



CITY OF MONTEBELLO CITY COUNCIL/SUCCESSOR AGENCY
REGULAR MEETING AGENDA

MINUTES

WEDNESDAY, MARCH 24, 2021 AT 5:30 P.M.

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

OPENING CEREMONIES

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 5:44 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, Councilmember Jimenez, Councilmember Melendez, and Councilmember Peralta.

STAFF PRESENT – City Attorney Arnold Alvarez-Glasman, Assistant City Attorney Christopher Cardinale, City Manager René Bobadilla, Assistant City Manager Arlene Salazar, Deputy City Clerk Alicia Fernandez, Assistant to Deputy City Clerk Kimberly Guillen.

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS

Assistant City Attorney Christopher Cardinale read two (2) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office

CLOSED SESSION – 5:30 P.M.

Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:46 p.m. to consider the following closed session items:

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 LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

Application of San Gabriel Valley Water Company (U337W) for an Order Authorizing the Purchase of the City of Montebello's Water System Assets and related Approvals. PUC Application 20-10-004

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Section 54956.8

- a. Property: 901 Via San Clemente, Montebello CA
Agency's Negotiator: René Bobadilla, City Manager
Negotiating Party: Topgolf
Under Negotiation: Price and Terms
- b. Property: 1345 N. Montebello Blvd.
Agency's Negotiator: René Bobadilla, City Manager
Negotiating Party: M&M Realty
Under Negotiation: Price and Terms

4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(2): Four matters involving potential litigation which will be announced as set forth in Government Code Section 54956.9(e)(2)

Mayor Cobos-Cawthorne reconvened the meeting at the hour of 6:57 p.m. and apologized to the public and guests for the technical difficulties. The Assistant City Attorney, Christopher Cardinale, announced that the City experienced technical difficulties and presented Closed Session comments to Council prior to Closed Session. During Closed Session the City Council (Council) received a briefing on Items 1, 2, 3a. and 4 and there was no direction or action taken. Item 3b. was moved to Regular Session.

REGULAR SESSION – 6:30 P.M.

INVOCATION – Senior Pastor Pete Morales, Arise Church

FLAG SALUTE – Anthony Rodriguez, Nicholas Truelove, Jesse Quinceno, Marco Panuelas, and Rueben Castillo

CORRECTIONS TO THE AGENDA – CITY MANAGER – None

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

Ms. Kimberly Guillen, Assistant to the City Clerk, called 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.

Assistant City Counsel, Christopher Cardinale, acknowledged six (6) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

PRESENTATIONS

- 5. PRESENTATION: RECOGNITION OF SANDRA OLIVAS FROM MCAP FOR SOCIAL WORKER DAY – MARCH 16TH** – Presented by Mayor Cobos-Cawthorne

6. **PRESENTATION: RESOLUTION DENOUNCING XENOPHOBIA, RACISM, AND ANY ACTS OF VIOLENCE TOWARDS THE ASIAN AMERICAN AND PACIFIC ISLANDER COMMUNITY IN THE CITY OF MONTEBELLO** – Presented by Mayor Cobos-Cawthorne and Kenneth Seto
7. **RECOGNITION OF PERSONNEL AND MUTUAL AID AGENCIES THAT RESPONDED TO THE GREENWOOD FIRE** – Presented by Mayor Cobos-Cawthorne
8. **PRESENTATION: MCAP OVERVIEW PRESENTATION** – Presented by Deputy Director, Angelica Palmeros
9. **PRESENTATION: PAVING THE WAY** – Presented by Director of Public Works, James Enriquez

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

Director of Recreation & Community Services provided Council an update on the drive-through Easter event.

PUBLIC HEARING - NONE

REGULAR BUSINESS

10. **APPROVE A SUBLESSEE DEVELOPMENT AND PARTICIPATION AGREEMENT BY AND BETWEEN THE CITY OF MONTEBELLO AND TOPGOLF USA MB, LLC**

City Manager Bobadilla introduced Director of Finance, Michael Solorza to present this item. Mr. Solorza provided the Council with an overview of the TopGolf project.

