



CITY OF MONTEBELLO
JOINT CITY COUNCIL AND SUCCESSOR AGENCY
REGULAR MEETING

MINUTES

WEDNESDAY, NOVEMBER 10, 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 5:38 p.m.

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

STAFF PRESENT – City Attorney Arnold Alvarez-Glasman, 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

The City Clerk's Office 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.

CLOSED SESSION – 5:30 P.M.

Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:48 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 – ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(2)

Threat of litigation – one matter related to the CVRA; second matter (facts need not be disclosed pursuant to Government Code Section 54956.9(e)(1))

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9 (d)(1)

- a. G. Salazar vs. City of Montebello (Workers' Compensation Claim Number: ADJ10380397)
- b. NASA Services, Inc. vs. City of Montebello (Case No. 21STCP01969)

Item 4a. was added to the agenda as subsequent need matter pursuant to Government Code Section 54954.2(b)(2). It was motioned by Councilmember Melendez, seconded by Mayor Pro Tem Jimenez that the item be added; motion approved unanimously.

4a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957

Title: City Manager René Bobadilla

Mayor Cobos-Cawthorne reconvened the meeting at 6:55 p.m. During Closed Session the City Council received a briefing from the City Attorney on Item No's. 1, 2- first matter, and 3 no final action was taken and there was nothing to report. It was noted that the added Item No 2 – second matter and Item No. 4 would be discussed after council orals.

REGULAR SESSION – 6:30 P.M.

INVOCATION – Officer David Park

FLAG SALUTE – Senator Bob Archuleta

CORRECTIONS TO THE AGENDA – CITY MANAGER – None

PRESENTATIONS

- 4. RECOGNITION OF CITIZEN OF THE MONTH – WALLACE TAKATA** – Presented by Mayor Cobos-Cawthorne
- 5. RECOGNITION OF OFFICER DAVID PARK** – Presented by Mayor Cobos-Cawthorne
- 6. RECOGNITION OF MONTEBELLO ROTARY** – Presented by Mayor Cobos-Cawthorne

7. **CHECK PRESENTATION FOR THE RIO HONDO COASTAL SPREADING GROUNDS FENCE REPLACEMENT PROJECT – SENATOR BOB ARCHULETA, DISTRICT 32** – Presented by Senator Bob Archuleta
8. **RECOGNITION OF MCDONUTS** – Presented by Mayor Cobos-Cawthorne
9. **RECOGNITION OF MEN’S HEALTH AWARENESS** – Presented by Mayor Cobos-Cawthorne
10. **RECOGNITION OF ALZHEIMER DISEASE AWARENESS MONTH** – Presented by Mayor Cobos-Cawthorne

PUBLIC COMMENTS ON NON-AGENDA AND AGENDA ITEMS (30 MINUTES)

The City Clerk’s Office had nine (9) members of the public 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 Office acknowledged nine (9) written public comments submitted to the City’s public comment email address. Said comments are on file at the City Clerk’s office.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

PUBLIC HEARING

11. **PUBLIC HEARING ADOPT RESOLUTION NO. 21-91 APPROVING CASE NO. PC-2021-0002-PD-SPR-PMP – AN AMENDMENT TO THE PRECISE PLAN OF DEVELOPMENT FOR PLANNED DEVELOPMENT DISTRICT NO. 2-15 (PD 2-15) TO ALLOW A MIXED-USED AFFORDABLE HOUSING PROJECT AT 112-132 SOUTH 6TH STREET AND 501-525 EAST WHITTIER BOULEVARD**

Director of Planning and Community Development, Joseph Palombi, presented the staff report.

Steven Hernandez, Director of Business Management from the Cesar Chavez Foundation spoke during the hearing and addressed any issues that were presented in opposition.

During the Public Hearing, two (2) members of the public addressed the City Council.

The City Clerk’s office acknowledged one (1) public comment submitted to the City via mail. Said comment is on file at the City Clerk’s Office.

Councilmember Melendez spoke in support of the project and asked for more community outreach.

Councilmember Torres asked Mr. Hernandez to clarify some details of the project.

Councilmember Peralta provided a brief statement in support of the project.

Mayor Cobos-Cawthorne spoke in favor of the project.

Councilmember Peralta motioned, seconded by Mayor Pro Tem Jimenez that the City Council:

- 1) ADOPT attached Resolution No. 21-91 approving Case No. PC-2021-0002-PD-SPR-PMP, an amendment to the Precise Plan of Development for Planned Development District ("PD") No. PD 2-15, with conditions; and
- 2) DETERMINE and FIND that the foregoing actions will not include substantial changes and/or cause significant effects to the environment as described in Section 15162(a) of the CEQA Guidelines, nor result in any new or increase the significance of environmental impacts beyond those identified in the previously approved Mitigated Negative Declaration ("MND") (Case No. ENV No. 102-21-MND), and therefore ADOPT AND APPROVE the attached Addendum to the MND for the proposed project.

Motion approved unanimously.

12. PUBLIC HEARING ADOPT RESOLUTION NO. 21-92 APPROVING VESTING TENTATIVE TRACT MAP (VTTM) NO. 82725 TO SUBDIVIDE LOTS 21, 61, 65 AND 68 ESTABLISHED BY VTTM NO. 70420 (COMMONLY REFERRED TO AS THE "A-MAP") AND FIND AND DETERMINE THAT VTTM NO. 82725 IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15182(C) OF THE CEQA GUIDELINES AND GOVERNMENT CODE SECTION 65457

City Attorney Alvarez-Glasman acknowledged three (3) public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office. The

During the Public Hearing, one (1) member of the public addressed the City Council.

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

- 1) ADOPT the Resolution approving VTTM No. 82725; and
- 2) DETERMINE and FIND that this action is consistent with the previously certified Environmental Impact Report for the Montebello Hills Specific Plan Project and, therefore, exempt from the California Environmental Quality Act ("CEQA") pursuant to California Government Code Section 65457(a) and CEQA Guidelines Section 15182, which expressly exempt residential projects undertaken to implement, and that is

- consistent with, an approved specific plan for which an Environmental Impact Report (EIR) was certified, and California Public Resources Code Section 21083.3(a) and (b); and
- 3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

REGULAR BUSINESS

13. CONSIDERATION OF AN ASSIGNMENT AGREEMENT WITH CESAR CHAVEZ CORPORATION AND KU & ASSOCIATES, INC., PERTAINING TO THAT CERTAIN PURCHASE, SALE AND DEVELOPMENT AGREEMENT NO. 3935 FOR THE PROPERTIES LOCATED AT 112, 114, 116, AND 121 SOUTH 6TH STREET AND 132 SOUTH 6TH STREET, CITY OF MONTEBELLO

City Attorney Alvarez-Glasman acknowledged one (1) public comment submitted to the City's public comment email address. Said comment is on file at the City Clerk's office.

