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

**MINUTES**

**WEDNESDAY, FEBRUARY 8, 2023 AT 5:00 PM**

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

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**OPENING CEREMONIES**

**CALL TO ORDER**

*Mayor Pro Tem Peralta called the City Council and Public Financing Authority Joint Regular Meeting to order at 5:08 p.m., concurrently with the Special City Council Meeting of February 8, 2023.*

**ROLL CALL**

*Members present were Mayor Pro Tem Peralta, Councilmember Melendez, Councilmember Jimenez, and Councilmember Tamayo. Although the meeting convened with four members present, Councilmember Jimenez left during the Closed Session due to being diagnosed with Covid. City Clerk Jimenez and Treasurer Matanga were also present; The two at-large seats remained vacant at this meeting and Mayor Torres was absent.*

*City Attorney Arnold Alvarez-Glasman, Assistant City Manager Arlene Salazar, Senior Deputy City Clerk Alicia Fernandez, Deputy City Clerk Kimberly Guillen, and all Department Directors were present.*

**PUBLIC COMMENTS FOR CLOSED SESSION ITEMS**

At this time, the general public may address the City Council/PFA on Closed Session Items. Please be aware that the maximum time allotted for members of the public to speak on Closed Session Items shall not exceed three (3) minutes per person. State Law prohibits the City Council/PFA from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor.

*The City Clerk's Office acknowledged one (1) speaker card submitted to the City's public comment email address. Said speaker card is on file at the City Clerk's office.*

**CLOSED SESSION 5:00 P.M.**

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

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Mayor Pro Tem Peralta recessed the meeting into Closed Session at 5:14 p.m. to consider the following Closed Session items:

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

**REGULAR SESSION NO LATER THAN 6:00 P.M.**

**CLOSED SESSION REPORT**

Mayor Pro Tem Peralta reconvened the meeting at 6:07 p.m.

City Attorney Arnold Alvarez-Glasman stated that four members were present to discuss Closed Session items. City Attorney Arnold Alvarez-Glasman provided the following report to City Council: a briefing was provided on Item No. 1, no action was taken and there was nothing to report. During Item No. 2 a. and 2b., Councilmember Jimenez departed from Closed Session due to being diagnosed with Covid.

Mr. Alvarez-Glasman stated that due to the ongoing threat to litigation regarding holding a quorum, it was the perspective of the City Council that no business be taken with only three (3) Councilmembers present for this meeting. In addition, all items on this agenda, with the exception of the Ceremonial/Presentation Items, were Adjourned to an Adjourned City Council and Public Financing Authority Joint Regular Meeting to be held on Monday, February 13, 2023.

Roll call for the Special Meeting was taken at this time and Councilmembers Melendez, Councilmember Tamayo, and Mayor Pro Tem were present. The two at-large seats remained vacant for this meeting, and Mayor Torres and Councilmember Jimenez were absent.

Mayor Pro Tem Peralta apologized to all the candidates who were hoping to present their candidacy to council for the open vacancies. Mayor Pro Tem further apologized for the extremity of the situation that council is in, and hopes they can join Council at the next meeting to continue these matters.

**INVOCATION**

Pastor John Paul Jones from Ark of Montebello led the City Council in the Invocation.

**PLEDGE OF ALLEGIANCE**

Henry Fimbres 2<sup>nd</sup> Lieutenant from the California Guard led the City Council in the Pledge of Allegiance.

**CORRECTIONS TO THE AGENDA CITY MANAGER**

None.

**CEREMONIAL/PRESENTATIONS**

**3. CITIZEN OF THE MONTH - RUBEN MARTINEZ**

*Presented by Mayor Pro Tem Peralta.*

**4. BLACK HISTORY MONTH**

*Adjourned to Monday, February 13, 2023.*

**5. AMERICAN HEART MONTH**

*Adjourned to Monday, February 13, 2023.*

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

At this time, the general public may address the City Council/PFA on both non-agenda *and* agenda items. Please be aware that the maximum time allotted for members of the public to speak shall not exceed three (3) minutes per speaker. State Law prohibits the City Council/PFA from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor.

