

AMENDED AGENDA



CITY OF MONTEBELLO CITY COUNCIL REGULAR MEETING

WEDNESDAY, JULY 26, 2023 AT 6:00 PM

**TELECONFERENCE LOCATION FOR
JIMENEZ:**
HOLLYWOOD FOREVER CEMETERY
ADMINISTRATION OFFICE
6000 SANTA MONICA BOULEVARD
LOS ANGELES, CA 90038

**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

ACTING 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

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

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

- a. Government Code Section 54956.9(d)(1)
Concerned Residents v. City of Montebello, et al.
Los Angeles Superior Court Case No. 23STCP00290
- b. Government Code Section 54956.9(d)(1)
Navarro vs. City of Montebello, et al.
Case No. ADJ13310066, ADJ2613081, ADJ2548565, ADJ15539383, ADJ7472140, ADJ7964720,
ADJ2654347, ADJ10708805, ADJ3507314, ADJ6779197, ADJ12495501, ADJ2613081,
ADJ10708805, ADJ6773842

2. PUBLIC EMPLOYEE APPOINTMENT

Government Code Section 54957
Position: City Manager

REGULAR SESSION - IMMEDIATELY FOLLOWING CLOSED SESSION

CLOSED SESSION REPORT

INVOCATION

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA - CITY MANAGER

CEREMONIAL ITEMS/PRESENTATIONS

- 3. CERTIFICATE OF RECOGNITION - HILDA PLACENCIA FLORES**
- 4. PARKS AND RECREATION MONTH**
- 5. JUVENILE ARTHRITIS AWARENESS**

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**PUBLIC HEARING**

6. FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2464 AMENDING THE ZONING DESIGNATION (CASE NO. "PC-2022-0003-ZC-SPR-TPM") FOR THE PROPERTIES LOCATED AT 608, 612, and 616 HART PLACE TO ALLOW THE CONSTRUCTION OF SIXTEEN (16) RESIDENTIAL UNITS

RECOMMENDATION: It is recommended that the City Council:

1. Conduct a Public Hearing and Uphold the Planning Commission's recommendation to approve Zone Change (ZC) Case No. PC-2022-0003-ZC-SPR-TPM as well as the related Development Agreement (No. 01-22) and Density Bonus Agreement between the City of Montebello and San Giorgio, LLC to amend the zoning designation for the properties located at 608, 612, and 616 Hart Place ("Project Site") from C-R (Commercial Restricted) to C-R-HOO (Commercial Restricted with the Housing Opportunity Overlay) to allow the development of sixteen (16) residential units, and make related findings that the proposed project is consistent with the Montebello General Plan; and
2. Waive First Reading and Introduction of Ordinance No. 2464 approving a ZC (Case No. PC-2022-0004-GPA-ZC-SPR), Development Agreement, and Density Bonus Agreement for the property located at the Project Site; and
3. Find and determine the ZC, Development Agreement, and Density Bonus Agreement to be statutorily exempt from the California Environmental Quality Act ("CEQA") under 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. No physical changes will occur as a result of the proposed Zone Change, Development Agreement, and Density Bonus Agreement; and
4. Take such additional, related action that may be desirable.

7. PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION NO. 23-61 CONFIRMING THE FY 2023–24 ENGINEER'S REPORT FOR THE ANNUAL NATASHA LANE LANDSCAPE ASSESSMENT DISTRICT NO. 2005-1 AND LEVYING SUCH ASSESSMENTS

RECOMMENDATION: It is recommended that the City Council:

1. Conduct a Public Hearing and consider adopting Resolution No. 23-61 (Attachment A) confirming the FY 2023-24 Engineer's Report (Attachment B) for the Annual Natasha Lane Landscape Assessment District No. 2005-1; and
2. Authorize the Levying of the FY 2023-24 Assessments; and
3. Take such additional, related action that may be desirable.

8. PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION NO. 23-62 CONFIRMING THE FY 2023–24 ENGINEER'S REPORT FOR THE ANNUAL NATASHA LANE SEWER AND STORM WATER PUMP ASSESSMENT DISTRICT NO. 2005-2 AND LEVYING SUCH ASSESSMENTS

RECOMMENDATION: It is recommended that the City Council:

1. Conduct a Public Hearing and consider adopting Resolution No. 23-62 (Attachment A) confirming the FY 2023-24 Engineer's Report (Attachment B) for the Annual Natasha Lane Sewer and Storm Water Pump Assessment District No. 2005-2; and
2. Authorize the Levying of the FY 2023-2024 Assessments; and
3. Take such additional, related action that may be desirable.

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.

9. APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 3990 WITH SHAK ENTERPRISES DBA MONTEBELLO TIRE PROS AND AUTHORIZE PAYMENT OF INVOICES**RECOMMENDATION: It is recommended that the City Council:**

1. Approve Amendment No. 1 to Agreement No. 3990 with SHAK Enterprises Inc. dba Montebello Tire Pros (Montebello Tire Pros; and
2. Authorize payment of invoices from Montebello Tire Pros in the amount of \$149,409; and
3. Amend the Fiscal Year 2023-24 budget by increasing appropriations by the amounts and in the accounts listed on the attached budget amendment listing (Attachment D); and
4. Take such additional, related action that may be desirable.

10. QUIET CANNON - PAYMENT OF INVOICES AND AMEND FISCAL YEAR 2023-24 BUDGET**RECOMMENDATION: It is recommended that the City Council:**

1. Approve payment of invoices for "Campus Host Services" at Quiet Cannon and surrounding premises for the period of July 2019 through April, 2023 and
2. Amend the Fiscal Year 2023-24 budget by increasing appropriations to \$212,100 in Account No. 610-66-6040.10 (Golf Course, Quiet Cannon Perimeter, Other Contract Services); and
3. Take such additional, related action that may be desirable.

11. APPROVAL OF MINUTES: JUNE 14, 2023 CITY COUNCIL MEETING; JUNE 28, 2023 CITY COUNCIL MEETING**RECOMMENDATION: It is recommended that the City Council:**

1. Approve said minutes as is.

12. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 23-60 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED JULY 26, 2023.**RECOMMENDATION: It is recommended that the City Council:**

1. Adopt Resolution No. 23-60 approving the Warrant Register dated July 26, 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.

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

CLOSED SESSION - CONTINUED

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on August 9, 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, July 23, 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**