Vice Chair/ Mayor Pro Tem Jimenez motioned, seconded by Boardmember/ Councilmember Melendez that the City Council:

- 1) Approves the application of Cesar Chavez Foundation ("CCF") for an Amended Precise Plan of Development at Agenda Item # 11, then staff recommends the City Council/Successor Agency also approve the attached Assignment Agreement with CCF and Ku & Associates, Inc. ("K&A"), giving CCF the right (subject to closing conditions) to purchase and develop the certain City-owned properties with a mixed-use affordable housing project: 112, 114, 116, and 121 South 6th Street and 132 South 6th Street, City of Montebello (the "City Properties").

Motion carried unanimously by the Successor Agency and the City Council.

Mayor adjourned the Successor Agency Meeting at 8:51 p.m.; motion carried unanimously.

14. AB 361 FINDINGS

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

- 1) Receive and file this report and make the following findings: (a) The City Council has reconsidered the circumstances of the state of emergency; and (b) the following circumstances exist, (i) the state of emergency continues to directly impact the ability of the members to meet safely in person and (ii) the City Council continues to provide measures such as remote or hybrid meeting participation to promote social distancing.
- 2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

15. INTRODUCTION AND FIRST READING OF ORDINANCE NO. 2444 AMENDING THE MONTEBELLO MUNICIPAL CODE TO ESTABLISH THE BY-DISTRICT ELECTION PROCESS OF CITY COUNCIL MEMBERS

Mayor Cobos-Cawthorne asked that this Item be continued at the next Regular City Council Meeting to gather the Community Input at the Public Hearing scheduled on November 13, 2021, seconded by Councilmember Melendez.

Motion carried unanimously.

- 1) Introduce and conduct the first reading of Ordinance No. 2444 (Attachment A) establishing a by-district elections process for the election of City Council Members of the City of Montebello ("City"); and
- 2) Take such additional, related, action that may be desirable.

16. CONSIDERATION OF APPOINTMENT FOR A ONE (1) REPRESENTATIVE TO THE GREATER LOS ANGELES COUNTY VECTOR CONTROL DISTRICT

Mayor Cobos-Cawthorne requested to change the recommended term limit to a four year term due to the change in leadership.

Councilmember Melendez spoke in favor of the item.

Mayor Cobos-Cawthorne motioned, seconded by Councilmember Melendez that the City Council:

- 1) Discuss and appoint one (1) representative to the Greater Los Angeles County Vector Control District for a ~~two-year~~ four-year term; and
- 2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

17. AWARD OF PROFESSIONAL SERVICES AGREEMENT NO. 3934 TO MARK THOMAS & COMPANY, INC. TO PREPARE THE SYSTEMIC SAFETY ANALYSIS REPORT (RFP. NO. 21-19)

Councilmember Torres asked Director of Public Works, James Enriquez, to clarify some details of the project.

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

- 1) Award a Professional Services Agreement No. 3934 to Mark Thomas & Company, Inc. to prepare the Systemic Safety Analysis Report (SSAR) for an amount not-to-exceed \$249,776; and
- 2) Authorize the City Manager to execute the agreement on behalf of the City; and
- 3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by \$25,000 in Measure R Funds (Account No. 220-99-7116) and \$225,000 in Grants Funds (revenue, Account No. 265-99-4198.85, Grants, Miscellaneous Grants – SSAR Grant); and
- 4) Take such additional, related, action that may be desirable.

Motion carried unanimously.

18. QUARTERLY TREASURER’S REPORT FOR THE QUARTER ENDING SEPTEMBER 30, 2021

City Treasurer Rafael Gutierrez presented the Quarterly Treasurer’s Report to Council.

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

- 1) Receive and file the Quarterly Treasurer’s Report for the quarter ending September 30, 2021.

Motion carried unanimously.

19. REVIEW AND APPROVE THE STATE AUDITOR REQUIRED CORRECTIVE ACTION PLAN, VERSION 1.0

Director of Finance, Michael Solorza, presented the Corrective Action Plan Report to Council.

Councilmember Torres expressed his concern to view Request for Proposals (RFP) and Contracts after they have been approved by City Council. He requested that Staff provide copies to City Council of the final documents.

Councilmember Melendez thanked Staff for their continued effort to correct the Financial Audit.

Mayor Cobos-Cawthorne thanked Director Solorza.

City Attorney Alvarez-Glasman stated that Staff would follow-up on access to view the RFPs.

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

- 1) Review the attached Corrective Action Plan, Version 1.0, as required to be developed by the State Auditor as the City's response to Report 2021-807; and
- 2) Approve the Corrective Action Plan, Version 1.0 and direct staff to submit the report to the State Auditor; and
- 3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

20. ADOPT RESOLUTION NO. 21-93 ESTABLISHING HOLIDAYS FOR EMPLOYEES IN THE CITY'S SERVICE FOR CALENDAR YEAR 2022

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

- 1) Approve the Resolution no. 21-93 establishing ten (10) holidays for employees in the City's service for the next calendar year commencing January 1, 2022, to December 31, 2022, in accordance with Section 2.60.340(A) of the City of Montebello's Municipal Code; and
- 2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

CONSENT CALENDAR

Item No's. 25 and 31 were pulled by Councilmember Torres. Item No. 22 was pulled by Mayor Cobos-Cawthorne. Councilmember Melendez motioned to approve Item No's. 21, 23, 24, and 26-30, seconded by Mayor Cobos-Cawthorne; motion carried unanimously.

21. ADOPT RESOLUTION NO. 21-89 APPROVING THE APPLICATION FOR SPECIFIED GRANT FUNDS FOR THE RIO HONDO COASTAL SPREADING GROUNDS FENCE REPLACEMENT PROJECT

RECOMMENDATION: It is recommended that the City Council:

- 1) Adopt Resolution No. 21-89 approving the application for Specified Grant Funds in the amount of \$935,000 from the State Department of Parks and Recreation for the Rio Hondo Coastal Spreading Grounds Fence Replacement Project; and
- 2) Take such additional, related, action that may be desirable.

22. APPROVE AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT NO. 3803 WITH WEST & ASSOCIATES FOR THE BEACH STREET PAVEMENT AND STORM DRAIN REHABILITATION PROJECT (PHASE 2) – CP NO. 882

Director of Public Works, James Enriquez, provided a presentation of the item.

Mayor Cobos-Cawthorne spoke in favor of the project.

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Peralta that the City Council:

- 1) Approve Amendment No. 1 to Professional Services Agreement No. 3803 with West & Associates for the Beach Street Pavement and Storm Drain Rehabilitation Project (Phase 2) – CP No. 882 for an additional amount not-to-exceed \$46,700; and
- 2) Authorize the City Manager to execute Amendment No.1; and
- 3) Take such additional or alternative action that may be desirable.

Motion carried unanimously.

23. APPROVE THE PURCHASE AND INSTALLATION OF FLOORING AT THE POLICE DEPARTMENT HEADQUARTERS THROUGH A CALIFORNIA MULTIPLE AWARD SCHEDULES (CMAS) AGREEMENT

RECOMMENDATION: It is recommended that the City Council:

- 1) Approve the purchase and installation of flooring for the Police Department Headquarters by Mohawk Commercial, Inc. in an amount not-to-exceed One Hundred Seventy Two Thousand Two Hundred and Sixty Dollars (\$172,260); and
- 2) Authorize the City Manager to execute a Purchase Order on behalf of the City utilizing California Multiple Award Schedules (CMAS) Contract No. 4-20-00-0085C; and
- 3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by \$172,260 in Account 100-99-929-7115-100.399.47 (General Fund, Taylor Ranch, Building Improvements, Police Department Building and Technology Project); and
- 4) Take such additional, related, action that may be desirable.

