



**CITY OF MONTEBELLO
CITY COUNCIL
REGULAR MEETING**

WEDNESDAY, JUNE 14, 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.montebellocal.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:

Pursuant to Section 54957.95 of the Government Code, the presiding member of the legislative body conducting a meeting, or their designee, is authorized to remove, or cause the removal of, an individual for disrupting the meeting. Any such removal will be preceded by a warning to the disruptive individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to promptly cease their disruptive behavior may result in their removal.

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

- a. Government Code Section 54956.9(d)(1)
NASA Services, Inc., et al. vs. City of Montebello, et al.
LASC Case No. 21STCP01969
- b. Government Code Section 54956.9(d)(1)
Zenzhiryan vs. City of Montebello, et al.
LASC Case No. 21STCV18690
- c. Government Code Section 54956.9(d)(1)
Ferrari vs. City of Montebello, et al.
LASC Case No. BC 719730
- d. Government Code Section 54956.9(d)(1)
Beverly Community Hospital Association Bankruptcy Matter
U.S. Bankruptcy Court Central District of California (Los Angeles)
Bankruptcy Petition #: 2:23-bk-12359-SK
- e. Government Code Section 54956.9(d)(1)
John Doe vs. City of Montebello, et al.
Los Angeles County Superior Court Case No. 22STP03976

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

- a. Government Code Section 54956.9(d)(2)
BBK Working Group Confidential Agreement related to the BBK Class I Landfill Cost Recovery Efforts
(one matter)
- b. Government Code Section 54956.9(d)(2)
One matter related to the Brownfield Overlay District

3. PUBLIC EMPLOYEE APPOINTMENT

Government Code Section 54957
Position: City Manager/Interim City Manager/Acting 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**

4. CITIZEN OF THE MONTH - CAMILLA CHAN
5. LGBTQIA+ PRIDE MONTH
6. JUNETEENTH - FREEDOM DAY
7. NATIONAL GOLF FOUNDATION PRESENTATION

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****8. ADOPTION OF FISCAL YEAR 2023-24 OPERATING AND CAPITAL BUDGET****RECOMMENDATION: It is recommended that the City Council:**

1. Approve a resolution adopting the Fiscal Year 2023-24 operating and capital budgets for all funds; and,
2. Approve a resolution adopting the compensation plan, table of organization and job classifications for Fiscal Year 2023-24 and,
3. Approve a resolution establishing a Fiscal Year 2023-24 appropriations limit per Government Code Section 7190 (Gann Limit); and,
4. Take other measures and actions necessary.

9. 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 (The design fee is reduced to \$175,816 with the elimination of the landscaped medians); 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.

10. ADOPT RESOLUTION NO. 23-40 APPROVING A COMPREHENSIVE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MONTEBELLO AND THE MONTEBELLO POLICE OFFICERS ASSOCIATION

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-40 approving a tentatively agreed to comprehensive Memorandum of Understanding (MOU) between the City of Montebello (City) and the Montebello Police Officers Association (MPOA); and
2. Take such additional, related action that may be desirable.

11. APPOINTMENT OF ACTING CITY MANAGER AND APPROVAL OF TERMS OF EMPLOYMENT

RECOMMENDATION: It is recommended that the City Council:

1. Appoint Arlene Salazar as Acting City Manager for the City of Montebello; and
2. Make certain adjustments to Ms. Salazar's terms of employment during the time she serves as the Acting City Manager; and
3. Direct the processing of a Personnel Action Form to reflect the terms approved as set forth in this report.

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.

12. APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 3767 WITH HAZELRIGG CLAIMS MANAGEMENT SERVICES, INC., A COMPANY OF TRISTAR CLAIMS MANAGEMENT SERVICES, INC.

RECOMMENDATION: It is recommended that the City Council:

1. Approve Amendment No. 1 to Agreement No. 3767 with Hazelrigg Claims Management Services, Inc. (HCMS), a company of TRISTAR Claims Management Services, Inc. (TRISTAR), to exercise a one-year (1-year) term contract extension to provide third party administration (TPA) services for the City of Montebello's (City) self-insured workers' compensation program, and limited TPA services for the general liability program; and
2. Authorize the Assistant City Manager and/or her designee to execute Amendment No. 1 with TRISTAR on behalf of the City; and
3. Take such additional, related, action that may be desirable.

