

AMENDED AGENDA



CITY OF MONTEBELLO CITY COUNCIL REGULAR MEETING

WEDNESDAY, MAY 24, 2023 AT 6:00 PM

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

CITY COUNCIL

**David N. Torres, Mayor
Scarlet Peralta, Mayor Pro Tem
Angie M. Jimenez, Councilmember
Salvador Melendez, Councilmember
Georgina Tamayo, Councilmember**

**ASSISTANT CITY MANAGER
Arlene Salazar**

**CITY TREASURER
David Matanga**

**CITY ATTORNEY
Arnold M. Alvarez-Glasman**

**CITY CLERK
Christopher Jimenez**

DEPARTMENT HEADS

**Fire Chief
Police Chief
Director of Finance
Director of Human Resources
Director of Planning/Community Development
Director of Public Works
Director of Recreation and Community Services
Director of Transportation
Director of Public Affairs and Information Technology**

**Fernando Pelaez
Paul Espinosa
Michael Solorza
Nicholas Razo
Joseph Palombi
James Enriquez
David Sosnowski
Adrianna Kendricks
Michael Chee**

NOTICES

This City Council Meeting ("Council") will be held in person and will meet at **City Hall – City Council Chambers, 1600 West Beverly Boulevard, Montebello, California.** The meeting will be live streamed and can be watched on the City's website and YouTube Channel via the following link: <https://www.montebelloca.gov>, and may also be viewed on Spectrum Public Access Channel 3 for all Spectrum cable subscribers.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act (ADA) any person with a disability who requires special accommodations in order to participate in a meeting should contact the Administration Office at (323) 887-1437 Monday-Thursday from 7:30 a.m.-5:30 p.m. Please call 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II 1203). If you require translation services, please contact the City Clerk's office 72 hours before this meeting. **Si necesita servicios de traducción, comuníquese con la Oficina del Secretario Municipal 72 horas antes de esta reunión.** 如果您需要翻译服务, 请在会议前 72 小时联系市书记员办公室.

RULES OF DECORUM:

As established by Resolution No. 23-17, adopted on February 22, 2023: Speakers shall not engage in willful conduct which interrupts the meeting or interferes with the orderly conduct of the meeting. Any speaker who becomes boisterous while addressing the Council or who otherwise disrupts the orderly conduct of the Council business shall be called to order by the Mayor. If the conduct continues, the Mayor may bar the speaker from speaking and/or attending the meeting. Any disruption of the meeting shall be addressed in a manner consistent with SB 1100. The sergeant-of-arms shall enforce the rules of decorum and remove and/or arrest any person upon the direction of the Presiding Officer, or upon his or her own discretion, as applicable.

PUBLIC COMMENTS:

In-Person: For those interested in participating during the Public Comment period(s) or public testimony period for Public Hearings of the City Council meetings, you may address the City Council ***in person only the day of the meeting.*** Speakers will be required to fill out a speaker card provided at the door and submit it to City Clerk staff prior to each Public Comment announcement period. Staff will number and call each speaker card in the order received. ***Closed Session begins at 6:00 p.m. and Regular Session begins immediately thereafter; if there is no Closed Session, Regular Session will begin at 6:00 p.m.***

AGENDA MATERIALS: The agenda and/or agenda packet are available for public inspection at City's website at: [Agendas, Minutes, and Videos](#).

IN CONSIDERATION OF OTHERS, PLEASE TURN OFF, OR MUTE, ALL CELL PHONES AND PAGERS
THANK YOU FOR YOUR COOPERATION

OPENING CEREMONIES

CALL TO ORDER - 6:00 P.M.

ROLL CALL

ANNOUNCEMENT OF CLOSED SESSION ITEMS

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, the public may submit a speaker card to the City Clerk staff for Closed Session items, prior to the beginning of this statement. Speakers will be called in the order received. 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 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 and City Council.

CLOSED SESSION

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

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Government Code Section 54957.9(d)(1)
Neighbors for Elections Now, et al. vs. City of Montebello
LASC Case 23STCV01567
2. **PUBLIC EMPLOYEE APPOINTMENT**
Government Code Section 54957
Position: City Manager/Interim City Manager

REGULAR SESSION - IMMEDIATELY FOLLOWING CLOSED SESSION

CLOSED SESSION REPORT

INVOCATION

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA - ASSISTANT CITY MANAGER

CEREMONIAL ITEMS/PRESENTATIONS

3. **RECOGNITION OF NEW POLICE OFFICERS**
4. **RECOGNITION OF AND ADMINISTRATION OF THE OATH OF OFFICE TO THE NEW ASSISTANT CHIEF OF POLICE KENNETH CABRERA**
5. **ADMINISTRATION OF OATH OF OFFICE FOR PLANNING COMMISSIONER VICTOR CUEVAS**
6. **ADMINISTRATION OF OATH OF OFFICE FOR PARKS AND RECREATION COMMISSIONER SYLVIA TAKEYAMA**
7. **PROCLAMATION FOR PUBLIC WORKS WEEK**
8. **RECOGNITION OF ST. BENEDICT SCHOOL GIRLS BASKETBALL CHAMPIONSHIP TEAM**
9. **NATIONAL POPPY DAY**
10. **BUDGET UPDATE FOR FY 2023-24**

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

At this time, the public may submit speaker card(s) to the City Clerk staff, for both agenda and non-agenda items, prior to the beginning of this statement; Public Hearing items do not require a speaker card.