24. CONSIDERATION OF A “SOLE SOURCE” DETERMINATION IN ANTICIPATION OF AWARDED A DESIGN-BUILD CONTRACT FOR THE MONTEBELLO GOLF COURSE DRIVING RANGE PROJECT; ADOPT RESOLUTION NO. 21-94 MAKING CERTAIN FINDINGS RELATING THERETO

RECOMMENDATION: It is recommended that the City Council:

- 1) It is recommended that the City Council review this report and the attached legal opinion (Attachment B), and based on the information presented adopt the attached Resolution No. 21-94 (Attachment A) setting forth facts and findings justifying sole source contracting for the award of design-build contracts for the proposed Montebello Driving Range Project.

25. APPROVE THREE (3) AMENDMENTS TO COMMERCIAL CANNABIS BUSINESS DEVELOPMENT AGREEMENTS NO. 3676 (DA 14-19), 3678 (DA 16-19), AND 3680 (DA 18-19)

Councilmember Torres expressed concern of the application deadline.

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

- 1) Approve, in substantially the form as presented, three (3) Amendments to Cannabis Business Development Agreements No. 3676 (DA 14-19), 3678 (DA 16-19), and 3680 (DA 18-19) (collectively referred to as the "Amendments") for the operation of commercial cannabis activities in the City of Montebello, and authorize the City Attorney's Office to make final and technical edits or revisions, if any, prior to execution; and
- 2) Condition the approval of the three (3) Amendments on the respective owner(s) and operator(s) clearing the requisite background checks, providing all exhibits to the development agreement amendments and missing information, if any, to the City of Montebello in a form acceptable to the City Attorney's Office no later than December 10, 2021, and on a case-by-case basis, authorize Director of Planning and Community Development Joseph Palombi discretion to provide the applicant(s) additional time if necessary in light of the current COVID-19 logistical limitations; and
- 3) Adopt findings contained herein exempting the three (3) Amendments from further CEQA review under CEQA Section 15301, and direct staff to prepare and file the applicable Notices of Exemption for each project recommended for approval; and
- 4) Take such additional, related action that may be desirable, and/or provide the City Attorney's office and/or staff with additional or alternative directive(s).

Motion carried unanimously.

26. APPROVE ISSUANCE OF A BLANKET PURCHASE ORDER TO LIFE-ASSIST, INC. FOR PUBLIC SAFETY MEDICAL SUPPLIES

RECOMMENDATION: It is recommended that the City Council:

- 1) Approve issuing an annual blanket purchase order to Life-Assist, Inc. for public safety medical supplies in an initial amount that shall not exceed \$90,000 annually through Fiscal Year 2025 - 26; and
- 2) Authorize the City Manager to approve up to an additional \$25,000 in expenditures to Life-Assist, Inc. per fiscal year, for a maximum (potential) not-to-exceed amount of \$115,000 annually; and
- 3) Take such additional, related, action that may be desirable.

27. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 3936 TO A AND A FLEET PAINTING INC., FOR VEHICLE BODY REPAIR AND PAINTING SERVICES

RECOMMENDATION: It is recommended that the City Council:

- 1) Award a Professional Services Agreement No. 3936 to A and A Fleet Painting Inc., for a three-year term with the option for renewal of up to two (2) additional, one-year terms, with the City of Montebello for the Vehicle Body Repair and Painting Services Request for Quote, No. 21-55; and
- 2) Authorize the City Manager, and/or his designee, to take action necessary to execute and finalize the agreement on behalf of the City of Montebello (City); and
- 3) Take such additional, related, action that may be desirable.

28. ADOPT RESOLUTION NO. 21-88 TO AUTHORIZE SUBMITTING AN APPLICATION TO THE FEDERAL TRANSIT ADMINISTRATION FOR FUNDS UNDER THE GRANTS FOR BUSES AND BUS FACILITIES PROGRAM

RECOMMENDATION: It is recommended that the City Council:

- 1) Adopt Resolution No. 21-88 to authorize submitting an application to the Federal Transit Administration (FTA) for funds under the Grants for Buses and Bus Facilities Program; and
- 2) Take such additional, related, action that may be desirable.

29. PAYMENT OF BILLS: RESOLUTION NO. 21-90 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED NOVEMBER 10, 2021

RECOMMENDATION: Adopt Resolution No. 21-90 approving the Warrant Register dated November 10, 2021.

30. AWARD OF TWO PROFESSIONAL SERVICES AGREEMENTS FOR ARCHITECTURAL & ENGINEERING SERVICES FOR THE DESIGN OF THE MONTEBELLO MUNICIPAL GOLF COURSE RENOVATION PROJECT (RFP. NO. 22-1) AND FOR PROGRAM MANAGEMENT SERVICES AGREEMENT NO. 3937

RECOMMENDATION: It is recommended that the City Council:

- 1) Award a Professional Services Agreement No. 3937 to Sportfive for Architectural & Engineering Services for the design of the Montebello Municipal Golf Course Renovation Project (RFP No. 22-1) in an amount not-to-exceed \$1,238,290; and
- 2) Award Task Order No. 1 via an Engagement Letter under Master Retainer Agreement No. 3919 with AIM Consulting Services for Program Management Services for a not-to-exceed-fee of \$382,720; and

- 3) Authorize the City Manager to execute the agreements on behalf of the City; and
- 4) Amend the Fiscal Year 2021-22 budget by increasing appropriations by \$1,238,290 in Account No. 610-99-6040.80 (Golf Course, Engineering Services); and \$382,720 in Account No. 610-99-6040.95 (Golf Course, Other Professional Services); and
- 5) Take such additional, related, action that may be desirable.

31. APPROVE AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT NO. 2202 WITH MCA CONSULTANTS FOR THE SOLID WASTE PROGRAM MANAGEMENT SERVICES

Councilmember Torres asked Director Enriquez to clarify some details of the agreement.

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

- 1) Approve Amendment No. 1 to Professional Services Agreement No. 2202 with MCA Consultants for solid waste program management services in the annual amount not-to-exceed \$75,000 for a term expiring on June 30, 2024; and
- 2) Authorize the City Manager to execute the Amendment on behalf of the City; and
- 3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by \$15,000 in Account No. 265-3000-2019-023-6040.10 (Grants, Used Oil Payment Program, FY 2019-20), OPP, Other Contract Services; and \$15,000 in Account No. 265-3010-2018-065-6040.10 (Grants, CA Beverage Container Recycling, FY 2018-19), Recycling Program, Other Contract Services; and,
- 4) Take such additional, related, action that may be desirable.

Motion carried unanimously.

