



CITY OF MONTEBELLO
SPECIAL CITY COUNCIL AND PUBLIC FINANCING AUTHORITY MEETING AGENDA
MINUTES

THURSDAY, NOVEMBER 10, 2022 AT 5:00 PM

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

OPENING CEREMONIES

CALL TO ORDER

Mayor Cobos-Cawthorne called the meeting to order at 5:14 p.m.

ROLL CALL

Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Jimenez, and Councilmember Melendez. Councilmembers Torres and Peralta were absent. City Clerk Jimenez and City Treasurer Gutierrez were also present.

PUBLIC COMMENTS ON AGENDA ITEMS ONLY (30 MINUTES)

At this time, the general public may ***only*** address the City Council/PFA during this Special Meeting on items which have been described in the notice of this Special meeting in accordance with Government Code Section 54954.3(a). Please be aware that the maximum time allotted for members of the public to speak on shall not exceed three (3) minutes per person. State Law prohibits the City Council/PAF from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor/Chairperson and Board Members.

The City Clerk's Office acknowledged two(2) written public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office. No speaker cards were 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:

Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:15 p.m. to consider the following Closed Session items:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Section 54956.8

Property: 901 Via San Clemente, Montebello CA

Agency's Negotiator: René Bobadilla, City Manager

Negotiating Party: Topgolf, Quiet Cannon Management, Inc., and Affiliated Entities

Under Negotiation: Price and Terms

REGULAR SESSION – IMMEDIATELY FOLLOWING CLOSED SESSION

CLOSED SESSION REPORT

Mayor Cobos-Cawthorne reconvened the meeting at 5:40 p.m.

All three members were present to discuss the Closed Session item. City Attorney Arnold Alvarez-Glasman provided the following report to City Council: a presentation was provided on Item No. 1, no action was taken, and nothing to report.

CORRECTIONS TO THE AGENDA CITY MANAGER

None.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

City Manager Bobadilla announced the Veterans Day Ceremony at City Park scheduled for November 11, 2022.

CONSENT CALENDAR

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

Councilmember Melendez motioned, seconded by Mayor Pro Tem Jimenez, that Item No's. 2-4, be approved; the motion passed unanimously. Councilmember Torres and Peralta were absent.

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

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

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

Approved unanimously.

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

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

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

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

Approved unanimously.

4. REPORT OF EMERGENCY WATER SYSTEM REPAIRS

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

1. Receive and file the City Manager's report of two emergency repairs to the City's Water System pursuant to Montebello Municipal Code Section 3.20.140 and Public Contracts Code Section 22035; and
2. Determine and find that the Water System repairs are required to prevent a catastrophic failure of a portion of the system affecting the domestic and fire suppression water supply to numerous commercial and residential customers; and
3. By a four-fifths vote of the City Council authorize the dispensing of a formal bidding procedure for the Water System repairs, in accordance with California Public Contract Code Section 22035 and Montebello Municipal Code Chapter 3.20.140; and
4. Authorize the City Manager to finalize a standard construction agreement with Mike Bubalo Construction Co. for the replacement of the fire suppression service for the Quiet Cannon and Hilton Garden Inn at an estimated total cost of \$400,000; and
5. Authorize the City Manager to increase the Fiscal Year 2022-23 Purchase Order for San Gabriel Valley Water Company for Agreement No. 2883 in the amount of \$125,000 for the replacement of a failing pressure reducing valve located at 2323 Via Campo; and
6. Amend the Fiscal Year 2022-23 budget by increasing appropriations by \$525,000 in Account No. 605-99-6040.55 (Water Fund, Contract Services – Water System Maintenance) for the emergency repairs; and
7. Take such additional, related, action that may be desirable.

Approved unanimously.

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

Date and Posted: November 9, 2022

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



Alicia Fernandez, Sr. Deputy City Clerk

Councilmember Melendez motioned, seconded by Mayor Pro Tem Jimenez to adjourn the meeting at 5:46 p.m.

THE MINUTES OF NOVEMBER 10, 2022 ARE HEREBY APPROVED AND ADOPTED ON THIS 22ND DAY OF FEBRUARY 2023.

Special Meeting Comments

Guillen, Kimberly (Admin)

From: Scarlet Peralta <peralta.scarletohara@gmail.com>
Sent: Thursday, November 10, 2022 12:11 PM
To: comment, ccpublic; Arnold Alvarez-Glasman; Peralta, Scarlet
Subject: [External Email] Public Comment for Tonight's Special Meeting

I'm requesting that this public comment be read into the record during today's special meeting.

Mayor and Council Colleagues,

Due to the 24-hour notice of this special meeting, I will not be able to attend due to being out of town on a conflicting commitment. I kindly request that moving forward the Council be notified and receive prior notice to special meetings before being posted online, to allow us to rearrange our schedule or participate remotely. I request that my colleagues consider tabling the items on today's 164-page agenda to Nov 16's scheduled council meeting. The City Council and our residents deserve more than a 24-hour window to analyze and read over these items.

Thank you,

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Scarlet Ohara Peralta, MPP
peralta.scarletohara@gmail.com
Tel: (323) 236-9326

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

Guillen, Kimberly (Admin)

From: Torres, David
Sent: Thursday, November 10, 2022 2:07 PM
To: comment, ccpublic
Cc: Jimenez, Christopher
Subject: 11/10/2022 Special Meeting

Please read this public comment into the record during today's special meeting.

Mayor and City Council:

Please excuse this evening's absence. There was no projected meeting date when I checked with the city manager on 11/2, and no update or council poll this week to confirm our availability. The agenda was posted nearly exactly 24 hours in advance which prevented me from giving proper Brown Act notice of participating by teleconference.

The mayor should be considerate of the obligations of council and staff. Communicating prospective meetings in advance of posting will make a more effective organization by ensuring business can be conducted, and a more inclusive organization by valuing the participation of the entire body.

Lastly, I ask the items for today's meeting be continued to the meeting of November 16.

Warm regards,
David N. Torres, Councilmember
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