13. INFORMATION TECHNOLOGY INFRASTRUCTURE PROJECT STATUS UPDATE AND BUDGET AMENDMENT

RECOMMENDATION: It is recommended that the City Council:

1. File and receive the attached detailed budget update reporting spending details of year one of the Information Technology upgrade project and related spending; and
2. Amend the Fiscal Year 2022-23 budget by increasing appropriations by \$3,613,179 in Accounts No.100-99-4023.10, 100-99-7000.85, and 325-99-4999.30; and
3. Take such additional, related action that may be desirable.

14. ANNUAL APPROVAL OF CITY'S INVESTMENT POLICY

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-53 approving the Investment Policy Statement for the City and Successor Agency as required by Government Code Section 53601 et al.

15. REQUEST TO APPROVE ANNUAL BLANKET PURCHASE ORDERS FOR FISCAL YEAR 2023-24

RECOMMENDATION: It is recommended that the City Council:

1. Authorize issuing Blanket Purchase Orders/purchasing authorization amounts to various vendors for purchasing during Fiscal Year 2023-24; and
2. Authorize the City Manager to approve up to an additional \$25,000 in expenditures for each vendor, if necessary, during the same fiscal year; and
3. Take such additional, related action that may be desirable.

16. APPROVE ISSUING AN EXTERIOR BUS GRAPHICS DECAL REPLACEMENT AND REPAINTING SERVICES REQUEST FOR PROPOSAL, NO. 23-11

RECOMMENDATION: It is recommended that the City Council:

1. Approve issuing an Exterior Bus Graphics Decal Replacement and Repainting Services Request for Proposal, No. 23-11 (RFP No. 23-11); and
2. Take such additional, related action that may be desirable.

17. APPROVE ISSUING A SCRUBBERS AND SWEEPER EQUIPMENT REPLACEMENT REQUEST FOR QUOTE, NO. RFQ-23-1

RECOMMENDATION: It is recommended that the City Council:

1. Approve Issuing a Scrubbers and Sweeper Equipment Replacement Request for Quote, No. RFQ-23-1; and
2. Take such additional, related action that may be desirable.

18. ADOPT RESOLUTION NO. 23-42 TO AUTHORIZE THE SUBMISSION OF APPLICATIONS TO THE FEDERAL TRANSIT ADMINISTRATION TO RECEIVE FUNDING FOR HYDROGEN FUEL CELL ELECTRIC BATTERY BUSES AND TRANSIT FACILITY HVAC UPGRADE PROJECTS

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-42 to authorize the submission of applications to the Federal Transit Administration (FTA) to receive funding for hydrogen fuel cell electric battery buses (FCEBs) and transit facility heating, ventilation, and air conditioning (HVAC) upgrade projects; and
2. Take such additional, related action that may be desirable.

19. ADOPT RESOLUTION NO. 23-43 APPROVING MONTEBELLO BUS LINES AMERICAN WITH DISABILITIES ACT (ACT) REASONABLE MODIFICATION / ACCOMMODATION ADMINISTRATIVE POLICY

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-43 approving Montebello Bus Lines American with Disabilities Act Reasonable Modification / Accommodation Administrative Policy; and
2. Take such additional, related action that may be desirable.

20. ADOPT RESOLUTION NO. 23-44 APPROVING MONTEBELLO BUS LINES' FY23-25 SHORT-RANGE TRANSIT PLAN

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-44 approving Montebello Bus Lines' Fiscal Year 2023-25 Short Range Transit Plan, including the encompassed recommendations; and
2. Take such additional, related action that may be desirable.

21. ADOPT RESOLUTION NO. 23-46 APPROVING AMENDMENT NO. 1 TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COMMERCIAL FAÇADE PROGRAM GUIDELINES**RECOMMENDATION: It is recommended that the City Council:**

1. Adopt Resolution No. 23-46 Approving Amendment No. 1 to Community Development Block Grant (CDBG) Commercial Façade Program Guidelines and finding that the approval of Amendment No. 1 is exempt from CEQA under Section 15061(b)(3) of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and
2. Amend the Fiscal Year 2022-23 CDBG Commercial Façade Program Guidelines to reflect the revised guidelines for the extension of time to use approved funding, maximum amount of funding per application, and applicant contribution amount; and
3. Take such additional, related action that may be desirable.

