

AMENDED AGENDA



CITY OF MONTEBELLO CITY COUNCIL REGULAR MEETING AGENDA

WEDNESDAY, MARCH 23, 2022 AT 5:00 P.M.

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

CITY COUNCIL

Kimberly A. Cobos-Cawthorne, Mayor
Angie M. Jimenez, Mayor Pro Tem
David N. Torres, Councilmember
Scarlet Peralta, Councilmember
Salvador Melendez, Councilmember

CITY MANAGER

René Bobadilla, City Manager

CITY TREASURER

Rafael Gutierrez

CITY ATTORNEY

Arnold M. Alvarez-Glasman

CITY CLERK

Christopher Jimenez

DEPARTMENT HEADS

Assistant City Manager
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

Arlene Salazar
Fernando Pelaez
Brad Keller
Michael Solorza
Nicholas Razo
Joseph Palombi
James Enriquez
David Sosnowski
Lupita Ibarra

NOTICES

COVID-19 NOTICE: Pursuant to Assembly Bill 361 and the ongoing State of Emergency in regard to COVID-19, Council Members may attend City Council meetings via teleconferencing and make public meetings accessible telephonically or electronically to all members of the public seeking to observe and address the City Council. The City Council and Staff will meet in person at the Council Chambers but **due to COVID-19 and to ensure the health and safety of the public, the Council Chambers will be available for limited attendance during the public comment period or public testimony period for public hearings of the City Council meetings and all real time public participation, pursuant to Assembly Bill 361, will take place in person by attending the City Council meeting at City Hall – City Council Chambers, 1600 West Beverly Boulevard, Montebello, California and will continue to occur telephonically and/or in writing until further notice.** Consistent with the Executive Order, the City Council meeting will continue to be live streamed and can be watched on the City's website at: <https://www.cityofmontebello.com/government/live-streaming.html>, 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) 887-1363 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 48 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**

STATEMENT OF PUBLIC COMMENTS AND PARTICIPATION: Members of the public may address the City Council on Closed Session items during the "Public Comments for Closed Session Items" period. The public may also address the City Council on any items listed on the Agenda and on items *not* listed on the Agenda (Non-Agenda Items) during the "Public Comments" period. State Law prohibits the City Council from taking action or entertaining extended discussion on a topic not listed on the agenda. For those interested in making public comments, you may address the City Council in person or call in to the City Clerk's office as listed below until the day of the meeting **prior to the start of each Public Comments period, Wednesday, March 23, 2022.** In order to conduct a timely meeting, the maximum time allotted for members of the public to speak on any or all agenda items and on any Non-Agenda Item(s) shall not exceed three (3) minutes per person; the period for all "Public Comments" may be limited to 30-minutes. **In person speakers will be addressed first, telephonic speaker cards will follow thereafter. In person speakers will be required to fill out a speaker card provided at the door and turn it into the Deputy City Clerk prior to each Public Comment announcement period. Staff will number and call each speaker card in the order received. The public can also submit speaker card requests telephonically by calling at (323) 887-1216, Staff will complete the speaker cards and speakers will be called in the order received.** Both in person speakers and speaker cards will be addressed during the "Public Comments" periods only. **City Council meeting – Closed Session begins at 5:00 p.m. and Regular Session begins no later than 6:00 p.m.** The exact call back time is not predictable due to the nature of the City Council agenda. As a result, you must be available until the end of the public comments period(s). The City has also created an email address, ccpubliccomment@cityofmontebello.com, where the public can submit written comments up until the day of the meeting, **Wednesday, March 23, 2022 between 7:30 a.m. – 3:00 p.m.** These comments will be submitted to all members of the City Council and may not be read aloud but will be entered into the record of the proceedings to the extent they relate to matters listed on the posted agenda or otherwise address matters/issues within the subject matter jurisdiction of the City Council. Any requests to provide public comment which is submitted after the deadlines indicated above will not be submitted to the City Council until the after the meeting, with the exception of non-agenda written item comments which will be held over for the next regularly scheduled meeting.

AGENDA MATERIALS: The agenda/agenda packet are available for public inspection at City's website at: <https://www.cityofmontebello.com/council-agendas.html>. The agenda cover sheets may also be emailed upon request.

**IN CONSIDERATION OF OTHERS, PLEASE TURN OFF, OR MUTE, ALL CELL PHONES AND PAGERS
THANK YOU FOR YOUR COOPERATION**

OPENING CEREMONIES

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS

Pursuant to AB 361 and the guidelines specifically stated in this agenda above, at this time, the general public may address the City Council on Closed Session Items. 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.

CLOSED SESSION – 5:00 P.M.

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

1. THREAT TO PUBLIC SERVICES OR FACILITIES

Government Code Section 54957

Consultation with City Manager, Police Chief, City Attorney and other related City officials.

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(2)

One matter related to SB 1383 compliance

3. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Government Code Section 54956.8

Property: 701 West Whittier Boulevard, Montebello

Agency Negotiator: René Bobadilla, City Manager

Under Negotiation: Price and Terms

4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9 (d)(1)

Francesca Tucker-Schuyler v. City of Montebello

Los Angeles Superior Court Case No. 20STCV22180

REGULAR SESSION – NO LATER THAN 6:00 P.M.

CLOSED SESSION REPORT

INVOCATION

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA – CITY MANAGER

CEREMONIAL/PRESENTATIONS

5. RECOGNITION OF CHIEF BRAD KELLER’S 31 YEARS OF SERVICE

PUBLIC COMMENTS ON NON-AGENDA AND AGENDA ITEMS (30 MINUTES)

Pursuant to AB 361 and the guidelines specifically stated in this agenda above, at this time, the general public may address the City Council on both non-agenda *and* agenda items. 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.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

REGULAR BUSINESS - NONE

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine. Any items a Councilmember wishes to discuss 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.

6. AB 361 FINDINGS

RECOMMENDATION: It is recommended that the City Council:

- 1) Receive and file this report and make the following findings: (a) The City Council has reconsidered the circumstances of the state of emergency; and (b) the following circumstances exist, (i) the state of emergency continues to directly impact the ability of the members to meet safely in person and (ii) the City Council continues to provide measures such as remote or hybrid meeting participation to promote social distancing; and
- 2) Take such additional, related, action that may be desirable.

7. **ADOPT RESOLUTION NO. 22-13 TO AUTHORIZE SUBMITTING AN APPLICATION TO THE METRO BUS OPERATIONS SUBCOMMITTEE FOR FISCAL YEAR 2022 FEDERAL TRANSIT ADMINISTRATION SECTION 5307 – 15% DISCRETIONARY CAPITAL FUNDS**

RECOMMENDATION: It is recommended that the City Council:

- 1) Adopt Resolution No. 22-13 to authorize submitting an application to the Metro Bus Operations Subcommittee (BOS) for Fiscal Year (FY) 2022 Federal Transit Administration (FTA) Section 5307 – 15% Discretionary Capital Funds; and
- 2) Take such additional, related, action that may be desirable.

8. **ADOPT RESOLUTION NO. 22-14 AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS NECESSARY TO OBTAIN FUNDS PROVIDED BY SENATE BILL 1 (SB1)**

RECOMMENDATION: It is recommended that the City Council:

- 1) Adopt Resolution No. 22-14 authorizing the City Manager to execute documents necessary to obtain funds provided by Senate Bill 1 (SB1); and
- 2) Take such additional, related, action that may be desirable.

9. **ADOPT RESOLUTION NO. 22-15 TO PARTIALLY RESCIND RESOLUTION NO. 22-01, AND REAUTHORIZE AMENDING FEDERAL GRANT NO. CA-2021-169-00 FOR FEDERAL TRANSIT ADMINISTRATION FUNDING UNDER THE CORONAVIRUS RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSAA) FUNDS**

RECOMMENDATION: It is recommended that the City Council:

- 1) Adopt Resolution No. 22-15 to partially rescind Resolution No. 22-01, and reauthorize amending Federal Grant No. CA-2021-169-00 for Federal Transit Administration (FTA) funding under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA), to increase the grant amount for operating assistance from \$1,000,000 to \$9,292,827; and
- 2) Take such additional, related, action that may be desirable.

10. **APPROVE AN INCREASE TO THE PURCHASE ORDER FOR SOMMERS CONSTRUCTION SERVICES FOR EXTERIOR AND INTERIOR PAINTING OF CITY FACILITIES**

RECOMMENDATION: It is recommended that the City Council:

- 1) Approve an increase in the amount of \$155,000 to the purchase order for Sommers Construction Services for exterior and interior painting of city facilities; and
- 2) Take such additional, related, actions that may be desirable.

11. BEACH STREET STORM DRAIN EMERGENCY REPAIR – FINAL REPORT AND NOTICE OF COMPLETION

RECOMMENDATION: It is recommended that the City Council:

- 1) Receive and file the City Manager's final report of the emergency repair of the Beach Street Storm Drain pursuant to Montebello Municipal Code Section 3.20.140 and Public Contract Code Section 222035; and
- 2) Accept the Beach Street Storm Drain Emergency Repair Project as completed by Mike Bubalo Construction Co., Inc. and approve the final contract amount with Mike Bubalo Construction Co., Inc. in the amount of \$418,390; and
- 3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by \$8,390 in Account No. 100-30-315-6040.45 (General Fund, Public Works, Stormwater, Contract Services – Storm Drain Maintenance)
- 4) Authorize the City Clerk to execute, verify and file the Notice of Completion (Attachment A) with the Los Angeles County Registrar-Recorder; and
- 5) Authorize the City Manager to release the retention payment due to Mike Bubalo Construction Co., Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
- 6) Take such additional, related, action that may be desirable.

12. AUTHORIZATION TO RETAIN LAW FIRM STRADLING YOCCA CARLSON & RAUTH (STRADLING) FOR SERVICES RELATED TO SUB-LEASE/LEASE NEGOTIATIONS FOR THE GOLF COURSE AND TOP GOLF PROJECTS

RECOMMENDATION: It is recommended that the City Council:

- 1) Authorize the City Manager to enter into a retention agreement with law firm Stradling Yocca Carlson & Rauth (Stradling) to provide special counsel in connection with the negotiation of a sublease agreement between the City and TopGolf USA MB, LLC and as bond and disclosure counsel with respect to the proposed financing of the TopGolf project and the proposed financing of modifications to the City's golf course.
- 2) Take such additional, related, action that may be desirable.

13. APPROVAL OF CITY COUNCIL MINUTES – FEBRUARY 23, 2022.

RECOMMENDATION: Approve said minutes as written.

14. PAYMENT OF BILLS: RESOLUTION NO. 22-16 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED MARCH 23, 2022

RECOMMENDATION: Adopt Resolution No. 22-16 approving the Warrant Register dated March 23, 2021.

15. ADOPT RESOLUTION NO. 22-17 ESTABLISHING A POLICY TO ENSURE ALL CITY COUNCILMEMBERS ARE INFORMED OF AND INVITED TO ALL CITY EVENTS, CITY PHOTO OPPORTUNITIES AND RELATED CITY ACTIVITIES

RECOMMENDATION: It is recommended that the City Council:

- 1) Adopt Resolution (Attachment A) Establishing a Policy to Ensure All City Councilmembers are Informed of and Invited to All City of Montebello ("City") Events, City Photo Opportunities and Related City Activities; and
- 2) Take such additional, related, action that may be desirable.

AB 1234 TRAVEL REPORTS

Members of the City Council 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 ORALS

Council member announcements; requests for future agenda items; conference/meetings reports.

• **Councilmember Torres**

- a. Agendizing Art in Public Places ordinance.
- b. Inconsistent and preferential application of council procedures.
- c. Request for consensus to establish policy on positions in support of or against social and political platforms by the City of Montebello.
- d. Request for consensus to calendar special strategic planning meeting.
- e. Missing financial reports on monthly disbursements and receipts as required per Montebello Mun. Code § 2.16.020.E.

• **Councilmember Peralta**

- a. Farmer's Market Ad Hoc Meeting Report
- b. Recognizing the nominees for Favorite Women-Owned Businesses in Montebello in honor of Women's History Month:
 1. Denise Manookian Haopian - Heavenly Choice
 2. Pilar - Café Santo
 3. Soraya Acevedo - Acevedo Dental Group
 4. Adela - Aster Fabrics
 5. Evelyn Santos - Gentefy | BLVD MRKT | Alchemy Craft
 6. Lily - Whitter Rose Nails
 7. Angelica Anguiano - Blissful Beauty Salon
 8. Franchesca - The Design Studio
 9. Alex Soto - The Upstairs
 10. Bella Karla - The Golden Skewer
 11. Adriana - Chamber of Commerce
 12. Ashley - Antojitos de Ashley

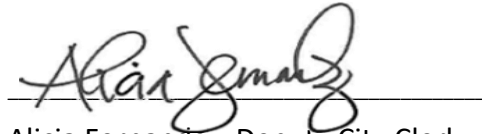
13. Pauline - April's Cakes
14. Darlene Sanchez - Rejuvenating Skin
15. Lola Fonseca - 1 Stop Beauty Bar
16. Alexis – MuttNaked

- **Councilmember Melendez**
- **Mayor Pro Tem Jimenez**
- **Mayor Cobos-Cawthorne**

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on April 13, 2022 at 5:00 p.m.** which can be live streamed at www.cityofmontebello.com (Click on Live Stream).

I, Alicia Fernandez, Deputy City Clerk for the City of Montebello hereby certify that a copy of this agenda has been posted on or before **Sunday, March 20, 2022 5:00 p.m.**

A handwritten signature in black ink, appearing to read 'Alicia Fernandez', is written over a horizontal line.

Alicia Fernandez, Deputy City Clerk



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: Arnold M. Alvarez-Glasman, City Attorney

SUBJECT: **AB 361 Findings**

DATE: March 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

- 1) Receive and file this report and make the following findings: (a) The City Council has reconsidered the circumstances of the state of emergency; and (b) the following circumstances exist, (i) the state of emergency continues to directly impact the ability of the members to meet safely in person and (ii) the City Council continues to provide measures such as remote or hybrid meeting participation to promote social distancing; and
- 2) Take such additional, related, action that may be desirable.

FISCAL IMPACT

None.

DISCUSSION

Recently the Governor signed into law AB 361 which established additional requirements upon local governmental agencies concerning public participation during the COVID -19 pandemic and State of Emergency period. In order to comply with AB 361, on October 13, 2021 the City Council adopted Resolution No. 21-85 as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO
AUTHORIZING THE CITY TO IMPLEMENT TELECONFERENCED OPEN
MEETINGS PURSUANT TO ASSEMBLY BILL 361

AB 361 Findings

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One of the requirements of AB 361 as found in Government Code Section 54953(e)(3) is if a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without posting or other Brown Act compliance requirements the legislative body/City Council shall every 30 days after adopting the initial Resolution, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

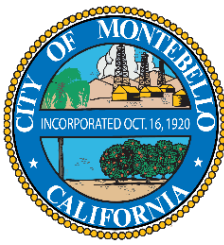
(B) Any of the following circumstances exist (i) The state of emergency continues to directly impact the ability of the members to meet safely in person or (ii) State or local officials continue to impose or recommend measures to promote social distancing.

SUMMARY

The action for consideration is to receive and file this report and confirm the following findings required by AB 361 and Government Code Section 54953: (a) The City Council has reconsidered the circumstances of the state of emergency; and (b) Both of the following circumstances exist, (i) the state of emergency continues to directly impact the ability of the members to meet safely in person and (ii) the City Council continues to provide measures such as remote or hybrid meeting participation to promote social distancing.

ATTACHMENTS:

None.



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: Lupita Ibarra, Director of Transportation

SUBJECT: **Adopt Resolution No. 22-13 to authorize submitting an application to the Metro Bus Operations Subcommittee for Fiscal Year 2022 Federal Transit Administration Section 5307 – 15% Discretionary Capital Funds**

DATE: March 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

- 1) Adopt Resolution No. 22-13 to authorize submitting an application to the Metro Bus Operations Subcommittee (BOS) for Fiscal Year (FY) 2022 Federal Transit Administration (FTA) Section 5307 – 15% Discretionary Capital Funds; and
- 2) Take such additional, related, action that may be desirable.

FISCAL IMPACT

The City of Montebello (City) will submit a request for \$5,514,375 (the total amount includes a required twenty percent [20%] non-Federal match amount) in FY 2022 FTA Section 5307 – 15% Discretionary Capital Funds to assist with the purchase of five (5) fuel cell electric buses (FCEBs). All future procurement processes required for acquiring the FCEBs will be included in the City's annual budget development process for each identified fiscal year, and will be presented to the City Council for review and approval as necessary at each stage of the proposed procurement processes.

BACKGROUND

The BOS is comprised of seventeen (17) voting members (see Attachment "A") and operates under the authority of the Los Angeles County Metropolitan Transportation Authority (Metro). The City, by and through Montebello Bus Lines (MBL), is an active member of the BOS that meets to provide regional public transportation operators with

Adopt Resolution No. 22-13 to authorize submitting an application to the Metro Bus Operations Subcommittee for Fiscal Year 2022 Federal Transit Administration Section 5307 – 15% Discretionary Capital Funds

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technical assistance and the opportunity to discuss various transportation related policies, financing programs, and operating issues within Los Angeles County. On March 1, 2022, the BOS posted a notice announcing the opportunity for BOS voting members to apply for FY 2022 FTA Section 5307 – 15% Capital Discretionary Funds (see Attachment “B”). This grant opportunity provides for funds to be awarded competitively for the financing of capital projects such as bus purchases, mechanical rehabilitation of existing buses to extend the life of the bus, and the structural rehabilitation of transit centers.

On October 27, 2021, the City Council adopted Resolution No. 21-80 approving MBL’s Zero Emission Bus (ZEB) Rollout Plan to serve as a blueprint for how MBL plans to achieve a full transition to zero-emissions technologies by 2040. Furthermore, the ZEB Rollout Plan provides information on strategies necessary to address MBL’s current bus fleet composition, future bus purchases, facilities and infrastructure modifications, and potential funding sources. In accordance with the ZEB Rollout Plan, MBL identified the FTA Section 5307 grant as an additional funding opportunity to assist with the purchase of five (5) FCEBs.

The City is eligible to apply for the FY 2022 FTA Section 5307 – 15% Discretionary Capital Funds in accordance with the BOS established guidelines for capital projects eligible for the discretionary capital funding (see Attachment “B”). If awarded, the grant will assist MBL align with the City’s commitment to invest in the innovative, cutting-edge technology required to further reduce its carbon footprint and support the sustainable electrification of transportation.

Lastly, in November 2021, the City applied for the FY 2021 FTA Grants for Buses and Bus Facilities for two (2) buses under this identified project. Should the City be successful in acquiring funding under the FY 2021 FTA Grants for Bus and Bus Facilities, the agency will return any funds awarded under the FY 2022 FTA Section 5307 – 15% Discretionary Capital Funds that are in excess of the project.

SUMMARY

Staff recommends that the City Council adopt Resolution No. 22-13 (see Attachment “C”) to authorize submitting an application to the Metro BOS for FY 2022 FTA Section 5307 – 15% Discretionary Capital Funds; and take such additional, related, action that may be desirable.

ATTACHMENTS:

- A. Attachment A – BOS Member Agencies
- B. Attachment B – FY2022 FTA Section 5307 – 15% Discretionary Capital Funds
- C. Attachment C – Resolution No. 22-13

BOS Member List 2005

Agency	Street Address	Mailing Address	City	State	Zip Code
Antelope Valley Transit Authority	42210 6 th Street West		Lancaster	CA	93534
Arcadia Transit	240 W. Huntington Dr. Arcadia, CA 91066	PO Box 60021	Arcadia	CA	91066-6021
Beach Cities Transit	415 Diamond St.		Redondo Beach	CA	90277-2836
Claremont Dial-A-Ride	215 Cornell Ave.		Claremont	CA	91711
Commerce Municipal Bus Lines	5555 Jillson St.		Commerce	CA	90040
Culver CityBus	4343 Duquesne Ave.		Culver City	CA	90232-2941
Foothill Transit	100 N. Barranca Ave. Suite 100		West Covina	CA	91791-1600
Gardena Municipal Bus Lines	15350 S. Van Ness Ave.		Gardena	CA	90249-4100
La Mirada Transit	13700 La Mirada Bl.		La Mirada	CA	90638
LADOT	221 N. Figueroa St. Suite 400		Los Angeles	CA	90012
Long Beach Transit	1963 E. Anaheim St., Long Beach, CA 90813	PO Box 731	Long Beach	CA	90801-0731
Montebello Bus Lines	400 S. Taylor Ave.		Montebello	CA	90640-5057
Los Angeles Metro	One Gateway Plaza		Los Angeles	CA	90012-2952
Norwalk Transit	12650 E. Imperial Hwy.		Norwalk	CA	90650
Santa Clarita Transit	25663 Avenue Stanford		Santa Clarita	CA	91355
Santa Monica’s Big Blue Bus	612 Colorado Ave.		Santa Monica	CA	90401
Torrance Transit	20500 Madrona Ave.		Torrance	CA	90503-3690

Bus Operations Subcommittee

Date: March 1, 2022
 To: BOS Members
 From: Vanessa Gomez, BOS Secretary
 RE: **FY2022 Appropriations of FTA Section 5307 – 15% Discretionary Capital and 1% Associated Transit Improvement (ATI) Funds**

BOS Working Group reviewed and considered potential modification of the priorities, application process, forms and scoring sheets associated with the FY 2022 FTA Section 5307 – 15% Discretionary Capital and 1% Associated Transit Improvement (ATI) Funds project process. The Working Group did not recommend changes to the 2023 guidelines. The draft guidelines were discussed during the BOS meeting of February 15, 2022. BOS discussed bus price survey cost methodology during the FY 2022 review process, and confirmed the bus price value is total bus cost: base pricing, options, ADA expenses and taxes.

During the 2021 application process, BOS approved annual funding to the Southern California Regional Transit Training Consortium (SCR TTC) for a three-year annual allocation of \$330,000 for FY2021, FY2022 and FY2023. This funding allows for BOS members to benefit from the Maintenance Training program at no cost to the transit agency. Long Beach Transit submits the application as the lead agency and allocates the funds directly to SCR TTC. The SCR TTC allocation is awarded first from the annual 15% funding.

BOS members will vote to approve the application packet at the February BOS Meeting. The packet includes: principles, priorities, application procedures and updated bus pricing survey (Attachment A); and project description and justification templates (Attachment B) and the required Transit Agency Certification Sheet. As has been done in the past, the project proposals will be evaluated based on approved principles, priorities and eligibilities. No amendments are proposed to Principles, Priorities, Application Procedures and Application Templates.

The schedule for the application and award process is as follows:

February 15, 2022	Principles and Application packet approved at BOS
March 1, 2022	Final Principles and Application Packet emailed to BOS members
<u>Wednesday</u> <u>March 30, 2022 – 5:00 PM</u>	<u>PROJECT PROPOSALS DUE via email to vgomez@avta.com</u> <u>LATE submissions will be DISQUALIFIED</u>
April 4, 2022	Agencies' Proposals and Scoring Sheets emailed to BOS members for evaluation
April 19, 2022 BOS Meeting	Agency presentation and final scoring; award amount recommendation

Please submit your project proposal(s) in accordance with Application Procedures outlined in the application packet. If you have any questions and/or require additional information, please contact me at 661-729-2295 or vgomez@avta.com. Thank you all for your participation and contributions to this process.

FTA Section 5307
15% Discretionary Capital and 1% Associated Transit Improvement (ATI) Funds

The following principles shall be applied to project applications for both funding sources:

Principles:

1. Qualifying agencies may submit only one project per funding category.
2. Qualifying agencies may submit separate applications for the same project in both the 15% and 1% categories, for eligible expenditures. The eligible expenditures shall be identified and the funding amount shall be estimated in both project applications by category.
3. In order for a project to be eligible for funding, it must receive a score of 70 or higher.
4. No one agency is eligible to claim more than 50% of the available funding for in either funding source.
5. Multi-agency cooperation on projects is encouraged.
6. Overmatching on projects is encouraged.
7. Discretionary capital funds originating from federal urbanized area formula funds for Urbanized Area 2 (UZA 2) shall be recommended for allocation only for projects that are located within, operate within and/or generate National Transit Database (NTD) data, and therefore federal revenues for UZA 2. Agencies with projects located in or operated outside of UZA 2, that also provide direct service to operations within UZA 2 will be considered for funding only in proportion to their UZA 2 operations. ex: 80% of a route is allocated to UZA x, with the remaining 20% of the route allocated to UZA 2 (as reported to NTD for annual reporting purposes). Through this process, only 20% of the total bus cost will be considered for funding at the federal approved percentage.¹
8. Any BOS member agency who is unable to send a voting representative to the scoring meeting may submit their scores for inclusion in the scoring process.
9. BOS shall re-evaluate these principles, priorities and procedures on an annual basis.