The City Council will address non-agenda items during this section and speakers will be called in the order received. Those persons not accommodated during this 30-minute period will have an opportunity to speak under "Public Comments – Continued", after all scheduled matters have been considered. **Public Hearing, Regular Business and/or Consent Calendar items will be addressed at the time that matter of business is heard, in the order received.**

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 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 and City Council.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST**REGULAR BUSINESS - NONE****CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered to be routine. Any items a member wishes to discuss, including any items the public submitted speaker cards for, 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.

11. FISCAL YEAR 2023-24 CONFIRMATION OF ANNUAL TAX RATE FOR VOTER APPROVED INDEBTEDNESS

RECOMMENDATION: It is recommended that the City Council:

1. Review and adopt the attached Resolution No. 23-34 establishing property tax override (PTO) rates on voter approved indebtedness for retirement expenditures for the Fiscal Year 2023-24; and
2. Direct staff to forward the resolution to the Los Angeles County Auditor Controller within the required time limit; and
3. Direct staff to take whatever additional actions necessary to ensure collection of the property tax override.

12. FISCAL YEAR 2022-23 THIRD QUARTER BUDGET AMENDMENTS

RECOMMENDATION: It is recommended that the City Council:

1. Amend the Fiscal Year 2022-23 budget by increasing revenue and expenditure appropriations by the listed amounts in the various accounts listed on Attachment A;
2. Take such additional, related action that may be desirable.

13. APPROVE AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT NO. 3883 WITH RL CONTROLS, LLC, TO EXTEND THE COMPLETION DATE FOR THE BUS CAMERA SURVEILLANCE SYSTEM PROJECT

RECOMMENDATION: It is recommended that the City Council:

1. Approve Amendment No. 2 to Professional Services Agreement No. 3883 with RL Controls, LLC to extend the completion date for the Bus Camera Surveillance System Project; and
2. Authorize the City Manager and/or his designee to execute Amendment No. 2 to Agreement No. 3883 on behalf of the City; and
3. Take such additional, related action that may be desirable.

14. ADOPT RESOLUTION NO. 23-32 APPROVING MONTEBELLO BUS LINES' FISCAL YEAR 2023-2024 AND 2024-2025 FREE FARE SCHEDULE

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No 23-32 approving Montebello Bus Lines (MBL) Fiscal Year 2023-24 and FY 2024-25 Free Fare Schedule; and
2. Take such additional, related action that may be desirable.

15. APPROVE ISSUING A RESTROOM RENOVATION SERVICES REQUEST FOR PROPOSAL (RFP) NO. 23-14

RECOMMENDATION: It is recommended that the City Council:

1. Approve issuing a Restroom Renovation Services Request for Proposal, No. 23-14 (RFP No. 23-14); and
2. Take such additional, related action that may be desirable.

16. APPROVAL OF B-MAP – PHASE B1 FINAL TRACT MAP NO. 82725 FOR A PORTION OF VESTING TENTATIVE TRACT MAP NO. 82725 IN CONNECTION WITH THE MONTEBELLO HILLS SPECIFIC PLAN PROJECT

RECOMMENDATION: It is recommended that the City Council adopt Resolution No. 23-33:

1. Finding that the approval of the B-Map – Phase B1 Final Tract Map No. 82725 is exempt from the California Environmental Quality Act (“CEQA”) pursuant to (i) CEQA Guidelines Section 15268(b)(3) Ministerial Projects (approval of final subdivision maps), (ii) Public Resources Code Section 21080(b)(1), and (iii) CEQA Guidelines Section 15182 and Government Code Section 65457, which expressly exempts residential projects undertaken to implement, and that are consistent with, an approved specific plan for which an EIR was certified after January 1, 1980 and none of the events under Public Resources Code Section 21166 have occurred; and
2. Approving the B-Map – Phase B1 Final Tract Map No. 82725 for a portion of Vesting Tentative Tract Map (“VTTM”) No. 82725 in connection with the Montebello Hills Specific Plan Project; and
3. Authorizing the City Clerk, City Treasurer, and City Engineer to execute the Certificate on the map showing the City’s approval of B-Map — Phase B1 Final Tract Map No. 82725 for a portion of VTTM No. 82725; and
4. Take such additional, related action that may be desirable.