22. CONSIDERATION OF 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.

23. ADOPT RESOLUTION NO. 23-48 APPROVING THE ENGINEER'S REPORT FOR THE FISCAL YEAR 2023-24 ANNUAL NATASHA LANE SEWER AND STORM WATER PUMP STATION ASSESSMENT DISTRICT NO. 2005-2 AND SETTING A DATE FOR THE PUBLIC HEARING**RECOMMENDATION: It is recommended that the City Council:**

1. Adopt Resolution No. 23-48 (Attachment A) approving the Fiscal Year 2023-24 Engineer's Report (Attachment B) for the Annual Natasha Lane Sewer and Storm Drain Pump Assessment District No. 2005-2 and setting a date for a Public Hearing for the regular meeting scheduled on July 26, 2023 at 6:00 pm; and
2. Take such additional, related action that may be desirable.

24. ADOPT RESOLUTION NO. 23-49 APPROVING THE ENGINEER'S REPORT FOR THE FISCAL YEAR 2023-24 ANNUAL NATASHA LANE LANDSCAPE ASSESSMENT DISTRICT NO. 2005-1 AND SETTING A DATE FOR THE PUBLIC HEARING**RECOMMENDATION: It is recommended that the City Council:**

1. Adopt Resolution No. 23-49 (Attachment A) approving the Fiscal Year 2023-24 Engineer's Report (Attachment B) for the Annual Natasha Lane Landscape Assessment District No. 2005-1 setting a date for the Public Hearing for the regular meeting scheduled on July 26, 2023 at 6:00 pm; and
2. Take such additional, related action that may be desirable.

25. MONTEBELLO MUNICIPAL GOLF COURSE RENOVATION PROJECT (CP NO. 894) – ARTIFICIAL TURF PURCHASE ORDER**RECOMMENDATION: It is recommended that the City Council:**

1. By a four-fifths vote of the City Council authorize the dispensing of a formal bidding procedure for the purchase of artificial turf material for the Montebello Municipal Golf Course Renovation Project (CP No. 894), in accordance with Montebello Municipal Code Chapter 3.20.050; and
2. Approve a Purchase Order with TrueTurf LLC in the amount not-to-exceed \$76,176 for the artificial turf and authorize the City Manager to execute the Purchase Order; and
3. Take such additional, related action that may be desirable.

26. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSALS (RFP NO. 23-13) FOR A MEDICAL DIRECTOR – EMERGENCY MEDICAL SERVICES PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1. Authorize issuing a Request for Proposals (RFP) No. 23-13 for a Medical Director – Emergency Medical Services (EMS) Program; and
2. Authorize payment of invoices from Dr. Angelica Loza-Gomez for medical director services in an amount not to exceed \$40,000; and
3. Authorize the use of up to \$20,000 for additional medical director services;
4. Take such additional, related action that may be desirable.

27. APPROVAL OF MINUTES: MAY 10, 2023 CITY COUNCIL MEETING; MAY 24, 2023 CITY COUNCIL MEETING; JUNE 5, 2023 CITY COUNCIL SPECIAL MEETING

RECOMMENDATION: It is recommended that the City Council:

1. Approve said minutes as is.

28. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 23-45 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED JUNE 14, 2023

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-45 approving the Warrant Register dated June 14, 2023.

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.

• **Scarlet Peralta, Mayor Pro Tem**

1. Seeking Council consensus to begin the process of rebranding the Golf Course.
2. Father's Day Giveaway - Nominate your father figure at scarletmtb.com/FathersDay

• **Angie M. Jimenez, Councilmember**

• **Salvador Melendez, Councilmember**

1. Requesting Council consensus directing staff to raise awareness of Arthrogryposis Multiplex Congenita (AMC) through social media platforms.

• **Georgina Tamayo, Councilmember**

- David N. Torres, Mayor

1. Request for council consensus to investigate alleged due process violations in the investigation into allegations of misconduct.

CLOSED SESSION - CONTINUED

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on June 28, 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, June 12, 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**