AB 1234 TRAVEL REPORTS – None

COUNCIL ORALS

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

Mayor Cobos-Cawthorne asked the Council to provide full statements for Council Orals to abide the Council Conduct Ordinance.

1. Councilmember Melendez

a. Redistricting – Letter of Support

Councilmember Melendez asked for consensus from Council to participate in writing letters of support regarding the redistricting of California.

City Manager Bobadilla provided additional details.

Consensus was received unanimously.

Councilmember Melendez requested to add the following item to his orals:

b. City Council Municipal Code 2.08.010 – Reorganization of the Mayor and Mayor Pro Tem.

Councilmember Melendez asked for consensus to reaffirm the Mayor and Mayor Pro Tem at the next Regular City Council Meeting.

APPROVED: 3-2-0-0

AYES: Cobos-Cawthorne, Jimenez, Melendez

NOES: Torres, Peralta

ABSTAIN: None

ABSENT: None

2. Councilmember Peralta - None

3. Councilmember Torres

a. Financial Reports

Councilmember Torres cited policies from the Montebello Investment Policy approved by Council on the June 23, 2021.

b. Vaccine Mandate

Councilmember Torres did not speak on this item.

c. Council Procedures

Councilmember Torres cited policies from the Council Procedures Ordinance and expressed his concerns.

d. Districting

Councilmember Torres requested to add Oral “d” to his list. He invited the public to attend the Districting Public Hearing on Saturday, November 13, 2021.

4. Mayor Pro Tem Jimenez - None

5. Mayor Cobos-Cawthorne - None

City Attorney Alvarez-Glasman recessed into Closed Session at 9:56 p.m.

Mayor Cobos-Cawthorne reconvened the meeting at 10:51 p.m. During Closed Session the City Council received a briefing from the City Attorney on Item No. 2 – second matter and Item No. 4 no final action was taken and there was nothing to report.

ADJOURNMENT

Mayor Cobos-Cawthorne invited the public to the Veteran's Day Event and the Districting Public Hearing.

Mayor Cobos-Cawthorne motioned to adjourn the meeting, seconded by Councilmember Peralta Motion carried unanimously and the meeting was adjourned at 10:52 p.m.

THE MINUTES OF NOVEMBER 10, 2021 ARE HEREBY APPROVED AND ADOPTED ON THIS 23rd DAY OF FEBRUARY 2022.

A handwritten signature in cursive script, appearing to read 'Alicia Fernandez', is written over a horizontal line.

Alicia Fernandez, Deputy City Clerk

CLOSED SESSION SPEAKER CARDS

Called @ 5:41 p.m.

CITY OF MONTEBELLO

Request No. _____



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. 3B

Meeting Date: 11/10/21 Time Received: 1:36 PM Date Received: 11/9/21

SPEAKER'S FULL NAME: Samantha Millman PHONE: (818) 590-6859
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: _____

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Angelina Padilla 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. 3B

Meeting Date: 11/10/21 Time Received: 1:43 pm Date Received: 11/9/21

SPEAKER'S FULL NAME: Angela Wong PHONE: (213) 447-8686
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: _____

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Angelina Padilla Received Via: Email ☐ Phone ☒ In Person ☐

called @ 5:44 pm.

AGENDA & NON AGENDA COMMENTS

Fernandez, Alicia

From: Salazar, Arlene
Sent: Wednesday, November 10, 2021 4:02 PM
To: Fernandez, Alicia; Guillen, Kimberly (Admin); Angelina Padilla
Subject: FW: Public Comment Submission

From: Joe Cervera [mailto:cerverajoe175@gmail.com]
Sent: Wednesday, November 10, 2021 3:27 PM
To: Bobadilla, Rene <RBobadilla@cityofmontebello.com>; Salazar, Arlene <ASalazar@cityofmontebello.com>; Caltitla, Zoraida <ZCaltitla@cityofmontebello.com>
Subject: Public Comment Submission

I am requesting that this comment be read in its entirety and on the record.

My name is Joe Cervera and I am a lifelong resident of Montebello. I have seen many city councils and council members come and go. Unfortunately, I believe I have been misled by our former Mayor Pro Tem, David Torres. I was a huge supporter of David Torres and was excited to learn about his appointment to Mayor Pro Tem last year. At that time, I was looking forward to his eventual appointment to the position of Mayor but recently, my support for David Torres has withered away. I have many concerns about Councilman Torres and one of the most alarming concerns is his sudden departure from the L.A. City Attorney's Office. Although Councilman Torres has made it appear as if his departure was 100% his idea, I have reason to question his motives. Why would someone leave a position that pays them \$80,000 a year plus benefits (that's a compensation package over \$100,000)? I have reason to believe that the story behind his departure is not as innocent as he has presented it to be. I am demanding that Councilman Torres explain, in detail, the reasons for his sudden departure from the L.A City Attorney's Office. Also, if the reasons for his departure might cause issues for our beloved city, I request that Councilman Torres fully disclose all of this information and consider resigning from his seat on the council.

Thank you, Joe Cervera

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

Fernandez, Alicia

From: Salazar, Arlene
Sent: Wednesday, November 10, 2021 4:00 PM
To: Fernandez, Alicia; Guillen, Kimberly (Admin); Angelina Padilla
Subject: FW: Public Letter for City Council Meeting

From: Joey Marquez [mailto:joeywmarquez10@gmail.com]
Sent: Wednesday, November 10, 2021 3:57 PM
To: Salazar, Arlene <ASalazar@cityofmontebello.com>; Bobadilla, Rene <RBobadilla@cityofmontebello.com>; Caltitla, Zoraida <ZCaltitla@cityofmontebello.com>
Subject: Public Letter for City Council Meeting

Please read this entire heartfelt letter on the record.

Honorable council members,
Misogyny and sexism plague all aspects of our society. Sexual harassment is a common occurrence in the workplace for many women. The practice of mansplaining is an experience that haunts the interactions that women have with men. As I watch the council meetings, I have been shocked by Councilman Torres and the disrespect he has shown to our Mayor Kimberly Cobos-Cawthorne. He has spent his time bullying her and mansplaining to her in public. He has attempted to take over meetings with his own personal agendas and has taken every opportunity to share misinformation. Personally, I am glad that our Mayor had the courage to stand up to this bully and have him removed from the Mayor Pro Tem position. She made a very important decision and stood up for women everywhere when she determined that his removal was necessary. Bravo Mayor, bravo! Thank you Mayor for protecting Montebello and as you mentioned, it was needed because of legal matters. Make Montebello Great Again, mayor!

Your friend, Jose "Joey" Marquez

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

Angelina Padilla

From: Joshua Lurssen <lurssenjoshua602@gmail.com>
Sent: Saturday, November 6, 2021 9:36 PM
To: comment, ccpublic
Subject: FROM: LURSSSENJOSHUA602@GMAIL.COM FROM: JOSHUA. PURPOSE: EMAIL: PROTECTION AND FIDELITY. ONLY-- BENEVOLENCE... REMEMBER. AMERICAN STANDARD VALUE: DATE : TUEADAY, NOVEMBER 2021 & TIME : 11 : 43. PM. ATTENTION: LETTER INBOX.

