



**CITY OF MONTEBELLO
CITY COUNCIL
REGULAR MEETING**

WEDNESDAY, AUGUST 23, 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

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.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 LABOR NEGOTIATOR

Government Code Section 54957.6

Agency Negotiators: Arlene Salazar, Acting City Manager; Nicholas Razo, Director of Human Resources

Employee Organization: SMART-TD

REGULAR SESSION - IMMEDIATELY FOLLOWING CLOSED SESSION

CLOSED SESSION REPORT

INVOCATION

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA - ACTING CITY MANAGER

CEREMONIAL ITEMS/PRESENTATIONS

2. CHECK PRESENTATION TO COMMUNITY BENEFIT GROUPS

3. MONTEBELLO-ASHIYA SISTER ASSOCIATION PRESENTATION BY EMMA DELGADO

- Presenting Montebello Student Ambassadors Alejandro Ruiz and Andrea Ruiz

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

4. **CONSIDERATION OF THE REQUEST FROM SENATOR BOB ARCHULETA TO DECLARE THE ARMENIAN MONUMENT AS A HISTORICAL LANDMARK**

PUBLIC HEARING

5. **ADOPT RESOLUTION NO. 23-63 APPROVING A ZONE CODE AMENDMENT (“ZCA”) MODIFYING THE MONTEBELLO MUNICIPAL CODE (“MMC”) TO ESTABLISH AN ART IN PUBLIC PLACES PROGRAM, MODIFICATION TO SECTION 17.62.050 OF THE MONTEBELLO MUNICIPAL CODE TO REMOVE “MURALS” FROM THE LIST OF PROHIBITED SIGNS, AND ADOPTION OF A CEQA EXEMPTION UNDER § 15061(B)(3)**

RECOMMENDATION: It is recommended that the City Council:

1. Approve the Zone Code Amendment (ZCA) No. PC-2021-0005-ZCA to establish an Art in Public Places Program; and
2. Approve Ordinance No. 2465 establishing an Art in Public Places Program; and amending Section 17.62.050 of the Montebello Municipal Code (“MMC”) to remove “murals” from the list of prohibited signs; and
3. Approve ENV-105-21-CE Notice of Common Sense Exemption (State California Environmental Quality Act (CEQA) Guidelines Section § 15061(b)(3)) - exemption for the proposed project; and
4. Take such additional, related, action that may be desirable.

6. **ADOPT RESOLUTION NO. 23-63 APPROVING THE FISCAL YEAR 2022-23 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)**

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-63 approving the Fiscal Year 2022-23 draft Consolidated Annual Performance and Evaluation Report (CAPER) and authorizing the City Manager, or their designee to submit the report to HUD; and
2. Take such additional, related action that may be desirable.

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.

7. **MONTEBELLO MUNICIPAL GOLF COURSE RENOVATION PROJECT PHASE 3 (CP NO. 894-3) – AWARD OF CONSTRUCTION CONTRACT**

RECOMMENDATION: It is recommended that the City Council:

1. Find that the bid received from J-Squared General Contractors, Inc. is non-responsive and reject the bid; and
2. Award a construction contract for the Montebello Municipal Golf Course Renovation Project Phase 3 (CP No. 894-3) in the amount of \$10,144,000 to Robert Clapper Construction Services, Inc. dba R.C. Construction Services; and
3. Authorize the Director of Public Works to review and approve change orders within a five percent (5%) contingency of the contract amount; and
4. Authorize the City Manager to execute the Contract Agreement (Attachment A) with R.C. Construction Services, on behalf of the City; and

5. Find that the requested "Changes in Work" for Phase 1 (CP No. 894-1) (Attachment B) have no significant effect on the environment and approve the changes in the aggregate amount of \$819,500. The adjusted contract amount with Los Angeles Engineering, Inc. is \$5,913,500; and
6. Find that the requested "Changes in Work" for Phase 2 (CP No. 894-2) (Attachment C) have no significant effect on the environment and approve the changes in the aggregate amount of \$1,823,850. The adjusted contract amount with American Landscape, Inc. is \$11,488,508; and
7. Approve Amendment No. 3 to Agreement No. 3937 with SPORTFIVE Golf, LLC (Attachment D) for additional architectural and engineering design services in the amount not-to-exceed \$362,487; and
8. Award Task Order No. 5 via an Engagement Letter (Attachment E) under Master Retainer Agreement No. 3919 with AIM Consulting Services for additional Construction Management/Inspection Services for Phase 1 and 2 for a not-to-exceed-fee of \$171,248; and
9. Award Task Order No. 6 via an Engagement Letter (Attachment F) under Master Retainer Agreement No. 3919 with AIM Consulting Services for Construction Management/Inspection Services for the clubhouse construction (Phase 3) for a not-to-exceed-fee of \$562,011; and
10. Approve the updated Total Project Budget (Attachment G); and
11. Approve the Notice of Exemption (Attachment H) for the subject project and authorize the City Clerk to file the Notice of Exemption with Los Angeles Registrar-Recorder; and
12. Take such additional, related action that may be desirable.

8. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 4125, TO TENNANT SALES AND SERVICE COMPANY, FOR SCRUBBER AND SWEEPER REPLACEMENT REQUEST FOR QUOTE NO. Q-23-1

RECOMMENDATION: It is recommended that the City Council:

1. Award Professional Services Agreement No. 4125 to Tennant Sales and Service Company, for a total not-to-exceed amount of Two Hundred Eighteen Thousand, Six Hundred and Fifteen Dollars (\$218,615), for the Scrubber and Sweeper Replacement Request for Quote No. Q-23-1 (RFQ No. Q-23-1); and
2. Authorize the Acting City Manager, and/or designee, to take action necessary to execute and finalize the agreement on behalf of the City of Montebello; and
3. Take such additional, related action that may be desirable.

9. REPORT OF EMERGENCY REPAIRS TO THE POLICE DEPARTMENT BUILDING AND APPROVAL OF CONTRACTS FOR REQUIRED REPAIR AND REMEDIATION WORK

RECOMMENDATION: It is recommended that the City Council:

1. Receive and file the City Manager's report of emergency repairs to the Montebello Police Department headquarters building pursuant to Montebello Municipal Code Section 3.20.140 and Public Contracts Code Section 22035; and
2. Determine and find that the repairs and remediation are of an emergency nature and required to prevent further water intrusion which, if left unattended, will continue to create toxic mold, officer safety concerns, and liability in regards to proper storage and handling of criminal evidence; and
3. Authorize the Acting City Manager to execute professional service agreements with ATI Restoration LLC., Mr. Rooter Plumbing, and Custom Craft Flooring for the repair of the Montebello Police Department to remediate the damage caused by water intrusion, in a total aggregate amount of \$300,000; and
4. Amend the Fiscal Year 2023-24 budget by increasing appropriations by \$300,000 in Account No. 100-30-510-6040.60 (General Fund, Public Works, Facilities Maintenance, Other Contract Services-Building Maintenance/ Repairs); and
5. Take such additional, related, action that may be desirable.

10. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 23-65 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED AUGUST 23, 2023

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-65 approving the Warrant Register dated August 23, 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.

- **Angie M. Jimenez, Councilmember**
 - **Salvador Melendez, Councilmember**
 - **Georgina Tamayo, Councilmember**
 - **Scarlet Peralta, Mayor Pro Tem**
 - **David N. Torres, Mayor**
1. **Appointment of Danielle Cardona to the Traffic and Safety Commission.**

CLOSED SESSION - CONTINUED

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on September 13, 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, August 20, 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**