



CITY OF MONTEBELLO REGULAR MEETING

MINUTES

WEDNESDAY, SEPTEMBER 13, 2023 AT 6:00 PM

**CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY
BOULEVARD
MONTEBELLO, CALIFORNIA**

OPENING CEREMONIES

CALL TO ORDER - 6:00 P.M.

Mayor Torres called the meeting to order at 6:00 p.m.

ROLL CALL

Members present were Mayor Torres, Mayor Pro Tem Peralta, Councilmember Melendez, and Councilmember Tamayo. City Clerk Jimenez and Treasurer Matanga were also present. Councilmember Jimenez was absent.

City Attorney Noel Tapia, Acting City Manager Arlene Salazar, Office Manager Zoraida Caltitla, and all Department Directors were present.

ANNOUNCEMENT OF CLOSED SESSION ITEMS

City Attorney Noel Tapia announced the 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.

There were no Closed Session speaker cards or public comments submitted by the public.

CLOSED SESSION

The City Attorney shall provide a briefing on the item listed for Closed Session as follows:

Mayor Torres recessed the meeting into Closed Session at 6:03 p.m. to consider the following Closed Session items:

- 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

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(2)

Significant exposure to litigation in one matter related to a claim presented by Infrastructure Engineers

3. PUBLIC EMPLOYEE APPOINTMENT

Government Code Section 54957

Position: City Manager

REGULAR SESSION - IMMEDIATELY FOLLOWING CLOSED SESSION

CLOSED SESSION REPORT

Mayor Torres reconvened the meeting at 7:17 p.m.

Four members were present to discuss all Closed Session items. City Attorney Noel Tapia provided the following report to City Council: A briefing was provided on Item No. 1, staff provided a presentation, direction was provided, no action taken; an update was provided on Item No. 2, city staff provided a presentation, Council provided direction and no action taken; for item No. 3, staff provided a presentation, direction was provided and no action was taken.

INVOCATION

Led by City Clerk Jimenez.

PLEDGE OF ALLEGIANCE

Led by City Clerk Matanga.

CORRECTIONS TO THE AGENDA - ACTING CITY MANAGER

Acting City Manager, Arlene Salazar provided one correction to the Agenda for Item No. 16 stating the item should be read as "Award Professional Services Agreement No. 4136 with Jacob Green & Associates (RFP 23-10) to Prepare a Local Hazard Mitigation Plan.

CEREMONIAL ITEMS/PRESENTATIONS

4. CITIZEN OF THE MONTH - SANDRA SAGE

Presented by Mayor Torres.

5. NATIONAL HISPANIC HERITAGE MONTH

Presented by Mayor Torres.

6. NATIONAL PREPAREDNESS MONTH

Presented by Mayor Torres.

7. SUICIDE PREVENTION WEEK

Presented by Mayor Torres.

8. RECOGNITION OF NEWLY HIRED FIRE PARADEMICS

Chief Pelaez introduced the 11 newly hired Fire Paramedics. City Clerk Jimenez administered the Oath of Office to all 10 fire fighter paramedics that were present.

9. CHECK PRESENTATION TO THE MONTEBELLO CHAMBER OF COMMERCE

Presented by Mayor Torres. On behalf of the City of Montebello, Mayor Torres presented a check for \$10,000 to Adriana Dugan and John Pringle of the Chamber of Commerce for the Fiscal Year 23-24 Operating Grant.

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.

The City Clerk's Office acknowledged four (4) members of the public wishing to address the City Council. Speakers were provided three minutes to address the City Council and said speaker cards are on file at the City Clerk's office.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

None.

PUBLIC HEARING

10. 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.

Mayor Torres opened the Public Hearing at 8:12 p.m.

There were no speakers for the Public Hearing.

Mayor Torres closed the Public Hearing at 8:12 p.m.