Ms. Kimberly Guillen, Assistant to the City Clerk, called two (2) members of the public wishing to address the City Council in support of the project; one (1) member of the public opposed to the project, and three (3) members of the public unsure about the project. Speakers were provided three minutes to address the City Council. Speaker cards are on file at the City Clerk's office.

Assistant City Counsel, Christopher Cardinale, acknowledged twenty-seven (27) public comments submitted to the City's public comment email address in support of the project, and two (2) members of the public opposed to the project. Said comments are on file at the City Clerk's office.

It was moved by Councilmember Melendez, seconded by Councilmember Jimenez that the City Council:

- 1) Approve a Sublessee Development and Participation Agreement by and Between the City of Montebello and TopGolf USA MB, LLC in a substantially final form; and
- 2) Authorize the City Manager to continue negotiations and discussion with all pertinent parties to finalize the Sublessee Development and Participation Agreement; and
- 3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

11. APPROVE A RESOLUTION AUTHORIZING THE EXECUTION OF A LETTER OF CREDIT AND FILING OF AN ADVICE LETTER TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION; FILING OF AN INITIAL RENEWABLE PORTFOLIO STANDARDS PROCUREMENT PLAN AND YEAR-AHEAD RESOURCE ADEQUACY FORECAST; AND EXECUTION OF AGREEMENT WITH CALIFORNIA CHOICE ENERGY AUTHORITY FOR CCA IMPLEMENTATION SERVICES

Ms. Boswell provided the Council an update on the Community Choice Aggregation (CCA) Implementation Update including the next steps.

Mayor Cobos-Cawthorne, Mayor Pro Tem Torres, and Councilmember Peralta were opposed to the item. Councilmember Jimenez and Melendez were in support of the project.

Mayor Pro Tem Torres motioned to not approve the item and to lay the matter on the table, motion was seconded by Councilmember Peralta.

MOVED: Torres	SECONDED: Peralta	APPROVED: 3-2-0-0
AYES: Cobos-Cawthorne, Torres, Peralta		
NOES: Jimenez, Melendez		
ABSTAIN: None		
ABSENT: None		

12. ADOPTION OF RESOLUTION RELATING TO THE FINDINGS AND DECISION ON THE APPEAL OF A PLANNING COMMISSION DECISION OF DENIAL OF CONDITIONAL USE PERMIT ("CUP") MODIFICATION CUP 02-94-M1 REQUESTING THE OPERATION OF A SOLID WASTE TRANSFER STATION AT 1701 GAGE ROAD

Director of Planning/Community Development, Joseph Palombi presented this item to the City Council, recommending approval.

Councilmember Peralta motioned to approve, seconded by Mayor Pro Tem Torres that the City Council:

- 1) Adopt the Resolution attached with this report which will uphold the decision of the Montebello Planning Commission and finalize the findings and decision of the City Council denying the Applicant's, NASA Services Inc., request to modify CUP 02-94.
- 2) Take such additional, related, action that may be desirable.

MOVED: Peralta	SECONDED: Torres	APPROVED: 3-2-0-0
AYES: Cobos-Cawthorne, Torres, Peralta		
NOES: None		
ABSTAIN: Jimenez, Melendez		
ABSENT: None		

CONSENT CALENDAR

13. APPROVE AMENDMENT NO. 2 TO AGREEMENT NO. 3356 WITH SEBASTIAN WATERWORKS (MR. ROOTER PLUMBING) FOR EMERGENCY SEWER REPAIRS AT VARIOUS LOCATIONS AND AUTHORIZE ISSUANCE OF A REQUEST FOR PROPOSALS

Mayor Pro Tem Torres motioned to table this matter to the next regularly scheduled meeting, seconded by Councilmember Melendez.

Motion carried unanimously.