SECTION 5307 – 15% DISCRETIONARY CAPITAL FUNDS

The following **priorities (not in any order)** will be used to determine 15% Discretionary Capital Funds project eligibility:

- Bus Purchases
 - Replacement of existing buses that are at least 12 years old or have exceeded their life expectancy. Per SCAQMD Fleet Rule 1192, only alternative fuel vehicles which do not rely on diesel fuel may be purchased for operation within the South Coast Air Quality Management District. Hybrid-electric and dual-fuel technologies that use diesel fuel are not considered alternative fuel technologies. Replacement buses have first priority within this category.
 - Service enhancement buses – lesser priority within this category.
- Mechanical rehabilitation of existing buses in order to extend the life of the bus for at least another 6 years.
- Bus Operation, Maintenance & Administration Facility – new or replacing existing facility at least 50 years old.
- Structural rehabilitation or expansion of existing facility in order to extend the life expectancy at least another 25 years; or modifications to existing facility to accommodate alternative fuel infrastructure.
- New alternative fuel or zero emission infrastructure projects (i.e. charging stations).
- Transit center projects.
- Regional farebox technology projects which adhere to FTA procurement requirements.
- Metro may be eligible to receive up to 50% of the 15% Discretionary Capital funding total upon submission of a qualifying project.

¹ For example, if a commuter bus reports 50% of its NTD data in UZA 2 and 50% of its NTD data in another UZA, an applicant may only request 50% of the needed funding from UZA 2's discretionary funds. Similarly, UZA 2 discretionary funds cannot be used to build/expand facilities in support of local fixed route services operating outside UZA 2, but may be used to build/expand facilities in proportion to their need to support operations within UZA 2.

BOS Survey - Average Bus Prices for FY2023 Funds

Updates were made to the bus price survey conducted with adjustments made for recent procurements. BOS member agencies were requested to submit information on recent transit vehicle purchases (bus type, number purchased and vehicle costs including base cost, options, ADA, and taxes). The average of the total vehicle prices by vehicle type is based on the survey results, the CalACT/MBTA Purchasing Cooperative Agreement, DGS², and recent vehicle purchases. Transit vehicle requests are capped using the average prices below:

Vehicle Type	Agencies	Purchases	# of Vehicles	Weighted Average	Note
Paratransit Minivan (Class D)	1	1	51	\$ 56,948	Access
Paratransit Cutaway, Gasoline	1	1	4	\$ 85,361	
Paratransit Cutaway Van Gasoline (Type C)	1	1	5	\$ 120,320	2019 BOS + CPI
25 Cutaway, CNG (Type F)	1	1	3	\$ 189,175	
Low Floor Cutaway, CNG (Type G)	1	1	4	\$ 224,907	City of Commerce
Fixed Route Cutaway, 27', CNG	2	2	4	\$ 167,096	
27' Electric Cutaway	1	1	19	\$ 259,004	
30' CNG	1	1	1	\$ 521,438	
30' Electric	3	3	138	\$ 877,957	LADOT, Commerce, AVTA
32' CNG Bus	2	2	15	\$ 491,232	
35' Electric	2	2	21	\$1,080,263	DGS Pricing, LBT
35' CNG Bus	2	2	4	\$ 655,594	
40' CNG Bus	4	4	735	\$ 754,527	
40' Fuel Cell Bus	2	2	25	\$1,149,860	
40' Electric Double Decker bus	1	1	2	\$ 786,346	Foothill
40' Electric Bus	2	2	148	\$ 921,830	
45' Electric Bus-Commuter	1	1	24	\$1,519,868	AVTA
45' Commuter Bus-CNG	1	1	2	\$ 834,246	2019 BOS + CPI
60' CNG Articulated Bus	2	2	162	\$1,074,973	Foothill
60' Electric Articulated Bus	1	1	40	\$1,854,873	Metro + CPI

² DGS: California Department of General Services Zero Emission Contract

SECTION 5307 – 1% ASSOCIATED TRANSIT IMPROVEMENT (ATI) FUNDS

While the “Fixing America’s Surface Transportation Act” (FAST) ended the requirement for recipients to expend 1% of their funding for Associated Transit Improvements, BOS agrees that it is critical to remain focused on enhancing public transportation services.

The Los Angeles region is primed to grow transit ridership and is currently working to develop innovative solutions that address customer needs based on a better understanding of the changes in the region’s demographics, travel options and patterns. Dedicated funding to address these changes and implement future solutions that attract customers to ride more by retaining current customers, reclaiming past customers, and recruiting new customers, is critical to the success of transit in the County.

Therefore, in Los Angeles County, Associated Transit Improvements will continue to be funded with 1% of the regional FTA 5307 funding total upon submission of a qualifying project during the competitive process. Metro may be eligible to receive up to 50% of the total allocation of 1% funds.

Project priority and eligibility for 1% Associated Transit Improvement funds are numbered by priority and include the following:

1. Bus Stop Amenities including: bus shelters and furnishings, accessibility improvements, tables, benches, trash receptacles and street lights
2. Signage, including electronic systems
3. Pedestrian access and walkways and other enhanced access to mass transportation for persons with disabilities
4. Bicycle access, including bicycle storage facilities and installing equipment for transporting bicycles on mass transportation vehicles
5. Landscaping and other scenic beautification of transit-associated facilities
6. Historic preservation, rehabilitation and operation of historic mass transportation buildings, structures and facilities (including historic bus and railroad facilities)

APPLICATION PROCEDURES

The Transit Agency Certification Form must be completed, signed by your agency's designee, and submitted along with the Project Description and Justification Forms. Each Project and Justification Forms must be sent in ADOBE PDF format. Send separate Project PDF documents for the 15% forms and the 1% categories.

Agencies may submit separate applications for the same project in both the 15% and 1% categories, for eligible expenditures.

The FY2023 fund allocations for FTA Section 5307 15% Capital Discretionary and 1% set aside for Associated Transit Improvements (ATI) Funds have not been released at this time. The estimated available funding will be based on the FY2023 funds of \$48,708,000 and \$3,280,000 respectively. These fund estimates will be adjusted when the official funding marks are made available by the time of the fund award recommendation, scheduled for April 20, 2022. Agencies shall submit projects in accordance with federal guidelines.

In order to be considered, your project proposal must be submitted via email by **5:00 PM, WEDNESDAY, March 30, 2022.** Any proposals received after the deadline will be deemed **disqualified**. Since there is a good chance that the clocks on our Outlook systems may have minor discrepancies, it is recommended that you submit the proposal(s) about 15 minutes before 5:00 PM on the due date. Please try to limit proposals to no more than two pages while concisely addressing issues.

Please submit projects by **e-mail only** to: Vanessa Gomez
Antelope Valley Transit Authority
vgomez@avta.com
661-729-2295

You will receive an e-mail confirmation upon receipt of your application(s).

Evaluation and Award Procedures:

A package of scoring sheets and projects from certified agencies will be emailed to BOS members on Monday, April 4, 2022. BOS members will review all of the projects, except their own, and score them according to the approved criteria prior to the April 19, 2022 BOS meeting. At the BOS meeting, all the agencies that have submitted projects will have an opportunity to provide a three-minute presentation on each project and answer any questions regarding the agency's project(s).

Each agency will submit a final score on each project. Each agency's project is compared to the other project applications, therefore, only one agency shall receive the highest overall score for the 15% and the 1% applications, and each application shall receive its own unique score for the 15% and 1% categories. After the highest and lowest scores for each project are omitted to eliminate any inconsistencies, each project will receive an average score and will be placed in rank order. In order for a project to be eligible for funding, it must score 70 points or higher.

BOS members will discuss the projects and allocate available funds based on the scoring of the principles and project priorities herein. Priority for funding shall be given in scoring order, and no one project may receive more than 50% of the associated funding pot. It may occur that projects are not funded in their entirety.

Should the project submittals exceed available funds for either the 15% Discretionary Capital Funds or 1% Associated Transit Improvement (ATI) Funds, awards will be made according to an agreed upon scoring procedure by BOS members. After all projects have been scored and funds allocated, any remaining funds available will be allocated in the following order:

1. Increase funding levels (percent of project funded) to eligible projects already funded.
2. Begin funding projects that fell below the 70% eligibility threshold.
3. Conduct a second round of applications for award.

This order will also pertain to any projects that are interrupted and will not be completed due to unforeseen reasons. Once consensus is reached among BOS members and a vote to accept the allocations is conducted, the recommended award amounts will be forwarded to the Metro Board for approval.

5307 Discretionary Application Scoring Guidelines

The 5307 Discretionary Application Process under BOS is an annual competitive procedure to award funds to the Municipal Operators for various capital transit projects. Please consider the following criteria when evaluating the projects to determine your scores for the applications.

1. Scoring:

- a. Each agency's project is compared to the other project applications. There should only be one agency who receives the highest overall score for the 15% and the 1% applications.
- b. Each application should receive its own unique score when compared to another application in either the 15% or 1% funding categories.

2. Project Need

Rank the projects against each other comparing the vehicle ages, mileage, and lifetime of the vehicles. Consider how the agency uses its 5307 funding – i.e., vehicles, preventive maintenance, facilities, etc. Does the project meet the agency's Transit Asset Management (TAM) Plan guidelines?

3. *Leveraging:*

Leveraging funds describes the applicant's ability to provide a higher local match than the required 20%. Projects with a higher local contribution allow BOS the potential to fund a higher number of projects with the available funds.

4. *Project Readiness:*

Examples of Project Readiness may include an explanation in which plans and specifications are nearly complete or complete. For example, bus purchases may score higher if the agency has plans through a joint procurement/cooperative agreement or is on an existing bus purchase contract with options. Transit amenities projects may include an explanation that describes the progress of the plans and specifications; plans that are nearly 100% complete should score higher than projects that have completed specifications that are less than 100%. Scoring should be incrementally lower based on the status of the completion of the specifications.

5. *Benefit to Transit Users*

Rank the project's contributions to transit benefits. For example: Does the project improve air quality? Does the project directly benefit users or provide an indirect benefit (such as air quality, reduces congestion, etc.) Does the project support or improve regional coordination or connections? Does the project increase transit ridership?

**FTA Section 5307
15% Discretionary Capital and 1% Associated Transit Improvement (ATI) Funds**

TRANSIT AGENCY CERTIFICATION FORM

(Please circle YES or NO for each question)

1. Is your agency a current FTA grantee? **YES** **NO**

2. Does your agency file NTD reports with the federal government? **YES** **NO**

3. Does your agency have lapsing 15% and 1% funds which are not already in obligated grants, programmed in the TIP, or in a TIP project already submitted to Metro? **YES** **NO**

4. If your agency receives full funding from other sources for the same project, do you agree to return excess funds to the "pot" for reallocation? **YES** **NO**

5. Has your agency sold or traded any transit specific funds for non-transit funds resulting in an overall loss of transit funds to the agency in the last two fiscal years? **YES** **NO**

6. If your project is a bus purchase, does your project comply with the SCAQMD Fleet Rule 1192 which is required for any transit bus operated within the LA UZA region? **YES** **NO**

AGENCY CERTIFICATION:

I certify that the above statements are true and accurate and that my agency's applications for FTA 5307 15% Discretionary Capital and/or 1% Associated Transit Improvement Funds demonstrate viable projects for which match funding has been identified.

Printed Name and Title

Signature

Date

BOS Review By:

Date:

FY 2022 SECTION 5307
15% CAPITAL DISCRETIONARY FUND
PROJECT DESCRIPTION AND JUSTIFICATION TEMPLATE
Due by Wednesday, March 30, 2022 at 5:00 PM to Vanessa Gomez at vgomez@avta.com

AGENCY: _____

PROJECT SHORT TITLE: _____

PROJECT DESCRIPTION: _____

PROJECT JUSTIFICATION / NEED: (45 points)

Projects requesting vehicles should minimally answer the following:

How old is the vehicle being replaced and how many miles will it have on it at the time of replacement? Do they meet FTA end of life cycles? Were the vehicles purchased new or used? If used, how old were they at the time of purchase? Describe how you use your CAP 5307 funds.

Projects requesting facilities should minimally answer the following:

How old is the facility being replaced? What is the size of the facility being planned? Describe the need for additional facility space. If requesting a fueling facility, describe the current fueling situation. Is the agency switching fuel paths?

PROJECT READINESS: (20 points)

Is the project in an agency-approved SRTP? Provide TIP Project number and TIP year.

If funding request is for vehicles, when is vehicle delivery expected?

If funding request is for a facility: Has the facility been designed? Has it completed preliminary engineering? Has it undergone an environmental review (EIR)? Is there any community opposition to the project?

COST EFFECTIVENESS & LEVERAGING: (20 points)

What other funding pots have you applied for to pay for this project? (e.g. Federal Appropriations or Call for Projects) How much unobligated FTA 5307 15% funds does your agency have? What are the plans for obligating those funds in a grant? What other unobligated capital funds do you have? How are you planning to spend those funds? What other competitive funding has already been awarded for this project, and what is the dollar value of the award/s?

BENEFIT TO TRANSIT USERS: (15 points)

Describe any benefits to the region through this project's implementation. How will this project improve the regional transit network?

PROJECT COST AND FUNDING REQUEST:

A minimum of 20% Local Match is required.

**FY 2022 SECTION 5307
1% ASSOCIATED TRANSIT IMPROVEMENT (ATI) FUNDING
PROJECT DESCRIPTION & JUSTIFICATION TEMPLATE**

Priority # _____

Due by Wednesday, March 30, 2022 at 5:00 PM to Vanessa Gomez at vgomez@avta.com

AGENCY: _____

PROJECT SHORT TITLE: _____

PROJECT DESCRIPTION: _____

PROJECT JUSTIFICATION / NEED: (45 points)

Why is the agency performing the project?

What is the need for the project?

PROJECT READINESS: (20 points)

Is the project in an agency-approved SRTP?

Provide TIP Project number and TIP year.

When is the project expected to be completed?

COST EFFECTIVENESS & LEVERAGING: (20 points)

What other funding pots have you applied for to pay for the project? What other competitive funding has already been awarded for this project, and what is the dollar value of the award/s? How much unobligated FTA 5307 1% funds does your agency have? What are the plans for obligating those funds in a grant? What other unobligated capital funds do you have? How are you planning to spend those funds?

BENEFIT TO TRANSIT USERS: (15 points)

Describe any benefits to the region through this project's implementation. Include relevant connectivity to other transit systems, light rail, etc.

PROJECT COST AND FUNDING REQUEST:

A minimum of 20% Local Match is required.

RESOLUTION NO. 22-13

**RESOLUTION OF THE CITY OF MONTEBELLO, CALIFORNIA,
APPROVING THE APPLICATION FOR FY 2022 SECTION 5307 – 15%
DISCRETIONARY CAPITAL FUNDS COMPETITIVE GRANT**

RECITALS

WHEREAS, the Federal Transit Administrator has the authority to award federal financial assistance for a transportation project; and

WHEREAS, the grant or cooperative agreement for federal financial assistance will impose certain obligations upon the applicant and may require the applicant to provide the local share of the project cost; and

WHEREAS, the applicant has or will provide all annual certifications and assurances to the Federal Transit Administration required for the project; and

WHEREAS, the Bus Operator Subcommittee approves eligible projects under Section 5307 – 15% Discretionary Capital Funds for the Bus Operations Subcommittee (BOS); and

WHEREAS, the applicant will adhere to the FY 2022 Application Guidelines and submit an eligible project.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO
HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:**

**APPROVES THE FILING OF AN APPLICATION FOR THE APPLICATION FOR FY 2022
SECTION 5307 – 15% DISCRETIONARY CAPITAL FUNDS COMPETITIVE GRANT;
AND**

SECTION 1: Approvals and Certifications.

1. Certifies that said Applicant has or will have available, prior to commencement of any work on the projects included in this application, the sufficient funds to complete the projects; and
2. Certifies that if funding is awarded, the Applicant has or will have sufficient funds to operate and maintain the projects; and
3. Delegates the authority to the Director of Transportation or her designees to execute and file with its application for federal assistance grant or cooperative agreement; and
4. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines; and

RESOLUTION NO. 22-13

Page 2 of 2

SECTION 2: That the City Clerk shall certify to the passage and adoption of this Resolution and that the same shall be in full force and effect.

APPROVED AND ADOPTED this 23rd day of March 2022.

Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:

APPROVED AS TO FORM:

Christopher Jimenez, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF MONTEBELLO)

I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 22-13 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 23rd day of March 2022 and that said Resolution was adopted by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

The undersigned, City Clerk of the City of Montebello, does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said City which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: _____

Christopher Jimenez, City Clerk



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: Lupita Ibarra, Director of Transportation

SUBJECT: **Adopt Resolution No. 22-14 authorizing the City Manager to execute documents necessary to obtain funds provided by Senate Bill 1 (SB1)**

DATE: March 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

- 1) Adopt Resolution No. 22-14 authorizing the City Manager to execute documents necessary to obtain funds provided by Senate Bill 1 (SB1); and
- 2) Take such additional, related, action that may be desirable.

FISCAL IMPACT

The Senate Bill 1 – Road Repair and Accountability Act (SB1/RMRA) of 2017 provides funding of approximately \$105 million annually to transit operators in California under the State of Good Repair (SGR) program. These funds are made available for eligible transit maintenance, rehabilitation and capital projects. These funds are in addition to the annual allotment of SB1/RMRA funding the City of Montebello (City) currently receives for use on various non-Transit road repair and related projects.

BACKGROUND

On April 28, 2017, the Governor signed the Road Repair and Accountability Act of 2017, Senate Bill 1 (SB1) (Chapter 5, Statutes of 2017). SB1 provides additional revenue funding, through the SGR Program and the State Transit Assistance (STA) Account, to transit operators for eligible transit maintenance, rehabilitation and capital projects. SB1 named the State Department of Transportation (CalTrans) as the administrative agency for these funds, and emphasizes the importance of accountability and transparency in the

Adopt Resolution No. 22-14 authorizing the City Manager to execute documents necessary to obtain funds provided by Senate Bill 1 (SB1)

Page 2 of 2

delivery of California's transportation programs. To be eligible for SGR/STA funding, local agencies must comply with various regulations and reporting requirements (see Attachment "A" and Attachment "B").

Metro is the local planning agency designated to administer the distribution of these funds to transit agencies in the Los Angeles County region. If the City agrees to comply with all conditions and requirements set forth in the Certification and Assurances document (see Attachment "B") and all applicable statutes, regulations and guidelines, the City becomes eligible to receive SGR/STA funding for transit projects.

SUMMARY

Staff recommends that the City Council adopt Resolution No. 22-14 (see Attachment "C") authorizing the City Manager to execute documents necessary to obtain funds provided by Senate Bill 1 through the California Department of Transportation State of Good Repair Program and the State Transit Assistance Account; and take such additional, related, action that may be desirable.

ATTACHMENTS:

- A. Attachment A – Authorized Agent Form
- B. Attachment B – Certifications and Assurances Form
- C. Attachment C – Resolution No. 22-14 authorizing the City Manager to Execute Documents Necessary to Obtain Funds Provided by Senate Bill 1 (SB1)

Division of Rail and Mass Transportation**State Transit Assistance State of Good Repair Program****Authorized Agent Form****Authorized Agent**

The following individual(s) are hereby authorized to execute for and on behalf of the named Regional Entity/Transit Operator, and to take any actions necessary for the purpose of obtaining State Transit Assistance State of Good Repair funds provided by the California Department of Transportation, Division of Rail and Mass Transportation. This form is valid at the beginning of Fiscal Year 2022-2023 until the end of the State of Good Repair Program. If there is a change in the authorized agent, the project sponsor must submit a new form. This form is required even when the authorized agent is the executive authority himself.

René Bobadilla, City Manager OR
(Name and Title of Authorized Agent)

Arlene Salazar, Assistant City Manager OR
(Name and Title of Authorized Agent)

Lupita Ibarra, Director of Transportation .
(Name and Title of Authorized Agent)

AS THE City Manager
(Chief Executive Officer / Director / President / Secretary)

OF THE City of Montebello
(Name of County/City Organization)

René Bobadilla City Manager
(Print Name) (Title)

(Signature)

Approved this 23rd day of March, 2022

State Transit Assistance State of Good Repair Program

Recipient Certifications and Assurances

Recipient: City of Montebello

Effective Date: March 23, 2022

In order to receive State of Good Repair Program (SGR) funds from the California Department of Transportation (Department), recipients must agree to following terms and conditions:

A. General

- (1) The recipient agrees to abide by the State of Good Repair Guidelines as may be updated from time to time.
- (2) The potential recipient must submit to the Department a State of Good Repair Program Project List annually, listing all projects proposed to be funded by the SGR program. The project list should include the estimated SGR share assigned to each project along with the total estimated cost of each project..
- (3) The recipient must submit a signed Authorized Agent form designating the representative who can submit documents on behalf of the recipient and a copy of the board resolution authorizing the agent.

B. Project Administration

- (1) The recipient certifies that required environmental documentation will be completed prior to expending SGR funds. The recipient assures that each project approved for SGR funding comply with Public Resources Code § 21100 and § 21150.
- (2) The recipient certifies that SGR funds will be used for transit purposes and SGR funded projects will be completed and remain in operation for the estimated useful lives of the assets or improvements.
- (3) The recipient certifies that it has the legal, financial, and technical capacity to deliver the projects, including the safety and security aspects of each project.
- (4) The recipient certifies that there is no pending litigation, dispute, or negative audit findings related to any SGR project at the time an SGR project is submitted in the annual list.

- (5) Recipient agrees to notify the Department immediately if litigation is filed or disputes arise after submission of the annual project list and to notify the Department of any negative audit findings related to any project using SGR funds.
- (6) The recipient must maintain satisfactory continuing control over the use of project equipment and/or facilities and will adequately maintain project equipment and/or facilities for the estimated useful life of each project.
- (7) Any and all interest the recipient earns on SGR funds must be reported to the Department and may only be used on approved SGR projects or returned to the Department.
- (8) The recipient must notify the Department of any proposed changes to an approved project list by submitting an amended project list.
- (9) Funds will be expended in a timely manner.

C. Reporting

- (1) Per Public Utilities Code § 99312.1 (e) and (f), the recipient must submit the following SGR reports:
 - a. Annual Expenditure Reports within six months of the close of the fiscal year (by December 31st) of each year.
 - b. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of SGR funds. A copy of the audit report must be submitted to the Department within six months of the close of each fiscal year in which SGR funds have been received or expended.

D. Cost Principles

- (1) The recipient agrees to comply with Title 2 of the Code of Federal Regulations Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- (2) The recipient agrees, and will assure that its contractors and subcontractors will be obligated to agree, that (a) Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allowability of individual project cost items and (b) those parties shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.

- (3) Any project cost for which the recipient has received payment that are determined by subsequent audit to be unallowable under 2 CFR, Part 200, are subject to repayment by the recipient to the State of California (State). Should the recipient fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the recipient from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

E. Record Retention

- (1) The recipient agrees, and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the recipient, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP), enable the determination of incurred costs at interim points of completion, and provide support for reimbursement payment vouchers or invoices. All accounting records and other supporting papers of the recipient, its contractors and subcontractors connected with SGR funding shall be maintained for a minimum of three (3) years from the date of final payment and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the recipient, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the recipient pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the recipient's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
- (2) For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the recipient's contracts with third parties pursuant to Government Code § 8546.7, the recipient, its contractors and subcontractors and the Department shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the recipient shall furnish copies thereof if requested.