Councilmember Melendez motioned, seconded by Councilmember Tamayo; motion passed by the vote:

MOVED: Melendez

SECONDED: Tamayo

APPROVED: 4-0-0-1

AYES: Melendez, Tamayo, Peralta, Torres

NOES: None

ABSTAIN: None

ABSENT: Jimenez

REGULAR BUSINESS**11. OBJECTIVE DEVELOPMENT STANDARDS**

RECOMMENDATION: It is recommended that the City Council:

1. Receive and file this report and presentation from AECOM (project consultant) regarding the implementation of the Southern California Association of Governments (SCAG) Objective Development Standards (ODS) project and provide feedback to City staff related to implementing the standards into the Montebello Municipal Code (MMC); and
2. Take such additional, related, action that may be desirable.

Director Palombi introduced the item and a presentation was provided by Planning Consultant, Scott Williamson of AECOM.

Mayor Pro Tem Peralta motioned, seconded by Councilmember Tamayo; the motion was approved by the following vote:

MOVED: Peralta	SECONDED: Tamayo	APPROVED: 4-0-0-1
AYES: Melendez, Tamayo, Peralta, Torres		
NOES: None		
ABSTAIN: None		
ABSENT: Jimenez		

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.

Mayor Torres pulled Item No. 13 and 14.

Mayor Pro Tem Peralta motioned, seconded by Councilmember Tamayo, to approve Item Nos. 12, 16, 17, 18 and 19; the motion passed by the following vote:

MOVED: Peralta	SECONDED: Tamayo	APPROVED: 4-0-0-1
AYES: Melendez, Tamayo, Peralta, Torres		
NOES: None		
ABSTAIN: None		
ABSENT: Jimenez		

12. SECOND READING OF ORDINANCE NO. 2465 APPROVING A ZONE CODE AMENDMENT ("ZCA") MODIFYING THE MONTEBELLO MUNICIPAL CODE ("MMC") TO ESTABLISH AN ART IN PUBLIC PLACES PROGRAM, MODIFICATION TO MMC SECTION 17.62.050 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. Hold second reading to Approve the Zone Code Amendment (ZCA) No. PC-2021-0005-ZCA to establish an Art in Public Places Program; and
2. Waive second reading and adopt 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. Find and determine the ZCA and Art in Public Places Program 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; and
4. Take such additional, related, action that may be desirable.

13. APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 4129 WITH SCS ENGINEERS FOR ENVIRONMENTAL ENGINEERING SERVICES FOR TECHNICAL REVIEW AND ANALYSIS OF THE BROWNFIELD OVERLAY DISTRICT/CHAPIN ROAD LANDFILL AREA

RECOMMENDATION: It is recommended that the City Council:

1. Approve Professional Services Agreement No. 4129 with SCS Engineers for Environmental Engineering Services for Technical Review and Analysis of the Brownfield Overlay District/Chapin Road Landfill Area;
2. Authorize the Acting City Manager to execute Professional Services Agreement No. 4129 with SCS Engineers for an amount not-to-exceed \$125,000; and
3. Amend the Fiscal Year 2023-24 budget by increasing appropriations by \$125,000 in Account No.100-50-500-6040.80 (General Fund, Community Development, Administration, Engineering Services); and
4. Take such additional, related, actions that may be desirable.

Mayor Torres motioned, seconded by Councilmember Melendez; the motion passed by the following vote:

MOVED: Torres	SECONDED: Melendez	APPROVED: 4-0-0-1
AYES: Melendez, Tamayo, Peralta, Torres		
NOES: None		
ABSTAIN: None		
ABSENT: Jimenez		

14. APPROVE AGREEMENT NO. 4126 WITH WAXIE ENTERPRISES, INC. FOR CITYWIDE JANITORIAL SUPPLIES

RECOMMENDATION: It is recommended that the City Council:

1. Award a Professional Service Agreement to Waxie's Enterprises, Inc., dba WAXIE Sanitary Supply in an amount not-to-exceed \$300,000 over three (3) years with the option to extend up to two (2) additional years; and
2. Authorize the Acting City Manager to execute the Professional Service Agreement, on behalf of the City; and
3. Take such additional, related action that may be desirable.