14. AMEND THE FISCAL YEAR 2020-21 BUDGET BY INCREASING APPROPRIATIONS IN THE AMOUNT OF \$250,000 FOR AGREEMENT NO. 3066 WITH INFRASTRUCTURE ENGINEERS AND AUTHORIZE THE ISSUANCE OF A REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council:

- 1) Amend the Fiscal Year 2020-21 budget by increasing appropriations in the amount of \$250,000 for Agreement No. 3066 with Infrastructure Engineers (Account No. 100-30-330-6040.80, Engineering Services); and
- 2) Authorize issuance of a Request for Proposals for Engineering Services in compliance with Montebello Municipal Code 3.21.060.

Motion carried unanimously.

15. AUTHORIZE AWARD OF PROFESSIONAL SERVICES AGREEMENT FOR CITYWIDE WEBSITE CONTENT MANAGEMENT SYSTEM (CMS) UPGRADES

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council:

RECOMMENDATION: It is recommended that the City Council authorize the City Manager to execute a Professional Services Agreement with Granicus for website design, development, and maintenance support services.

Motion carried unanimously.

16. ADOPT RESOLUTION APPROVING THE PURCHASE AND SALE AGREEMENT FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 612 W. WHITTIER BOULEVARD AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT ON BEHALF OF THE CITY AND ADOPT RESOLUTION APPROVING AN INTERFUND LOAN TO PROVIDE FUNDING FOR THE PURCHASE

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council:

- 1) Approve the City's purchase of the real property located at 612 W. Whittier Boulevard in City of Montebello, California (the "Property") for \$575,000; and
- 2) Approve the Purchase and Sale Agreement and authorize staff to continue negotiating the final form as long as no change to purchase price or description of property being purchased, which final agreement shall be approved as to form by the City Attorney's office; and
- 3) Authorize the City Manager to execute the Purchase and Sale Agreement between the City of Montebello and Mario Mojarro, and any related documents necessary to reasonably complete the purchase in accordance with the final Agreement; and
- 4) Approve an interfund loan in the amount of \$575,000 from the Housing Successor Agency Fund to the General Fund; and
- 5) Take such additional, related, action that may be desirable.

Motion carried unanimously.

17. ADOPT RESOLUTION APPROVING THE PURCHASE AND SALE AGREEMENT FOR THE PURCHASE OF REAL PROPERTY LOCATED AT 715 W. WHITTIER BOULEVARD AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE AND SALE AGREEMENT ON BEHALF OF THE CITY AND ADOPT RESOLUTION APPROVING AN INTERFUND LOAN TO PROVIDE FUNDING FOR THE PURCHASE

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council:

- 1) Approve the City's purchase of the real property located at 715 W. Whittier Boulevard in City of Montebello, California (the "Property") for \$1,200,000; and
- 2) Approve the Purchase and Sale Agreement and authorize staff to continue negotiating the final form as long as no change to purchase price or description of property being purchased, which final agreement shall be approved as to form by the City Attorney's office; and
- 3) Authorize the City Manager to execute the Purchase and Sale Agreement between the City of Montebello and Phillip J. Pace and Phyllis M. Pace, and any related documents necessary to reasonably complete the purchase in accordance with the final Agreement; and
- 4) Approve an interfund loan in the amount of \$900,000 from the Housing Successor Agency Fund (Fund 810) to the General Fund to assist with funding a portion of the total acquisition costs of the Property; and
- 5) Amend the Fiscal Year 2020-21 budget by increasing appropriations in the amount of \$300,000 (Account No. 100-99-7060 (Acquisition) to provide remaining funds necessary for acquisition of the Property; and
- 6) Take such additional, related, action that may be desirable.

Motion carried unanimously.

18. APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT NO. 3751 – PARK FACILITY MASTER PLAN AND FACILITY NEEDS ASSESSMENT SERVICES

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council:

- 1) Approve Amendment No. 1 to Agreement No. 3751 to provide Park Facility Master Plan (PFMP) and Facility Needs Assessment (FNA) Services with KTUA; and,
- 2) Authorize the City Manager to execute Amendment No. 1 on behalf of the City.

Motion carried unanimously.