Follow Up Flag: Follow up
Flag Status: Flagged

TRUE HOMO COPS AM SURROUNDED BY UNSAFE SCHOOLS AND UNSAFE NEIGHBORHODS BY PEP RALLYS THAT GO BUMP AT NIGHT WHEN I AM SURROUNDED BY PROPOSITION 8 AND PROPSITION 16 AND PROPSITION 47 AND PEOPSITION 64 POLICE IN THEE MEXICAN HILLS AT THE MAYORS POLICE STATION.

E PUBLIUS UNUM E NOVOUS ORDOUS PROPOSITION 8 AND PROPOSITION 16 AND PROPOSITION 47 AND PEOPSITION 64 FOR THIS ZIP CODE 90241/5. I AM AGAINST THESE TERRORISTS SUPPORTERS. AND THEIR GUILT ANTOGONISTS AND LIASON TROUSERS LAUNDRY.

I HEARD THERE IS A RED HERRING AND RED CARDINALS IN THIS CITY BECAUSE OF PREJUDISM AND ENVIOUS JEALOUSY SINCE CIRCA ERA 2008. I KNEW A GIRL WHO PASSED AWAY IN A TRUCK FOR DRINIVING UNDER THE INFLUENCE AND WERE THROWN OVER A TURN ON TYRANNY.

I HAVE SEEN AND HEARD TWO OTHER SIMILAR INCIDENTS.

<https://www.google.com/amp/s/grist.org/cities/how-suburban-sprawl-causes-segregation-and-isolates-the-poor/amp/>

Tariffs loiters and frontier believes its his his city district in 90241/5. Sex sells and proposition 8 and proposition 16 and 47 and proposition 64 and proposition 12. And unicef asked for a favor to place their indian flag at the abortion clinic for sell. Peddler and panhandler and loiterer and solicitor. Utility abuser and gentrification over dispute of more anti-depressants. And abuses for negligence. Edison and time warner and Verizon and ATT are monitored?? Its their drawings on floor that have them dreaming that daca and unicef are working for the stars on the boulevard

ariffs loiters and frontier believes its his his city district in 90241/5. Sex sells and proposition 8 and proposition 16 and 47 and proposition 64 and proposition 12. And unicef asked for a favor to place their indian flag at the abortion clinic for sell. Peddler and panhandler and loiterer and solicitor. Utility abuser and gentrification over dispute of more anti-depressants. And abuses for negligence. Edison and time warner and Verizon and ATT are monitored?? Its their drawings on floor that have them dreaming that daca and unicef are working for the stars on the boulevard

IF YOU EVER HEARD OF GUARD BLOCKERS PEOPLE ARE HERE IN THESE ENVIOUS PREJUDISTS CITIES ARE FULL OF BIGOTRY. [IT.IS](#) A. FACT. I HAVE HEARD IN THE MARKET THAT PEOPLE DO NOT LIKE BLACK PEOPLE. I HAVE HEARD ASAINS SAY THEY DO NOT RESPECT BLACK PEOPLE. THAT IS WHEN I SHOWED UP TWENTY YEARS AGO-- PEOPLE ARE THE SAME MUTES WHO NEVER CHANGE. THEY REMIND OF PRISCILLAS GUY WHO DOESNT ACT MATURE OR A KIND ENOUGH ABOUT WOMYN. I FIND TO SAY IN MARKETS THAT THEY RATHER SEX WITH BABIES THAN KEEP THEIR DIGNITY AND INDEPENDENCE WHEN THEY DECLARE A WARSTORY. I HEARD THE SAME PEOPLE SOUND OFF BECAUSE THEY HATE PEOPLE. IRONIC THAT THEY SAY THEY STEAL SHOES FROM PEOPLE ON THE BUS AND COMMIT CRIME FOR THE SUBURBAN LACK LUSTERS. WHAT A REASON TO GROW UP.

On Sat, Nov 6, 2021, 19:13 Andrea Oviedo <oviedoan@gmail.com> wrote:

Ephesians 6:10-20

New International Version

The Armor of God

10 Finally, be strong in the Lord^(A) and in his mighty power.^(B) **11** Put on the full armor of God,^(C) so that you can take your stand against the devil's schemes. **12** For our struggle is not against flesh and blood,^(D) but against the rulers, against the authorities,^(E) against the powers^(F) of this dark world and against the spiritual forces of evil in the heavenly realms.^(G) **13** Therefore put on the full armor of God,^(H) so that when the day of evil comes, you may be able to stand your ground, and after you have done everything, to stand. **14** Stand firm then, with the belt of truth buckled around your waist,^(I) with the breastplate of righteousness in place,^(J) **15** and with your feet fitted with the readiness that comes from the gospel of peace.^(K) **16** In addition to all this, take up the shield of faith,^(L) with which you can extinguish all the flaming arrows of the evil one.^(M) **17** Take the helmet of salvation^(N) and the sword of the Spirit,^(O) which is the word of God.^(P)

18 And pray in the Spirit^(Q) on all occasions^(R) with all kinds of prayers and requests.^(S) With this in mind, be alert and always keep on praying^(T) for all the Lord's people. **19** Pray also for me,^(U) that whenever I speak, words may be given me so that I will fearlessly^(V) make known the mystery^(W) of the gospel, **20** for which I am an ambassador^(X) in chains.^(Y) Pray that I may declare it fearlessly, as I should.

On Sat, Nov 6, 2021, 5:25 PM Joshua Lurssen <lurssenjoshua602@gmail.com> wrote:

I DO NOT FIND THEN SANE. THEIR AS HEAVY AS NO BRAINS. THEY SOUND OFF AS BRAINACS. I DO NOT UNDERSTAND THEIR SARCASM. NOR THEIR NARCISSTIC BEHAVIOUR. THEY CARRY A LOT OF FALSE PRIDE. THEY REMIND ME OF PRICILLAS GUY WHO SAID IN CONVERSATION ABOUT OBJECTION. I HAVE HEARD THAT DOWN THE STREET. I HAVE HEARD IT UP THE STREET. IN MARKETS. OBSCURE HOW PEOPLE ALWAYS FROWN IN SUBURBS BECAUSE THEY LOOK LIKE BIGOTRISTS AND PREJUDISTS. THEY SOUND NARCISSTIC. IN SCHOOL THEY HAVE THEN TOO. I REMEMBER BECAUSE THEY OPEM COMPUTERS AND WATCH GIRLS GIRLS GIRLS IN FRONT OF THE TEACHER. I REMEMBER. PEOPLE LIKE THAT ARE IMMATURE. I BELIEVE THOSE JOCKS STILL FRET INSIDE THEIR HEAD BECAUSE OF FALSE LONELY PRIDE. THEY EVEN HAD A CHARLES MANDON LIVING DOWN THE STREET. HE DID POWERFUL DRUGS AND MOCKS HIS FAMILY. HIS FAMILY MOCKS HIM. I HEARD THE TWO SCHOOLS FIGHT ALL THE TIME. I DO NOT KNOW WHY. THESE PEOPLE AROUND ARE PREJUDIST AND SOUND OFF LIKE BIGOTRY. IN HIGHSCHOOL I HEARD THAT PEOPLE WERE MURDERED IN THE BACK OF A TRUCK BECAUSE THE BALL PEOPLE WERE ENVIOUS THAT PEOPLE WER ARGUING

ABOUT SOMETHING. THIS TIME I FOUND A CAR ON FIRE IN THE PARKING LOTS. BE CAUTIOUS AT NIGHT. THESE PEOPLE SAY ONE THING AND NEXT THEY SOUND LIKE TERRORISTS. THEY EVEN LOOK LIKE MUSLIMS. ROgain PEOPLE AND BRUT DOG COLOGNE PEOPLE. IT IS A FACT!!