17. APPROVAL OF THE FINAL TRACT MAP NO. 82727 FOR A PORTION OF VESTING TENTATIVE TRACT MAP NO. 70420 FOR PUBLIC OPEN SPACE CONVEYANCE IN CONNECTION WITH THE MONTEBELLO HILLS SPECIFIC PLAN PROJECT

RECOMMENDATION: It is recommended that the City Council:

1. Finding that the approval of the Final Tract Map No. 82727 is exempt from the California Environmental Quality Act (“CEQA”) pursuant to (i) CEQA Guidelines Section 15268(b)(3) Ministerial Projects (approval of final subdivision maps), (ii) Public Resources Code Section 21080(b)(1), and (iii) CEQA Guidelines Section 15182 and Government Code Section 65457, which expressly exempts residential projects undertaken to implement, and that are consistent with, an approved specific plan for which an EIR was certified after January 1, 1980, and none of the events under Public Resources Code Section 21166 have occurred; and
2. Approving the Final Tract Map No. 82727 for a portion of Vesting Tentative Tract Map (“VTTM”) No. 70420 in connection with the Montebello Hills Specific Plan Project; and
3. Authorizing the City Clerk, City Treasurer, and City Engineer to execute the Certificate on the map showing the City’s approval of the Final Tract Map No. 82727; and
4. Take such additional, related, action that may be desirable.

18. ADOPT RESOLUTION NO. 23-35 FOR THE FISCAL YEAR 2023-24 LEVY OF ANNUAL ASSESSMENTS FOR THE NATASHA LANE LANDSCAPE ASSESSMENT DISTRICT

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-35 (Attachment A) establishing the City’s intention for the Fiscal Year 2023-24 Levy of Annual Assessments for the Natasha Lane Landscape Assessment; and
2. Authorize the City Engineer to prepare and file a Preliminary Engineer’s Report; and

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

19. ADOPT A RESOLUTION FOR THE FISCAL YEAR (FY) 2023-24 LEVY OF ANNUAL ASSESSMENTS FOR THE NATASHA LANE SEWER AND STORM DRAIN PUMP STATION ASSESSMENT DISTRICT

RECOMMENDATION: It is recommended that the City Council:

1. Adopt a Resolution (Attachment A) establishing the City's intention for the FY 2023-24 Levy of Annual Assessments for the Natasha Lane Sewer and Storm Drain Pump Station Assessment District; and
2. Authorize the City Engineer to prepare and file a Preliminary Engineer's Report; and
3. Take such additional, related action that may be desirable.

20. APPROVE TASK NO. 5 UNDER MASTER RETAINER AGREEMENT NO. 3999 WITH MARK THOMAS & COMPANY, INC. FOR ENGINEERING DESIGN SERVICES FOR THE PAVING THE WAY PROGRAM PROJECT – MONTEBELLO BOULEVARD FROM WEST LOS ANGELES AVENUE TO LINCOLN AVENUE (C.P. NO.888)

RECOMMENDATION: It is recommended that the City Council:

1. Approve Task Order No. 5 via an Engagement Letter under Master Retainer Agreement No. 3999 with Mark Thomas for Engineering Design Services for a fee not-to exceed \$282,008; and
2. Authorize the City Manager to execute the Contract Agreement, on behalf of the City; and
3. Take such additional, related action that may be desirable.

21. APPROVAL OF THE FISCAL YEAR 2022-23 ANNUAL PLAN FOR THE LOS ANGELES REGION MEASURE W (SAFE, CLEAN WATER PROGRAM) EXPENDITURES

RECOMMENDATION: It is recommended that the City Council:

1. Approve the Fiscal Year 2022-23 Annual Plan for Los Angeles Region Measure W (Attachment A) that programs expenditures for the fiscal year; and
2. Take such additional, related action that may be desirable.

22. APPROVAL OF THE FISCAL YEAR 2023-24 ANNUAL PLAN FOR THE LOS ANGELES REGION MEASURE W (SAFE, CLEAN WATER PROGRAM) EXPENDITURES

RECOMMENDATION: It is recommended that the City Council:

1. Approve the Fiscal Year 2023-24 Annual Plan for Los Angeles Region Measure W (Attachment A) that programs expenditures for the fiscal year; and
2. Take such additional, related action that may be desirable.

23. APPROVE AND APPROPRIATE GRANT AWARD FROM THE BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC), PROPOSITION 64 PUBLIC HEALTH AND SAFETY GRANT PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1. Approve the appropriation of \$1,278,987 awarded to the City of Montebello from the Board of State and Community Corrections (BSCC), Proposition 64 Public Health and Safety Grant Program; and
2. Authorize the City Attorney to review and approve the Grant Agreement and Resolution in final form to submit to the Board of State and Community Corrections (BSCC), Proposition 64 Public Health and Safety Grant as soon as possible; and
3. Amend the Fiscal Year 2022-23 budget by increasing appropriations by \$1,278,987 in Account No. 268-85-862-6040.10 (Prop 64 Public Health and Safety, Fire, Prop 65 Public Health & Safety, Other Contract Services); and
4. Take such additional, related action that may be desirable.