19. ADOPT A RESOLUTION APPROVING THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS' (SGVCOG) WHITEPAPER ON LOS ANGELES HOUSING SERVICES AUTHORITY (LAHSA) REFORM

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council:

- 1) Adopt a Resolution approving the San Gabriel Valley Council of Governments' (SGVCOG) Whitepaper on Los Angeles Housing Services Authority (LAHSA) Reform for the purpose of addressing homelessness.; and
- 2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

20. AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT WITH VASQUEZ & COMPANY TO PERFORM AUDIT AND RELATED WORK

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council:

- 1) Authorize the City Manager to approve Amendment No. 2 (Attachment A) to the professional services agreement with Vasquez & Company to provide audit and related work for Fiscal Year 2020-21, as allowed per Agreement No. 3289 (Attachment B) between the City of Montebello and Vasquez & Company; and
- 2) Authorize issuing a Request for Proposals (RFP) in Fiscal Year 2021-22 for audit services for subsequent years.

Motion carried unanimously.

21. APPROVE RESOLUTION MEMORIALIZING CITY COUNCIL MOTION TO SET BUSINESS LICENSE FEES TO FISCAL YEAR 2009-10 LEVELS

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council:

RECOMMENDATION: It is recommended that the City Council approve a Resolution memorializing a motion to set business license fees to Fiscal Year 2009-10 levels until the City finalizes a study of business license fees.

Motion carried unanimously.

22. APPROVE THE COVID-19 EMERGENCY HOUSING ASSISTANCE PROGRAM GUIDELINES TO IMPLEMENT AND COMPLY WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING REQUIREMENTS

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council:

- 1) Approve the COVID-19 Emergency Housing Assistance Program Guidelines to implement and comply with the United States Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Federal Regulations; and
- 2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

23. PAYMENT OF BILLS: RESOLUTION APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED MARCH 24, 2021

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council adopt the proposed Resolution approving the Warrant Register dated March 24, 2021.

Motion carried unanimously.

24. APPROVAL OF CITY COUNCIL MINUTES – FEBRUARY 10, 2021; FEBRUARY 24, 2021; AND MARCH 3, 2021

Councilmember Melendez motioned, seconded by Mayor Pro Tem Torres that the City Council approve said minutes as written.

Motion carried unanimously.

ORAL COMMUNICATIONS - CONTINUED IF NECESSARY

Closed Session Item 3b. was tabled to the next regularly scheduled meeting.

COUNCIL ORALS

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

1. Mayor Pro Tem Torres

a. Appointments:

- 1) Fiscal Accountability - Elias Rangel
- 2) Personnel Advisory Commission - David Matanga
- 3) Youth and Education Commission - David Perez

- b. Resolution recognizing the independence of the Republic of Artsakh
- c. The power and autonomy of women in politics and beyond
- d. Decorum in relation to public comments

Mayor Pro Tem Torres appointed the above mentioned Commissioners; asked for consensus to bring forward a Resolution recognizing the Republic of Artsakh; spoke in regard to some of the public comments received in regard to autonomy of women in politics. Councilmember Peralta commended Mayor Pro Tem for speaking on this item and for his support.

2. Mayor Cobos-Cawthorne

- a. Catalytic Converter theft concerns
- b. COVID rent relief

Mayor Cobos-Cawthorne spoke on ways to help prevent catalytic converter theft. Police Chief Keller mentioned that City will bring public awareness through its newsletter and social media. The Mayor also provided an update on the services that Housing Rights Center and Housing is Key provides and requested that the information be posted on the City's website and Social Media, including links. Lastly, requested that staff look into opening the City's Chambers back up and provided an update on a vaccination event scheduled on March 30, 2021.

ADJOURNMENT

Mayor Cobos-Cawthorne adjourned in the memory of Angelito R. Reyes who passed away January 20, 2021. Councilmember Melendez motioned to adjourn the meeting, seconded by Councilmember Peralta. Motion carried unanimously and the meeting was adjourned at 11:45 p.m.

THE MINUTES OF MARCH 24, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 28TH DAY OF APRIL 2021.



Alicia Fernandez, Deputy City Clerk