On Sat, Nov 6, 2021, 20:13 Joshua Lurssen <lurssenjoshua602@gmail.com> wrote:

IF YOU EVER HEARD OF GUARD BLOCKERS PEOPLE ARE HERE IN THESE ENVIOUS PREJUDISTS CITIES ARE FULL OF BIGOTRY. IT IS A FACT. I HAVE HEARD IN THE MARKET THAT PEOPLE DO NOT LIKE BLACK PEOPLE. I HAVE HEARD ASAINS SAY THEY DO NOT RESPECT BLACK PEOPLE. THAT IS WHEN I SHOWED UP TWENTY YEARS AGO-- PEOPLE ARE THE SAME MUTES WHO NEVER CHANGE. THEY REMIND OF PRISCILLAS GUY WHO DOESNT ACT MATURE OR A KIND ENOUGH ABOUT WOMYN. I FIND TO SAY IN MARKETS THAT THEY RATHER SEX WITH BABIES THAN KEEP THEIR DIGNITY AND INDEPENDENCE WHEN THEY DECLARE A WARSTORY. I HEARD THE SAME PEOPLE SOUND OFF BECAUSE THEY HATE PEOPLE. IRONIC THAT THEY SAY THEY STEAL SHOES FROM PEOPLE ON THE BUS AND COMMIT CRIME FOR THE SUBURBAN LACK LUSTERS. WHAT A REASON TO GROW UP.

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18 And pray in the Spirit^(Q) on all occasions^(R) with all kinds of prayers and requests.^(S) With this in mind, be alert and always keep on praying^(T) for all the Lord's people. **19** Pray also for me,^(U) that whenever I speak, words may be given me so that I will fearlessly^(V) make known the mystery^(W) of the gospel, **20** for which I am an ambassador^(X) in chains.^(Y) Pray that I may declare it fearlessly, as I should.

On Sat, Nov 6, 2021, 5:25 PM Joshua Lurssen <lurssenjoshua602@gmail.com> wrote:

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



|



-  the salem witch trials? 
-  the lord of flies 
-  the red herring? 
-  cops that shoot bullets 
-  what is the law of espionage act? 
-  what is a 5g pittsfield antenna do? 
-  what is a whittaker project? 
-  the law of omerta 
-  why would cops go to hell for shooting? 
-  english to spanish 
-  the white house 
-  https://www.google.com/ 
-  osha agreement under influence 
-  urban dictionary 
-  alcoholics anonymous 12212 alameda street 90241 / 5 los angeles county 

**ITEM NO. 11 - RESO. 21-91, AMENDMENT TO
PRECISE PLAN OF DEVELOPMENT**

**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT**

2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov



November 10, 2021

Rene Bobadilla, City Manager
City of Montebello
1600 W. Beverly Boulevard
Montebello, CA 90640

Re: 6th Street Grand Project – Letter of Support and Technical Assistance

Dear Rene Bobadilla and City Council:

The California Department of Housing and Community Development (HCD) understands that the Montebello City Council will be considering amendments to the Precise Plan of Development for Planned Development District (PD 2-15) and approval of Site Plan Review and Parking Management Plan (PC-2021-0002-PD-SP-PMP) at its November 10, 2021 City Council meeting. The amendment and approvals will allow the construction, use, and maintenance of Cesar Chavez Foundation's (CCF) 6th Street Grand project (Project). The purpose of this letter is to affirm requirements under State Density Bonus Law (Gov. Code, § 65915) and to express HCD's support for the Project.

HCD understands that the proposed Project is a mixed-use, affordable housing project consisting of two phases. Phase I is proposed to be a 100-percent affordable, 63-unit housing project for families and victims of domestic violence who are experiencing homelessness, including individuals earning between 30- to 60-percent area median income (AMI). Phase II is a proposed mixed-use project providing 69 residential units, 35-percent of which will be affordable to those earning 60 percent AMI.

As described in the Staff Report dated October 19, 2021, the Project does not strictly meet Montebello Municipal Code (MMC) requirements pertaining to density, maximum number of bedrooms, maximum coverage, open space, parking, unit sizes, setbacks (front and sides), and trash enclosures. Affordable housing projects; however, are entitled to concessions, incentives, and waivers from local development standards in many instances under State Density Bonus Law (SDBL). To facilitate development of this affordable housing project, CCF is invoking SDBL, seeking an increase in density and lot coverage and reductions in parking, unit sizes, and front and side yard setbacks. It has also requested relief from current standards through an amendment to the existing Planning Development District.

SDBL affords significant inducements to developers to include affordable housing as part of their projects in the form of "concessions or incentives" and "waivers or reductions of development standards." (Gov. Code, § 65915, subds. (d) and (e).) The number of required incentives or concessions is based on the percentage of affordable units in the project. (Gov. Code, § 65915, subd. (d)(2).) Unlike incentives and concessions, waivers are unlimited, and their purpose is to remove developments standards that have the effect of physically precluding the construction of the density bonus project.

Because Phase I of the project proposes 100 percent of its units to be affordable to very low-

income households and is located within one-half mile of a major transit stop, it qualifies for a bonus of essentially unlimited density (Gov. Code, § 65915, subd. (f)(3)(D)(ii)), four incentives or concessions as well as height increases up to three additional stories (*id.*, subd. (d)(2)(D)), and waivers or reductions of development standards (*id.*, subd. (e)). While current MMC limits the maximum number of bedrooms to 34, SDBL provides relief from this limitation, and the 117 bedrooms proposed in Phase I are allowed. Phase II is expected to provide 35 percent of its units as affordable to very low-income households and therefore would qualify for a density bonus of up to a 50 percent above the maximum allowable density (Gov. Code, § 65915, subd. (f)(1)), three incentives or concessions (*id.*, subd. (d)(2)(C)), and waivers or reductions of development standards as well (*id.*, subd. (e)).

In addition, SDBL includes parking incentives as well. While current MMC sets a minimum parking requirement of 147 spaces, SDBL would allow as few as 32 parking spaces for this project in Phase I because it is located within one-half mile of a major transit stop. (Gov. Code, § 65915, subd. (p)(2)(A).) The Project proposes 66 parking spaces (more than double what SDBL would allow) in Phase I.