Mayor Torres pulled this item for discussion and inquired about the contract term dates to ensure the contract was still valid and regarding the term limits and options to extend the agreement.

Acting City Manager, Arlene Salazar provided clarification.

Mayor Torres motioned, seconded by Councilmember Peralta; the motion was approved by the following vote:

MOVED: Torres	SECONDED: Peralta	APPROVED: 4-0-0-1
AYES: Melendez, Tamayo, Peralta, Torres		
NOES: None		
ABSTAIN: None		
ABSENT: Jimenez		

15. AMEND THE FISCAL YEAR 2023-24 TABLE OF ORGANIZATION/MASTER POSITION CONTROL TO ADD EIGHTEEN (18.0) "FIREFIGHTER/PARAMEDIC" FULL-TIME EQUIVALENT POSITIONS

RECOMMENDATION: It is recommended that the City Council:

1. Amend the Fiscal Year 2023-24 Table of Organization/Master Position Control to add eighteen (18) "Firefighter/Paramedic" Full-Time Equivalent Positions; and
2. Take such additional, related action that may be desirable.

Mayor Torres pulled this item for discussion.

The Mayor inquired about projected costs for the added staffing plan since overtime and burden rates were not included in the projections provided.

Director of Finance Michael Solorza and Fire Chief Pelaez provided clarification and a presentation.

It was motioned by Mayor Pro Tem Peralta, seconded by Councilmember Melendez that the item be approved as recommended by Staff; the motion was approved by the following vote:

MOVED: Peralta	SECONDED: Melendez	APPROVED: 4-0-0-1
AYES: Melendez, Tamayo, Peralta, Torres		
NOES: None		
ABSTAIN: None		
ABSENT: Jimenez		

16. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 4163 WITH JACOB GREEN & ASSOCIATES (RFP 23-10) TO PREPARE A LOCAL HAZARD MITIGATION PLAN

RECOMMENDATION: It is recommended that the City Council:

1. Approve Professional Services Agreement No. 4163 with Jacob Green & Associates to prepare a Local Hazard Mitigation Plan (LHMP); and
2. Authorize the Acting City Manager to execute an Agreement on behalf of the City; and
3. Amend the Fiscal Year 2023-24 budget by increasing appropriations by \$85,000 in Account No. 100-85-850-6040.95 (General Fund, Fire, Fire Administration, Other Professional Services); and
4. Take such additional, related, action that may be desirable.

17. APPROVE ISSUING REQUEST FOR PROPOSALS (RFP) 24 – 5 FOR PUBLIC SAFETY VIDEO CAMERA SYSTEM UPGRADES

RECOMMENDATION: It is recommended that the City Council:

1. Authorize issuing a Request for Proposals No. 24-5 (RFP) for Public Safety Video Camera Systems Upgrades; and
2. Take such additional, related action that may be desirable.

18. ADOPT RESOLUTION NO. 23-64 AUTHORIZING THE DIRECTOR OF FINANCE TO SUBMIT A CLAIM FOR FUNDING PROVIDED BY THE TRANSPORTATION DEVELOPMENT ACT THROUGH THE LOCAL TRANSPORTATION FUND AND THE STATE TRANSIT ASSISTANCE FUND FOR FISCAL YEAR 2023-2024

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-64 authorizing the Director of Finance to submit a claim for funding provided by the Transportation Development Act (TDA) through the Local Transportation Fund and the State Transit Assistance Fund for Fiscal Year 2023-24; and
2. Take such additional, related action that may be desirable.

19. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 23-67 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED SEPTEMBER 13, 2023

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 23-67 approving the Warrant Register dated September 13, 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).

Councilmember Melendez provided an update from the Contract Cities conference that was attended.

COUNCIL/AGENCY ORALS

Announcements and requests for future agenda items.

