Code section 34882 and Elections Code section 10227.
- D. A Council Member in office at the time this section takes effect will continue in office until the expiration of a full term to which they were elected or appointed and until their successor is qualified. If vacancies in Council Member offices elected at-large occur before expiration of the full term thereof, such vacancies will be filled according to law from the City at-large.

ORDINANCE NO. 2451

Page 3 of 4

- E. The number of Council Member districts of the City and the boundaries of said districts shall be adopted and established by the City Council by resolution no later than May 12, 2022. The by-district elections process and the established district boundaries shall be implemented in the City's next general election occurring on November 8, 2022.
- F. District boundaries shall be adjusted by the City Council before the first day of November of the year following the year in which each decennial federal census is taken by majority vote of the total membership of the City Council, and as provided in Elections Code section 21601, 21602 and 21607. The district boundaries, but not the number thereof, may be changed by ordinance adopted by the City Council by majority vote of all its members; provided that districts established by the City Council shall be as nearly equal in population and as geographically compact as possible. However, the City Council shall not change the boundaries of districts more than once in any two (2) year period and no such change shall be made within the period of one hundred eighty (180) days preceding a general municipal election. The preceding limitations shall not apply to changes made necessary by changes to City boundaries, as provided in Elections Code section 21603. After City Council has exercised its power to change the boundaries of districts, these changes shall immediately be reflected in the district boundaries specified by ordinance adopted by City Council.
- G. The following five (5) City Council district seats will be placed on the ballot for the November 2022 regular election, in accordance with the assigned term length for the district seat specified:
- i. District 1: 4-year term.
 - ii. District 2: 2-year term.
 - iii. District 3: 4-year term.
 - iv. District 4: 2-year term.
 - v. District 5: 4-year term.

~~In addition to the five (5) Councilmembers to be newly elected in the November 2022 election, the two (2) incumbent at-large Councilmember seats will remain in office and will continue to serve as a Councilmember until the expiration of their term, forming a temporary seven (7) member legislative body. This provision will sunset on the date that the members elected from Districts 2 and 4 take their oath of office as a result of the election occurring in November 2024. At that time, the two (2) existing at-large City Council seats will be eliminated. Commencing with the November 2024 election, Districts 2 and 4 will become 4-year term seats, and only the five (5) City Council district seats will remain~~

ORDINANCE NO. 2451

Page 4 of 4

~~active, reverting the legislative body of the City of Montebello from seven (7) members to five (5) members.~~

SECTION 3. 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 4. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after approval by the City Council.

SECTION 5. 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.

PASSED, APPROVED, AND ADOPTED ____TH DAY OF FEBRUARY 2023.

David Torres, Mayor

APPROVED AS TO FORM:

Arnold M. Alvarez-Glasman, City Attorney

I HEREBY CERTIFY that the foregoing Ordinance was introduced at the regular meeting of the City Council on the 2th day of February, 2023, and was adopted by the City Council of the City of Montebello at its meeting held on the ____th day of February, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Christopher Jimenez, City Clerk