HCD would like to remind the City that the State of California is in a housing crisis and the provision of affordable housing is a priority of the highest order. Further, SDBL requires a local government, if requested, to grant an increase in the allowable units to the development in excess of what would otherwise be allowed under the local government's zoning and general plan. Moreover, the local government must grant incentives or concessions to reduce costs associated with the development and waivers or reductions of development standards so that the project can achieve the maximum densities allowed under Density Bonus Law. (Gov. Code, § 65915, subd. (b)(1).)

In sum, HCD supports the proposed amendments and approvals as set forth in the Staff Report as these would enable development of the 6th Street Grand affordable housing project. If you have any questions or need additional technical assistance, please contact John Buettner, of our staff, at john.buettner@hcd.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannan West". The signature is fluid and cursive, with the first name "Shannan" and the last name "West" clearly distinguishable.

Shannan West
Housing Accountability Unit Chief

cc: Joseph Palombi, City of Montebello Planning Department

**ITEM NO. 12 - ADOPT RESOLUTION
21-92 APPROVING VESTING
TENTATIVE TRACT MAP (VTTM)**

Angelina Padilla

From: Tamy Townsend <tamytownsend619@gmail.com>
Sent: Wednesday, November 10, 2021 3:25 PM
To: comment, ccpublic
Subject: City Council Agenda Item 12 (VTTM No. 82725)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear City Council:

I ask that you not approve Item 12 on your agenda for tonight because the project is not exempt from CEQA review. The map does not conform to the specific plan that was previously approved and subjected to CEQA review (Guidelines 15182(c)(1)), and there are changed circumstances and new information but no subsequent or supplemental EIR has been prepared (Guidelines 15182(c)(2)).

Thank you.

Tamy T.

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

Angelina Padilla

From: Michael W. Popoff <madrussian90640@yahoo.com>
Sent: Wednesday, November 10, 2021 3:30 PM
To: comment, ccpublic
Cc: Linda Strong; James Flournoy
Subject: Agenda Item 12

Follow Up Flag: Follow up
Flag Status: Flagged

Please read this in its entirety to the city council.

Honorable Mayor and councilmembers, Agenda Item 12 should be held over until the next meeting because it was not properly noticed or described in the agenda. There is NO mention of the tract map being for the Montebello Hills condo development, NO mention of the Metro development name, NO mention of Toll Brothers.

The agenda item appears to have been deliberately designed to be unintelligible to the residents, and is an obvious effort to keep the public from commenting on this dangerous and costly to the city budget development.

Yours truly, Michael W. Popoff, 55+ year resident.

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

Wednesday

November 10, 2021

Please enter these comments from Citizens for Open and Public Participation into the Public Record and give to the city council for their perusal.

Margot Eiser

Chair

Submitted for James Flournoy:

To City Council

Regarding Item 12.

Approval of the tentative map is not exempt from CEQA because (1) the project covered by the map does not conform to the specific plan that was previously approved and subjected to CEQA review and

(2) there are changed circumstances and new information.

Furthermore the City has not provided proof that the Applicant is in compliance with the Mitigation, Monitoring and Reporting Plan, the Engineers Conditions of Approval, the Biological Opinions of the US Fish and Wildlife Service and the requirements of Los Angeles County which are required by the MMRP and the Requirements of the California Department of fish and wildlife

Furthermore the city has not responded to the letter from our attorney.

ITEM NO. 13 - Cesar Chavez Foundation

Angelina Padilla

From: John Velasco <johnvelasco1@me.com>
Sent: Tuesday, November 9, 2021 10:53 PM
To: comment, ccpublic
Subject: Proposed mixed use affordable housing project by Cesar Chavez Foundation

Follow Up Flag: Follow up
Flag Status: Flagged

Madame Mayor, Mayor Pro Tem and Council members,

I would like to voice my support for the affordable housing project proposed by the Chavez Foundation and on the agenda for the 11/10 council meeting.

I am extremely impressed by the plans for this quality development. The proposed amenities are attributable in no small part due to the non-profit developing this property. This project will be a jewel in Montebello's housing stock.

PlEAsE vote in favor of this project; our community needs it.

Best,

John Velasco
V.P. & Director
Heart of Compassion

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ITEM NO. 24 - Sole Source

Letter below submitted twice by Anthony Morelli and Cynthia Powell

November 10, 2021

Via electronic email: ccpubliccomment@cityofmontebello.com

Honorable Mayor Kimberly Cobos-Cawthorne and City Council Members
City of Montebello
1600 W. Beverly Blvd
Montebello, CA 90640

Re: November 10, 2021, City Council Consent Agenda item #24 Consideration of “Sole Source” determination in anticipation of awarding a Design-Build Contract for the Montebello Golf Course Driving Range Project

Dear Mayor Cobos-Cawthorne and City Council Members:

The Construction Industry Force Account Council (CIFAC) is a construction industry supported non-profit organization dedicated to Public Contract Code compliance and education. We promote competitive bidding on public works construction projects by using a fair, transparent and objective process.

In reviewing the November 10, 2021 City Council Agenda, specifically item #24 (noted above) CIFAC is very concerned that the City of Montebello appears to be attempting to dispense with normal, required and proven bidding practices as outlined in the Public Contract Code and the California Uniform Construction Cost Accounting Act, which the City of Montebello elected to become subject to on February 12, 2020.

The City should not limit itself by accepting only one contractor as a “sole source” to build this project. CIFAC believes that city staff may be misguided in their belief that there is only one contractor who could perform this type of project. By doing so, the city forgoes the financial benefits of the competitive bidding process. Certainly the use of a traditional Design-Build method to procure this project would result in the City receiving favorable bid quotes from construction firms who have the experience and/or specializes in golf related projects and amenities.

CIFAC is asking the Montebello City Council to please not “rush-to-judgement” in considering or moving forward in approving a “sole source” procurement process at this time. We believe that more time is needed to properly evaluate the benefits of the Design-build procurement process for large caliber projects such as this. After all, many Municipalities use this method to procure their large projects every day and would never consider limiting themselves to accept just one firms quote and proposal. We would also like to point out the intent of competitive bidding laws, as described in the Public Contract Code below:

Public Contract Code § 100

The Legislature finds and declares that placing all public contract law in one code will make that law clearer and easier to find. Further, it is the intent of the Legislature in enacting this code to achieve the following objectives:

- (a) To clarify the law with respect to competitive bidding requirements.*
- (b) To ensure full compliance with competitive bidding statutes as a means of protecting the public from misuse of public funds.*
- (c) To provide all qualified bidders with a fair opportunity to enter the bidding process, thereby stimulating competition in a manner conducive to sound fiscal practices.*
- (d) To eliminate favoritism, fraud, and corruption in the awarding of public contracts.*

Thank you for your time and consideration. Please contact me if you have any questions at (805) 419-1543.