- **Salvador Melendez, Councilmember**
- **Georgina Tamayo, Councilmember**
- **Scarlet Peralta, Mayor Pro Tem**
- **Angie M. Jimenez, Councilmember**
- **David N. Torres, Mayor**
 1. Request for council consensus directing staff to establish a communications policy on the use of artificial intelligence platforms like ChatGPT for communications.
 2. Request for council consensus to declare October 1 National Latino/Latina Physician Day.
 3. Request for council consensus directing staff to research and suggest alternatives to glyphosate for the maintenance of city properties.
 4. Request for council consensus directing staff to study and create a plan to update business license fees.

5. Statements on Beverly Hospital acquisition by Adventist Health/White Memorial.

Mayor Torres requested staff to establish a communications policy on the use of AI platforms like ChatGPT. Consensus was received.

Mayor Torres requested consensus to declare October 1, 2023 National Latino/Latina Physicians Day; Roll Call; Melendez, Tamayo, Peralta and Torres - Item passed unanimously.

Mayor Torres requested consensus for staff to find out best practices instead of using glyphosate on city properties. Consensus was received. Roll Call - Melendez, Tamayo, Peralta and Torres - Item passed unanimously.

Mayor Torres requested consensus to direct staff to do an updated fee study to create a plan for businesses to pay for the updated fee study. Roll Call - Melendez, Tamayo, Peralta and Torres. Item passes unanimously.

The mayor acknowledges and thanks all of the staff's efforts over the last few weeks towards Beverly Hospital. Encourages all colleagues to reach out to Hilda Solis' Office, Senator Archuleta and Assemblymember Santiago to explain the amount of support our City and community needs.

CLOSED SESSION - CONTINUED**ADJOURNMENT**

The City of Montebello will adjourn to the next **Regular Meeting on September 27, 2023, at 6:00 p.m.** which can be live streamed at <https://www.montebelloca.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, September 10, 2023, no later than 6:00 p.m.**



Kimberly Guillen, Acting Senior Deputy City Clerk

Councilmember Melendez motioned, seconded by Mayor Pro Tem Peralta to adjourn the meeting at 9:26 p.m.

THE MINUTES OF SEPTEMBER 13, 2023, ARE HEREBY APPROVED AND ADOPTED ON THIS 11TH DAY OF OCTOBER 2023.

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**

PLEASE NOTE: A SEPARATE CARD MUST BE SUBMITTED FOR EACH ITEM

CITY OF MONTEBELLO

Request No. 1



SPEAKER CARD

Please Note:

Public Comment/Speaker Card must be submitted to the City Clerk's Office prior to **the statement of oral communications being read and/or 6:00 p.m., whichever is later.**

TYPE OF COMMENT:

Closed Session ☐

Non-Agenda Item ☒

AGENDA ITEM NO. _____

Opposed ☐

In Support ☐

Neutral ☐

TOPIC: _____

MEETING DATE:

9/13/23

TIME RECEIVED:

5:51 pm

SPEAKER'S FULL NAME:

Fiona Reimers

PHONE: _____

(Optional)

ADDRESS: _____

ORGANIZATION REPRESENTED: _____

(Optional)

Chet Holifield Library

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

PLEASE NOTE: A SEPARATE CARD MUST BE SUBMITTED FOR EACH ITEM

CITY OF MONTEBELLO

Request No. 2



SPEAKER CARD

Please Note:

Public Comment/Speaker Card must be submitted to the City Clerk's Office prior to **the statement of oral communications being read and/or 6:00 p.m., whichever is later.**

TYPE OF COMMENT:

Closed Session ☐

Non-Agenda Item ☒

AGENDA ITEM NO. _____

Opposed ☐

In Support ☐

Neutral ☐

TOPIC: Drug on 4th St.

MEETING DATE: 9/13/23

TIME RECEIVED: 5:55

SPEAKER'S FULL NAME: LEVAN PROTERO

PHONE: 323 621 3522

(Optional)

ADDRESS: 845 SO 4TH ST.

