



**CITY OF MONTEBELLO
CITY COUNCIL
REGULAR MEETING**

WEDNESDAY, NOVEMBER 8, 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**
 - a. Government Code Section 54956.9(d)(1)
Proposed Class Action Settlements
City of Camden, et al., v. E.I. DuPont de Nemours and Company, et al., No. 2:23-cv-03230-RMG
City of Camden, et al., v. 3M Company, No. 2:23-cv-03147-RMG
 - b. Government Code Section 54956.9(d)(1)
Keller vs. City of Montebello, et al.
Case No: ADJ5593999, ADJ5594000, ADJ5594001
2. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Government Code Section 54956.9(d)(2)
One matter related to the Brownfield Overlay Zone

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 - ABRAHAM LIM**
4. **MOVEMBER**
5. **ALZHEIMER'S DISEASE AWARENESS MONTH**
6. **HUMAN TRAFFICKING AWARENESS MONTH**
7. **ATHENS SERVICES - SERVICE UPDATES**

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**

8. WAIVE FIRST READING AND INTRODUCE ORDINANCE NO. 2466 AMENDING THE GENERAL PLAN AND ZONING DESIGNATION (CASE NO. PC-2023-0012-GPA-ZC-LLA) FOR THE PROPERTY LOCATED AT 437 N. SPRUCE STREET TO ALLOW ZONING CONFORMITY FOR THE EXISTING COMMERCIAL AND RESIDENTIAL USES AT THE PROJECT SITE

RECOMMENDATION: It is recommended that the City Council:

1. Uphold the recommendation from the Planning Commission to approve General Plan Amendment (GPA) and Zone Change (ZC) Case No. PC-2023-0012-GPA-ZC-LLA to amend the General Plan Designation from Boulevard Commercial to Boulevard Commercial (proposed Lot A) and Low Density Residential (proposed Lot B) and approve a Zone Change (ZC) from C-1 (Neighborhood Commercial) to C-1 (proposed Lot A) and R-1 (Single Family Residential) (proposed Lot B) to allow the existing commercial and residential uses at 437 N. Spruce Street, Montebello, California 90640 (the "Project Site") to be properly designated, and make related findings that the proposed project is consistent with the Montebello General Plan; and
2. Waive first reading and introduce Ordinance No. 2466 approving a GPA and ZC (Case No. PC-2023-0012-GPA-ZC-LLA) for the property located at the Project Site; and
3. Find and determine the GPA and ZC to be statutorily exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines 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 General Plan Amendment and Zone Change; and
4. Take such additional, related, action that may be desirable.

REGULAR BUSINESS

9. FIRST READING AND INTRODUCTION OF ORDINANCE NO. 2467 ADDING THE NEW CITY OF MONTEBELLO LOGO AND ITS VARIATIONS TO MUNICIPAL CODE SECTION 1.16.010 "CITY LOGO AND CITY SEAL ADOPTED AND ADDED"

RECOMMENDATION: It is recommended that the City Council:

1. Conduct a first reading and introduction of Ordinance No. 2467(Attachment "A") to add the new City of Montebello logo and its variations to Municipal Code Section 1.16.010; 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.

10. APPROVE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS (SCBA's) AND NECESSARY ACCESSORIES

RECOMMENDATION: It is recommended that the City Council:

1. Authorize Staff to execute an agreement with L.N. Curtis and Sons, Inc. for a not-to-exceed amount of \$418,500 for the purchase of 25 Self-Contained Breathing Apparatus (SCBA's) Harnesses, 52 SCBA cylinders, 85 SCBA Masks, one (1) SCBA Rapid Intervention Crew (RIC) System and necessary equipment and accessories; and
2. Find that the use of the pre-bid Sourcewell contract #032620-LNC conforms with Montebello Municipal Code Chapter 3.20.050 (F) Cooperative Purchase; and
3. Approve the surplus of the unneeded Self-Contained Breathing Apparatus (SCBA's) and any associated equipment; and
4. Amend the Fiscal Year 2023-24 budget by increasing appropriations by \$418,500 in Account No. 100-85-860-6010.60 (General Fund, Fire, Suppression, Machinery and Equipment - Personal Protective Equipment); and
5. Take such additional, related actions necessary.