24. APPROVAL TO PURCHASE A GENERATOR FOR FIRE DEPARTMENT PUBLIC SAFETY COMMUNICATIONS SITE

RECOMMENDATION: It is recommended that the City Council:

1. Authorize and approve the emergency purchase of a replacement backup generator for the City of Montebello Fire Department's Public Safety Communication Site located at the Montebello Reservoir; and
2. Amend the Fiscal Year 2022-23 budget by increasing appropriations by \$172,500 in the General Fund, Account No. 100-85-880-6010.10 (Fire Department, Communications, Machinery, and Equipment); and
3. Take such additional, related action that may be desirable.

25. RESOLUTION NO. 23-28 AUTHORIZING THE SUBMISSION OF AN APPLICATION FOR THE STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION "RECREATIONAL TRAILS PROGRAM"**RECOMMENDATION: It is recommended that the City Council:**

1. Approve Resolution No. 23-38 authorizing the submission of an application for the State of California's Department of Parks and Recreation "Recreational Trails Program;" and
2. Authorize the City Manager to conduct all negotiations, execute and submit documents reasonably necessary for the completion of the awarded project; and
3. Take such additional, related action that may be desirable.

26. CONSIDERATION OF A RESOLUTION NO. 23-39 TO VACATE AND TERMINATE AN IRREVOCABLE OFFER OF DEDICATION FOR HABITAT RESERVE**RECOMMENDATION: It is recommended that the City Council:**

1. Adopt Resolution No. 23-39 vacating and terminating an Irrevocable Offer of Dedication ("IOD") from Sentinel Peak Resources California, LLC ("Sentinel") to the City of Montebello in connection with the Montebello Hills habitat reserve having Instrument No. 20191405603 dated December 17, 2019; and
2. Take such additional, related action that may be desirable.

27. APPROVAL OF MINUTES: APRIL 5, 2023 SPECIAL COUNCIL MEETING; APRIL 10, 2023 CITY COUNCIL MEETING; APRIL 26, 2023 CITY COUNCIL MEETING**RECOMMENDATION: It is recommended that the City Council:**

1. Approve said minutes as is.

28. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 23-37 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED MAY 24, 2023**RECOMMENDATION: It is recommended that the City Council:**

1. Adopt Resolution No. 23-37 approving the Warrant Register dated May 24, 2023.

29. MONTEBELLO MUNICIPAL GOLF COURSE RENOVATION PROJECT (CP NO. 894) – IRRIGATION PUMP GENERATOR RENTAL (WALK-ON ITEM)**RECOMMENDATION: It is recommended that the City Council:**

1. Approve a Purchase Order with MCI Flowtronex (Variable Speed Solutions, Inc.) in the amount not-to-exceed \$131,327 for rental of a generator to provide temporary power to the irrigation pump station and authorize the City Manager to execute the Purchase Order; and
2. Take such additional, related, action that may be desirable.

PUBLIC COMMENTS - CONTINUED

AB 1234 TRAVEL REPORTS

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

COUNCIL/AGENCY ORALS

Announcements and requests for future agenda items.

- **Georgina Tamayo, Councilmember**
- **Angie M. Jimenez, Councilmember**
 1. Request Council Consensus to display an LGBTQIA banner.
 2. Stride for Pride
 3. East Side Pride
 4. Arts in Public Places
- **Scarlet Peralta, Mayor Pro Tem**
 1. Receive council consensus to direct staff to initiate discussions and cooperation with Edison in order to develop ideas for passive open space, such as a park with walking and biking trails, utilizing EDISON's right-of-way areas within the city.
- **David N. Torres, Mayor**
 1. Appointment of Delia Delgado to Civil Service Commission.
- **Salvador Melendez, Councilmember**

CLOSED SESSION - CONTINUED

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on June 14, 2023, at 6:00 p.m.** which can be live-streamed at <https://www.montebellocal.gov> (Click on Live Stream).

I, Kimberly Guillen, Acting Senior Deputy City Clerk for the City of Montebello hereby certify that a copy of this agenda has been posted on or before **Sunday, May 21, 2023, no later than 6:00 p.m.**



Kimberly Guillen, Acting Senior Deputy City Clerk

EXHIBIT - CITY OF MONTEBELLO FORECASTED AGENDA

Please note, the attached exhibit is a draft version that is to be used for reference purposes only; agenda items, information, and dates are subject to change. The exhibit will be placed at the end of the Agenda Packet.

- **City of Montebello Forecasted Agenda**