



**CITY OF MONTEBELLO
CITY COUNCIL
REGULAR MEETING**

WEDNESDAY, OCTOBER 11, 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
Acting Director of Public Works
Director of Recreation and Community Services
Director of Transportation

Fernando Pelaez
Paul Espinosa
Michael Solorza
Nicholas Razo
Joseph Palombi
Rita Montalvo
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 LEGAL COUNSEL – EXISTING LITIGATION**
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 - ACTING CITY MANAGER

CEREMONIAL ITEMS/PRESENTATIONS

3. **CITIZEN OF THE MONTH - DONALD TRAVIS**
4. **BREAST CANCER AWARENESS MONTH**
5. **BULLYING PREVENTION MONTH**
6. **DOMESTIC VIOLENCE AWARENESS MONTH**
7. **DOWN SYNDROME AWARENESS MONTH**
8. **POLICE EFFORTS - CRIME UPDATES PER DISTRICT**
9. **OATH OF OFFICE FOR MIA FLORES, YOUTH COMMISSIONER**

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**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.

- 10. SECOND READING OF ORDINANCE NOS. 2466, 2467, AND 2468 APPROVING A TEXT CODE AMENDMENT ("TCA") (CASE NO. PC-2023-0006-TCA) AMENDING CHAPTER 17.62 SIGNS OF THE MONTEBELLO MUNICIPAL CODE (MMC) TO INCLUDE REGULATIONS RELATED TO CONVERSIONS OF OFF-PREMISES SIGNS. THE APPLICANT SEEKS TO ENTER INTO TWO (2) AMENDED AND RESTATED DEVELOPMENT AGREEMENTS BETWEEN THE CITY OF MONTEBELLO AND CLEAR CHANNEL OUTDOOR, LLC. REPLACING DEVELOPMENT AGREEMENT NO. 02-22 (AGREEMENT NO. 4032) AND DEVELOPMENT AGREEMENT NO. 03-22 (AGREEMENT NO. 4033) FOR THE RELOCATION AND REPLACEMENT OF EXISTING LAWFULLY PERMITTED DUAL-FACE 12' X 25' STATIC OFF-PREMISES OUTDOOR ADVERTISING SIGNS LOCATED AT 1633 WASHINGTON BOULEVARD AND 1720 BLUFF ROAD IN THE CITY OF MONTEBELLO WITH A NEW 12'X 25' DUAL-FACED DIGITAL OFF-PREMISES OUTDOOR ADVERTISING SIGN AT EACH RESPECTIVE LOCATION.**

RECOMMENDATION: It is recommended that the City Council:

1. HOLD SECOND READING to approve a Text Code Amendment (Case No. PC-2023-0006-TCA) as well as the related Amended and Restated Development Agreements (DA Nos. 01- 23 and 02-23) between the City of Montebello and Clear Channel Outdoor, LLC. to amend Chapter 17.62 - Signs of the MMC and allow the relocation and replacement of existing lawfully permitted dual-faced static off-premises outdoor advertising signs for the properties located at 1633 Washington Boulevard and 1720 Bluff Road within the City of Montebello; and
2. WAIVE SECOND READING AND ADOPT Ordinance No. 2466 approving a Text Code Amendment amending Chapter 17.62 Signs of the Montebello Municipal Code (MMC) to include regulations related to conversions of off-premises signs (Attachment A, Exhibit A); and
3. WAIVE SECOND READING AND ADOPT Ordinance No. 2467 approving the Amended and Restated Development Agreement (DA No. 01-23) between the City of Montebello and Clear Channel Outdoor, LLC for the property located at 1633 Washington Blvd. (Attachment B); and
4. WAIVE SECOND READING AND ADOPT Ordinance No. 2468 approving the Amended and Restated Development Agreement (DA No. 02-23) between the City of Montebello and Clear Channel Outdoor, LLC for the property located at 1720 S. Bluff Road (Attachment C); and
5. DETERMINE AND FIND that the project is exempt from the California Environmental Quality Act (CEQA) pursuant to the "Common Sense" exemption set forth under Section 15061(b)(3), which provides that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA Guidelines Section 15303 related to construction and location of limited numbers of new, small facilities or structures, and the conversion of existing small structures that are consistent with the City's general plan policies and zoning regulations and pursuant to CEQA Guidelines Section 15061(b)(3) related to CEQA only applying to projects which have the potential for causing a significant effect on the environment; and