11. APPROPRIATE FISCAL YEAR 2023 LAW ENFORCEMENT MENTAL HEALTH AND WELLNESS ACT (LEMHWA) GRANT FUNDING

RECOMMENDATION: It is recommended that the City Council:

1. Approve the use of grant funding awarded to the Police Department by the U.S. Department of Justice (DOJ), Office of Community Oriented Policing Services (COPS), FY 2023 Law Enforcement Mental Health and Wellness Act (LEMHWA) Implementation Projects, Grant Award Number 15JCOPS-23-GG-01727-LEMH, in the amount of \$197,250; and
2. Amend the Fiscal Year 2023-24 budget and increase appropriations by the following amounts in Account Nos. 265-80-833-5010.10- Grants, Police Department, LEMHWA - Mental Health Wellness, Overtime, \$27,250; 265-80-833-6040.10 - Other Contract Services: \$146,000, 265-80-833-6010.40 - Machinery and Equipment Computer Software: \$24,000, and 265-99-4198.23 - Grants, LEMHWA Mental Health Wellness (Revenue) \$197,250; and
3. Take such additional, related action that may be desirable.

12. MONTEBELLO TORNADO EVENT UPDATE REPORT

RECOMMENDATION: It is recommended that the City Council:

1. Receive and File Montebello Tornado Event Update Report; and
2. Take such additional, related action that may be desirable.

13. ADOPT RESOLUTION NO. 23-78 APPROVING VEHICLE MILES TRAVELED (VMT) THRESHOLDS AS REQUIRED BY SENATE BILL 743

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-78 approving a threshold of significance and screening criteria for purposes of analyzing transportation impacts pursuant to the California Environmental Quality Act ("CEQA") using Vehicle Miles Traveled ("VMT") as required by Senate Bill 743 and make related findings that the proposed project is consistent with the Montebello General Plan; and
2. Determine and find that the subject is not a project within the meaning of the CEQA Guidelines Section 15378 and is therefore not subject to CEQA.
3. Take such additional, related action that may be desirable.

14. 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(F) and Public Contracts Code Section 22035; and
2. Determine and find that the repairs, remediation, and purchases are of an emergency nature and are required for use of the first floor of the Police Department Building; and
3. Authorize the Acting City Manager to execute professional service agreements with Office Solutions Business Products & Services LLC (DBA: Blue Space Interiors), Pro Ceramic Tile, Mr. Rooter Plumbing, Western Audio Visual, and Premier Wall Systems for the repair of the first floor of the Montebello Police Department; and
4. Amend the Fiscal Year 2023-24 budget by increasing appropriations by \$500,000 in Account No. 100-80-840-7115 (General Fund, Police, Headquarters Rehab-Repair, Building Improvements); and
5. Take such additional, related action that may be desirable.

15. APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 3798 WITH ALLIED UNIVERSAL TO PROVIDE JAIL SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve Amendment No. 1 to Agreement No. 3798 with Allied Universal for professional services operating the Montebello Police Department's Type 1 Jail Facility which will exercise the first of the provided two (2) year extensions; 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.

16. AMEND THE FISCAL YEAR 2023-24 BUDGET BY INCREASING APPROPRIATIONS IN THE AMOUNT OF \$2,100,000 FOR THE MONTEBELLO DOWNTOWN SEWER INFRASTRUCTURE IMPROVEMENT PROJECT

RECOMMENDATION: It is recommended that the City Council:

1. Amend the Fiscal Year 2023-24 Budget by increasing appropriations in the amount of \$2,100,000 in Account No. 263-30-340-6040.45 (Sewer Infrastructure Improvement, Public Works, Sewer Maintenance, Contract Services-Sewer Maintenance) and Account No. 263-99-4025.10 (Sewer Infrastructure Improvement, SWRCB-Sewer Infrastructure Improvement) to fund the Downtown Sewer Infrastructure Improvement Project; and
2. Take such additional, related action that may be desirable.

17. APPROVE RECEIPT OF SUBWARD FROM THE CALIFORNIA OFFICE OF EMERGENCY SERVICES (CAL-OES) FOR FISCAL YEAR 2023 EMERGENCY OPERATIONS CENTER (EOC) GRANT PROGRAM AND APPROPRIATE GRANT FUNDING

RECOMMENDATION: It is recommended that the City Council:

1. Approve receipt of \$2,211,745 in grant funding awarded to the City by the Federal Emergency Management Agency (FEMA), Fiscal Year 2023 Emergency Operations Center (EOC) Grant Program as a Subaward from the California Office of Emergency Services (Cal-OES); and
2. Amend the Fiscal Year 2023-24 budget by increasing appropriations by \$2,211,745 in Account No. 262-85-863-6040.10 (Cal-OES EOC, Fire, Cal-OES, Other Contract Services [Expenditures]) and Account No. 262-99-4198.15 (Cal-OES EOC, Cal-EOS [Revenue]); and
3. Take such additional, related action that may be desirable.

18. CALL FOR MEETING FOR NOVEMBER 22, 2023

RECOMMENDATION: It is recommended that the City Council:

1. Conduct a Regular City Council Meeting on November 22, 2023, to begin at 6:00 p.m. for closed session and immediately commence the open meeting at the conclusion of closed session and not wait until 7:00 p.m., or to commence the open meeting at 6:00 p.m. if there are no closed session items; and
2. Take such additional, related action that may be desirable.