- (3) The recipient, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

F. Special Situations

- (1) Recipient acknowledges that if a project list is not submitted timely, the recipient forfeits its apportionment for that fiscal year.
- (2) Recipients with delinquent expenditure reports may risk future eligibility for future SGR funding.
- (3) Recipient acknowledges that the Department shall have the right to perform an audit and/or request detailed project information of the recipient's SGR funded projects at the Department's discretion from SGR award through 3 years after the completion and final billing of any SGR funded project.. Recipient agrees to provide any requested project information.

I certify all of these conditions will be met.

CITY OF MONTEBELLO

BY: _____
René Bobadilla, P.E., City Manager

RESOLUTION NO. 22-14

**RESOLUTION OF THE CITY OF MONTEBELLO, CALIFORNIA,
AUTHORIZING THE CITY MANAGER TO EXECUTE DOCUMENTS TO
OBTAIN FUNDS PROVIDED BY SENATE BILL 1 (SB1)**

RECITALS

WHEREAS, the City of Montebello (City) is an eligible project sponsor and may receive State Transit Assistance funding from the State of Good Repair Account (SGR) or sometime in the future for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 1 (2017) named the Department of Transportation (hereinafter the "Department") as the administrative agency for the SGR; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing SGR funds to eligible project sponsors (local agencies); and

WHEREAS, the City agrees to comply with all conditions and requirements set forth in the Certification and Assurances document as identified in Attachment A; and

WHEREAS, the City wishes to delegate authorization to execute required documents and any amendments thereto to the City Manager and appointed Designee.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO
HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:**

**APPROVES THE AUTHORIZATION OF THE CITY MANAGER TO EXECUTE
DOCUMENTS TO OBTAIN FUNDS PROVIDED BY SENATE BILL 1 (SB1); AND**

SECTION 1: Approvals and Certifications.

1. Certifies that the City Manager and appointed Designee be authorized to execute all required documents of the SGR and any Amendments thereto with the California Department of Transportation; and
2. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines for all SGR funded transit projects.

SECTION 2: That the City Clerk shall certify to the passage and adoption of this Resolution and that the same shall be in full force and effect.

RESOLUTION NO. 22-14

Page 2 of 2

APPROVED AND ADOPTED this 23rd day of March 2022.

Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:

APPROVED AS TO FORM:

Christopher Jimenez, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF MONTEBELLO) SS:

I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 22-14 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 23rd day of March 2022 and that said Resolution was adopted by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

The undersigned, City Clerk of the City of Montebello, does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said City which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: _____

Christopher Jimenez, City Clerk



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: Lupita Ibarra, Director of Transportation

SUBJECT: Adopt Resolution No. 22-15 to partially rescind Resolution No. 22-01, and reauthorize amending Federal Grant No. CA-2021-169-00 for Federal Transit Administration funding under the Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Funds

DATE: March 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

- 1) Adopt Resolution No. 22-15 to partially rescind Resolution No. 22-01, and reauthorize amending Federal Grant No. CA-2021-169-00 for Federal Transit Administration (FTA) funding under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021 (CRRSAA), to increase the grant amount for operating assistance from \$1,000,000 to \$9,292,827; and
- 2) Take such additional, related, action that may be desirable.

FISCAL IMPACT

Adopting Resolution No. 22-15 will amend Federal Grant No. CA-2021-169-00 for CRRSAA funding to increase the award amount from \$1,000,000 to \$9,292,827. These funds will be utilized to support the Transportation Department's operating expenses, including any coronavirus (COVID-19) pandemic related expenses.

On January 12, 2022, the City Council approved Resolution No. 22-01 (see Attachment "A"), amending the Fiscal Year (FY) 2021-2022 budget to recognize revenue by increasing appropriations in the applicable accounts below:

- Account No. 600-99-4024.10 – Transit Fund, CRRSAA – Federal: \$9,292,827*
- Account No. 600-99-4023.10 – Transit Fund, ARP – Coronavirus Fiscal Recovery: \$14,934,925

Adopt Resolution No. 22-15 to partially rescind Resolution No. 22-01, and reauthorize amending Federal Grant No. CA-2021-169-00 for Federal Transit Administration funding under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021

Page 2 of 4

***Represents the total possible CRRSAA award amount to be utilized for approved expenditures**

There is no need to increase appropriations for expenditures since staff will utilize specific project codes for each funding source to properly track related expenses.

BACKGROUND

On December 27, 2020, Congress passed CRRSAA to provide relief funding to prevent, prepare for, and respond to the COVID-19 pandemic. The FTA allocated a total of \$911,525,690 to Los Angeles County public transit agencies in accordance with 49 U.S.C. Section 5307, the Urbanized Area Formula Grants program.

On March 11, 2021, Congress also passed the American Rescue Plan Act of 2021 (ARPA) to provide relief funding for a wide range of COVID-19 pandemic related issues. A portion of this funding was earmarked to support public transportation systems as they continue to respond to the COVID-19 pandemic. The FTA allocated a total amount of \$1.464 billion to Los Angeles County public transit agencies in accordance with Section 5307—including the City of Montebello (City) by and through the Montebello Bus Lines (MBL). This funding is specific to transportation and is above and beyond the \$16.59 million the City will receive from the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) program.

The FTA allocated both CRRSAA and ARPA funds through the Los Angeles County Metropolitan Transportation Authority (Metro). The Southern California Association of Governments (SCAG) split letter (see attachments “B” and “C”) states that the City is eligible to receive a combined total of \$24,227,752, which can be used to mitigate operating expenses for Fiscal Year 2021-2022 and subsequent years, as well as provide additional funding for COVID-19 related expenditures.

Funds provided under CRRSAA and ARPA are available for public transit agencies to use for expenses related to the response to the COVID-19 public health emergency. Allowable reimbursements under the CRRSAA and ARPA include, but are not limited to, operating costs to maintain service and for lost revenue. Furthermore, these funds do not have to be paid back and can be used for capital or operating needs. In accordance with Section 5307, the City must have an authorization from the City Council to obligate CRRSAA and ARPA funds.

On July 28, 2021, the City Council approved Resolution No. 21-60 (see attachment “D”) authorizing Montebello Bus Lines (MBL) to submit an application to the FTA to receive CRRSAA funding for transit operating assistance in the amount of \$1,000,000. Subsequently, the FTA awarded Federal Grant No. CA-2021-169- 00 (see attachment “E”) in the amount of \$1,000,000 for operating assistance only.

Adopt Resolution No. 22-15 to partially rescind Resolution No. 22-01, and reauthorize amending Federal Grant No. CA-2021-169-00 for Federal Transit Administration funding under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021

Page 3 of 4

On January 12, 2022, the City Council approved Resolution No. 22-01 (see attachment “A”), authorizing MBL to amend Federal Grant No. CA-2021-169-00 to increase the grant amount from \$1,000,000 to \$3,778,452; to submit a separate grant application to the FTA to obligate ARPA funds (\$14,934,925) for additional transit operating assistance; and to amend the FY 2021-2022 budget to increase appropriations in the applicable revenue accounts (CRRSAA Account No. 600-99-4024.10 by \$9,292,827; and ARPA Account No. 600-99-4023.10 by \$14,934,925) to recognize the revenue to be received. The remaining CRRSAA funds (\$5,514,375) were to be presented to the City Council at a future date for approval to be used to purchase eligible transit buses, by and through the Federal Transit Improvement Program (FTIP), in accordance with MBL’s Zero Emission Bus (ZEB) Rollout Plan.

During the week of January 17, 2022, the City’s Finance Department amended the FY 2021-2022 budget to increase appropriations in the applicable CRRSAA and ARPA revenue accounts. In addition, on February 22, 2022, MBL submitted a grant application to the FTA for operating assistance under ARPA in the amount of \$14,934,925.

On October 28, 2021, the U.S. Department of Labor (DOL) determined that California is ineligible for federal money for public transit, putting in jeopardy the CRRSAA and ARPA COVID-19 relief funding approved by Congress. The Federal Urban Mass Transportation Act of 1964 states that before state and local agencies may receive federal grants for mass transit, the department must certify the agencies are protecting the interests of any affected employees. The DOL states that California ran afoul of those federal protections by restricting pension benefits for any new employees hired after January 1, 2013, in accordance with the California Public Employees’ Pension Reform Act of 2013 (PEPRA). In December 2021, the United States District Court – Eastern District of California issued a temporary court order directing the DOL to continue certifying all California FTA grant applications in a timely manner.

ANALYSIS

Given the existing circumstances, the FTA Region 9 Regional Administrator, Ray Tellis, recently prompted all California transit agencies to apply for any remaining unobligated funds in a timely manner. Although MBL is well within its right to use the FTIP process to program CRRSAA funds for capital purchases, FTA Region 9 staff recommend that MBL pivot and program the remaining CRRSAA funds (\$5,514,375) for operating costs.

To avoid any potential future challenges related to the PEPRA matter, MBL recommends that the City Council partially rescind Resolution 22-01, specifically the section that amended Federal Grant No. CA-2021-169-00 to increase the grant amount from \$1,000,000 to \$3,778,452. Moreover, Resolution 22-15 presented today for the City Council’s consideration will not only partially rescind Resolution 22-01, but also reauthorize amending Federal Grant No. CA-2021-169-00 for FTA funding under

Adopt Resolution No. 22-15 to partially rescind Resolution No. 22-01, and reauthorize amending Federal Grant No. CA-2021-169-00 for Federal Transit Administration funding under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021

Page 4 of 4

CRRSAA, to increase the grant amount for operating assistance from \$1,000,000 to \$9,292,827 (see Attachment “A”, Exhibit 1, for the precise language to be rescinded in Resolution No. 22-01).

SUMMARY

Staff recommends that the City Council adopt Resolution No. 22-15 (see attachment “F”) to partially rescind Resolution No. 22-01; reauthorize amending Federal Grant No. CA-2021-169-00 for FTA funding under CRRSAA to increase the grant amount for operating assistance from \$1,000,000 to \$9,292,827; and take such additional, related, action that may be desirable.

ATTACHMENTS:

- A. Attachment A – Resolution No. 22-01
- B. Attachment B – SCAG Split Letter CRRSAA
- C. Attachment C – SCAG Split Letter ARPA
- D. Attachment D – Resolution No. 21-60
- E. Attachment E – FTA Award – Federal Grant No. CA-2021-169-00
- F. Attachment F – Resolution No. 22-15 authorizing an amendment partially rescind Resolution No. 22-01, and reauthorize amending Federal Grant No. CA-2021-169-00 for Federal Transit Administration funding under the Coronavirus Response and Relief Supplemental Appropriations Act of 2021

RESOLUTION NO. 22-01

RESOLUTION OF THE CITY OF MONTEBELLO APPROVING THE AMENDMENT OF FEDERAL GRANT CA-2021-169-00 APPLICATION UNDER THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE CORONAVIRUS RESPONSE RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSAA) AND THE SUBMISSION OF A GRANT FOR THE USE OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

RECITALS

WHEREAS, on December 27, 2020, Congress approved and signed into law the Coronavirus Response Relief Supplemental Appropriations Act of 2021 (CRRSAA) as the second act of federal relief in response to COVID-19; and

WHEREAS, the CRRSA Act of 2021 (CRRSAA) provides \$14 billion dollars in grant aid to support the transit industry during the COVID-19 public health emergency; and

WHEREAS, the City of Montebello ("City"), by and through the Montebello Bus Lines ("MBL" or the "Transportation Department") initially applied for \$1,000,000 in CRRSAA funding (Federal Grant No. CA-2021-169-00) and now seeks to amend to Federal Grant No. CA-2021-169-00 application to increase the grant amount for operating assistance to \$3,778,452; and

WHEREAS, on March 11, 2021, Congress approved and signed into law the American Rescue Plan Act (ARPA) in response to the financial shortfalls in nearly every sector of the American economy as a result of the continued COVID-19 pandemic; and

WHEREAS, ARPA provides \$1.464 billion dollars in grant aid to transit agencies to help prevent, prepare for and respond to the COVID-19 pandemic (the "Grant"); and

WHEREAS, the Los Angeles Metropolitan Transportation Authority (Metro) has been delegated the authority to administer and award financial assistance to owners of transit fleets under the Grant; and

WHEREAS, the City, as a transit bus owner of MBL is an eligible recipient of the Grant; and

WHEREAS, receipt of Grant funds, in combination with the requested increase in CRRSAA funding would assist the Transportation Department with operating expenses incurred as a result of the health pandemic emergency; and

WHEREAS, as a qualified applicant, the City is willing and able to carry out all activities described in the CRRSAA and Grant guidelines.

RESOLUTION NO. 22-01

Page 2 of 3

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:

APPROVES THE SUBMISSION OF AN AMENDMENT TO FEDERAL GRANT CA-2021-169-00 APPLICATION FOR CRRSAA AND SUBMISSION OF AN APPLICATION FOR A NEW GRANT UNDER ARPA TO METRO; AND

SECTION 1: Approvals and Certifications.

1. The Transportation Department is hereby authorized to amend the City's Federal Grant CA-2021-169-00 application to request an increase in funding from \$1,000,000 to \$3,778,452.
2. The Transportation Department is hereby authorized to execute and file an application for the City, to receive Coronavirus Response Relief Supplemental Appropriations Funds for operation cost and other COVID-19 related expenditures.
3. City Staff shall take the necessary steps to complete the CRRSAA and ARPA Funds application process including executing necessary documents and, if the grant application is approved, managing the project.
4. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

SECTION 2: That the City Clerk shall certify to the passage and adoption of this Resolution and that the same shall be in full force and effect.

APPROVED AND ADOPTED this 12th day of January 2022.


Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:

APPROVED AS TO FORM:


Christopher Jimenez, City Clerk


Arnold M. Alvarez-Glasman, City Attorney

RESOLUTION NO. 22-01

Page 3 of 3

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF MONTEBELLO) SS:



I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 22-01 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 12th day of January 2022 and that said Resolution was adopted by the following vote, to-wit:

AYES: Torres, Melendez, Peralta, Jimenez, Cobos-Cawthorne
NOES: None
ABSTAIN: None
ABSENT: None

The undersigned, City Clerk of the City of Montebello, does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said City which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: 1/12/2022

Chris Jimenez
Christopher Jimenez, City Clerk

RESOLUTION NO. 22-01

**RESOLUTION OF THE CITY OF MONTEBELLO APPROVING THE
AMENDMENT OF FEDERAL GRANT CA-2021-169-00 APPLICATION
UNDER THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE
CORONAVIRUS RESPONSE RELIEF SUPPLEMENTAL
APPROPRIATIONS ACT (CRRSAA) AND THE SUBMISSION OF A
GRANT FOR THE USE OF AMERICAN RESCUE PLAN ACT (ARPA)
FUNDS**

RECITALS

WHEREAS, on December 27, 2020, Congress approved and signed into law the Coronavirus Response Relief Supplemental Appropriations Act of 2021 (CRRSAA) as the second act of federal relief in response to COVID-19, and

WHEREAS, the CRRSA Act of 2021 (CRRSAA) provides \$14 billion dollars in grant aid to support the transit industry during the COVID-19 public health emergency, and

WHEREAS, the City of Montebello ("City"), by and through the Montebello Bus Lines ("MBL" or the "Transportation Department") initially applied for \$1,000,000 in CRRSAA funding (Federal Grant No. CA-2021-169-00) and now seeks to amend to Federal Grant No. CA-2021-169-00 application to increase the grant amount for operating assistance to \$3,778,452, and

WHEREAS, on March 11, 2021, Congress approved and signed into law the American Rescue Plan Act (ARPA) in response to the financial shortfalls in nearly every sector of the American economy as a result of the continued COVID-19 pandemic; and

WHEREAS, ARPA provides \$1.464 billion dollars in grant aid to transit agencies to help prevent, prepare for and respond to the COVID-19 pandemic (the "Grant"); and

WHEREAS, the Los Angeles Metropolitan Transportation Authority (Metro) has been delegated the authority to administer and award financial assistance to owners of transit fleets under the Grant; and

WHEREAS, the City, as a transit bus owner of MBL is an eligible recipient of the Grant; and

WHEREAS, receipt of Grant funds, in combination with the requested increase in CRRSAA funding would assist the Transportation Department with operating expenses incurred as a result of the health pandemic emergency; and

WHEREAS, as a qualified applicant, the City is willing and able to carry out all activities described in the CRRSAA and Grant guidelines.

RESOLUTION NO. 22-01

Page 2 of 3

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO
HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:**

~~APPROVES THE SUBMISSION OF AN AMENDMENT TO FEDERAL GRANT CA-2021-169-00 APPLICATION FOR CRRSAA AND SUBMISSION OF AN APPLICATION FOR A NEW GRANT UNDER ARPA TO METRO; AND~~

SECTION 1: Approvals and Certifications.

- ~~1. The Transportation Department is hereby authorized to amend the City's Federal Grant CA-2021-169-00 application to request an increase in funding from \$1,000,000 to \$3,778,452.~~
- ~~2. The Transportation Department is hereby authorized to execute and file an application for the City, to receive Coronavirus Response Relief Supplemental Appropriations Funds for operation cost and other COVID-19 related expenditures.~~
3. City Staff shall take the necessary steps to complete the CRRSAA and ARPA Funds application process including executing necessary documents and, if the grant application is approved, managing the project.
4. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

SECTION 2: That the City Clerk shall certify to the passage and adoption of this Resolution and that the same shall be in full force and effect.

APPROVED AND ADOPTED this 12th day of January 2022.


Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:

APPROVED AS TO FORM:


Christopher Jimenez, City Clerk


Arnold M. Alvarez-Glasman, City Attorney

RESOLUTION NO. 22-01

Page 3 of 3

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF MONTEBELLO) SS:



I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 22-01 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 12th day of January 2022 and that said Resolution was adopted by the following vote, to-wit:

AYES: Torres, Melendez, Peralta, Jimenez, Cobos-Cawthorne
NOES: None
ABSTAIN: None
ABSENT: None

The undersigned, City Clerk of the City of Montebello, does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said City which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: 1/12/2022

Chris Jimenez
Christopher Jimenez, City Clerk



SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017
T: (213) 236-1800
www.scag.ca.gov

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Jorge Marquez, Covina

Energy & Environment
David Pollock, Moorpark

Transportation
Cheryl Viegas-Walker, El Centro

May 6, 2021

Ray Tellis, Regional Administrator
Federal Transit Administration, Region 9
San Francisco Federal Building
90 7th Street, Suite 15-300
San Francisco, CA 94103

**Subject: SCAG REGION FORMULA FUND SPLIT TABLES FOR THE CORONAVIRUS
RESPONSE AND RELIEF SUPPLEMENTAL APPROPRIATION ACT OF 2021 (CRRSAA)
FUNDS**

Dear Mr. Tellis:

The Southern California Association of Governments (SCAG) is pleased to provide you with the formula fund split tables for the full allocation of the Coronavirus Response and Relief Supplemental Appropriation Act of 2021 (CRRSAA) funds.

As identified in this letter, SCAG as the Designated Recipient authorizes the reassignment/reallocation of CRRSAA funds to the Direct Recipients named herein. The undersigned agree to the amounts allocated/reassigned to each Direct Recipient. Each Direct Recipient is responsible for its application to the Federal Transit Administration to receive such funds and assumes the responsibilities associated with any award for these funds.

The following UZA Split Tables are attached:

- Los Angeles – Long Beach – Anaheim,
- Indio – Cathedral City, and
- Santa Clarita

Please feel free to contact me at (213) 236-1885 or via e-mail at Amatya@scag.ca.gov should you have any questions.

Cordially,

NARESH AMATYA
Manager, Transportation Planning & Programming

Los Angeles-Long Beach-Anaheim UZA FFY 2021 CRRSAA Full Allocation				
LOS ANGELES	ORANGE	SAN BERNARDINO	RIVERSIDE	TOTAL
\$911,525,690	\$43,097,849	\$0	\$277,242	\$954,900,781

Los Angeles County	
Transit Operator	CRRSAA 5307 Allocation
Antelope Valley	\$3,871,415
Arcadia	\$377,291
Claremont	\$139,766
Commerce	\$762,054
Culver City	\$6,003,071
Foothill	\$30,154,105
Gardena	\$6,073,511
LADOT	\$19,594,100
La Mirada	\$112,423
Long Beach	\$26,671,160
Montebello	\$9,292,827
Metro	\$771,248,280
Norwalk	\$3,477,040
Redondo Beach	\$828,048
Santa Clarita	\$3,448,707
Santa Monica	\$22,247,777
Torrance	\$7,224,113
Sub-total	\$911,525,690

Orange County	
Transit Operator	CRRSAA 5307 Allocation
Orange County Transit District (OCTD)	\$38,747,219
Rail (Metrolink)	\$4,350,630
Sub-total	\$43,097,849

Transit Operator	CRRSAA 5307 Allocation
Riverside Transit Agency	\$277,242
Sub-total	\$277,242

Indio-Cathedral City UZA FFY 2021 CRRSAA Full Allocation				
RIVERSIDE				GRAND TOTAL
\$5,011,454				\$5,011,454

Riverside County	
Transit Operator	CRRSAA 5307 Allocation
SunLine Transit Agency	\$5,011,454
Total	\$5,011,454

Santa Clarita UZA FFY 2021 CRRSAA Full Allocation				
LOS ANGELES				GRAND TOTAL
\$224,351				\$224,351

Los Angeles County	
Transit Operator	CRRSAA 5307 Allocation
Santa Clarita Transit	\$224,351
Total:	\$224,351



SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS
900 Wilshire Blvd., Ste. 1700
Los Angeles, CA 90017
T: (213) 236-1800
www.scag.ca.gov

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Carmen Ramirez, County of Ventura

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Community, Economic &
Human Development
Jorge Marquez, Covina

Energy & Environment
David Pollock, Moorpark

Transportation
Sean Ashton, Downey

July 22, 2021

Ray Tellis, Regional Administrator
Federal Transit Administration, Region 9
San Francisco Federal Building
90 7th Street, Suite 15-300
San Francisco, CA 94103

Subject: FINAL SCAG REGION FORMULA FUND SPLIT TABLES FOR THE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS

Dear Mr. Tellis:

The Southern California Association of Governments (SCAG) is pleased to provide you with the complete split tables for the American Rescue Plan Act (ARPA) funds. Please find attached the complete split tables that reflect the information provided by the Los Angeles County Metropolitan Transportation Authority.

As identified in this letter, SCAG as the Designated Recipient authorizes the reassignment/reallocation of ARPA funds to the Direct Recipients named herein. The undersigned agree to the amounts allocated/reassigned to each Direct Recipient. Each Direct Recipient is responsible for its application to the Federal Transit Administration to receive such funds and assumes the responsibilities associated with any award for these funds.

The following UZA Split Tables are attached:

- Los Angeles – Long Beach – Anaheim,
- Riverside – San Bernardino,
- Indio – Cathedral City,
- Murrieta – Temecula – Menifee,
- Lancaster – Palmdale, and
- Santa Clarita

Please feel free to contact me at (213) 236-1885 or via e-mail at Amatya@scag.ca.gov should you have any questions.

