

MINUTES

THE CITY OF MONTEBELLO CITY COUNCIL MET AT THE ABOVE TIME AND PLACE IN A REGULAR SESSION.

OPENING CEREMONIES

- 1. CALL MEETING TO ORDER:** Mayor Cobos-Cawthorne called the meeting to order at the hour of 5:35 p.m.
- 2. ROLL CALL:** City Clerk C. Jimenez
MEMBERS PRESENT (Via Zoom): Torres, Peralta, Jimenez, Melendez, Cobos-Cawthorne
STAFF PRESENT: City Attorney Alvarez-Glasman, City Manager Bobadilla
- 3. STATEMENT OF PUBLIC ORAL COMMUNICATIONS FOR CLOSED SESSION ITEMS:** City Attorney Alvarez-Glasman

ORAL COMMUNICATIONS ON CLOSED SESSION ITEMS

Written Comments read by the Assistant to the Deputy City Clerk, Kimberly Guillen:

William Cervera spoke on Closed Session Item No. 5.

William Cervera spoke on Closed Session Item No. 8.

Mayor Cobos-Cawthorne recessed the meeting into Closed Session at the hour of 5:51 p.m. At the hour of 7:02 p.m. Mayor Cobos-Cawthorne reconvened the meeting.

CLOSED SESSION – 5:30 P.M.

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

- 4. THREAT TO PUBLIC SERVICES OR FACILITIES**
Government Code Section 54957
Consultation with City Manager, Police Chief, City Attorney and other related City officials.

City Council received a briefing from the City Manager, Police Chief, City Attorney and other related officials.
- 5. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Government Code Section 54956.9(d)(1)
Name of case: Creswell v. City of Montebello
Name of case: California Grocers Association v. City of Montebello, (case number 2:21-cv-01011-FLA-AGR)

City Council received a briefing. No action taken. Nothing to report.

6. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Section 54956.8

Property: 310 West Whittier Boulevard

Agency Negotiator: René Bobadilla

Negotiating Parties: Chevrolet of Montebello

Under negotiation: Both price and terms

City Council received a briefing. No action taken. Nothing to report.

7. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Section 54956.8

Property: 1345 N. Montebello Blvd.

Agency's Negotiator: René Bobadilla, City Manager

Negotiating Party: M&M Realty

City Council received a briefing. No action taken. Nothing to report.

8. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(2)

One matter of threat of litigation regarding CVRA

One case to be discussed pursuant to (e)(1) of Government Code Section 54956.9(d)(2)

City Council received a briefing. No action taken. Nothing to report.

REGULAR SESSION – Resumed at 7:04 P.M.

9. INVOCATION

Pastor Noé Mendoza, The Ark Montebello

10. PLEDGE OF ALLEGIANCE

Joseph Palombi, Director of Planning and
Community Development

11. PRESENTATION: PROCLAMATION RECOGNIZING AFRICAN AMERICAN HISTORY MONTH

Mayor Cobos-Cawthorne proclaimed the month of February as African American History Month.

12. PRESENTATION: PROCLAMATION OF HEART AWARENESS

Mayor Cobos-Cawthorne proclaimed the month of February as Heart Awareness Month.

13. PRESENTATION: CITIZEN OF THE MONTH – BETTY RODRIGUEZ

Mayor Cobos-Cawthorne presented the Citizen of the Month Certificate to Betty Rodriguez.

14. STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST None

15. CORRECTIONS TO THE AGENDA – CITY MANAGER None

16. STATEMENT OF PUBLIC ORAL COMMUNICATIONS:

Written Comments read by the Assistant to the Deputy City Clerk, Kimberly Guillen:

Jonathan Hawes spoke on the City of El Monte embezzlement.

Constanza Pachon spoke on The Whole Child non-profit organization.

Joe Cervera spoke on Mayor Cobos-Cawthorne and her mother.

Alex Hernandez spoke on Mayor Pro Tem Torres.

William Cervera spoke on transparency.

Byron J. spoke on the Aero Way Project.

The following individuals spoke in opposition of Charter Schools in the Montebello Unified School District: Tevina Quintana, Star Laca, Julie Sharron, Erica Estrada, Tracy Cook, Jazmin Garcia, Lucia Cruz, Victor Frias, and Abby Jaramillo.

17. PUBLIC ORAL COMMUNICATIONS ON OPEN SESSION ITEMS (30 MINUTES)

The following individuals spoke in support of Item No. 24 for the Hero Pay Ordinance: Ivan Rodriguez, Allen Leyva, Annaly Medrano, Julian Cepeda, Ryan Quevedo, Linda Nicklas, and Juana Flores.

Jose Marquez spoke in opposition of item No. 24 for the Hero Pay Ordinance.

- 18. APPROVAL OF AGENDA:** Councilmember Melendez moved, seconded by Councilmember Jimenez that all items be approved in a single motion with the exception of Item Nos. 19, 20, 21, and 22. Such approval will also waive the reading of any ordinance. Motion carried unanimously.