19. AUTHORIZATION TO ISSUE A REQUEST FOR PROPOSAL (RFP No. 24-9) FOR A SOURCE CAPTURE EXHAUST SYSTEM

RECOMMENDATION: It is recommended that the City Council:

1. Authorize issuance of a Request for Proposals (RFP No. 24-9) for a source capture exhaust system; and
2. Take such additional, related action that may be desirable.

20. APPROVE A REVENUE SHARING AGREEMENT No. 4161 BETWEEN THE CITY OF MONTEBELLO AND THE LOS ANGELES COMMUNITY COLLEGE DISTRICT FOR THE MONTEBELLO FIRE DEPARTMENT EDUCATIONAL AND TRAINING PROGRAMS

RECOMMENDATION: It is recommended that the City Council:

1. Authorize the Acting City Manager to execute a Revenue Sharing Agreement No. 4161 between the City of Montebello and the Los Angeles Community College District (LACCD) for the Montebello Fire Department Educational and Training Programs; and
2. Take such additional, related action that may be desirable.

21. APPROVE REIMBURSEMENT AGREEMENT BETWEEN THE CITY AND QUIET CANNON MANAGEMENT (QCM) TO INCLUDE PAYMENT OF PRIOR INVOICES AND AMEND THE FISCAL YEAR 2023-24 BUDGET

RECOMMENDATION: It is recommended that the City Council:

1. Approve the Reimbursement Agreement between the City of Montebello and Quiet Cannon Management, Inc. (QCM) related to the payment of invoices for "Campus Host Services" at Quiet Cannon for the period of July 2019 through September 2023; and
2. Approve the payment of invoices for landscape services of the surrounding areas at the Quiet Cannon for the period of January 2022 through September 2023; and
3. Amend the Fiscal Year 2023-24 budget by increasing appropriations by \$338,318 in Account No. 610-66-6040.10 (Golf Course, Quiet Cannon Perimeter, Other Contract Services); and
4. Take such additional, related action that may be desirable.

22. APPROVE SOLE-SOURCE PURCHASE OF A FARO TECHNOLOGIES, INC. TRAFFIC LASER SCANNER

RECOMMENDATION: It is recommended that the City Council:

1. Approve a sole-source purchase order with Faro Technologies, Inc, for the total not-to-exceed amount of \$65,000 to procure a laser scanner used for traffic accident 3-D reconstruction; and
2. Take such additional, related action that may be desirable.

23. AUTHORIZATION TO ADVERTISE FOR CONSTRUCTION OF THE SENIOR CENTER RENOVATION PROJECT AT 115 S. TAYLOR AVENUE

RECOMMENDATION: It is recommended that the City Council:

1. Approve the Plans and Estimate for the Construction of the Senior Center Renovation Project at 115 S. Taylor Avenue; and
2. Authorize the City Clerk to publish the Notice Inviting Bids (Attachment A); and
3. Approve the Notice of Exemption (Attachment B) for the subject project and authorize the City Clerk to file the notice of Exemption with Los Angeles Registrar-Recorder; and

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

24. APPROVAL OF COOPERATIVE AGREEMENT NO. 4160 WITH LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS FOR WASHINGTON BOULEVARD TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM (TSSP)

RECOMMENDATION: It is recommended that the City Council:

1. Approve Agreement No. 4160 (Attachment A) with the Los Angeles County Department of Public Works for the Washington Boulevard Traffic Signal Synchronization Program (TSSP); and
2. Authorize the Acting City Manager to execute the Agreement on behalf of the City; and
3. Amend the Fiscal Year 2023-24 budget by allocating unprogrammed funds in fund 215 (Proposition C) by increasing appropriations by \$559,800 (Account No. 215-99-7116, Proposition C, Improvements other than Building); and
4. Take such additional, related action that may be desirable.

25. APPROVAL OF MINUTES: OCTOBER 11, 2023 CITY COUNCIL MEETING

RECOMMENDATION: It is recommended that the City Council:

1. Approve said Minutes as is.

26. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 23-79 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED NOVEMBER 08, 2023

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-79 approving the Warrant Register dated November 08, 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.

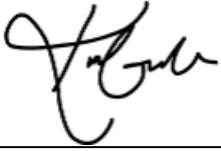
- **Scarlet Peralta, Mayor Pro Tem**
- **Angie M. Jimenez, Councilmember**
- **Salvador Melendez, Councilmember**
- **Georgina Tamayo, Councilmember**
- **David N. Torres, Mayor**

CLOSED SESSION - CONTINUED

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on November 22, 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, November 5, 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**