Cordially,

NARESH AMATYA

Manager, Transportation Planning & Programming

Los Angeles-Long Beach-Anaheim UZA FTA Section 5307 ARPA Allocation				
LOS ANGELES	ORANGE	SAN BERNARDINO	RIVERSIDE	GRAND TOTAL
\$1,464,954,367	\$171,017,346	\$13,444,054	\$452,440	\$1,649,868,207

Los Angeles County

Transit Operator	ARPA 5307 Allocation
Metro	\$1,239,508,166
Arcadia	\$606,361
Claremont	\$224,624
Commerce	\$1,224,731
Culver City	\$9,647,809
Foothill Transit	\$48,462,033
Gardena	\$9,761,016
La Mirada	\$180,680
Long Beach	\$42,864,434
Montebello	\$14,934,925
Norwalk	\$5,588,109
Redondo Beach	\$1,330,794
Santa Monica	\$35,755,414
Torrance	\$11,610,200
Antelope Valley	\$6,221,928
LADOT	\$31,490,569
Santa Clarita	\$5,542,574
Sub-total	\$1,464,954,367

Includes: Operator and BSCP Funds

Includes: Eligible Operator, Tier 2, Regional Paratransit, Voluntary Reporter Status

Orange County

Transit Operator	ARPA 5307 Allocation
Orange County Transit District (OCTD)	\$153,753,533
Rail (Metrolink)	\$17,263,813
Sub-total	\$171,017,346

San Bernardino County

Transit Operator	ARPA 5307 Allocation
Omnitrans	\$13,444,054
Sub-total	\$13,444,054

Riverside County

Transit Operator	ARPA 5307 Allocation
Riverside Transit Agency	\$452,440
Sub-total	\$452,440

Riverside-San Bernardino UZA FTA Section 5307 ARPA Allocation				
ORANGE	SAN BERNARDINO	RIVERSIDE		GRAND TOTAL
\$0	\$44,144,159	\$27,851,643		\$71,995,802

San Bernardino County	
Transit Operator	ARPA 5307 Allocation
Omnitrans	\$43,434,650
Rail (Metrolink)/SCRRA	\$709,509
Sub-total	\$44,144,159
Riverside County	
Transit Operator	ARPA 5307 Allocation
Riverside Transit Agency	\$27,283,482
SunLine Transit Agency	\$568,161
Sub-total	\$27,851,643

Indio-Cathedral City UZA FTA Section 5307 ARPA Allocation				
RIVERSIDE				GRAND TOTAL
\$16,011,182				\$16,011,182

Riverside County	
Transit Operator	ARPA 5307 Allocation
SunLine Transit Agency	\$16,011,182
Total	\$16,011,182

Murrieta-Temecula-Meniffee UZA FTA Section 5307 ARPA Allocation				
RIVERSIDE				GRAND TOTAL
\$900,366				\$900,366

Riverside County	
Transit Operator	ARPA 5307 Allocation
Riverside Transit Agency	\$900,366
Total	\$900,366

Lancaster-Palmdale UZA FTA Section 5307 ARPA Allocation				
LOS ANGELES				GRAND TOTAL
\$1,665,574				\$1,665,574

Los Angeles County	
Transit Operator	ARPA 5307 Allocation
Antelope Valley Transit Authority	\$1,665,574
Total:	\$1,665,574

Santa Clarita UZA FTA Section 5307 ARPA Allocation				
LOS ANGELES				GRAND TOTAL
\$16,028,364				\$16,028,364

Los Angeles County	
Transit Operator	ARPA 5307 Allocation
Santa Clarita Transit	\$16,028,364
Total:	\$16,028,364

RESOLUTION NO. 21-60

RESOLUTION OF THE CITY OF MONTEBELLO APPROVING THE APPLICATION FOR FEDERAL TRANSIT ADMINISTRATION (FTA) FUNDS FOR THE CORONAVIRUS RESPONSE RELIEF SUPPLEMENTAL APPROPRIATIONS (CRRSA) ACT OF 2021

RECITALS

WHEREAS, on December 27, 2020, Congress approved and signed into law the Coronavirus Response Relief Supplemental Appropriations (CRRSA) Act of 2021 as the second act of federal relief in response to COVID-19; and

WHEREAS, the CRRSA Act provides \$14 billion dollars in grant aid to support the transit industry during the COVID-19 public health emergency; and

WHEREAS, the Los Angeles Metropolitan Transportation Authority has been delegated the authority to administer and award financial assistance to owners of transit fleets under the Grant; and

WHEREAS, the City of Montebello (the "City"), as a transit bus owner by and through the Montebello Bus Lines (the "Transportation Department") is an eligible recipient of the Grant; and

WHEREAS, receipt of Grant funds would assist the Transportation Department with operating expenses incurred as a result of the health pandemic emergency; and

WHEREAS, as a qualified applicant, the City is willing and able to carry out all activities described in the Grant guidelines.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:

APPROVES THE SUBMISSION OF APPLICATION FOR THE CORONAVIRUS RESPONSE RELIEF SUPPLEMENTAL APPROPRIATIONS ACT OF 2021; AND

SECTION 1: Approvals and Certifications.

1. The Transportation Department is authorized to execute and file and application for the City of Montebello, through Montebello Bus Lines (MBL), to receive Coronavirus Response Relief Supplemental Appropriations Funds for operation cost and other COVID-19 related expenditures.
2. City Staff shall take the necessary steps to complete the CRRSA Act Funds application process including executing necessary documents and, if the grant application is approved, managing the project.

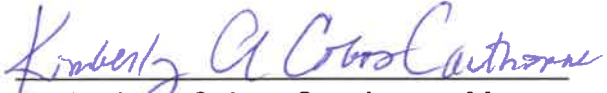
RESOLUTION NO. 21-60

Page 2 of 3

3. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

SECTION 2: That the City Clerk shall certify to the passage and adoption of this Resolution and that the same shall be in full force and effect.

APPROVED AND ADOPTED this 28th day of July 2021.


Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:


Christopher Jimenez, City Clerk

APPROVED AS TO FORM:


Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF MONTEBELLO) SS:



I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 21-60 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 28th day of July 2021 and that said Resolution was adopted by the following vote, to-wit:

AYES: Jimenez, Melendez, Torres, Peralta, Cobos-Cawthorne
NOES: None
ABSTAIN: None
ABSENT: None

RESOLUTION NO. 21-60

Page 3 of 3

The undersigned, City Clerk of the City of Montebello, does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said City which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE:

7/28/2021

Chris Jimenez
Christopher Jimenez, City Clerk

**UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION**

**GRANT AGREEMENT
(FTA G-28, February 9, 2021)**

On the date the authorized U.S. Department of Transportation, Federal Transit Administration (FTA) official signs this Grant Agreement, FTA has obligated and awarded federal assistance as provided below. Upon execution of this Grant Agreement by the Recipient named below, the Recipient affirms this FTA Award, enters into this Grant Agreement with FTA, and binds its compliance with the terms of this Grant Agreement.

The following documents are incorporated by reference and made part of this Grant Agreement:

- (1) "Federal Transit Administration Master Agreement," FTA MA(28), February 9, 2021, <http://www.transit.dot.gov>,
- (2) The Certifications and Assurances applicable to the FTA Award that the Recipient has selected and provided to FTA, and
- (3) Any Award notification containing special conditions or requirements, if issued.

WHEN THE TERM "FTA AWARD" OR "AWARD" IS USED, EITHER IN THIS GRANT AGREEMENT OR THE APPLICABLE MASTER AGREEMENT, "AWARD" ALSO INCLUDES ALL TERMS AND CONDITIONS SET FORTH IN THIS GRANT AGREEMENT.

FTA OR THE FEDERAL GOVERNMENT MAY WITHDRAW ITS OBLIGATION TO PROVIDE FEDERAL ASSISTANCE IF THE RECIPIENT DOES NOT EXECUTE THIS GRANT AGREEMENT WITHIN 90 DAYS FOLLOWING FTA's AWARD DATE SET FORTH HEREIN.

FTA AWARD

Federal Transit Administration (FTA) hereby awards a Federal Grant as follows:

Recipient Information

Recipient Name: MONTEBELLO, CITY OF

Recipient ID: 1657

DUNS No: 174479642

Award Information

Federal Award Identification Number: CA-2021-169-00

Award Name: City of Montebello Transit 5307 CRRSAA Operating Assistance Grant

Award Start Date: 8/16/2021

Original Award End Date: 6/30/2022

Current Award End Date: 6/30/2022

Award Executive Summary: This application utilizes CRRSAA funding to prevent, prepare for, and respond to coronavirus. This is an FFY2021 Section 5307 CRRSAA application in the amount of \$1,000,000., representing 100% federal share of the total eligible amount. The application scope of work includes operating assistance only.

The CRRSAA funds are to support the projects included in this application by the following UZA apportionment:

FFY21CRRSAA Section 5307-08 Los Angeles UZA (#060020) : \$1,000,000

The split letter, dated 05/06/2021, is attached in TrAMS. The remaining balance of \$8,292,827 CRRSAA 5307 funds will be requested in future grants or amendments.

The City of Montebello Transit is hereby submitting this grant application in support of the following project:

Operating Assistance

This grant is requesting \$1,000,000 of FFY21 Federal Section 5307-08 CRRSAA funds to support operating costs for the period of July 1, 2021, through June 30, 2022. The City of Montebello Transit's estimated operating budget, as defined by NTD Reporting System, for July 1, 2021, to June 30, 2022, is \$34,317,900.

The Recipient agrees that if it receives Federal funding from the Federal Emergency Management Agency (FEMA) or through a pass-through entity through the Robert T. Stafford Disaster Relief and Emergency Assistance Act, a different Federal agency, or insurance proceeds for any portion of a project activity approved for FTA funding under this Grant Agreement, it will provide written notification to FTA, and reimburse FTA for any Federal share that duplicates funding provided by FEMA, another Federal agency, or an insurance company.

Per the CRRSAA, the project in this application is not required to be programmed in the Long-Range Transportation Plan, Statewide Transportation Plan, or Statewide Transportation Improvement Program.

Purpose: The purpose of the grant is to assist MBL in covering its operating expenditures to better respond to operational needs of the department as a result of the COVID-19 pandemic.

Activities to be performed: Montebello staff will utilize funds to assist in the continued operation of vehicle operations, vehicle maintenance, facility maintenance and general administration as a result of the pandemic. Funds will be utilized to purchase needed supplies and cover employee salaries.

Expected Outcomes: The activities funded with the CRRSAA funds will assist and improve Montebello's operations.

Intended Beneficiaries: Local residents, businesses and passengers will benefit from improved operations.

Subrecipient Activities: The recipient does not intend to subaward funds.

Research and Development: This award does not include research and development activities.

Indirect Costs: This award does not include an indirect cost rate.

Suballocation Funds: Recipient organization is suballocated these apportioned funds and can apply for and receive these funds directly.

Pre-Award Authority: This award is using Pre-Award Authority.

Award Budget

Total Award Budget: \$1,000,000.00

Amount of Federal Assistance Obligated for This FTA Action (in U.S. Dollars): \$1,000,000.00

Amount of Non-Federal Funds Committed to This FTA Action (in U.S. Dollars): \$0.00

Total FTA Amount Awarded and Obligated (in U.S. Dollars): \$1,000,000.00

Total Non-Federal Funds Committed to the Overall Award (in U.S. Dollars): \$0.00

Award Budget Control Totals

(The Budget includes the individual Project Budgets (Scopes and Activity Line Items) or as attached)

Funding Source	Section of Statute	CFDA Number	Amount
5307 - Urbanized Area Formula Grants (CRRSAA)	5307-8	20507	\$1,000,000
Local			\$0
Local/In-Kind			\$0
State			\$0
State/In-Kind			\$0
Other Federal			\$0
Transportation Development Credit			\$0
Adjustment			\$0
Total Eligible Cost			\$1,000,000

(The Transportation Development Credits are not added to the amount of the Total Award Budget.)

U.S. Department of Labor Certification of Public Transportation Employee Protective Arrangements:

Review Decision: DOL Concurs - Certified
Original Certification Date: 8/16/2021

Special Conditions

There are no special conditions.

FINDINGS AND DETERMINATIONS

By signing this Award on behalf of FTA, I am making all the determinations and findings required by federal law and regulations before this Award may be made.

FTA AWARD OF THE GRANT AGREEMENT

Awarded By:
Ray Tellis
Regional Administrator
FEDERAL TRANSIT ADMINISTRATION
U.S. DEPARTMENT OF TRANSPORTATION
Contact Info: ray.tellis@dot.gov
Award Date: 8/16/2021

EXECUTION OF THE GRANT AGREEMENT

Upon full execution of this Grant Agreement by the Recipient, the Effective Date will be the date FTA or the Federal Government awarded Federal assistance for this Grant Agreement.

By executing this Grant Agreement, the Recipient intends to enter into a legally binding agreement in which the Recipient:

- (1) Affirms this FTA Award,
- (2) Adopts and ratifies all of the following information it has submitted to FTA:
 - (a) Statements,
 - (b) Representations,
 - (c) Warranties,
 - (d) Covenants, and
 - (e) Materials,
- (3) Consents to comply with the requirements of this FTA Award, and
- (4) Agrees to all terms and conditions set forth in this Grant Agreement.

Executed By:

MONTEBELLO, CITY OF

ATTACHMENT F

RESOLUTION NO. 22-15

RESOLUTION OF THE CITY OF MONTEBELLO, CALIFORNIA, PARTIALLY RESCINDING RESOLUTION NO. 22-01 AND REAUTHORIZING THE AMENDMENT OF GRANT CA-2021-169-00 UNDER THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE CORONAVIRUS RESPONSE RELIEF SUPPLEMENTAL APPROPRIATIONS ACT (CRRSAA) FUNDS

RECITALS

WHEREAS, on December 27, 2020, Congress approved and signed into law the Coronavirus Response Relief Supplemental Appropriations Act of 2021 (CRRSAA) as the second act of federal relief in response to COVID-19; and

WHEREAS, the CRRSA Act of 2021 (CRRSAA) provides \$14 billion dollars in grant aid to support the transit industry during the COVID-19 public health emergency; and

WHEREAS, the City of Montebello ("City"), by and through the Montebello Bus Lines ("MBL" or the "Transportation Department") initially applied for \$1,000,000 in CRRSAA funding (Federal Grant No. CA-2021-169-00) and now seeks to amend Federal Grant No. CA-2021-169-00 application, to increase the grant amount for operating assistance to \$9,282,827; and

WHEREAS, the adoption of this resolution will partially rescind Resolution No. 22-01 adopted by City Council on January 12, 2022, specifically the section that amended Federal Grant CA-2021-169-00 that increased the grant amount from \$1,000,000 to \$3,778,452 for operating assistance in response to FTA's guidance to obligate any remaining CRRSAA funds in a timely manner to avoid any potential future challenges related to the U.S Department of Labor challenging California's eligibility to receive federal money for public transit; and

WHEREAS, the Los Angeles Metropolitan Transportation Authority (Metro) has been delegated the authority to administer and award financial assistance to owners of transit fleets under the Grant; and

WHEREAS, the City, as a transit bus owner by and through the MBL is an eligible recipient of the Grant; and

WHEREAS, receipt of Grant funds would assist the Transportation Department with operating expenses incurred as a result of the health pandemic emergency; and

WHEREAS, as a qualified applicant, the City is willing and able to carry out all activities described in the Grant guidelines.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO
HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:**

RESOLUTION NO. 22-15

Page 2 of 3

APPROVES THE SUBMISSION OF AMENDMENT TO GRANT CA-2021-169-00 FOR CRRSAA AND THE APPLICATION FOR A NEW GRANT UTILIZING ARPA; AND

SECTION 1. Approvals and Certifications.

1. The Transportation Department is hereby authorized to amend the City's Federal Grant CA-2021-169-00 application to request an increase in operating assistance from \$1,000,000 to \$9,292,827.
2. City Staff shall take the necessary steps to complete the CRRSAA Funds application process including executing necessary documents and, if the grant application is approved, managing the project.
3. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

SECTION 2. The City Council hereby partially rescinds Resolution 22-01 adopted by City Council on January 12, 2022 specifically the section that amended Federal Grant CA-2021-169-00 to increase the grant amount from \$1,000,000 to \$3,778,452 (section to be rescinded are attached hereto as Exhibit 1).

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution and that the same shall be in full force and effect.

APPROVED AND ADOPTED this 23rd day of March 2022.

Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:

APPROVED AS TO FORM:

Christopher Jimenez, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF MONTEBELLO) SS:

RESOLUTION NO. 22-15

Page 3 of 3

I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 22-15 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 23rd day of March 2022 and that said Resolution was adopted by the following vote, to-wit:

AYES:**NOES:****ABSTAIN:****ABSENT:**

The undersigned, City Clerk of the City of Montebello, does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said City which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: _____

Christopher Jimenez, City Clerk**EXHIBITS**

- Exhibit 1 – Resolution 22-01

RESOLUTION NO. 22-01

**RESOLUTION OF THE CITY OF MONTEBELLO APPROVING ~~THE~~
~~AMENDMENT OF FEDERAL GRANT CA-2021-169-00 APPLICATION~~
~~UNDER THE FEDERAL TRANSIT ADMINISTRATION (FTA) FOR THE~~
~~CORONAVIRUS RESPONSE RELIEF SUPPLEMENTAL~~
~~APPROPRIATIONS ACT (CRRSAA) AND THE SUBMISSION OF A~~
~~GRANT FOR THE USE OF AMERICAN RESCUE PLAN ACT (ARPA)~~
~~FUNDS~~**

RECITALS

~~**WHEREAS**, on December 27, 2020, Congress approved and signed into law the Coronavirus Response Relief Supplemental Appropriations Act of 2021 (CRRSAA) as the second act of federal relief in response to COVID-19, and~~

~~**WHEREAS**, the CRRSA Act of 2021 (CRRSAA) provides \$14 billion dollars in grant aid to support the transit industry during the COVID-19 public health emergency, and~~

~~**WHEREAS**, the City of Montebello ("City"), by and through the Montebello Bus Lines ("MBL" or the "Transportation Department") initially applied for \$1,000,000 in CRRSAA funding (Federal Grant No. CA-2021-169-00) and now seeks to amend to Federal Grant No. CA-2021-169-00 application to increase the grant amount for operating assistance to \$3,778,452, and~~

WHEREAS, on March 11, 2021, Congress approved and signed into law the American Rescue Plan Act (ARPA) in response to the financial shortfalls in nearly every sector of the American economy as a result of the continued COVID-19 pandemic; and

WHEREAS, ARPA provides \$1.464 billion dollars in grant aid to transit agencies to help prevent, prepare for and respond to the COVID-19 pandemic (the "Grant"); and

WHEREAS, the Los Angeles Metropolitan Transportation Authority (Metro) has been delegated the authority to administer and award financial assistance to owners of transit fleets under the Grant; and

WHEREAS, the City, as a transit bus owner of MBL is an eligible recipient of the Grant; and

~~**WHEREAS**, receipt of Grant funds, in combination with the requested increase in CRRSAA funding would assist the Transportation Department with operating expenses incurred as a result of the health pandemic emergency; and~~

WHEREAS, as a qualified applicant, the City is willing and able to carry out all activities described in the CRRSAA and Grant guidelines.

RESOLUTION NO. 22-01

Page 2 of 3

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO
HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:**

~~APPROVES THE SUBMISSION OF AN AMENDMENT TO FEDERAL GRANT CA-2021-169-00 APPLICATION FOR CRRSAA AND SUBMISSION OF AN APPLICATION FOR A NEW GRANT UNDER ARPA TO METRO; AND~~

SECTION 1: Approvals and Certifications.

- ~~1. The Transportation Department is hereby authorized to amend the City's Federal Grant CA-2021-169-00 application to request an increase in funding from \$1,000,000 to \$3,778,452.~~
- ~~2. The Transportation Department is hereby authorized to execute and file an application for the City, to receive Coronavirus Response Relief Supplemental Appropriations Funds for operation cost and other COVID-19 related expenditures.~~
3. City Staff shall take the necessary steps to complete the CRRSAA and ARPA Funds application process including executing necessary documents and, if the grant application is approved, managing the project.
4. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

SECTION 2: That the City Clerk shall certify to the passage and adoption of this Resolution and that the same shall be in full force and effect.

APPROVED AND ADOPTED this 12th day of January 2022.


Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:


Christopher Jimenez, City Clerk

APPROVED AS TO FORM:


Arnold M. Alvarez-Glasman, City Attorney

RESOLUTION NO. 22-01

Page 3 of 3

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF MONTEBELLO)

SS:



I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 22-01 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 12th day of January 2022 and that said Resolution was adopted by the following vote, to-wit:

AYES: Torres, Melendez, Peralta, Jimenez, Cobos-Cawthorne
NOES: None
ABSTAIN: None
ABSENT: None

The undersigned, City Clerk of the City of Montebello, does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said City which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: 1/12/2022

Chris Jimenez
Christopher Jimenez, City Clerk



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: James Enriquez, P.E., Director of Public Works/City Engineer

SUBJECT: **Approve an Increase to the Purchase Order for Sommers Construction Services for Exterior and Interior Painting of City Facilities**

DATE: March 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

- 1) Approve an increase in the amount of \$155,000 to the purchase order for Sommers Construction Services for exterior and interior painting of city facilities; and
- 2) Take such additional, related, actions that may be desirable.

FISCAL IMPACT

The proposed increase to the purchase order does not require any budget amendments. The Fiscal Year 2021-22 Operating and CIP Budgets included amounts in various accounts for the maintenance of city facilities. The painting services to be provided under this purchase order/agreement will be charged to the appropriate accounts that collectively have adequate funding for the anticipated services.

BACKGROUND

Annual maintenance and light remodeling of city facilities requires interior and exterior painting services. The City does not have adequate staffing to complete the painting of the numerous maintenance and light remodeling projects currently scheduled. Contracted services are required to supplement city staffing.

In October 2021, staff solicited proposals for as-needed hourly painting services. An initial purchase order was executed in the amount of \$45,000, under the City Manager's

Approve an Increase to the Blanket Purchase Order for Sommers Construction Services for Exterior and Interior Painting of City Facilities

Page 2 of 2

authority, to Sommers Construction Services who submitted the proposal with the lowest hourly rate bid. The initial purchase order has been exhausted and additional services are required to complete the ongoing and planned projects.

CONTRACTING PROCESS

Montebello Municipal Code Chapter 3.20.140 allows informal bidding procedures for contracts for public projects and maintenance work of \$200,000 or less. In October 2021, staff solicited proposals for as-needed painting services from several vendors who have the capacity and resources to complete the prescribed scope of work. The following quotes were received for hourly painting services:

1. Sommers Construction Services - \$60 /hr
2. Foothill Painting Company - \$80 /hr
3. Western Pacific Painting - \$84.75 /hr
4. Cramer Painting – no response
5. Premier WS – no response
6. Molina Premium Painting – no response
7. Western Painting – no response
8. Affinity Painting – no response

Sommers Construction Services was selected as the lowest bid and an initial purchase order was executed in the amount of \$45,000 under the City Manager's authority. Due to the number and size of ongoing maintenance and remodeling projects at various city facilities, the initial \$45,000 purchase order has been exhausted and additional contract capacity is needed to complete ongoing and planned projects.

SUMMARY

Staff is recommending that the City Council approve an increase in the amount of \$155,000 to the Purchase Order with Sommers Construction Services for painting services. This increases the total amount of the purchase order to \$200,000. Sufficient funding exists in various accounts for these services in the adopted FY 2021-22 budget, therefore, no budget adjustments are required.

ATTACHMENT(S)

None



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: James Enriquez, P.E., Director of Public Works / City Engineer
Michael Solorza, Director of Finance

SUBJECT: **Beach Street Storm Drain Emergency Repair – Final Report and Notice of Completion**

DATE: March 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

- 1) Receive and file the City Manager's final report of the emergency repair of the Beach Street Storm Drain pursuant to Montebello Municipal Code Section 3.20.140 and Public Contract Code Section 222035; and
- 2) Accept the Beach Street Storm Drain Emergency Repair Project as completed by Mike Bubalo Construction Co., Inc. and approve the final contract amount with Mike Bubalo Construction Co., Inc. in the amount of \$418,390; and
- 3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by \$8,390 in Account No. 100-30-315-6040.45 (General Fund, Public Works, Stormwater, Contract Services – Storm Drain Maintenance)
- 4) Authorize the City Clerk to execute, verify and file the Notice of Completion (Attachment A) with the Los Angeles County Registrar-Recorder; and
- 5) Authorize the City Manager to release the retention payment due to Mike Bubalo Construction Co., Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
- 6) Take such additional, related, action that may be desirable.

Beach Street Storm Drain Emergency Repair – Final Report and Notice of Completion

Page 2 of 3

FISCAL IMPACT

On January 12, 2022, the City Council approved an amendment to the Fiscal Year 2021-22 budget increasing appropriations by \$535,000 in Account No. 100-30-315-6040.45 (General Fund, Public Works, Stormwater, Contract Services – Storm Drain Maintenance) for the emergency response, repair and replacement work for the subject project. This included \$125,000 for the initial emergency response for the storm drain outlet and \$410,000 for the replacement of the storm drain.

An additional amount of \$8,390 is required to cover unanticipated additional expenses related to the storm drain replacement portion of work.