*No comments were taken for this meetings, as business matters were not addressed.*

**STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST**

*None.*

**REGULAR BUSINESS**

**6. FISCAL YEAR 2022-23 SECOND QUARTER BUDGET REPORT**

**RECOMMENDATION: It is recommended that the City Council:**

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION: It is recommended that the City Council:**

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

*Adjourned to Monday, February 13, 2023.*

**CONSENT CALENDAR**

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

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

**RECOMMENDATION:** It is recommended that the City Council:

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION:** It is recommended that the City Council:

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION:** It is recommended that the City Council:

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION:** It is recommended that the City Council:

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION:** It is recommended that the City Council:

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION: It is recommended that the City Council:**

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION: It is recommended that the City Council:**

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION: It is recommended that the City Council:**

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION: It is recommended that the City Council:**

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION: It is recommended that the City Council:**

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION: It is recommended that the City Council:**

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION: It is recommended that the City Council:**

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

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION: It is recommended that the City Council:**

1. Approve said minutes as is.

*Adjourned to Monday, February 13, 2023.*

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

**RECOMMENDATION: It is recommended that the City Council:**

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

*Adjourned to Monday, February 13, 2023.*

**AB 1234 TRAVEL REPORTS**

Members of the City Council will provide a brief report on meetings attended at the expense of the local agency as required by Government Code Section 53232.3(d).

*None.*

**COUNCIL ORALS**

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

*Council Orals were not heard.*

- **Salvador Melendez, Councilmember**

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- **Georgina Tamayo, Councilmember**
    1. **For District 1 residents - open seats for the Parks & Recreation Commission, Planning Commission, and Youth and Education Commission. Please download an application on the City of Montebello's website at: [https://www.montebelloca.gov/departments/administration/city\\_clerks\\_office/commissions\\_and\\_committees](https://www.montebelloca.gov/departments/administration/city_clerks_office/commissions_and_committees) and submit completed applications to the City Clerk's office no later by Wednesday, February 8, 2023 by 5:30 p.m.**
  
  - **Scarlet Peralta, Mayor Pro Tem**
  
  - **Angie M. Jimenez, Councilmember**
  
  - **David N. Torres, Mayor**
    1. **Request for Council consensus 1) directing staff to prepare a community survey exploring the effects of COVID in Montebello; and 2) allocating American Rescue Plan Act (ARPA) funds to address the most pressing needs as identified by survey respondents.**
    2. **Request for Council consensus reaffirming our commitment to report, on a quarterly basis, the metrics of our Montebello Community Assistance Program (MCAP).**
    3. **Request for Council consensus to explore conducting a study through local colleges on the mental and behavioral health issues within Montebello.**
    4. **Community announcement on commission vacancies available to District 4 residents.**
    5. **Community announcement for, and well-wishes to, the Montebello-Commerce Youth in Government delegation participating in the 75th Model Legislature and Court in Sacramento February 10-13.**
    6. **Montebello-Commerce YMCA Youth in Government Delegation Bill Presentation**

**ADJOURNMENT**

The City of Montebello will adjourn to the next **Regular Meeting on February 22, 2023 at 5:00 p.m.** which can be live streamed at <https://www.montebelloca.gov> (Click on Live Stream).

I, Alicia Fernandez, Senior Deputy City Clerk for the City of Montebello hereby certify that a copy of this agenda has been posted on or before **Sunday, February 5, 2023 at 5:00 p.m.**



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Alicia Fernandez, Senior Deputy City Clerk

*The meeting was adjourned at 6:14 p.m.; no motion was made as there was no objection.*

**THE MINUTES OF FEBRUARY 8, 2023, CITY COUNCIL AND PUBLIC FINACING AUTHORITY MEETING, ARE HEREBY APPROVED AND ADOPTED ON THIS 26<sup>TH</sup> DAY OF APRIL 2023.**

**CLOSED SESSION  
SPEAKER CARD**



# 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:**

2/8/2023

**Time Received:**

4:57 pm

**Date Received:**

2/8/23 4:57 pm

**SPEAKER'S FULL NAME:**

Joella Valdez

**PHONE:** \_\_\_\_\_

(Optional)

**ADDRESS:**

Montebello CA

(Optional)

**ORGANIZATION REPRESENTED:**

self

Opposed

In Support

Neutral

**TOPIC:** 29

**NOTES:** \_\_\_\_\_

**ACCOMMODATIONS:** \_\_\_\_\_

**Translation Needed:**

No

Yes

Language: \_\_\_\_\_

**Received by Staff** \_\_\_\_\_

**Received Via:**

Email

Phone

In Person