Sincerely,

Anthony Morelli
Southwestern Regional Compliance Manager
Construction Industry Force Account Council
amorelli@cifac.org www.CIFAC.org
(805) 419-1543 Cell

CC Andrea Matsuoka, Weinberg, Roger and Rosenfeld

Angelina Padilla

From: Anthony Morelli <amorelli@cifac.org>
Sent: Wednesday, November 10, 2021 3:06 PM
To: comment, ccpublic
Cc: Michelle Pickens; amorelli@cifac.org; Andrea Matsuoka
Subject: Nov. 10th City Council Agenda Public Comment
Attachments: CIFAC Ltr Montebello Sole Source Contract Golf Course.docx

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Mayor Cobos-Cawthorne and City Council Members

City Clerk and City Manager

Re: Item#24 on the Nov. 10, 2021 City Council Agenda

Please find our (Attached) letter and public comments regarding this agenda item.

Please have it read and accepted into the record for the Nov. 10, 2021 City Council meeting.

Thank you,

Anthony "Tony" Morelli

Southwestern Regional Compliance Manager

Construction Industry Force Account Council - CIFAC

P.O. Box 2442, Camarillo, CA 93011-2442

M: (805) 419-1543 | F: (805) 301-8002

Amorelli@cifac.org www.cifac.org



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

Angelina Padilla

From: Cynthia Powell <cpowell@unioncounsel.net>
Sent: Wednesday, November 10, 2021 3:28 PM
To: aglasman@agclawfirm.com
Cc: mpickens@cifac.org; comment, ccpublic; Andrea Matsuoka
Subject: Letter Regarding Agenda Item #24
Attachments: Letter_to_Alvarez-Glasman_Montebello_Driving_Range_11_10_21.DOCX

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mr. Alvarez-Glasman,

Attached please find a letter regarding Agenda Item No. 4 to you from Ms. Andrea C. Matsuoka regarding the above-noted matter.

Should you have any difficulty opening the attachment, please do not hesitate to contact me at this office.

Sincerely,

Cynthia L. Powell
Legal Secretary, OPEIU Local 29 afl-cio(1)
Weinberg Roger & Rosenfeld
431 I Street, Suite. 202
Sacramento, CA 95814
(916) 443-6600; (916) 442-0244 fax
cpowell@unioncounsel.net

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

AGENDA & NON-AGENDA SPEAKER CARDS



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. 16

Meeting Date: 11/10/21

Time Received: _____

Date Received: _____

SPEAKER'S FULL NAME: Avik L Cordeiro

PHONE: 626 536 7832

(Optional)

ADDRESS: 816 No Suarez St

(Optional)

ORGANIZATION REPRESENTED: _____

Opposed ☐

In Support ☐

Neutral ☐

TOPIC: _____

NOTES: Reappointment to Board of Trustees

ACCOMMODATIONS: _____

Translation Needed: No ☒

Yes ☐

Language: _____

Received by Staff _____

Received Via: Email ☐

Phone ☐

In Person ☐

1200

CITY OF MONTEBELLO

Request No. 34 ✓



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.

24 & 30

Meeting Date:

11/10/21

Time Received:

5:35 PM

Date Received:

11/10/21

SPEAKER'S FULL NAME:

RAYMOND MOJICA

PHONE:

626-620-0055
(Optional)

ADDRESS:

929 OTHELLO ST. ARCADIA CA 91006
(Optional)

ORGANIZATION REPRESENTED:

Montebello Golf Players Club

Opposed ☒

In Support ☐

Neutral ☐

TOPIC:

PRC - TOP GOLF

NOTES:

ACCOMMODATIONS:

Translation Needed:

No ☐

Yes ☐

Language:

Received by Staff

Received Via:

Email ☐

Phone ☐

In Person ☐

CITY OF MONTEBELLO

Request No.

45 ✓



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.

244 30

Meeting Date:

11/10/2021

Time Received:

Date Received:

SPEAKER'S FULL NAME:

Benjamin Negrete

PHONE:

(Optional)

ADDRESS:

1833 Steadman Dr

ORGANIZATION REPRESENTED:

Scholar H.S. & Mont H.S. Alumni Ass. (Optional)

Opposed ☒

In Support ☐

Neutral ☐

TOPIC:

NOTES:

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: 11-10-21 Time Received: 6:30 Date Received: _____

SPEAKER'S FULL NAME: ADAM ZARAGOZIA PHONE: 323)331-0878
(Optional)

ADDRESS: 0014 FERGUSON DR HA
(Optional)

ORGANIZATION REPRESENTED: YNOT MOVEMENT

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: Non-profit organization YNot Movement

NOTES: _____

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. 11912

Meeting Date: Nov 10, 2021 Time Received: 1:37 Date Received: 11/10/2021

SPEAKER'S FULL NAME: Margot Layal Eiser PHONE: 323 728 7061
(Optional)

ADDRESS: Via San Delmar Montebello
(Optional)

ORGANIZATION REPRESENTED: Self

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: _____

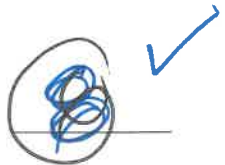
NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☒ Yes ☐ Language: _____

Received by Staff _____ Received Via: Email ☐ Phone ☐ In Person ☒

CITY OF MONTEBELLO

Request No. 



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.

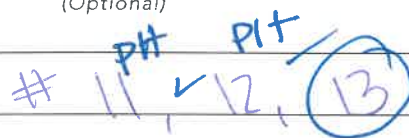
Type of Comment: Closed Session ☐ Non-Agenda Item ☐ AGENDA ITEM NO. _____

Meeting Date: 11-10-21 Time Received: _____ Date Received: _____

SPEAKER'S FULL NAME: Cynthia Gutierrez PHONE: _____

ADDRESS: ~~10255 1st St~~ (Optional)

ORGANIZATION REPRESENTED: _____

Opposed ☒ In Support ☐ Neutral ☐ TOPIC: # 11, 12, 13 

NOTES: _____

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: Mo 11/10/21 Time Received: 9:47 am Date Received: 11/10/21

SPEAKER'S FULL NAME: Manuel Hernandez PHONE: (562) 350-1595
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: Mental Illness

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Elizabeth Martinez Received Via: Email ☐ Phone ☒ In Person ☐

called @ 7:37pm.

called @ 7:43 p.m.

CITY OF MONTEBELLO

Request No. 2



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.

24

Meeting Date:

11/10/21

Time Received:

4:27pm

Date Received:

11/10/21

SPEAKER'S FULL NAME:

Ted Jimenez

PHONE:

213-804-8391

(Optional)

ADDRESS:

(Optional)

ORGANIZATION REPRESENTED:

Opposed ☐

In Support ☐

Neutral ☐

TOPIC:

NOTES:

ACCOMMODATIONS:

Translation Needed:

No ☐

Yes ☐

Language:

Received by Staff

Angelina Padilla

Received Via:

Email ☐

Phone ☒

In Person ☐

CITY OF MONTEBELLO

Request No. 9



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: _____ Time Received: _____ Date Received: _____

SPEAKER'S FULL NAME: RAY Swedo _____ PHONE: _____
(Optional)

ADDRESS: _____

ORGANIZATION REPRESENTED: M.G.P.C. - TOP Golf (Optional) _____

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: _____

NOTES: _____

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff _____ Received Via: Email ☐ Phone ☐ In Person ☐