The City will draw on it's allocation of Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) to offset these expenses. Sewer and water infrastructure repair is one of the various allowed uses for CSLFRF revenue. As presented at the September 1, 2021 City Council Study Session, Staff outlined various proposed uses for the \$16.59 million in CSLFRF revenue the City would receive over the next two years. Sewer and water infrastructure was one of the recommended uses, given the overwhelming need to fund critical sewer, water and storm drain repair and replacement projects.

BACKGROUND

The City Council, at its meeting of January 12, 2022, authorized the award of a contract to Mike Bubalo Construction Co., Inc. in the amount of \$390,000 to construct the Beach Street Storm Drain Emergency Repairs and authorized the City Manager to execute the contract. The contract award was also authorized dispensing with formal bidding procedures due to the emergency situation in accordance with California Public Contract Code Section 22035 and Montebello Municipal Code Chapter 3.20.140. Construction commenced on January 26, 2022.

ANALYSIS

The Contractor completed construction of this project on March 4, 2022. The City Engineer has reviewed the daily inspection reports and determined that the project was completed satisfactorily and in accordance with the project plans and contract specifications. The contractor's final accounting was reviewed and approved by the City Engineer.

The project was completed at a total cost of \$418,390, \$8,390 over the \$410,000 budget approved by the City Council on January 12, 2022. The additional costs over the initial contract amount are due to design modifications that were required by unanticipated underground utility conflicts and additional disposal costs for oversaturated soil that was encountered during excavation and could not be reused for trench backfilling.

Beach Street Storm Drain Emergency Repair – Final Report and Notice of Completion

Page 3 of 3

NOTICE OF COMPLETION

Pursuant to Civil Code Section 3093, when a Capital Improvement Project is completed, a Notice of Completion must be prepared and filed with the County Recorder's Office for recordation after completion of the improvement. In compliance with this section of the Civil Code, the City Engineer has prepared the required Notice of Completion for the City Council to accept the project as completed; and to authorize the City Clerk to execute, verify and file the Notice of Completion for recordation with the County Recorder's Office.

SUMMARY

Staff is recommending that the City Council accept the Project as completed, approve the final contract amount, including change orders, amend the FY 2021-22 budget by increasing appropriations by \$8,390 in Account No. 100-30-315-6040.45 (General Fund, Public Works, Stormwater, Contract Services – Storm Drain Maintenance), authorize the City Clerk to execute, verify and file the Notice of Completion with the Los Angeles County Registrar-Recorder and authorize the City Manager to release the retention payment due to Mike Bubalo Construction Co., Inc. following the mandatory waiting period from the date the Notice of Completion is recorded. This is the final report by the City Manager on this emergency project.

ATTACHMENT:

A. Attachment A - Notice of Completion

NAME CITY OF MONTEBELLO
CITY CLERK

STREET ADDRESS 1600 W Beverly Blvd.

CITY Montebello,

STATE CA

ZIP 90640

SPACE ABOVE LINE FOR RECORDERS USE

ATTACHMENT A

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion. (See reverse side for complete requirements.)

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is City of Montebello
3. The full address of the owner is 1600 W Beverly Blvd., Montebello, CA 90640
4. The nature of the interest or estate of the owner is: in fee.

(if other than Fee, strike "In fee" and insert, for example, "purchaser under contract of purchase", or "lessee")

5. The full names and full addresses of all persons, if any, who hold title with the undersigned as joint tenants or as tenants in common are:

NAMES

ADDRESSES

6. The full names and addresses of the predecessors in interest of the undersigned, if the property was transferred subsequent to the commencement of the work or improvements herein referred to:

NAMES

ADDRESSES

7. A work of improvement on the property hereinafter described was completed on March 4, 2022. The general scope of work consisted of storm drain construction.

8. The name of the contractor, if any, for such work of improvement was Mike Bubalo Construction Co., Inc.

Jan 13, 2022

(If no contractor for work of improvement as a whole, insert "None")

(Date of Contract)

9. The property on which said work of improvement was completed is in the City of Montebello County of Los Angeles, State of CA, and is described as follows: **Beach Street Storm Drain – Emergency Repair**

Director of Public Works / City Engineer, City of Montebello

(Signature of Owner or corporate officer of Owner named in paragraph 2. or his agent)

VERIFICATION

I, the undersigned, say: I am the City Clerk of the City of Montebello, the declarant of the foregoing Notice of Completion:

I have read said Notice of Completion and know the contents thereof; the same is true to my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 2022 at City of Montebello, Montebello, CA

(Personal signature of the individual who is swearing that the contents of the Notice of Completion are true)

DO NOT RECORD

REQUIREMENTS AS TO NOTICE OF COMPLETION

A notice of completion must be filed for record WITHIN 10 DAYS after completion of the work of improvement (to be computed exclusive of the day of completion), as provided in Civil Code Section 3093.

The "owner" who must file for record a notice of completion of a building or other work of improvement means the owner (or his successor in-interest at the date the notice is filed) on whose behalf the work was done, though his ownership is less than the fee title. For example, if A is the owner in fee, and B, lessee under a lease, causes a building to be constructed, then B, or whoever has succeeded to his interest at the date the notice is filed, must file the notice.

If the ownership is in two or more persons as joint tenants or tenants in common, the notice may be signed by any one of the co-owners (in fact, the foregoing form is designed for giving of the notice by only one cotenant), but the names and addresses of the other co-owners must be stated in paragraph 5 of the form.

Note that any Notice of Completion signed by a successor in interest shall recite the names and addresses of his transferor or transferors.

In paragraphs 3, 5 and 6, the full address called for should include street number, city, county and state.

As to paragraphs 7 and 8, this form should be used only where the notice of completion covers the work of improvement as a whole. If the notice is to be given only of completion of a particular contract, where the work of improvement is made pursuant to two or more original contracts, then this form must be modified as follows: (1) Strike the words "A work of improvement" from paragraph 6 and insert a general statement of the kind of work done or materials furnished pursuant to such contract (e.g., "The foundations for the improvements"); (2) Insert the name of the contractor under the particular contract in paragraph 7.

In paragraph 8 of the notice, insert the name of the contractor for the work of improvement as a whole. No contractor's name need be given if there is no general contractor, e.g., on so-called "owner-builder jobs."

In paragraph 9, insert the full, legal description, not merely a street address or tax description. Refer to deed or policy of title insurance. If the space provided for description is not sufficient, a rider may be attached.

In paragraph 10, show the street address, if any, assigned to the property by any competent public or governmental authority.

This standard form covers most usual problems in the field indicated. Before you sign, read it, fill in all blanks, and make changes proper to your transaction. Consult a lawyer if you doubt the form's fitness for your purpose.



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and Members of the City Council

FROM: René Bobadilla, P.E., City Manager

BY: Michael Solorza, Finance Director

SUBJECT: **Authorization to Retain Law Firm Stradling Yocca Carlson & Rauth (Stradling) for Services Related to Sub-lease/Lease Negotiations for the Golf Course and Top Golf Projects**

DATE: March 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

- 1) Authorize the City Manager to enter into a retention agreement with law firm Stradling Yocca Carlson & Rauth (Stradling) to provide special counsel in connection with the negotiation of a sublease agreement between the City and TopGolf USA MB, LLC and as bond and disclosure counsel with respect to the proposed financing of the TopGolf project and the proposed financing of modifications to the City's golf course.
- 2) Take such additional, related, action that may be desirable.

FISCAL IMPACT

There is no immediate fiscal impact related to approval of the retention agreement with Stradling. Stradling is a key member of the City's bond team assembled for the Top Golf and Golf Course remodel project (in partnership with the Financial Advisor UFI, Disclosure Counsel Quint & Thimmig and underwriter Cabrera Capital). The City Council approved the financing team at the August 12, 2020 City Council meeting (Attachment B).

All members of the financing team (including various additional legal counsel and other technical parties ancillary to the financing team) are remunerated as part of bond issuance – called "costs of issuance" (COI). This retention agreement is necessary

Authorization to Retain Law Firm Stradling Yocca Carlson & Rauth (Stradling) for Services Related to Sub-lease/Lease Negotiations for the Golf Course and Top Golf Projects

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because Stradling is performing additional required and necessary work beyond their normal and usual scope as bond counsel.

The additional billable hours spent negotiating the sub-lease on behalf of the City – with direction from the City Attorney's office and management – will be charged based on the rates found in Exhibit A of the attached retention agreement (Attachment A). Work on negotiating the sub-lease is ongoing and will be billed once such services are completed. Funds for these additional services will be part of the costs of issuance determined at the close of the bond deal (after sale/issue of the bonds).

BACKGROUND

In response to the 2018 State Auditor's recommendation to find alternative uses for the City's golf course, the City Council authorized staff to investigate the feasibility of bringing a TopGolf entertainment venue to Montebello and to redesign and redevelop the City's golf course.

As part of the project to re-imagine the Golf Course, the City will issue bonds to finance the development of the TopGolf project, as well as remodel the remaining portion of the golf course. Annual bond payment costs (i.e., debt service) will be paid by TopGolf. The City will not pay for any debt service related to the Top Golf project. Stradling was engaged, as a package, along with the Financial Advisor, UFI and Cabrera Capital as the underwriter, to provide specialized services related to the bond issuance. Stradling's assistance has been vital in preparing a sub-lease with language that protects the City.

The TopGolf facility will be developed on a portion of the City owned golf course. While the City retains ownership of the golf course land, TopGolf will lease the property from the City. Serving as bond counsel for the project's financing, Stradling is in a unique position, and has the expertise to assist the City with negotiating and drafting the sub-lease contract between the City and TopGolf, ensuring the City's financial interests are protected.

While Stradling will be compensated for their work as bond counsel through the bond issuance (costs of issuance), it is necessary to memorialize the retention agreement for special counsel services Stradling provides related to the sub-lease negotiations, which is beyond the normal scope of bond issuance services. The legal team at Stradling has provided numerous hours of work in the past few months – in conjunction with City Staff and the City Attorney's office – to negotiate an acceptable sub-lease with Top Golf.

Staff believes retaining Stradling, due of their unique position as both bond counsel and special counsel to draft and negotiate the City's sub-lease with TopGolf, ultimately protects the City's financial interest and ensures the TopGolf deal is beneficial to the City and its tax payers.

**Authorization to Retain Law Firm Stradling Yocca Carlson & Rauth (Stradling)
for Services Related to Sub-lease/Lease Negotiations for the Golf Course and
Top Golf Projects**

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CONTRACT PROCESS

Due to the specialized nature of the service, this procurement is governed by Municipal Code 3.20.050 for professional services, adopted on February 9, 2022, which allows the City to select firms without the requirement for additional quote, bids or proposals. Furthermore, the financing team – which includes Stradling – was approved at the August 12, 2020 City Council meeting.

SUMMARY

Upon approval, staff will enter into a “terms of retention agreement” with Stradling Yocca Carlson & Rauth for special counsel services related to the financing of the TopGolf project and the negotiation of a sub-lease with TopGolf USA MB, LLC.

ATTACHMENTS:

- A. Attachment A – Retention Agreement
- B. Attachment B – August 12, 2020 Agenda Report



Stradling Yocca Carlson & Rauth
A Professional Corporation
660 Newport Center Drive, Suite 1600
Newport Beach, CA 92660-6422
949 725 4000
stradlinglaw.com

Brian P. Forbath
949 725 4193
bforbath@stradlinglaw.com

**TERMS OF RETENTION
OF
STRADLING YOCCA CARLSON & RAUTH**

1. **Fees and Costs.** Stradling Yocca Carlson & Rauth (the "Firm") is compensated for its services based primarily on the value of the services and the time spent performing them. Such compensation may include the time spent on client conferences, travel, research, drafting documents, and other activities. The amount of fees charged on a statement is determined by the hours expended by the different attorneys and other professional personnel involved and the applicable rates. A schedule of the hourly rates applicable to attorneys expected to work on City matters is attached as Exhibit A. The hourly rates provided in Exhibit A are discounted rates the Firm charges for public agencies on similar matters. Such rates may change from time-to-time but no increases in excess of 2% per annum shall be implemented without the written consent of the City Manager to the City. The scope of work as special counsel for work relating to the TopGolf Project (excluding bond and disclosure counsel services) is provided as Exhibit B.

Notwithstanding the foregoing, all fees for bond counsel and disclosure counsel services with respect to specific transactions will be at fixed fees payable contingent upon completion of the specific task or the closing of the transaction as agreed in supplements to this Terms of Retention. The scope of work for bond counsel and disclosure counsel services on specific transactions is provided in Exhibit C.

The Firm also charges for various costs such as copying, telephone charges, computerized legal research, word processing and/or other computer time, overtime costs, messenger services, travel, filing fees and other costs. Bills for some costs are passed on directly, such as bills for certified shorthand reporters, technical consultants, and other professional fees. For bond counsel and disclosure counsel matters on specific transactions, expenses will be included in any fixed amount quoted to you as described above.

The Firm shall be compensated for special counsel services provided on and after November 1, 2020.

2. **Termination by the Firm.** The Firm reserves the right to withdraw from representing you if, among other things, you fail to honor the terms of our agreement, you fail to cooperate fully or follow our advice on a material matter, or any fact or circumstance occurs that would, in our view, render our continuing representation unlawful or unethical. If we elect to withdraw, you will take all steps necessary to free us of any obligation to perform further services, including the execution of any documents necessary to complete our withdrawal, and we will be entitled to be paid at the time of withdrawal for all services rendered and costs and expenses paid or incurred on your behalf.

incurred on your behalf. Notwithstanding the foregoing, no portion of any contingent bond counsel and disclosure counsel fee shall be payable in the event we terminate our representation of you as discussed above prior to closing of the proposed transaction. If necessary in connection with litigation, we would request leave of court to withdraw.

3. **Termination by the City.** We understand that we serve at the pleasure of the City and this Terms of Retention may be terminated by the City at any time, upon 10 days written notification with or without cause. In the event that our services are terminated prior to completion of the financing, no portion of any contingent bond counsel or disclosure counsel fee shall be payable to us, but the City will pay the Firm for work performed as special counsel on the TopGolf Project to the date this agreement is terminated.

4. **Date of Termination.** Our representation of you will be considered terminated at the earlier of (i) your termination of our representation, (ii) our withdrawal from our representation of you, or (iii) the substantial completion of our substantive work for you.

5. **Related Activities.** If any claim or action is brought against us or any personnel or agents of the firm based on your negligence or misconduct, or if we are asked to testify as a result of our representation of you or must defend the confidentiality of your communications in any proceeding, you agree to pay us for any resulting fees, costs, or damages, including our time, even if our representation of you has ended.

6. **No Guarantee of Outcome.** The Firm will provide its services consistent with the level and quality of expertise expected of a nationally recognized firm specializing in securities law and the transactions contemplated by this agreement. We do not and cannot guarantee any outcome in a matter.

7. **Insurance.** We hereby advise you that this Firm maintains professional errors and omissions insurance coverage applicable to the services to be rendered to you. Evidence of such insurance will be provided upon request.

8. **Client.** This Firm's client for the purpose of our representation is only the City. Unless expressly agreed, the Firm is not undertaking the representation of any related or affiliated person or entity, nor any parent, brother-sister, subsidiary, or affiliated corporation or entity, nor any of your or their officers, directors, agents, or employees.

9. **Client File and Retention.** For each matter the Firm maintains a file in which the Firm places certain documents and items, including original documents, that are reasonably necessary to the Firm's representation in the matter. The Firm currently keeps each file for seven years after a matter concludes. The file belongs to the client and, subject to any protective order or non-disclosure agreement, the client may request to take possession of it once the matter concludes. Should all or any portion of the file become the subject of a subpoena, discovery request or other disclosure obligation ("Legal Process") while in the Firm's possession, including after the matter concludes, you agree to pay the Firm's then-prevailing hourly rates and costs that the Firm incurs in connection with the Legal Process.

10. **Payment Notwithstanding Dispute.** In the event of any dispute that relates to our entitlement to any payment from you, all undisputed amounts shall be paid by you. Any amounts in any client trust account held on your behalf, sufficient to pay the disputed amounts, shall continue to be held in such trust account until the final disposition of the dispute.

11. **Arbitration.** We appreciate the opportunity to serve as your attorneys and anticipate a productive and harmonious relationship. If you should feel for any reason that there is a problem with the services we have performed or with our charges, we encourage you to bring that to our attention immediately. If we perceive a problem with your representation, we likewise will endeavor to discuss it with you. Most problems should be rectified by communication and discussion. However, a dispute might arise between us which could not be resolved by negotiation. We believe that such attorney-client disputes are most satisfactorily resolved through final and binding arbitration rather than by litigation. Both the United States Supreme Court and the California Supreme Court have endorsed arbitration as an accepted and favored method of resolving disputes, because it is economical and expeditious.

In arbitration, there is no right to a trial by jury and the arbitrator's legal and factual determinations are generally not subject to appellate review. Arbitration rules of evidence and procedure are often less formal and less rigid than the rules which apply in Court. Arbitration usually results in a decision much more quickly than proceedings in Court, and the attorneys' fees and other costs incurred by both sides may be substantially less. You are free to discuss the advisability of arbitration with us, or with your own independent counsel or any of your other advisors, and to ask any questions which you may have.

By signing this Terms of Retention, we agree that, in the event of any dispute or claim arising out of or relating to our engagement, our relationship, our charges, or our services (including but not limited to disputes or claims regarding our charges, professional malpractice, errors or omissions, breach of contract, breach of fiduciary duty, fraud, or violation of any statute), SUCH DISPUTE OR CLAIM SHALL BE RESOLVED BY SUBMISSION TO FINAL AND BINDING ARBITRATION IN LOS ANGELES COUNTY, CALIFORNIA, BEFORE A RETIRED JUDGE OR JUSTICE. BY AGREEING TO ARBITRATE, YOU WAIVE ANY RIGHT YOU HAVE TO A COURT OR JURY TRIAL. Venue with regard to any ancillary proceedings arising out of such dispute or claim shall also be in Los Angeles County. If we are unable to mutually agree on a retired judge or justice, then each side will name one retired judge or justice and the two named persons will select a neutral judge or justice who will act as the sole arbitrator. The fees of the arbitrator will be paid initially equally by both the Firm and you. However, the arbitrator shall have the right to order either party to pay all fees and costs as part of his award.

In arbitration, we shall both be entitled to conduct discovery in accordance with the provisions of the California Code of Civil Procedure, but either of us may request that the arbitrator limit the amount or scope of such discovery and, in determining whether to do so, the arbitrator shall balance the need for the discovery against the parties' mutual desire to resolve disputes expeditiously and inexpensively.

Under California law, you have the right, if you desire, to request arbitration of any fee dispute before an arbitrator or panel of arbitrators selected by a local bar association or the State Bar

("Bar Arbitration") and a trial de novo in court if dissatisfied with the result. If you do request a Bar Arbitration, the law provides that evidence of any claim of malpractice or professional misconduct is admissible only concerning the fees or costs in dispute and that the Bar Arbitrators shall not award any affirmative relief in the form of damages, offset or otherwise on account of such claim. By signing this Terms of Retention, you agree that if a Bar Arbitration is conducted, that Bar Arbitration or any trial de novo in Court thereafter shall determine only the issue of the amount of fees properly chargeable to you, if any, and that such Bar Arbitration or trial de novo in Court thereafter shall have no effect on the provisions set forth above which require arbitration before a retired judge or justice of any claims for affirmative relief based on alleged professional malpractice, errors or omissions, breach of conduct, breach of fiduciary duty, fraud or violation of any statute. Any such claims shall be solely determined in an arbitration proceeding by a retired judge or justice without regard to the result of any Bar Arbitration or trial de novo thereafter.

12. **Primary Attorney.** The primary attorneys with responsibility for this representation will be Brian P. Forbath and Vanessa S. Legbandt. The parties agree that the Firm is being retained based on the unique skill, experience, and expertise of Mr. Forbath and Ms. Legbandt and no change will be made in the primary attorneys without the prior, written consent of the City.

13. **Other Clients.** As a law firm with many diverse clients and practice areas, we seek to retain the ability to accept unrelated matters for all of our clients. We may thus request your informed written consent in the event we seek to represent any other client in any future matter that is not substantially related to this matter and does not involve material confidential information we obtained while representing you in this matter. Such matters could arise during our representation of you in this matter. You may determine to consent or not consent to such request and should feel free to consult city attorney before deciding whether to grant any consent should it be requested.

The Firm represents various investment banks and underwriters from time-to-time on transactions for public agencies other than the City. The Firm will not represent any investment bank or underwriter (or any other party to the transaction) on any City transaction.

14. **Electronic Communication and Storage Technology.** The Firm uses cell phones, email, wireless networks, cloud-based platforms, and other technology to communicate with others and to transmit or store documents and information. Such technology helps the Firm provide efficient and convenient legal services, but may pose confidentiality and security risks. By signing this letter agreement, you consent to the Firm's use of all such technology in connection with this engagement.

15. **Processing Client Personal Information.** In connection with our engagement, you may be required to disclose to the Firm, or the Firm may obtain on your behalf, personal information relating to individuals that the Firm does not otherwise collect for the Firm's own commercial or business purposes ("Client Personal Information"). For example, materials that you provide to the Firm for purposes of due diligence may contain Client Personal Information relating to third parties. You hereby acknowledge, agree and require that the Firm only collect, retain, use, disclose, or otherwise process Client Personal Information as your "service provider" or "data processor," as defined in the California Consumer Privacy Act of 2018 or other data privacy laws, as applicable (collectively, "Data Privacy Laws"), or pursuant to any exception that may apply under Data Privacy

Laws regarding the attorney-client relationship. The Firm will not sell Client Personal Information. The Firm will not collect, retain, use, disclose or otherwise process Client Personal Information for any purpose other than for the purpose of performing services to you pursuant to this engagement letter, unless applicable law requires us to do otherwise. The Firm will not collect, retain, use, disclose, or otherwise process Client Personal Information outside of the Firm's direct relationship with you, unless applicable law requires the Firm to do otherwise. The Firm certifies that the Firm understands these restrictions and will comply with them. These restrictions are not intended to reduce or replace our obligations under applicable rules of professional conduct, including but not limited to the Firm's obligation of confidentiality.

16. **Publicity**. You consent to the Firm's use of your name and logo (if applicable) on our web site and in our marketing materials.

17. **Client Communication**. You hereby designate Rene Bombadilla, City Manager, to act on your behalf for this matter, and you authorize us to communicate with, and receive directions from, that person and any other person that you may designate in the future.

18. **Authority to Sign**. The person signing this letter on behalf of the City represents that he or she has the full right and authority to do so, and to fully commit and bind the City to this engagement letter.

19. **Miscellaneous**. This letter sets forth the entire agreement between you and the Firm, and there is no other or additional understanding between you and the Firm on these subjects. This agreement supersedes any prior agreements or representations, written or oral, between you and the Firm on these subjects. Any modification or amendment to this agreement must be in a writing signed by you and the Firm. This agreement shall be governed by California law without reference to its conflict of law principles. If any provision of this agreement is found to be invalid or unenforceable, that provision shall be deemed modified or removed so that it is valid and enforceable to the fullest extent of the law, and the other provisions of this agreement shall be unimpaired.

EXHIBIT A

2022 "B" GROUP DISCOUNTED RATES

DEPARTMENT	"B" SHAREHOLDERS	2022 "B" RATE
PUBLIC	BRIAN P. FORBATH	\$650.00
PUBLIC	CAROL LEW	650.00
PUBLIC	VANESSA S. LEGBANDT	600.00
DEPARTMENT	"B" ASSOCIATES	2022 "B" RATE
PUBLIC	NICOLAS G. YEAGER AND OTHER ASSOCIATES	\$375.00

ALL "B" GROUP PARALEGALS AND LAW CLERKS ARE AT \$150.00/HOUR
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EXHIBIT B

INITIAL SCOPE OF SERVICES AS ACQUISITION COUNSEL

1. Review, revise, and provide comments regarding draft agreements and ancillary documents prepared by legal counsel to TopGolf USA MB, LLC (“TopGolf”);
2. Advise City staff, City consultants and City Council with respect to the City rights and obligation under such documents, strategy with respect to undertaking the construction of the TopGolf Project and legal considerations with respect thereto;
3. Participate in negotiations with TopGolf regarding the terms of a development agreement and sublease agreement and ancillary documents;
4. Research and analysis of law in connection with TopGolf Project, including legal authority for construction contracting activities, leasing, and economic development subsidies;
5. On behalf of the City, co-ordinate the closing of the sublease conveyance to TopGolf in accordance with the terms and conditions of the sublease and related documents;
6. Attend City Council meetings with respect to the proposed TopGolf Project;
7. If requested, prepare necessary ordinances, resolutions and similar documents as required to approve and implement such acquisition; and
8. Such other matters related to the TopGolf Project as may be requested by the City, excluding bond counsel and disclosure counsel services described in Exhibit C.