PUBLIC HEARING

19. APPEAL OF A PLANNING COMMISSION DECISION OF DENIAL OF CONDITIONAL USE PERMIT ("CUP") MODIFICATION CUP 02-94-M1 TO ALLOW FOR THE OPERATION OF A SOLID WASTE TRANSFER STATION AT 1701 GAGE ROAD

Mayor Cobos-Cawthorne moved, seconded by Councilmember Melendez to continue the item at the upcoming Regular Council Meeting. Motion carried unanimously.

1. Conduct a public hearing to consider all matters presented at the public hearing, uphold the Planning Commission denial of CUP 02-94-M1, and direct staff to bring back a City Council Resolution containing findings supporting the Planning Commission's denial of CUP 02-94-M1; or
2. Conduct a public hearing to consider all matters presented at the public hearing, adopt a resolution adopting the Negative Declaration prepared in connection with the proposed modification to CUP 02-94 and overturning the Planning Commission decision to deny CUP 02-94-M1 and approving CUP 02-94-M1, which would become effective after City Council's findings are referred to the Planning Commission and the Planning Commission provides a further report on the matter per Montebello Municipal Code 17.78.130 – "Council decisions contrary to planning commission action"; and
3. Take such additional, related, action that may be desirable.

REGULAR BUSINESS

20. DISCUSSION OF GATEWAY COUNCIL OF GOVERNMENT (COG) DELEGATE

Mayor Pro Tem Torres proposed that the Delegates for the Gateway COG be changed to the Mayor and Mayor Pro Tem subsequently removing Councilmember Jimenez. This change is being requested due to comments that were made and the lack of votes submitted at the COG Meetings.

Councilmember Melendez spoke in opposition of changing the delegate.

Councilmember Jimenez spoke in opposition to of changing the delegate. She further stated that Mayor Pro Tem Torres has attended several meetings when she was already in attendance. If removed she is requesting that the Delegate be changed to Councilmember Melendez.

Mayor Pro Tem Torres moved, seconded by Councilmember Peralta that the City Council appoint the Mayor Cobos-Cawthorne as Delegate and Mayor Pro Tem Torres as Alternate, by the following vote:

AYES:	Torres, Peralta, Cobos-Cawthorne
NOES:	Melendez, Jimenez
ABSENT:	None
ABSTAIN:	None

1. Discuss the appointment of the City's representative to the Gateway COG; and
2. Take such additional, related, action that may be desirable.

21. RECEIVE AND FILE THE FISCAL YEAR 2020-21 SECOND QUARTER BUDGET UPDATE REPORT AND PRESENTATION

Michael Solorza, Director of Finance, provided a presentation for this item.

Mayor Pro Tem Torres informed the public that the Council was committed to implementing a plan for increases in business license fees.

Council thanked Mr. Solorza for the presentation. Mayor Cobos-Cawthorne asked City Staff to post the presentation on the City Site.

Councilmember Peralta motioned, seconded by Councilmember Melendez that the City Council:

It is recommended that the City Council receive and file the Fiscal Year 2020-21 Second Quarter Budget Update Report and Presentation.

Motion carried unanimously.

22. REQUEST TO AUTHORIZE FORGIVENESS OF RENT PAYMENTS AND APPROVE REPRIEVE OF FUTURE RENT PAYMENTS TO WRW, INC. (MONTEBELLO BARNYARD ZOO)

City Manager Bobadilla provided a briefing on this item.

Councilmember Melendez motioned, seconded by Commissioner Jimenez that the City Council:

1. Authorize forgiveness of past due and future rent payments from WRW, Inc. (WRW) for the operation of the Montebello Barnyard Zoo from the period of March, 2020 through June, 2021 in the total amount of \$5,600; and
2. Authorize the Finance Department to invoice at the rate of \$395 per month once the reprieve has ended (July, 2021).

Motion carried unanimously.

CONSENT MATTERS

23. APPROVE THE 2021 DATES FOR SPECIAL QUARTERLY CITY COUNCIL STUDY SESSIONS AND ESTABLISH A DATE FOR A SPECIAL CITY COUNCIL STUDY SESSION TO DISCUSS THE FY 2021/22 BUDGET PROCESS

Councilmember Melendez motioned to approve, seconded by Councilmember Jimenez that the City Council:

It is recommended that the City Council approve the proposed 2021 calendar year dates establishing special quarterly City Council Study Sessions and approve an additional City Council Study Session date to discuss the FY 2021/22 budget process.

Motion carried unanimously.

24. SECOND READING AND ADOPTION OF ORDINANCE REGARDING IMPLEMENTATION OF A "HERO PAY" PROGRAM

Councilmember Melendez motioned to approve, seconded by Councilmember Jimenez that the City Council:

1. Conduct Second Reading, waive reading of the Ordinance in its entirety and adopt the attached Ordinance adding chapter 5.10, relating to grocery or drug store workers in Montebello, and establishing labor standards requirements for premium pay for grocery or drug store workers working in Montebello declaring this as a regular ordinance; or
2. Take such additional or alternative action that may be desirable.