(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

PLEASE NOTE: A SEPARATE CARD MUST BE SUBMITTED FOR EACH ITEM

CITY OF MONTEBELLO

Request No. 3



SPEAKER CARD

Please Note:

Public Comment/Speaker Card must be submitted to the City Clerk's Office prior to **the statement of oral communications being read and/or 6:00 p.m., whichever is later.**

TYPE OF COMMENT: Closed Session ☐ Non-Agenda Item ☒ AGENDA ITEM NO. _____

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: _____

MEETING DATE: 9/13 **TIME RECEIVED:** 6:41

SPEAKER'S FULL NAME: Lynda Hillas **PHONE:** _____
(Optional)

ADDRESS: _____

ORGANIZATION REPRESENTED: MATCH 90640
(Optional)

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

PLEASE NOTE: A SEPARATE CARD MUST BE SUBMITTED FOR EACH ITEM

CITY OF MONTEBELLO

Request No. 4



SPEAKER CARD

Please Note:

Public Comment/Speaker Card must be submitted to the City Clerk's Office prior to the statement of oral communications being read and/or 6:00 p.m., whichever is later.

TYPE OF COMMENT: Closed Session ☐ Non-Agenda Item ☒ AGENDA ITEM NO. _____

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: _____

MEETING DATE: 9/13/23 **TIME RECEIVED:** 1e 56pm

SPEAKER'S FULL NAME: Denise Ramirez **PHONE:** _____
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

PLEASE NOTE: A SEPARATE CARD MUST BE SUBMITTED FOR EACH ITEM

CITY OF MONTEBELLO

Request No. 1



SPEAKER CARD

Please Note:

Public Comment/Speaker Card must be submitted to the City Clerk's Office prior to **the statement of oral communications being read and/or 6:00 p.m., whichever is later.**

TYPE OF COMMENT: Closed Session ☐ Non-Agenda Item ☐ **AGENDA ITEM NO.** _____

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** Mayor Council Oral #2

MEETING DATE: _____ **TIME RECEIVED:** _____

SPEAKER'S FULL NAME: Mariela Garcia, MD **PHONE:** 3

(Optional)

ADDRESS: _____

ORGANIZATION REPRESENTED: National Latinola Physician Day

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ **Language:** _____

RECEIVED BY STAFF: C.J. Mariela Garcia, MD

September 13, 2023

Good evening, my name is Linda Nicklas address on file.

I was saddened to hear of the loss of our former Public Works Director James Enriguez. I applaud his courage and moral compass, in stating to you Torres he would not sign or approve any work performed by Infrastructure Engineering. It's my understanding the amount paid by the City of Montebello in the amount of \$429,000.00 has increased to over a million dollars due to Cal Trans for Grant monies paid to IE and found to be fraud for double billing and work reported completed. Which Cal Trans auditors found had not been started, thus resulting in fraud and demand of repayments of Grant money.

It also resulted in Infrastructure Engineering ban from any Cal Trans Projects or grant money to our city if IE is involved.

I was appalled that you three voted to use our taxpayer's money, to repay Grant owed by IE. But we all know why, you Torres and Peralta both received \$20,000.00 each as donations reported in your 460's, that's only what was reported not what's been given in cash.

Also, in closed session I see you plan to hire a City Manager, it's my understanding he will be a man from Huntington Park with No qualifications other than he's friends with campaign manager that ran you three.

Too bad you didn't listen to Mr. Cevera when he said look into hiring corporate leadership, so they'd run the city like a business. I agree to stop the revolving CM moving from city to city.

I just return from a wonderful First-class Alaskan Cruise, gifted to me by my wonderful daughter.

I saw the Northern lights from my balcony suite, and I reflected on what a great experience and expensive.

Then I was told you Torres had taken a 3-week trip to Moraco, Africa, and Egypt, all without a job for 3 and a half years.

Wow anyone that doesn't believe bribery doesn't pay off just look at Torres's 3-week vacation and Peralta's mortgage being paid for her, soon that information will be released who her sugar daddy is.

Well too bad it's the same trash happening in our city, nothing will change until you three stooges get indicted, and trust me it's will happen.