EXHIBIT C

SCOPE OF SERVICES BOND COUNSEL AND DISCLOSURE COUNSEL

In the event that the City proceeds with the TopGolf Project, a mutually agreeable supplement to this engagement letter shall be entered into by the City and the Firm to set forth a fixed fee for bond and disclosure counsel services performed through the closing date of the applicable financing, as follows:

1. The Firm will undertake the following Scope of Services with respect to bond counsel services:

Advise the City with respect to the proposed financing, including but not limited to:

(a) advice and consultation with the city manager, city attorney, other staff of the City and the City Council regarding the financing process;

(b) prepare all legal proceedings in connection with the proposed financing, including, but not limited to drafting various ordinances, resolutions, documents and agreements for consideration by the City Council of the City;

(c) participation in meetings, hearings or negotiations with the City staff, City Council, municipal advisors, underwriters and other financing team members as the circumstances require;

(d) render a validity opinion with respect to the proposed debt obligation and, with respect to transactions expected to be tax exempt, deliver a tax opinion that interest earned with respect to the City's debt obligation is exempt from State and Federal taxes, if applicable;

(e) review and prepare summaries of the major legal documents for inclusion in the Official Statement; and

(f) prepare final closing documents to be executed by the City to effect delivery of any financing (including the tax certificate).

For purposes of Paragraph 1, if the City elects to incur indebtedness through a financing corporation or a financing joint powers agency, all references to the City shall be deemed to include the financing corporation or joint powers agency.

2. The Firm will undertake the following Scope of Services with respect to disclosure counsel services:

(a) Prepare disclosure documents for the City for use in all offering documents to comply with federal disclosure regulations;

(b) Obtain information to prepare the preliminary and final offering documents from counsel, municipal advisors, underwriters, underwriters' counsel and the City as appropriate;

(c) Prepare the 15c2-12 Certificate to be signed by the City with respect to the preliminary offering document and the Continuing Disclosure Certificate;

(d) Prepare on the City's behalf all documents and materials necessary to comply with all applicable continuing disclosure requirements for the transaction(s);

(e) Assist the City to comply with ongoing disclosure requirements including:

a. Assist with the determination of whether an action, activity or event constitutes a "material event", as defined in SEC Rule 15c2-12, and prepare the appropriate disclosure of such material event;

b. Assist with the review of the compilation of the "annual financial information" needed to comply with the City's continuing disclosure requirements under SEC Rule 15c2-12 and any current continuing disclosure statement;

c. Review the audited financial statements for purposes of confirming compliance with current continuing disclosure agreements; and

d. Assist the City in preparing disclosure, if any, of any material failure to comply with SEC Rule 15c2-12.

(f) Keep the City informed of all rulings and findings by Federal and State regulatory agencies, including but not limited to, the Internal Revenue Service, the U.S. Securities and Exchange Commission, the Municipal Securities Rulemaking Board, and the California Legislature, which impact the City's issuance compliance and ongoing disclosure obligations;

(g) Participate in due diligence and other meetings as requested;

(h) Review rating agency presentations and investor presentations for consistency with offering document and compliance reasons;

(i) Participate in rating agency meetings; and

(j) As requested, provide training on disclosure practices and law.

CITY OF MONTEBELLO**CITY COUNCIL AGENDA STAFF REPORT**

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, City Manager

BY: Michael Solorza, Director of Finance

SUBJECT: **APPROVAL OF FINANCING TEAM, GOLF COURSE AND PUBLIC FACILITIES IMPROVEMENTS**

DATE: August 12, 2020

RECOMMENDATION

It is recommended that the City Council authorize staff to engage a financing team composed of Urban Futures (Municipal Advisor), Cabrera Capital Markets (Underwriter), Quint & Thimmig (Disclosure Counsel) and Stradling Yocca Carlson & Rauth (Bond Counsel) for the purposes of developing a funding plan for City owned golf facility improvements.

BACKGROUND

To facilitate City owned golf facility improvements and a cost-effective operation, City staff with the support of an experienced public finance team is requesting authorization to explore funding options to upgrade and modernize the City-owned Montebello Golf Course. As envisioned, the proposed project would replace and modernize the existing golf driving range located within the Montebello Golf Course.

Specifically, the proposed improvements would include the following:

- Construction of a multifaceted enhanced driving range complex within the existing and larger 118-acre Montebello Golf Course located at 988 Via San Clemente located in the northern portion of the golf course within an 18-acre area;
- Construction of a new three level indoor driving range building with approximately 102 hitting bays consisting of approximately 68,000 square feet of floor area. The proposed driving range complex building would include, among other things, various eating and drinking establishments;
- Installation of new netting and poles, high definition digital screens that would be oriented towards the driving range suites;
- Construction of a new surface parking area with 450 to 500 parking spaces;
- Construction of a new miniature golf operation; and

CITY COUNCIL AGENDA REPORT – MEETING OF AUGUST 12, 2020
**APPROVAL OF FINANCING TEAM, GOLF COURSE AND PUBLIC FACILITIES
IMPROVEMENTS**

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- Construction of new outdoor seating, patio, and dining areas. Access to the site would be provided by the northwestern corner of the intersection located along Garfield Avenue and San Clemente.

Should a funding plan come to fruition, the proposed project would allow the City to enhance the existing golf course to accommodate the changing need of the golfing community, while also increasing revenues that would immediately benefit the City.

Financing Team

Urban Futures (Financial Advisor) - The firm has been providing municipal advisory (MA) services since 1972 with recent experience in financings for the Cities of Pasadena, Azusa, Monrovia, Pico Rivera, Commerce and Pomona. The proposed team's principal staff is managed directly by the firm's CEO, Mr. Michael Busch. Mr. Busch will be the lead MA assigned to this engagement. Staff estimates fees for issues to be in the \$60,000 to \$75,000 range.

Cabrera Capital Markets (Underwriter) - The firm has more than 20 years of public finance experience and has expanded its practice to municipal financing to assist local municipalities. This firm has been the lead underwriting consultant for many of Montebello's current debt issues and are therefore, very knowledgeable about Montebello and its debt portfolio (most recently the issue of \$153 million in Pension Obligation Bonds). Having Cabrera Capital as part of the financing team would provide continuity and provide historical knowledge of the debt portfolio and the City's credit. City staff will work with the proposed municipal advisor to negotiate underwriting fees should a bond financing plan come to fruition.

Quint & Thimmig (Disclosure Counsel) - Quint & Thimmig LLP was established in March of 1997, by Mr. Brian Quint and Mr. Paul Thimmig, two of the leading bond attorneys in California. The firm's practice is limited exclusively to the area of municipal finance, including taxable and tax-exempt issues for local government entities. Mr. Brian Quint will be the lead for this engagement. Mr. Quint has previously served as Disclosure Counsel on recent financings benefitting the City including the Hilton Garden Inn (Series 2019A) and transportation sales tax financing for street improvements (Paving the Way Program, Series 2019ABC). Staff estimates fees for issues to be \$30,000 to \$50,000 per issue for Disclosure Counsel.

Stradling Yocca Carlson & Ruth (Bond Counsel) – The firm was formed in 1975 and has grown to be one of the largest public finance law firms in the State, with offices in San Francisco, Sacramento, Orange County, Santa Barbara, Santa Monica, San Diego, Seattle, Washington, Denver and Reno. Thirty-one members of the Firm practice in the areas of public finance and general public law. The Firm has been involved in nearly every type of financing undertaken by public agencies and has helped to develop several of the structures which are widely used throughout the country. Staff estimates fees for issues to be \$75,000 per issue for Bond Counsel.

CITY COUNCIL AGENDA REPORT – MEETING OF AUGUST 12, 2020
**APPROVAL OF FINANCING TEAM, GOLF COURSE AND PUBLIC FACILITIES
IMPROVEMENTS**

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FISCAL IMPACTS

The proposed financing structure once developed will be presented to the City Council for consideration. At this stage in the analysis of funding options, there are no fiscal impacts to report. Should the golf course improvement project move forward, additional action by the City Council will be required. Updated cost estimates will be prepared and presented to the City Council at subsequent meetings.

SUMMARY

Staff recommends that the City Council confirm appointment of the financing team for exploration of financing opportunities for facility improvements as outlined above. It is understood that no bonds will be issued without additional City Council review and explicit approval and that all fees associated with bond financing are contingent upon the successful sale of the bonds.

ATTACHMENTS

None.



CITY OF MONTEBELLO
REGULAR CITY COUNCIL MEETING

MINUTES

WEDNESDAY, FEBRUARY 23, 2022 AT 5:00 P.M.

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

OPENING CEREMONIES

CALL TO ORDER – Mayor Cobos-Cawthorne called the meeting to order at 5:06 p.m.

ROLL CALL – Members present were Mayor Cobos-Cawthorne, Mayor Pro Tem Jimenez, Councilmember Peralta, Councilmember Melendez, and Councilmember Torres. City Clerk Jimenez and Treasurer Gutierrez were also present.

STAFF PRESENT – City Attorney Arnold Alvarez-Glasman, Assistant City Manager Arlene Salazar, Deputy City Clerk Alicia Fernandez, Assistant to Deputy City Clerk Kimberly Guillen, and Records Coordinator Angelina Padilla.

PUBLIC COMMENTS FOR CLOSED SESSION ITEMS

None.

CLOSED SESSION – 5:30 P.M.

Mayor Cobos-Cawthorne recessed the meeting into Closed Session at 5:08 p.m. to consider the following closed session items:

1. THREAT TO PUBLIC SERVICES OR FACILITIES

Government Code Section 54957

Consultation with City Manager, Police Chief, City Attorney and other related City officials.

Item 1a. was added to the agenda as a subsequent need matter pursuant to Government Code Section 54954.2(b)(2). It was motioned by Councilmember Melendez, seconded by Mayor Pro Tem Jimenez, that the item be added; motion approved unanimously.

1a. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Government Code Section 54956.9(d)(2)

One matter

Mayor Cobos-Cawthorne reconvened the meeting at 5:51 p.m. During Closed Session the City Council (Council) received a briefing on Item Nos. 1 and 1a. there was no direction or action taken.

REGULAR SESSION – NO LATER THAN 6:00 P.M.

CLOSED SESSION REPORT

INVOCATION – John Velasco, Heart of Compassion

PLEDGE OF ALLEGIANCE – Rueben Trujillo, American Legion

CORRECTIONS TO THE AGENDA – CITY MANAGER - None

CEREMONIAL/PRESENTATIONS

2. RECOGNITION OF CITIZEN OF THE MONTH – SHUSHMA PATEL, RPH FROM THE PRESCRIPTION SHOP MONTEBELLO – Presented by Mayor Cobos-Cawthorne

PUBLIC COMMENTS ON NON-AGENDA AND AGENDA ITEMS (30 MINUTES)

The City Clerk's Office called three (3) 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.

The City Clerk Office acknowledged five (5) written public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

Assistant City Manager Salazar announced the retirement of Chief of Police Brad Keller. She expressed her gratitude to Chief Keller for dedicating 31 years of service to the community. She further stated that the new Chief of Police Paul Espinoza would begin on April 11, 2022.

Director of Recreation and Community Services, David Sosnowski, announced that the City had applied for a Measure A - Competitive Grant Program for Natural Lands, Local Beaches and Water Conservation and Protection in addition to the Regional Recreation Facilities, Multi-use Trails and Accessibility Grant. The City successfully acquired the grant from the Regional Recreation Facilities, Multi-use Trails and Accessibility and received a total of \$477,750 to improve access to the Rio Hondo River Trail.

PUBLIC HEARING**3. CALIFORNIA VOTING RIGHTS ACT ("CVRA") PUBLIC HEARING NO. 4 AND INTRODUCTION AND FIRST READING OF AN ORDINANCE NO. 2444 ESTABLISHING THE BY-DISTRICT ELECTION PROCESS OF CITY COUNCILMEMBERS**

Demographer from ARDA Demographics, Claudio Gallegos, presented the item.

The City Clerk's Office called three (3) 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.

The City Clerk Office acknowledged two (2) written public comments submitted to the City's public comment email address. Said comments are on file at the City Clerk's office.

Councilmember Torres expressed his disappointment in the process.

Councilmember Melendez stated that the process has been completed to the best of the City's ability. He agreed with the Demographer and stated that the City's Open House events for Community Input was very well attended. He asked Demographer Gallegos if maps could be modified and reintroduced. Due to the extension that the City was given he asked if the City could host additional Open House events to gather community input.

Demographer Gallegos stated that the maps could be modified and reintroduced but would have to go through the approval process as far as posting and allowing six days for community input.

Councilmember Melendez thanked Demographer Gallegos, Staff, and the Community Members that attended the Open House events.

Councilmember Peralta thanked the Demographer Gallegos and requested a copy of the presentation. She further stated that the maps did not clearly define the boundary lines. She asked if she could get clear maps. She expressed her disappointment in the process.

Mayor Pro Tem Jimenez thanked Demographer Gallegos and also requested additional Open House events to gather community input.

Mayor Cobos-Cawthorne stated that she attended both Open House events and noted that only the English surveys were completed. There was no request for translation services, she further stated that the surveys were also available in Spanish and Simple Chinese. She agreed with Councilmember Melendez and Mayor Pro Tem Jimenez to have additional Open House events for community input. She asked that perhaps the City could offer translation services at a future Open House.

Demographer Gallegos stated that he would prepare a plan book that focuses on each individual district for the Councils' review.

City Attorney Alvarez-Glasman stated that the Council needed to provide direction to engage in further public meetings and for Council to introduce the Ordinance that is provided as amended. Due to the extension, Recommendation No. 2 will not be part of the Recommendations.

Councilmember Melendez motioned that the City Council approve Recommendations No's. 1, 3, and 4 – related action is to add two additional Open House events, seconded by Mayor Pro Tem Jimenez, motion carried by the following vote:

MOVED: Melendez	SECONDED: Jimenez	APPROVED: 3-1-1-0
------------------------	--------------------------	--------------------------

AYES: Melendez, Jimenez, Cobos-Cawthorne

NOES: Torres

ABSTAIN: Peralta

ABSENT: None

- 1) Receive input from the public regarding the six (6) draft City Council district maps (Attachment A) selected for further discussion and consideration; and
- 2) ~~Select the final City Council district map; and~~
- 3) Introduce and conduct the First Reading of Ordinance No. 2444 (Attachment B) establishing a by-district elections process for the election of City Councilmembers of the City of Montebello ("City"); and
- 4) Take such additional, related, action that may be desirable.

REGULAR BUSINESS

4. REVIEW AND APPROVE THE STATE AUDITOR REQUIRED CORRECTIVE ACTION PLAN, VERSION 2.0, TO INCLUDE PROGRESS MADE FROM NOVEMBER 2021 THROUGH FEBRUARY 2022

Director of Finance, Michael Solorza presented the item.

Council thanked Director Solorza. Councilmember Peralta requested a copy of the presentation.

Councilmember Melendez motioned, seconded by Mayor Pro Tem Jimenez that the City Council:

- 1) Review the attached Corrective Action Plan, Version 2.0, as required by the State Auditor as the City's response to Report 2021-807; and
- 2) Approve the Corrective Action Plan, Version 2.0, Updated to Include Progress Made Since November, 2021 and direct staff to submit the report to the State Auditor; and
- 3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

CONSENT CALENDAR

Councilmember Torres pulled Item No's. 6, 9, and 15. Councilmember Peralta pulled Item No's. 6 and 9. Mayor Cobos-Cawthorne pulled Item No's. 7, 9, 11, and 15. Councilmember Melendez motioned to approve Item No's. 5, 8, 10, 12, 13, 14, and 16, seconded by Mayor Pro Tem Jimenez; motion carried unanimously.

5. AB 361 FINDINGS**RECOMMENDATION: It is recommended that the City Council:**

- 1) Receive and file this report and make the following findings: (a) The City Council has reconsidered the circumstances of the state of emergency; and (b) the following circumstances exist, (i) the state of emergency continues to directly impact the ability of the members to meet safely in person and (ii) the City Council continues to provide measures such as remote or hybrid meeting participation to promote social distancing.
- 2) Take such additional, related, action that may be desirable.

6. APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 3957 WITH 789, INC. FOR CITYWIDE BRAND UPDATE SERVICES

Councilmember Torres noted that the Request for Proposal, the Professional Services Agreement, and the Proposal from the company were missing from the agenda packet. He also requested consideration from Council that a Citizens Committee be established to address the updating of Montebello's branding. He also requested to bring back the item to the next meeting to review the missing documentation that describes the services the company would be providing.

Assistant City Manager Salazar stated that staff inadvertently omitted the Request for Proposal. She further stated that as part of scope of services the City will hold stakeholder interviews and an extensive process of outreach.

Councilmember Peralta concurred with Councilmember Torres.

Mayor Pro Tem Jimenez asked Assistant City Manager Salazar if the Council would be asked to provide input for the branding.

Assistant City Manager Salazar stated that the Citywide brand update would be a comprehensive process. The City plans to do stakeholder outreach and a community online survey. Staff will present multiple designs options and taglines for Councils' consideration.

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Melendez to approve the item as is.

Councilmember Peralta made a substitute motion to table the item to the next scheduled meeting to include the missing documents, seconded by Councilmember Torres. Motion failed by the following vote:

AYES: Torres, Peralta

NOES: Melendez, Jimenez, Cobos-Cawthorne

Mayor Cobos-Cawthorne brought back the original motion made by Mayor Pro Tem Jimenez to approve the item as is, seconded by Councilmember Melendez. Motion failed by the following vote:

AYES: Melendez, Jimenez

NOES: Torres, Peralta

ABSTAIN: Cobos-Cawthorne

The item was tabled to the next scheduled meeting in March.

7. UPDATED REPORT OF EMERGENCY REPAIR AND REPLACEMENT OF THE BEACH STREET STORM DRAIN

Director of Public Works, James Enriquez provided a presentation of the item.

Councilmember Melendez motioned, seconded by Councilmember Torres that the City Council:

- 1) Receive and file the City Manager's updated report of the emergency repair of the Beach Street Storm Drain pursuant to Montebello Municipal Code Section 3.20.140 and Public Contracts Code Section 22035; and
- 2) Take such additional, related, action that may be desirable.

Motion carried unanimously.

8. NOTICE OF COMPLETION FOR BEVERLY BOULEVARD STREET IMPROVEMENTS PROJECT – 21ST STREET TO HOWARD AVENUE (CP 866)

RECOMMENDATION: It is recommended that the City Council:

- 1) Accept the Beverly Boulevard Street Improvement Project – 21st Street to Howard Avenue (CP 866) as completed by Gentry Brothers, Inc. (GBI); and
- 2) Approve the final contract amount with Gentry Brothers, Inc. In the amount of \$1,109,082, including change orders; 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) Authorize the City Manager to release the retention payment due to Gentry Brothers, Inc. Following the mandatory waiting period from the date the Notice of Completion is recorded in the amount of \$14,207; and
- 5) Take such additional or alternative action that may be desirable.

9. **APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 3956 WITH INTER-CON SECURITY SYSTEMS FOR SUPPLEMENTAL PARKING ENFORCEMENT SERVICES**

Director of Planning and Community Development Joseph Palombi, Director of Finance Micahel Solorza, Chief Keller, and Recreation and Community Services Director Sosnowski presented the item.

Councilmember Torres stated that there was a lack of information. He asked Chief Keller to provide the total number of citations given by the Police Department.

Chief Keller stated that the total calls for service per day can range 7-12, for red curb violations, fire hydrant violations, handicap parking, or blocking driveways. He further stated that the department rarely receives calls for street sweeping.

Councilmember Peralta stated that perhaps Council should consider current programs to offer employment opportunities to the community.

Councilmember Melendez motioned, seconded by Mayor Pro Tem Jimenez that the City Council:

- 1) Approve Professional Services Agreement No. 3956 with Inter-Con Security Systems and authorize the City Manager to execute a three (3) year agreement for Supplemental Parking Enforcement Services in a total amount that shall not exceed \$1,244,801; and
- 2) Acknowledge the use of Montebello Municipal Code Chapter 3.20.125A, "Piggybacking purchasing agreements" as the allowed and permitted method for acquiring these services; and
- 3) Amend the Fiscal Year 2021-22 budget by increasing appropriations by \$98,792, Account No. 100-50-530-6040.10 (General Fund, Community Development, Code Enforcement, Other Contract Services); and
- 4) Authorize the City Manager to take any additional action as needed.

MOVED: Melendez

SECONDED: Jimenez

APPROVED: 3-2-0-0

AYES: Melendez, Jimenez, Cobos-Cawthorne

NOES: Torres, Peralta

ABSTAIN: None

ABSENT: None

10. **ADOPT RESOLUTION NO. 22-10 DIRECTING THE CITY MANAGER TO EXTEND THE TEMPORARY OUTDOOR DINING PROGRAM AND DIRECT STAFF TO RETURN TO CITY COUNCIL WITHIN ONE-YEAR WITH A PERMANENT PROGRAM TO ALLOW RESTAURANTS TO UTILIZE ADJACENT OUTDOOR AREAS TO SERVE FOOD AND DRINKS TO CUSTOMERS PURSUANT TO AN OUTDOOR DINING PERMIT, AND NOTICE OF EXEMPTION PURSUANT TO CEQA "COMMON SENSE EXEMPTION" SECTION 15061(B)(3)**

RECOMMENDATION: It is recommended that the City Council:

- 1) Approve Resolution No. 22-10 directing the City Manager to extend the Temporary Outdoor Dining Program and direct staff to return to City Council within one-year with a permanent program to allow restaurants to utilize adjacent outdoor areas to serve food and drinks to customers pursuant to an Outdoor Dining Permit; and
- 2) Approve ENV-08--22-CE Notice of Exemption under (State California Environmental Quality Act (CEQA) Guidelines Section § 15061(b)(3)) "Common Sense Exemption" for the proposed project; and
- 3) Take such additional, related, action that may be desirable.

11. APPROVE COOPERATIVE AGREEMENT NO. 3958 WITH MONTEBELLO UNIFIED SCHOOL DISTRICT (MUSD) FOR CROSSING GUARD SERVICES

Mayor Cobos-Cawthorne spoke in favor of the item.

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Melendez that the City Council:

- 1) Approve Cooperative Agreement No. 3958 with the Montebello Unified School District (MUSD) for Crossing Guard Services allowing for reimbursement to the City of ten percent (10%) of actual costs of services; and
- 2) Authorize the City Manager to review and approve similar agreements in the future; and
- 3) Take such additional, related, action that may be desirable.

Motion carried unanimously.

12. ADOPT RESOLUTION NO. 22-11 OPPOSING A STATE BALLOT MEASURE RESTRICTING VOTERS' INPUT AND LOCAL TAXING AUTHORITY

RECOMMENDATION: It is recommended that the City Council:

- 1) Adopt Resolution No. 22-11 opposing Initiative 21-0042A1, also known as the "Taxpayer Protection and Government Accountability Act;" and
- 2) Take such additional, related, action that may be desirable.

13. PAYMENT OF BILLS: RESOLUTION NO. 22-09 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED FEBRUARY 23, 2022

RECOMMENDATION: Adopt Resolution No. 22-09 approving the Warrant Register dated February 23, 2022.