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

11. APPROVAL OF PROFESSIONAL SERVICES AGREEMENT NO. 4150 WITH DR. ANGELICA LOZA-GOMEZ, MD, FOR EMERGENCY MEDICAL SERVICES PROGRAM MEDICAL DIRECTOR SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve Professional Services Agreement No. 4150 with Dr. Angelica Loza-Gomez, MD for Emergency Medical Services (EMS) Program Medical Director Services; and
2. Authorize the Acting City Manager to execute the Agreement on behalf of the City; and
3. Take such additional, related action that may be desirable.

12. AMEND THE FISCAL YEAR 2023-24 BUDGET TO APPROPRIATE GRANT FUNDS FROM THE DEPARTMENT OF HOMELAND SECURITY (DHS)/FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) "STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE" (SAFER) PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1. Approve receipt of \$5,650,875 in Federal funding awarded to the City by the Department of Homeland Security (DHS) / Federal Emergency Management Agency (FEMA)/ Grant Programs Directorate (GPD) Fiscal Year 2022 "Staffing for Adequate Fire and Emergency Response" (SAFER) program; and
2. Amend the Fiscal Year 2023-24 budget by increasing appropriations by \$1,883,625 in Account Nos. 269-85-860-5000.10 (SAFER-Fire, Fire, Suppression, Regular Salaries) and 269-99-4198.22 (SAFER-Fire, SAFER Grant Revenue); and
3. Take such additional, related action that may be desirable.

13. APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 3698 WITH PCAM, LLC DBA "PARKING COMPANY OF AMERICA" TO PROVIDE METROLINK RAIL FEEDER SHUTTLE SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve Amendment No. 1 to Agreement No. 3698 with PCAM, LLC dba "Parking Company of America" (PCA), for the provision of Metrolink Rail Feeder Shuttle Services for an additional one-year (1-year) term with additional compensation of an amount not-to-exceed Five Hundred Five Thousand, Three Hundred Fifty-Nine Dollars (\$505,359); and
2. Authorize the Acting City Manager and/or her designee to execute Amendment No. 1 on behalf of the City of Montebello; and
3. Take such additional, related action that may be desirable.

14. APPROVE PROFESSIONAL SERVICES AGREEMENTS FOR PRINTING, GRAPHIC DESIGN, AND MAILING SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve Agreement No. 4142 with Acro Printing (Acro) in an amount that shall not exceed \$295,000; and
2. Approve Agreement No. 4143 with Arte Printing (Arte) in an amount that shall not exceed \$143,750; and
3. Approve Agreement No. 4144 with Geographics (Geographics) in an amount that shall not exceed \$295,000; and
4. Approve Agreement No. 4145 with The Sauce Creative Services (Sauce) in an amount that shall not exceed \$295,000; and
5. Approve Agreement No. 4146 with We The Creative (We The Creative) in an amount that shall not exceed \$281,250; and
6. Authorize the Acting City Manager to execute the agreements on behalf of the City of Montebello; and
7. Take such additional, related action that may be desirable.

15. AMEND THE FISCAL YEAR 2023-24 CAPITAL IMPROVEMENT PROGRAM BUDGET TO APPROPRIATE CARRYOVER FUNDS FOR VARIOUS PROJECTS

RECOMMENDATION: It is recommended that the City Council:

1. Amend the adopted Fiscal Year 2023-24 budget by increasing appropriations in the various accounts as detailed on Attachment A, Capital Improvement Program; and
2. Take such additional, related action that may be desirable.

16. APPROVE SOFTWARE AGREEMENT WITH DARKTRACE FOR CYBERSECURITY SOFTWARE SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve a software agreement with Darktrace Limited (Darktrace) in an amount that shall not exceed \$192,800 over a four (4) year term to provide cybersecurity services; and
2. Take such additional, related action that may be desirable.

17. APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 4148 WITH JONES AND MAYER LAW FOR POLICE DEPARTMENT LEGAL SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve Agreement No. 4148 with Jones Mayer Law in an amount that shall not exceed \$75,000; and
2. Take such additional, related action that may be desirable.

18. CITYWIDE CATCH BASIN CONNECTOR PIPE SCREEN (CPS) INSERTS INSTALLATION PROJECT (CP NO. 877) – NOTICE OF COMPLETION

RECOMMENDATION: It is recommended that the City Council:

1. Accept the Citywide Catch Basin Connector Pipe Screen (CPS) Inserts Installation Project (CP No. 877) as completed by United Storm Water, Inc.; and
2. Accept the final contract amount with United Storm Water, Inc. in the amount of \$69,375 in accordance with the approved City Council budgeted amount; and
3. Authorize the City Clerk to execute, verify and file the Notice of Completion (Attachment A) with the Los Angeles County Registrar-Recorder; and
4. Take such additional, related, action that may be desirable.

19. AUTHORIZE INCREASING THE NOT-TO-EXCEED AMOUNT FOR ADDITIONAL PLAN CHECK SERVICES FOR THE REALIGNMENT OF LINCOLN AVENUE UNDER MASTER RETAINER AGREEMENT NO. 3999, TASK ORDER NO. 1 WITH MARK THOMAS, INC.

RECOMMENDATION: It is recommended that the City Council:

1. Authorize increasing the not-to-exceed amount for additional Plan Check Services for the realignment of Lincoln Avenue Under Master Retainer Agreement No. 3999, Task Order No. 1 with Mark Thomas, Inc.; and
2. Authorize the Acting City Manager to execute the Task Order amendment; and
3. Take such additional, related, action that may be desirable.

20. APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 4141 WITH OCEAN BLUE ENVIRONMENTAL SERVICES INC. FOR HAZARDOUS WASTE MANAGEMENT AND EMERGENCY RESPONSE SERVICES.

RECOMMENDATION: It is recommended that the City Council:

1. Award Professional Services Agreement No. 4141 (Attachment A) to Ocean Blue Environmental Services, Inc. in an amount not-to-exceed \$300,000 for an initial three (3) year term; and
2. Authorize the Acting City Manager to execute the Professional Services Agreement; and
3. Take such additional, related, action that may be desirable.

21. APPROVAL OF MINUTES: JULY 20, 2023, SPECIAL CITY COUNCIL MEETING; JULY 26, 2023, CITY COUNCIL MEETING; AUGUST 9, 2023, CITY COUNCIL MEETING; AUGUST 23, 2023, CITY COUNCIL MEETING; SEPTEMBER 13, 2023, CITY COUNCIL MEETING; SEPTEMBER 27, 2023

RECOMMENDATION: It is recommended that the City Council:

1. Approve said minutes as is.

22. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 23-74 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED OCTOBER 11, 2023**RECOMMENDATION: It is recommended that the City Council:**

1. Adopt Resolution No. 23-74 approving the Warrant Register dated October 11, 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**
- **Angie M. Jimenez, Councilmember**
- **David N. Torres, Mayor**
- **Scarlet Peralta, Mayor Pro Tem**
 1. Seeking Council Consensus for Arbor Day 2024 proclamation and planned activities
 2. Requesting status update: Tree People partnership with the City of Montebello
 3. Requesting Council Consensus to initiate a CERT (Community Emergency Response Team) Program in our city
 4. Third Annual Spooktacular Haunted Home Decorating Contest
 5. Third Annual Howl-O-Ween Pet Costume Contest: submit your pet costume photos to us@scarletperalta.com
- **Salvador Melendez, Councilmember**

CLOSED SESSION - CONTINUED**ADJOURNMENT**

The City of Montebello will adjourn to the next **Regular Meeting on October 25, 2023, at 6:00 p.m.**, which can be live-streamed at <https://www.montebellocal.gov> (Click on Live Stream).

I, Kimberly Guillen, Senior Deputy City Clerk for the City of Montebello, hereby certify that a copy of this agenda has been posted on or before **Sunday, October 8, 2023, no later than 6:00 p.m.**



Kimberly Guillen, 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**