Motion carried unanimously.

25. RESOLUTION REQUEST TO APPROVE CALPERS RESOLUTION FOR PAYING THE VALUE OF THE EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC)

Councilmember Melendez motioned to approve, seconded by Councilmember Jimenez that the City Council:

1. It is recommended that the City Council Adopt a resolution indicating the City is paying zero percent (0%) of the employee share of retirement costs (i.e., employer paid member contributions (EPMC)), effective as of January 3, 2021.

Motion carried unanimously.

26. APPROVE ISSUING A MAJOR BUS COMPONENT - SIEMENS MONO INVERTERS REQUEST FOR QUOTE, NO. Q-21-52

Councilmember Melendez motioned to approve, seconded by Councilmember Jimenez that the City Council:

1. Approve Issuing a Major Bus Component - Siemens Mono Inverters Request for Quote, No. Q-21-52; and
2. Take such additional, related, action that may be desirable.

Motion carried unanimously.

27. PAYMENT OF BILLS: RESOLUTION APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED FEBRUARY 10, 2021

Councilmember Melendez motioned to approve, seconded by Councilmember Jimenez that the City Council:

Adopt the proposed Resolution approving the Warrant Register dated February 10, 2021.

Motion carried unanimously.

28. ORAL COMMUNICATIONS - CONTINUED IF NECESSARY

COUNCIL ORALS

29. COUNCIL MEMBER ANNOUNCEMENTS; REQUESTS FOR FUTURE AGENDA ITEMS; CONFERENCE/MEETINGS REPORTS

Councilmember Jimenez appointed James Santana to the Parks and Recreation Commission and Rosie Vasquez to the Fiscal Accountability and Investment Committee.

Councilmember Melendez reminded the public to continue to stay safe through the pandemic and thanked everyone who joined the meeting.

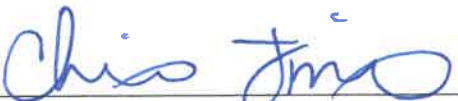
Councilmember Peralta wished Mayor Pro Tem Torres a Happy Birthday.

Mayor Pro Tem Torres wished Councilmember Peralta a Happy Birthday.

ADJOURNMENT

Councilmember Peralta motioned to adjourn the meeting, seconded by Councilmember Melendez. Meeting adjourned at the hour of 8:58 p.m.

APPROVAL OF MINUTES: Upon motion carried unanimously, the minutes of February 10, 2021 were approved as written on March 24, 2021.



Christopher Jimenez, City Clerk

**CITY OF MONTEBELLO
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA**

**FEBRUARY 10, 2021
WEDNESDAY
5:30 P.M.**

MINUTES

THE CITY OF MONTEBELLO CITY COUNCIL MET AT THE ABOVE TIME AND PLACE IN A SPECIAL MEETING SESSION.

OPENING CEREMONIES

1. **CALL MEETING TO ORDER:** Mayor Cobos-Cawthorne called the meeting to order at the hour of 5:35 p.m.
2. **ROLL CALL:** City Clerk C. Jimenez
MEMBERS PRESENT (Via Zoom): Torres, Peralta, Jimenez, Melendez, Cobos-Cawthorne
STAFF PRESENT: City Attorney Alvarez-Glasman, City Manager Bobadilla
3. **STATEMENT OF PUBLIC ORAL COMMUNICATIONS FOR CLOSED SESSION ITEMS:** City Attorney Alvarez-Glasman

ORAL COMMUNICATIONS ON CLOSED SESSION ITEMS

None.

PUBLIC ORAL COMMUNICATIONS

None.

Mayor Cobos-Cawthorne recessed the meeting into Closed Session at the hour of 5:51 p.m. congruent to the Regular Meeting Closed Session. At the hour of 7:02 p.m. Mayor Cobos-Cawthorne reconvened the meeting.

CLOSED SESSION

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

4. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Government Code Section 54956.9(d)(1)
A. Minassian, et al. v. City of Montebello, et al.
Case No. 2:19-cv-06769-FLA-MAA

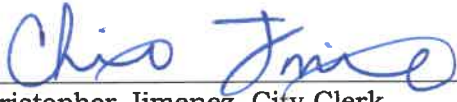
REPORT FROM CLOSED SESSION

City Council received a briefing. No action taken. Nothing to report.

ADJOURNMENT

Mayor Pro Tem Torres motioned to adjourn the meeting, seconded by Councilmember Melendez. Meeting adjourned at 7:04 p.m.

APPROVAL OF MINUTES: Upon motion carried unanimously, the minutes of the Special City Council Meeting of February 10, 2021 were approved as written on March 24, 2021.

A handwritten signature in blue ink, appearing to read "Chris Jimenez", written over a horizontal line.

Christopher Jimenez, City Clerk