14. APPROVAL OF MINUTES – CITY COUNCIL MEETING MINUTES FOR MAY 12, 2021, MAY 26, 2021, JUNE 9, 2021, JUNE 23, 2021, AUGUST 11, 2021, SEPTEMBER 8, 2021, OCTOBER 27, 2021, AND JANUARY 26, 2022; SPECIAL CITY COUNCIL MEETING MINUTES FOR MAY 1, 2021, AUGUST 18, 2021, AUGUST 24, 2021, SEPTEMBER 1, 2021, OCTOBER 27, 2021, NOVEMBER 13, 2021, AND JANUARY 19, 2022; JOINT REGULAR CITY COUNCIL AND SUCCESSOR AGENCY MEETING MINUTES FOR JULY 28, 2021 AND JANUARY 12, 2022; JOINT

SPECIAL CITY COUNCIL AND PLANNING MEETING JUNE 1, 2021; AND ADJOURNED CITY COUNCIL MEETING FOR JUNE 1, 2021 AND JUNE 3, 2021

RECOMMENDATION: Approve said minutes as written.

15. EMERGENCY NON-CONGREGATE SHELTER PILOT PROGRAM (OPERATION STAY SAFE) – AWARD CONSTRUCTION CONTRACTS

Councilmember Torres asked staff to clarify the bidding process.

Director of Public Works Enriquez provided clarification.

Mayor Pro Tem Jimenez motioned, seconded by Councilmember Peralta that the City Council:

- 1) Determine and find that the lack of shelter poses an acute, clear and imminent threat to the health and safety of all people experiencing homelessness (PEH) and the members of the public with whom they come into daily contact as the Covid-19 pandemic continues, resulting in an emergency that requires immediate action and will not permit a delay caused by formal bidding procedures; and
- 2) In accordance with the above-mentioned emergency, by a four-fifths vote of the City Council, authorize the dispensing of formal bidding procedures for construction contracts for the development of the subject project, in accordance with California Public Contract Code Section 22035 and 22050 (Attachment A), Montebello Municipal Code Chapter 3.20.140 (Attachment B) and Governor Newsome's Executive Order No. N-21-21 (Attachment C); and
- 3) Award a Construction Contract for electrical improvements in the amount of \$245,500 to Graphic Electric, Inc.; and
- 4) Award a Construction Contract for sewer construction in the amount of \$144,078 to Mike Bubalo Construction Company, Inc.; and
- 5) Award a Construction Contract for security fencing construction in the amount of \$69,950 to Wolverine Fence Company, Inc.; and
- 6) Authorize the City Manager to finalize and execute the proposed agreements in the Standard Public Works Agreement (Attachment B), in the form approved by the City Attorney, on behalf of the City and approve change orders within a 25% contingency of the original contract amounts; and
- 7) Amend the Fiscal Year 2021-22 budget by increasing appropriations by a total of \$574,410 in the following accounts (Grants, Fire, SGVRHT Operation Stay Safe) and in the following amounts: Account No. 265-85-853-6040.60 (Building Maintenance Repairs), \$245,500; -6040.45 (Sewer Maintenance) \$144,078; -6040.60 (Building Maintenance Repairs) \$69,950; and
- 8) Amend the Fiscal Year 2021-22 budget by increasing appropriations to recognize revenue to reimburse for these expenses in Account No. 265-99-4198.99 (Grants, SGVRHT Operation Stay Safe) in the amount of \$574,410; and
- 9) Take such additional, related, action that may be desirable.

Motion carried unanimously.

16. APPROVE AMENDMENT NO. 2 TO COMMERCIAL CANNABIS BUSINESS DEVELOPMENT AGREEMENT NO. 11-19 (CITY AGREEMENT NO. 3676)

RECOMMENDATION: It is recommended that the City Council:

- 1) Approve, in substantially the form as presented, the Amendment to Cannabis Business Development Agreement No. 11-19 for the operation of commercial cannabis activities in the City of Montebello, and authorize the City Attorney's Office to make final and technical edits or revisions, if any, prior to execution, which authorizes the transfer of Development Agreement No. 11-19 and Conditional Use Permit No. 11-19; and
- 2) Condition the approval of the Amendment and CUP on the respective owner(s) and operator(s) clearing the requisite background checks, providing all exhibits to the development agreement amendments and missing information, if any, to the City of Montebello in a form acceptable to the City Attorney's Office no later than March 15, 2022 and on a case-by-case basis, authorize Director of Planning and Community Development Joseph Palombi discretion to provide the applicant(s) additional time if necessary in light of the current COVID-19 logistical limitations; and
- 3) Adopt findings contained herein exempting the Amendment from further CEQA review under CEQA Section 15301, and direct staff to prepare and file the applicable Notices of Exemption for each project recommended for approval; and
- 4) Take such additional, related action that may be desirable, and/or provide the City Attorney's office and/or staff with additional or alternative directive(s).

AB 1234 TRAVEL REPORTS

Assistant City Manager Salazar announced that at the January 12, 2022 Council Meeting a resident had inquired about a reimbursement to Councilmember Torres. Director of Finance Solorza stated that the reimbursement was for attending the League of Cities Conference and the International Communication Association Conference.

Mayor Cobos-Cawthorne requested Council consensus to develop a Conference Attendance Policy for Councilmembers; consensus received.

COUNCIL ORALS

Council member announcements; requests for future agenda items; conference/meetings reports.

1. Councilmember Torres

2. Councilmember Peralta

- a. Recognizing Montebello Girl Scout Troop 71221 for their outstanding achievement in receiving an award and recognition from Penny Lane Centers.

Councilmember Peralta recognized the Montebello Girl Scout Troop 71221.

- b. Council consideration for continued YMCA CDBG allocation appeal for 2022-2023.

Councilmember Peralta asked for Council consideration for continued YMCA CDBG allocation.

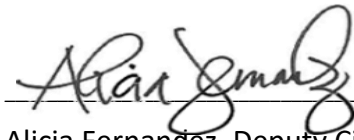
Assistant City Manager Salazar stated that the CDBG Grant is currently open to apply, Executive Director Paul Parzik from the YMCA is in receipt of the application.

3. **Councilmember Melendez**
4. **Mayor Pro Tem Jimenez**
5. **Mayor Cobos-Cawthorne**

ADJOURNMENT

Councilmember Melendez adjourned the meeting in memory of Phyllis Pace. Mayor Pro Tem Jimenez motioned to adjourn, seconded by Councilmember Peralta. Motion carried unanimously and the meeting was adjourned at 8:43 p.m.

THE MINUTES OF FEBRUARY 23, 2022 ARE HEREBY APPROVED AND ADOPTED ON THIS MARCH 23, 2022.



Alicia Fernandez, Deputy City Clerk

AGENDA & NON-AGENDA COMMENTS

Angelina Padilla

From: Dee Cecconi <deecceconi@gmail.com>
Sent: Wednesday, February 9, 2022 8:16 PM
To: comment, ccpublic
Subject: RE: comment to read out loud at your meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Good evening council members,
I have a couple of concerns. Please read this in its entirety.

First and foremost, your live stream should be available on your Facebook (Meta) page and all social media pages. Those that follow will be notified to join that live stream and be able to listen to the meeting. You have a small following of 5.2k and they are following to be notified of things happening in our city. I feel it is the responsibility of the council members to be as transparent as possible. E.g. I went on Facebook during the meeting, with no notifications of the current council meeting and no comments that the live stream meeting was available.

Secondly, for those who are attending the meeting. Please be focused on the meeting screens open and in attendance. We have voted for you to be in the positions you are in currently. So please be present. I want to see the faces representing us and not see conversations in the background. If you were in the city hall you would have to focus on the meeting. You have 2 meetings a month to attend. Each meeting you should all be 100% focused on the business at hand without facial expressions of the annoyance of other council members or conversations going on in the background. I don't feel that any council member should be excused for 10 or 15 minutes to leave in the middle of the meeting. You work for us. There is nothing that should be scheduled during the small window you have to appear to the public, be in the meeting, and listen to the concerns expressed by the public and your fellow council members. You have time during closed sessions and transition to open for bathroom breaks etc.

Thirdly, your live streams should be close-captioned as well as your presentations. Especially, since you are going over district maps, purchasing, and other items that affect us the taxpayers of this city, and our voter's rights. Those that can not hear as well, should be able to read what is going on. You are not being thoughtful to our senior community and those with disabilities. That is highly concerning.

Lastly, Thank you Council members Peralta and Torres for challenging items during the council member meetings. There needs to be clear language and comprehension for us as voters. Spouting off section #s and whatever legal jargon does not help us (the laymen) understand what is being discussed. NO offense, but make it simple. Again WE need to understand what is occurring and how we can make our voices heard. This council does not seem cohesive and that is also concerning. I will be sure that I advocate for those that advocate for the transparency of the council and the decisions they make for us as citizens of Montebello.

Thank you for reading my concerns aloud and hopefully, you will address them.

D Cecconi-
pronounce (CHA-coney)

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Veronica Cabrera <veronicabrera79@gmail.com>
Sent: Wednesday, February 23, 2022 12:26 PM
To: comment, ccpublic
Subject: Public Comment: Council Meeting (District Mapping)

Hello

I am a resident of Montebello and wanted to request for more time in between notice of further public meetings that focus on District mapping. I have been following District mapping in these city council meetings but residents need at least a respectful 2 week minimum to prepare and plan to attend public meetings. I would also appreciate more discussion during the council meetings regarding various proposed maps and perceived implications of such district maps from each council member's perspective.

I also want to take this opportunity to express my sadness around what I saw and heard during the last Montebello council meeting. It was awful to see the disparaging remarks that were made by one council member to another. The behavior of questioning one's identity is appalling and I was glad my son did not see or hear that, especially coming from a council member.

Thank you
Veronica Rodriguez-Cabrera

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Carlos L R <jcarloslr951@gmail.com>
Sent: Wednesday, February 23, 2022 12:53 PM
To: comment, ccpublic

Attn: City Council

At the last Council meeting, the City Manager has still not explained why only Councilman Torres was reimbursed \$1564.

I will continue to make everyone elected accountable to the residents.

Please read this email at the next City Council meeting on February 23. 2022.

Sincerely,

Jose Lopez Reyes
Independent Contractor
5565 Federal Blvd Lot 29
Denver, CO 80221
Phone: (951)-241-5978
Email: jcarloslr951@gmail.com

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

From: Ray Moreno <raymor77@icloud.com>
Sent: Wednesday, February 23, 2022 1:24 PM
To: comment, ccpublic
Subject: Councilman Torres

Good evening, I am writing regarding the total disrespect Councilman Torres showed Finance Director Solorza. I would recommend Mr. Solorza file a defamation and slander lawsuit for Torres' attack accusing Mr. Solorza of corruption and fraud. Guess Torres did not see the Finance report and the fact our City for the first time in 100 years won the Governor's Balanced Budget award, don't remember your Father ever winning this award.

What us old timers do remember are these things your father did;

1. Missing bank account with over \$300,000.00 !! Only reason we the residents heard about it was the news made jokes how does a city forget an account with \$300,000?
 2. The Chevy dealership sale which gifted former owner lease at very cheap rent, then he turned around and leased it out for 3 times the amount. City lost that money thanks to bad management.
 3. The Costco deal City Manager Torres put into words " the sale for \$7 million dollars instead of current market value" That cost the city \$15 Million dollars when Costco bought property for \$7 Million and city wanted to buy back they wanted \$22 Million dollars!
 4. NASA it was City Manager Torres that got them the rezoning to put it in the South. Funny when you were telling businesses and residents to stop the recycling permit, you forgot to mention this whole mess started with your father giving them the rezoning.
- Please do your research Torres and prove me wrong.
- I see you on FB patting yourself on the back taking credit for repaving streets, But guess your forgot you voted no to the special asphalt to do the repaving, you did not want our streets fixed.

Also both you and Peralta are taking credit for the Sales tax money the city is benefiting from. But neither of you two did a thing to get it passed, so do not think you both are fooling residents.

Thanks to Councilman Melendez for speaking out about your comments to the Mayor, he stopped your sly attack and made you accountable for your bully conduct. No wonder you were removed as pro tem, you would had made a lousy sarcastic Mayor. A person with your total lack of manners and respect for others is shameful. You owe the Mayor and residents an apology, but I doubt your ego would ever concede you were wrong.

A

Sincerely, long time resident
Raymond Moreno

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Angelina Padilla

From: Katrice Ortiz <knortiz@hotmail.com>
Sent: Wednesday, February 23, 2022 2:57 PM
To: comment, ccpublic
Subject: Comment re Redistricting

Please show some evidence that the at-large system has diluted the vote of any minority group in the city. Because these maps appear to be doing just that. This is making race a central factor in our elections now. It is forcing gerrymandering on residents and our election process. These maps do NOT give everyone a seat at the table. They will split the representation in fractions and will allow some communities to be ignored - the very thing you are trying to prevent. Please reconsider. Cities have been sued over the redistricting maps once implemented! Please take a stand against this... more and more lawsuits are against this forced redistricting, please don't make a rash decision that we will be stuck with based on a fear of a unsubstantiated threat of lawsuit.

Sent via the Samsung Galaxy A11, an AT&T 4G LTE smartphone

PLEASE DO NOT CLICK ON UNKNOWN LINKS. Contact Montebello IT Division if you are unsure.

Called @ 6:00 p.m.

CITY OF MONTEBELLO

Request No. 1



SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☒ AGENDA ITEM NO. _____

Meeting Date: 2/23/22 Time Received: 2:34pm Date Received: 2/22/22

SPEAKER'S FULL NAME: Edna Jimenez PHONE: 714-925-0062
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: _____

NOTES: general comments

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Angelina Padilla Received Via: Email ☐ Phone ☒ In Person ☐



SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☒ AGENDA ITEM NO. _____

Meeting Date: 2/23/22 Time Received: 11:50 am Date Received: 2/23/22

SPEAKER'S FULL NAME: Margot Eiser PHONE: (323) 729-7000
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: _____

NOTES: general comment

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Angelina Padilla Received Via: Email ☐ Phone ☒ In Person ☐

called @ 6:05

CITY OF MONTEBELLO

Request No. 3



SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐

Non-Agenda Item ☒

AGENDA ITEM NO. _____

Meeting Date: 2/23/22

Time Received: 2:45pm

Date Received: 2/23/22

SPEAKER'S FULL NAME: Will Cervera

PHONE: 323-353-2020
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: _____

NOTES: general comments

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Angelina Padilla

Received Via: Email ☒ Phone ☒ In Person ☐

called @ 6:45

CITY OF MONTEBELLO

Request No. 1



SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment: Closed Session ☐ Non-Agenda Item ☐ AGENDA ITEM NO. ^{pt} 3

Meeting Date: 2/23/22 Time Received: 10:13 am Date Received: 2/23/22

SPEAKER'S FULL NAME: Bill Moreno PHONE: 213 804 5901
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

Opposed ☐ In Support ☐ Neutral ☒ TOPIC: _____

NOTES: has comments re: maps picked

ACCOMMODATIONS: _____

Translation Needed: No ☐ Yes ☐ Language: _____

Received by Staff Angelina Padilla Received Via: Email ☐ Phone ☒ In Person ☐

called @ 6:49pm

CITY OF MONTEBELLO

Request No.

2



SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment:

Closed Session ☐

Non-Agenda Item ☐

AGENDA ITEM NO.

PH
3

Meeting Date:

2/23/22

Time Received:

11:56 am

Date Received:

2/23/22

SPEAKER'S FULL NAME:

Margot Elser

PHONE:

(323) 728-7066

(Optional)

ADDRESS:

(Optional)

ORGANIZATION REPRESENTED:

Opposed ☐

In Support ☐

Neutral ☐

TOPIC:

NOTES:

ACCOMMODATIONS:

Translation Needed:

No ☐

Yes ☐

Language:

Received by Staff

Angelina Padilla

Received Via:

Email ☐

Phone ☒

In Person ☐

Called @ 6:52 pm

3

CITY OF MONTEBELLO

Request No.



SPEAKER CARD

Please Note: Address and phone number are optional and not required to speak.

Public Comment/Speaker Card must be submitted to City Clerk's Office prior to 5:00 p.m. for live meetings or in accordance with Assembly Bill 361 for video/audio meetings.

Type of Comment:

Closed Session ☐

Non-Agenda Item ☐

AGENDA ITEM NO.

PH
3

Meeting Date:

2/23/22

Time Received:

4:10 PM

Date Received:

2/23/22

SPEAKER'S FULL NAME:

gary thorn ton

PHONE:

323-496-0615

(Optional)

ADDRESS:

(Optional)

ORGANIZATION REPRESENTED:

Opposed ☐

In Support ☐

Neutral ☐

TOPIC:

NOTES:

ACCOMMODATIONS:

Translation Needed:

No ☐

Yes ☐

Language:

Received by Staff

Angelina padilla

Received Via:

Email ☐

Phone ☒

In Person ☐

RESOLUTION NO. 22-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO
APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO
HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:**

SECTION 1. That the reference is hereby made to that certain Register of Audited Demand No.1527, consisting of 7 pages, and including:

Warrant No.

General: Checks No.595651 through; 595790
ACH No. 1736 through; 1808

On file in the office of the City Clerk, the same having been audited and approved by the Deputy Director of Finance as required by law.

SECTION 2. That the said City Council having examined each such demand does hereby approve and direct the payment of same, as set forth in said Register, except the following Warrant No.

SECTION 3. That the City Clerk shall certify to the passage and adoption of this Resolution and that the same shall be in full force and effect.

APPROVED AND ADOPTED this 23rd day of March 2022.

Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:

APPROVED AS TO FORM:

Christopher Jimenez, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

RESOLUTION NO. 22-16

Page 2 of 2

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF MONTEBELLO)

I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 22-16 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 23rd day of March 2022 and that said Resolution was adopted by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

The undersigned, City Clerk of the City of Montebello, does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said City which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: _____

Christopher Jimenez, City Clerk



**City of Montebello
Register of Demands No. 1527**

From Payment Date: 03/03/22 - To Payment Date: 03/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
4331	- General Account				
1736	03/03/2022	\$10,695.04	ADVERTISING/PRINTING SERVICES	2689	ACRO PRINTING INC
1737	03/03/2022	\$3,454.50	CONTRACT SERVICES	40670	ALL CITY MANAGEMENT SERVICES
1738	03/03/2022	\$644.49	SUPPLIES	2586	AMAZON CAPITAL SERVICES INC
1739	03/03/2022	\$7,398.09	CONTRACT SERVICES	3016	ANTARES GOLF LLC
1740	03/03/2022	\$334,594.40	CONTRACT SERVICES	40970	ARAKELIAN ENTERPRISES
1741	03/03/2022	\$48.51	ADVERTISING/PRINTING SERVICES	35980	SAEED RADMEHR
1742	03/03/2022	\$37,631.13	WATER PURCHASE RESALE	19120	CENTRAL BASIN MUNICIPAL WATER DISTRICT
1743	03/03/2022	\$345.17	SUPPLIES	10000	CLEAN SWEEP SUPPLY CO INC
1744	03/03/2022	\$23,560.00	CONTRACT SERVICES	3025	COMPLETE LANDSCAPE CARE INC
1745	03/03/2022	\$1,100.00	CONTRACT SERVICES	71920	TOYETTA L BEUKES
1746	03/03/2022	\$6,553.00	CONTRACT SERVICES	2793	IBE DIGITAL
1747	03/03/2022	\$555.00	CONTRACT SERVICES	16760	LIEBERT CASSIDY WHITMORE
1748	03/03/2022	\$318,104.01	IMPROVEMENTS OTHER THAN BUILDING - PAVING THE WAY	2954	MANHOLE ADJUSTING INC
1749	03/03/2022	\$640.00	CONTRACT SERVICES	19250	N/S CORPORATION
1750	03/03/2022	\$133,674.71	CONTRACT SERVICES	35250	NATIONWIDE ENVIRONMENTAL SERVICES
1751	03/03/2022	\$26.58	SUPPLIES	1120	BLUETRITON BRANDS INC
1752	03/03/2022	\$20,000.00	CONTRACT SERVICES	61050	REFLEX TRAFFIC SYSTEMS
1753	03/03/2022	\$7,045.23	SUPPLIES	2594	THE SAUCE CREATIVE SERVICES CORP
1754	03/03/2022	\$68,713.27	FUEL INVENTORY	1059	AMBER RESOURCES LLC
1755	03/03/2022	\$17,655.00	CONTRACT SERVICES	75020	VASQUEZ & CO LLP
1756	02/14/2022	\$3,107.77	SUPPLIES	3163	BANK OF AMERICA
1757	02/14/2022	\$211.13	SUPPLIES	3163	BANK OF AMERICA
1758	02/14/2022	\$39.89	SUPPLIES	3163	BANK OF AMERICA
1759	02/14/2022	\$11.85	MAIL/ POSTAL EXPENSE	3163	BANK OF AMERICA
1760	02/14/2022	\$1,460.00	DUES & SUBSCRIPTIONS	3163	BANK OF AMERICA
1761	02/14/2022	\$253.79	SUPPLIES	3163	BANK OF AMERICA
1762	02/14/2022	\$15.75	SUPPLIES	3163	BANK OF AMERICA
1763	02/14/2022	\$156.39	SUPPLIES	3163	BANK OF AMERICA
1764	02/14/2022	\$1,503.81	PERMITS AND FEES	3163	BANK OF AMERICA
1765	02/14/2022	\$55.52	FUEL	3163	BANK OF AMERICA
1766	02/14/2022	\$75.09	FUEL	3163	BANK OF AMERICA
1767	03/10/2022	\$1,379.26	ADVERTISING/PRINTING SERVICES	2689	ACRO PRINTING INC
1768	03/10/2022	\$1,082.81	CONTRACT SERVICES	423	AIR EXCHANGE INC



City of Montebello
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From Payment Date: 03/03/22 - To Payment Date: 03/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
1769	03/10/2022	\$3,109.05	CONTRACT SERVICES	40670	ALL CITY MANAGEMENT SERVICES
1770	03/10/2022	\$923.85	UNIFORM EXPENSE	20350	ALLSTAR FIRE EQUIPMENT INC
1771	03/10/2022	\$4,800.00	MACHINERY & EQUIPMENTS	3498	AMAZING AIR CONDITIONING
1772	03/10/2022	\$1,369.11	SUPPLIES	2586	AMAZON CAPITAL SERVICES INC
1773	03/10/2022	\$242.55	VEHICLE MAINTENANCE/EXPENSES	47980	AMERICAN MOVING PARTS
1774	03/10/2022	\$40.00	CARPOOL INCENTIVE	61470	ERIKA L ANDRADE
1775	03/10/2022	\$11,731.48	CONTRACT SERVICES	3016	ANTARES GOLF LLC
1776	03/10/2022	\$1,697.85	ADVERTISING/PRINTING SERVICES	35980	SAEED RADMEHR
1777	03/10/2022	\$40.00	CARPOOL INCENTIVE	17880	ANI CHUKHURYAN
1778	03/10/2022	\$15,082.20	SUPPLIES	10000	CLEAN SWEEP SUPPLY CO INC
1779	03/10/2022	\$3,287.13	VEHICLE MAINTENANCE/EXPENSES	75340	DELTA MOTOR COMPANY INC
1780	03/10/2022	\$1,633.44	CONTRACT SERVICES	2057	EVERNORTH BEHAVIORAL HEALTH
1781	03/10/2022	\$1,162.50	VEHICLE MAINTENANCE/EXPENSES	1259	GRAFFITI SHIELD INC
1782	03/10/2022	\$40.00	CARPOOL INCENTIVE	3123	NEIRA YESSIE GRANADOS
1783	03/10/2022	\$258.98	VEHICLE MAINTENANCE/EXPENSES	270	HARBOR DIESEL AND EQUIPMENT INC
1784	03/10/2022	\$14,042.52	CONTRACT SERVICES	2793	IBE DIGITAL
1785	03/10/2022	\$812.00	CONTRACT SERVICES	1612	JCL TRAFFIC SERVICES
1786	03/10/2022	\$7,220.11	SUPPLIES	26670	LIFE-ASSIST INC
1787	03/10/2022	\$417.63	VEHICLE MAINTENANCE/EXPENSES	1385	MUNCIE RECLAMATION AND SUPPLY COMPANY
1788	03/10/2022	\$640.00	CONTRACT SERVICES	19250	N/S CORPORATION
1789	03/10/2022	\$10,721.20	CONTRACT SERVICES	35250	NATIONWIDE ENVIRONMENTAL SERVICES
1790	03/10/2022	\$40.00	CARPOOL INCENTIVE	2203	SAMANTHA NEVAREZ
1791	03/10/2022	\$408.98	SUPPLIES	1938	P & R PAPER SUPPLY COMPANY INC
1792	03/10/2022	\$80.00	CARPOOL INCENTIVE	138	BRIANNON PADILLA
1793	03/10/2022	\$40.00	CARPOOL INCENTIVE	59960	JO ANN PANOSIAN
1794	03/10/2022	\$9,035.74	CONTRACT SERVICES	2925	R-DOORS INC
1795	03/10/2022	\$40.00	CARPOOL INCENTIVE	3089	NATALIE RAMIREZ
1796	03/10/2022	\$103.02	SUPPLIES	1120	BLUETRITON BRANDS INC
1797	03/10/2022	\$34,901.83	CONTRACT SERVICES	2787	S & S LABARGE GOLF INCORPORATED
1798	03/10/2022	\$15,350.00	IMPROVEMENTS OTHER THAN BUILDING	3369	SALLY SWANSON ARCHITECTS INC
1799	03/10/2022	\$4,940.31	SUPPLIES	2594	THE SAUCE CREATIVE SERVICES CORP
1800	03/10/2022	\$40.00	CARPOOL INCENTIVE	69960	NICOLE I SAUCEDO
1801	03/10/2022	\$6,116.63	FUEL INVENTORY	1059	AMBER RESOURCES LLC
1802	03/10/2022	\$30.00	CARPOOL INCENTIVE	3432	JOSEPHINE SERRANO
1803	03/10/2022	\$3,415.78	SUPPLIES	2686	THE SHERWIN-WILLIAMS CO



City of Montebello
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WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
1804	03/10/2022	\$40.00	CARPOOL INCENTIVE	24280	MARTIN SOLANO
1805	03/10/2022	\$272.89	CONTRACT SERVICES	57140	UNDERGROUND SERVICE ALERT OF SOUTHERN CA
1806	03/10/2022	\$9,837.00	CONTRACT SERVICES	75020	VASQUEZ & CO LLP
1807	03/10/2022	\$33,500.00	IMPROVEMENTS OTHER THAN BUILDING	3021	WEST & ASSOCIATES ENGINEERING INC
1808	03/10/2022	\$11,622.00	CONTRACT SERVICES	59180	COMPUTER PROTECTION TECHNOLOGY INC
	ACH TOTAL	\$1,210,876.97			
595651	03/03/2022	\$3,920.42	UTILITY SERVICES	1732	AT&T CORP
595652	03/03/2022	\$120.00	PARKS AND RECREATION	3513	ALEJANDRA AGUILA
595653	03/03/2022	\$787.49	UTILITY SERVICES	2257	AIRESPRING INC
595654	03/03/2022	\$2,122.32	SUPPLIES	1870	ALEX & E PARTY RENTALS
595655	03/03/2022	\$1,972.88	CONTRACT SERVICES	50	APOLLO WOOD RECOVERY INC
595656	03/03/2022	\$6,500.00	CONTRACT SERVICES	3419	ARDA CAMPAIGNS LLC
595657	03/03/2022	\$548.85	UTILITY SERVICES	38380	AT&T
595658	03/03/2022	\$14,475.10	UTILITY SERVICES	39550	AT&T
595659	03/03/2022	\$60.00	PARKS AND RECREATION	3512	JOSE BARRAGAN
595660	03/03/2022	\$120.00	CONTRACT SERVICES	45540	BENNYS OIL FILTER RECYCLING
595661	03/03/2022	\$120.00	TRAINING	21620	BURRO CANYON ENTERPRISES INC
595662	03/03/2022	\$675.00	PERMITS AND FEES	28120	STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS
595663	03/03/2022	\$1,441.29	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY
595664	03/03/2022	\$273.76	VEHICLE MAINTENANCE/EXPENSES	3515	MARK CAMPBELL
595665	03/03/2022	\$1,651.00	SUPPLIES	3505	MICHAEL CAPALBO
595666	03/03/2022	\$87.37	UTILITY SERVICES	55830	CHARTER COMMUNICATIONS
595667	03/03/2022	\$2,161.05	VEHICLE MAINTENANCE/EXPENSES	45170	MONTEBELLO AUTO GROUP LLC
595668	03/03/2022	\$5,157.98	MACHINERY & EQUIPMENTS	11990	CUMMINS ALLISON CORP
595669	03/03/2022	\$1,142.41	VEHICLE MAINTENANCE/EXPENSES	950	CUMMINS PACIFIC LLC
595670	03/03/2022	\$9,041.32	SUPPLIES	25660	E-Z GO DIVISION OF TEXTRON
595671	03/03/2022	\$634.61	CONTRACT SERVICES	3334	EAGLE PORTABLES SANITATION LLC
595672	03/03/2022	\$173.28	CONTRACT SERVICES	1894	ECONOMY RENTAL INC
595673	03/03/2022	\$50.00	ADVERTISING/PRINTING SERVICES	2123	ENDEAVOR BUSINESS MEDIA LLC
595674	03/03/2022	\$1,685.77	VEHICLE MAINTENANCE/EXPENSES	29160	FORD OF MONTEBELLO
595675	03/03/2022	\$35,799.22	BUILDING IMPROVEMENTS	3240	FOUNDATION BUILDING MATERIALS
595676	03/03/2022	\$55.00	GENERAL GOVERNMENT	3509	VALERIE GARCIA
595677	03/03/2022	\$25.00	RECREATION CLASSES	3517	ERICK GARCIA ROSAS



City of Montebello
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WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
595678	03/03/2022	\$153.27	VEHICLE MAINTENANCE/EXPENSES	455	GOLDEN STATE FASTENERS & SUPPLY INC
595679	03/03/2022	\$8,323.14	CONTRACT SERVICES	33460	GOODYEAR TIRE & RUBBER COMPANY
595680	03/03/2022	\$855.00	DUES & SUBSCRIPTIONS	1740	GREATER LOS ANGELES AREA COUNCIL
595681	03/03/2022	\$80.00	GENERAL GOVERNMENT	3508	DAYANA ILLESCAS
595682	03/03/2022	\$3,407.04	VEHICLE MAINTENANCE/EXPENSES	27480	R & M HANSEN ENT INC
595683	03/03/2022	\$6,927.75	CONTRACT SERVICES	2942	JAIROS PLUMBING INC
595684	03/03/2022	\$1,797.89	LEASE PAYMENT	2405	JCB FINANCE
595685	03/03/2022	\$31,408.00	BUILDING IMPROVEMENTS	2156	LEED ELECTRIC INC
595686	03/03/2022	\$18.00	DUES & SUBSCRIPTIONS	9200	LOS ANGELES COUNTY ASSESSOR OFFICE
595687	03/03/2022	\$500.00	DUES & SUBSCRIPTIONS	56630	LACPCA
595688	03/03/2022	\$2,120.20	CONTRACT SERVICES	74640	MISSION LINEN SUPPLY
595689	03/03/2022	\$8,225.38	UTILITY SERVICES	4760	MONTEBELLO LAND & WATER CO
595690	03/03/2022	\$1,000.00	ADVERTISING/PRINTING SERVICES	2355	MONTEBELLO ROTARY CLUB
595691	03/03/2022	\$10,037.12	VEHICLE MAINTENANCE/EXPENSES	2480	SOCAL AUTO & TRUCK PARTS INC
595692	03/03/2022	\$7,471.03	CONTRACT SERVICES	3225	NELSON NYGAARD CONSULTING ASSOC INC
595693	03/03/2022	\$295.43	SUPPLIES	15620	OFFICE DEPOT INC
595694	03/03/2022	\$10.00	RECREATION CLASSES	3511	JERI OLEA
595695	03/03/2022	\$1,701.00	IMPROVEMENTS OTHER THAN BUILDING	3028	ONWARD ENGINEERING
595696	03/03/2022	\$44.28	UTILITY SERVICES	100	PICO WATER DISTRICT
595697	03/03/2022	\$1,775.57	CONTRACT SERVICES	3279	PROCURE AMERICA INC
595698	03/03/2022	\$60.00	PARKS AND RECREATION	3514	MARLA RODRIGUEZ
595699	03/03/2022	\$78,508.28	UTILITY SERVICES	14730	SAN GABRIEL VALLEY WATER CO
595700	03/03/2022	\$127,439.10	IMPROVEMENTS OTHER THAN BUILDING	20770	SEQUEL CONTRACTORS INC
595701	03/03/2022	\$3,553.08	UTILITY SERVICES	40520	SOUTHERN CALIFORNIA GAS CO
595702	03/03/2022	\$810.95	VEHICLE MAINTENANCE/EXPENSES	168	SOUTHERN COACH MFG CO INC
595703	03/03/2022	\$6,714.50	UTILITY SERVICES	526	T-MOBILE USA INC
595704	03/03/2022	\$250.00	GENERAL GOVERNMENT	3510	OFELIA TEJADA
595705	03/03/2022	\$11,985.24	VEHICLE MAINTENANCE/EXPENSES	60710	THE AFTERMARKET PARTS COMPANY LLC
595706	03/03/2022	\$187.00	DUES & SUBSCRIPTIONS	41430	THOMSON REUTERS - WEST
595707	03/03/2022	\$566.85	SUPPLIES	3110	TOMAS ALVARADO
595708	03/03/2022	\$18,365.97	CONTRACT SERVICES	3406	UNIVERSAL PROTECTION SERVICE LP
595709	03/03/2022	\$2,598.40	CONTRACT SERVICES	37	US SECURITY ASSOCIATES INC
595710	03/03/2022	\$2,577.34	UTILITY SERVICES	23610	VERIZON WIRELESS
595711	03/03/2022	\$1,004.43	SUPPLIES	9470	W W GRAINGER INC
595712	03/03/2022	\$1,556.74	SUPPLIES	3088	WAXIES ENTERPRISES LLC



City of Montebello
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From Payment Date: 03/03/22 - To Payment Date: 03/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
595713	03/03/2022	\$1,715.50	BUILDING IMPROVEMENTS	3459	WORKSITE INTERNATIONAL INC
595714	03/03/2022	\$1,141.00	CONTRACT SERVICES	71170	YOUNG ELECTRIC SIGN COMPANY
595715	03/10/2022	\$12,249.49	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY
595716	03/10/2022	\$1,113.88	SUPPLIES	15620	OFFICE DEPOT INC
595717	03/10/2022	\$14.57	CONTRACT SERVICES	1674	1st JON INC
595718	03/10/2022	\$2,318.00	VEHICLE MAINTENANCE/EXPENSES	3333	A & A FLEET PAINTING INC
595719	03/10/2022	\$59.03	UTILITY SERVICES	1732	AT&T CORP
595720	03/10/2022	\$7,902.80	AFLAC OTHER	55860	AFLAC
595721	03/10/2022	\$27,968.00	CONTRACT SERVICES	3411	AIM CONSULTING SERVICES
595722	03/10/2022	\$1,830.00	CONTRACT SERVICES	53370	EUROFINS ANA LABORATORIES INC
595723	03/10/2022	\$421.58	UTILITY SERVICES	39550	AT&T
595724	03/10/2022	\$72.40	UTILITY SERVICES	73760	AT&T TELECONFERENCE SERVICES
595725	03/10/2022	\$25,005.47	CONTRACT SERVICES	16710	ATKINSON ANDELSON LOYA RUUD & ROMO
595726	03/10/2022	\$2,100.00	VEHICLE MAINTENANCE/EXPENSES	278	ATLAS RADIATOR INC
595727	03/10/2022	\$2,500.00	ADVERTISING/PRINTING SERVICES	27170	BEVERLY HOSPITAL
595728	03/10/2022	\$8,827.50	CONTRACT SERVICES	3130	BLAIS & ASSOCIATES LLC
595729	03/10/2022	\$5,864.00	CONTRACT SERVICES	243	BLACK ODOWD AND ASSOCIATES
595730	03/10/2022	\$546.98	SUPPLIES	159	BOUND TREE MEDICAL LLC
595731	03/10/2022	\$3,253.68	CONTRACT SERVICES	34760	CALIFORNIA STATE CONTROLLERS OFFICE
595732	03/10/2022	\$4,552.87	UTILITY SERVICES	47580	CALIFORNIA WATER SERVICE COMPANY
595733	03/10/2022	\$435.00	CONTRACT SERVICES	3204	COASTAL OCCUPATIONAL MEDICAL GROUP
595734	03/10/2022	\$160.00	INCURRED CLAIMS	1643	COMPANY NURSE
595735	03/10/2022	\$1,543.91	VEHICLE MAINTENANCE/EXPENSES	950	CUMMINS INC
595736	03/10/2022	\$175.00	CONTRACT SERVICES	2759	D F POLYGRAPH
595737	03/10/2022	\$430.00	ADVERTISING/PRINTING SERVICES	1354	DAILY JOURNAL CORPORATION
595738	03/10/2022	\$898.51	CONTRACT SERVICES	47770	DUTHIE ELECTRIC SERVICE CORPORATION
595739	03/10/2022	\$3,969.00	CONTRACT SERVICES	3405	ELECTRIC CAR SALES AND SERVICES INC
595740	03/10/2022	\$60.00	PARKS AND RECREATION	3518	ANGELINE ESCOBAR
595741	03/10/2022	\$60.00	PARKS AND RECREATION	3521	ALAN FIGUEROA
595742	03/10/2022	\$150.00	DUES & SUBSCRIPTIONS	70230	FOOTHILL FIRE CHIEFS ASSOCIATION
595743	03/10/2022	\$1,920.41	VEHICLE MAINTENANCE/EXPENSES	29160	FORD OF MONTEBELLO
595744	03/10/2022	\$613.00	UNIFORM EXPENSE	55650	GALLS LLC
595745	03/10/2022	\$535.60	VEHICLE MAINTENANCE/EXPENSES	30190	IB AUTO PARTS INC
595746	03/10/2022	\$347.56	CONTRACT SERVICES	3036	HERITAGE-CRYSTAL CLEAN LLC
595747	03/10/2022	\$3,017.28	CONTRACT SERVICES	1357	IRON MOUNTAIN INC



City of Montebello
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WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
595748	03/10/2022	\$1,395.00	CONTRACT SERVICES	3302	JACOB GREEN & ASSOCIATES INC
595749	03/10/2022	\$1,222.65	VEHICLE MAINTENANCE/EXPENSES	2405	SOCAL JCB
595750	03/10/2022	\$34,109.00	CONTRACT SERVICES	3044	KAIZER RANGWALA
595751	03/10/2022	\$268.40	SUPPLIES	3035	LA COUNTY SHERIFF'S DEPARTMENT
595752	03/10/2022	\$303.40	VEHICLE MAINTENANCE/EXPENSES	20620	LOS ANGELES TRUCK CENTERS LLC
595753	03/10/2022	\$268,185.00	CONTRACT SERVICES	3422	MIKE BUBALO CONSTRUCTION CO INC
595754	03/10/2022	\$2,286.14	SUPPLIES	2480	SOCAL AUTO & TRUCK PARTS INC
595755	03/10/2022	\$612.50	SUPPLIES	3516	NATIONWIDE MEDICAL SURGICAL INC
595756	03/10/2022	\$450.00	CONTRACT SERVICES	26370	NAVARROS TOWING SERVICE
595757	03/10/2022	\$1,666.63	SUPPLIES	15620	OFFICE DEPOT INC
595758	03/10/2022	\$42,849.50	IMPROVEMENTS OTHER THAN BUILDING	3028	ONWARD ENGINEERING
595759	03/10/2022	\$40.00	CARPPOOL INCENTIVE	65330	WENDY PEREZ
595760	03/10/2022	\$175.76	MAIL/ POSTAL EXPENSE	697	QUADIENT FINANCE USA INC
595761	03/10/2022	\$120.00	PARKS AND RECREATION	3525	MADLINE QUEZADA
595762	03/10/2022	\$2,000.00	ADVERTISING/PRINTING SERVICES	1415	SAN GABRIEL VALLEY COMMERCE & CITIES CONSORTIUM
595763	03/10/2022	\$2,043.09	UTILITY SERVICES	14730	SAN GABRIEL VALLEY WATER CO
595764	03/10/2022	\$2,050.00	CONTRACT SERVICES	15180	STEARNS CONRAD AND SCHMIDT CONSULTING ENG
595765	03/10/2022	\$616,454.51	IMPROVEMENTS OTHER THAN BUILDING	20770	SEQUEL CONTRACTORS INC
595766	03/10/2022	\$60.00	PARKS AND RECREATION	3519	VIJAY SHEKHAWAT
595767	03/10/2022	\$2,035.18	CONTRACT SERVICES	2361	SIEMENS MOBILITY
595768	03/10/2022	\$636.58	CARPPOOL INCENTIVE	28240	SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
595769	03/10/2022	\$148,642.14	UTILITY SERVICES	45630	SOUTHERN CALIFORNIA EDISON
595770	03/10/2022	\$34,548.02	FUEL INVENTORY	40520	SOUTHERN CALIFORNIA GAS CO
595771	03/10/2022	\$86,537.77	CONTRACT SERVICES	3439	SPORTFIVE GOLF LLC
595772	03/10/2022	\$10,789.61	CONTRACT SERVICES	13330	STATE WATER RESOURCES CONTROL BOARD ACCOUNTING OFFICE
595773	03/10/2022	\$3,405.49	CONTRACT SERVICES	6230	SYMPRO INC
595774	03/10/2022	\$906.25	CONTRACT SERVICES	3464	SYSLOGIC INC
595775	03/10/2022	\$478.41	CONTRACT SERVICES	13580	TENNANT SALES AND SERVICE CO
595776	03/10/2022	\$6,457.57	VEHICLE MAINTENANCE/EXPENSES	60710	THE AFTERMARKET PARTS COMPANY LLC
595777	03/10/2022	\$187.00	DUES & SUBSCRIPTIONS	41430	THOMSON REUTERS - WEST
595778	03/10/2022	\$12,823.32	MACHINERY & EQUIPMENTS	1188	TYLER TECHNOLOGIES INC
595779	03/10/2022	\$281.23	CONTRACT SERVICES	131	UNITED SITE SERVICES INC
595780	03/10/2022	\$8,991.42	CONTRACT SERVICES	3406	UNIVERSAL PROTECTION SERVICE LP
595781	03/10/2022	\$2,690.00	TRAINING	11430	WESTGATE CENTER FOR LEADERSHIP
595782	03/10/2022	\$5,581.40	CONTRACT SERVICES	37	US SECURITY ASSOCIATES INC



City of Montebello
Register of Demands No. 1527

From Payment Date: 03/03/22 - To Payment Date: 03/10/22

WARRANT #	DATE	AMOUNT	ACCOUNT DESCRIPTION	VENDOR #	VENDOR NAME
595783	03/10/2022	\$258.13	VEHICLE MAINTENANCE/EXPENSES	2701	VARGAS DIESEL INC
595784	03/10/2022	\$7,000.00	CONTRACT SERVICES	3433	VECTIS DC LLC
595785	03/10/2022	\$7,514.29	UTILITY SERVICES	23610	VERIZON WIRELESS
595786	03/10/2022	\$732.50	CONTRACT SERVICES	47600	NEXUS HOLDING LLC
595787	03/10/2022	\$678.89	SUPPLIES	9470	W W GRAINGER INC
595788	03/10/2022	\$570.70	VEHICLE MAINTENANCE/EXPENSES	53450	R & O MCINTYRE INC
595789	03/10/2022	\$2,500.00	CONTRACT SERVICES	3323	WASHINGTON CONSULTING GROUP LLC
595790	03/10/2022	\$300.00	CONTRACT SERVICES	328	ANNE L DONOFRIO
CHECK TOTAL		<u>\$1,877,738.60</u>			
GRAND TOTAL		<u><u>\$3,088,615.57</u></u>			



CITY OF MONTEBELLO

CITY COUNCIL AGENDA STAFF REPORT

TO: Honorable Mayor and City Council Members

FROM: René Bobadilla, P.E., City Manager

BY: Arnold M. Alvarez-Glasman, City Attorney

SUBJECT: **Adopt Resolution No. 22-17 Establishing a Policy to Ensure All City Councilmembers are Informed of and Invited to All City Events, City Photo Opportunities and Related City Activities**

DATE: March 23, 2022

RECOMMENDATIONS:

It is recommended that the City Council:

- 1) Adopt Resolution (Attachment A) Establishing a Policy to Ensure All City Councilmembers are Informed of and Invited to All City of Montebello ("City") Events, City Photo Opportunities and Related City Activities; and
- 2) Take such additional, related, action that may be desirable.

FISCAL IMPACT

None.

BACKGROUND

During the City Council meeting of December 8, 2021, Councilmember Peralta included in a Council Oral the request to adopt a policy to ensure that all Councilmembers would be invited and included in City events, photo opportunities and related activities.

DISCUSSION

Per Councilmember Peralta's request, the City Attorney's office has prepared the attached Resolution for consideration and adoption. This Resolution, if adopted, will implement a policy to ensure that all City Councilmembers are informed of and invited to

Adopt Resolution Establishing a Policy to Ensure All City Councilmembers are Informed of and Invited to All City Events, City Photo Opportunities and Related City Activities

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any and all City sponsored events, photo opportunities and related activities as well as any and all events held by the City of Montebello on City-owned or leased property. It will be required that all information and invitations, including such information as the date, time, location and purpose of such an event, shall be provided to all City Councilmembers in a timely manner and as soon as practicably known by City Councilmembers or staff in advance of the event.

SUMMARY

Staff recommends that the City Council adopt a Resolution establishing a policy to ensure all City Councilmembers are informed of and invited to all City events, City photo opportunities and related City activities.

ATTACHMENT:

- A. Attachment A – Resolution No. 22-17

ATTACHMENT A

RESOLUTION NO. 22-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEBELLO, CALIFORNIA, ESTABLISHING A POLICY TO ENSURE ALL CITY COUNCILMEMBERS ARE INFORMED OF AND INVITED TO ALL CITY EVENTS, CITY PHOTO OPPORTUNITIES AND RELATED CITY ACTIVITIES

RECITALS

WHEREAS, the City of Montebello, California ("City") is a general law city, duly organized under the Constitution and laws of the State of California; and

WHEREAS, it is the intent and desire of the City Council to conduct its business in an orderly and fair manner; and

WHEREAS, the City often sponsors events, such as social or ceremonial events, where the public, elected officials, and City employees may be present or attend; and

WHEREAS, the City often organizes events on property owned by the City where the public, elected officials, and City employees may be present or attend; and

WHEREAS, each member of the City Council shall be informed of and invited to such City events to represent the City of Montebello and engage with Montebello residents, the purpose for which they were elected.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEBELLO HEREBY RESOLVES, FINDS, AND DECLARES AS FOLLOWS:

SECTION 1: The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2: The City Council hereby resolves in adopting this policy to ensure that all City Councilmembers are informed of and invited to any and all City sponsored events, photo opportunities and related activities as well as any and all events held by the City of Montebello on City-owned or leased property. All information and invitations, including such information as the date, time, location and purpose of such an event, shall be provided to all City Councilmembers in a timely manner and as soon as practicably known by City Councilmembers or staff in advance of the event.

SECTION 3: That the City Clerk shall certify to the passage and adoption of this Resolution and that the same shall be in full force and effect.

RESOLUTION NO. 22-17

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APPROVED AND ADOPTED this 23rd day of March 2022.

Kimberly A. Cobos-Cawthorne, Mayor

ATTEST:

APPROVED AS TO FORM:

Christopher Jimenez, City Clerk

Arnold M. Alvarez-Glasman, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF MONTEBELLO)

I, Christopher Jimenez, City Clerk of the City of Montebello, County of Los Angeles, State of California, hereby certify that the foregoing Resolution No. 22-17 was passed and adopted by the City Council of the City of Montebello, signed by the Mayor and attested by the City Clerk at a regular meeting of said Council held on the 23rd day of March 2022 and that said Resolution was adopted by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

The undersigned, City Clerk of the City of Montebello, does hereby attest and certify that the foregoing Resolution is a true, full and correct copy of a resolution duly adopted at a meeting of said City which was duly convened and held on the date stated thereon, and that said document has not been amended, modified, repealed or rescinded since its date of adoption and is in full force and effect as of the date hereof.

DATE: _____

Christopher Jimenez, City Clerk