



**CITY OF MONTEBELLO
CITY COUNCIL
REGULAR MEETING**

WEDNESDAY, AUGUST 14, 2024 AT 6:00 PM

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

CITY COUNCIL

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

CITY MANAGER
Raul Alvarez

CITY TREASURER
David Matanga

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
Acting Director of Transportation

Arlene Salazar
Fernando Pelaez
Paul Espinosa
Michael Solorza
Ramon Figueroa
Joseph Palombi
Cesar Roldan
David Sosnowski
John Soria

NOTICES

This City Council Meeting ("Council") will be held in person and will meet at **City Hall – City Council Chambers, 1600 West Beverly Boulevard, Montebello, California.** The meeting will be live streamed and can be watched on the City's website and YouTube Channel via the following link: <https://www.montebelloca.gov>, and may also be viewed on Spectrum Public Access Channel 3 for all Spectrum cable subscribers.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act (ADA) any person with a disability who requires special accommodations in order to participate in a meeting should contact the Administration Office at (323) 887-1437 Monday-Thursday from 7:30 a.m.-5:30 p.m. Please call 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II 1203). If you require translation services, please contact the City Clerk's office 72 hours before this meeting. **Si necesita servicios de traducción, comuníquese con la Oficina del Secretario Municipal 72 horas antes de esta reunión.** 如果您需要翻译服务, 请在会议前 72 小时联系市书记员办公室.

RULES OF DECORUM:

Pursuant to Section 54957.95 of the Government Code, the presiding member of the legislative body conducting a meeting, or their designee, is authorized to remove, or cause the removal of, an individual for disrupting the meeting. Any such removal will be preceded by a warning to the disruptive individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to promptly cease their disruptive behavior may result in their removal.

PUBLIC COMMENTS:

In-Person: For those interested in participating during the Public Comment period(s) or public testimony period for Public Hearings of the City Council meetings, you may address the City Council ***in person only the day of the meeting.*** Speakers will be required to fill out a speaker card provided at the door and submit it to City Clerk staff prior to each Public Comment announcement period. Staff will number and call each speaker card in the order received. ***Closed Session begins at 6:00 p.m. and Regular Session begins immediately thereafter; if there is no Closed Session, Regular Session will begin at 6:00 p.m.***

AGENDA MATERIALS: The agenda and/or agenda packet are available for public inspection at City's website at: [Agendas, Minutes, and Videos](#),

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

OPENING CEREMONIES

CALL TO ORDER - 6:00 P.M.

ROLL CALL

ANNOUNCEMENT OF CLOSED SESSION ITEMS

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

At this time, the public may submit a speaker card to the City Clerk staff for Closed Session items, prior to the beginning of this statement. Speakers will be called in the order received. Please be aware that the maximum time allotted for members of the public to speak on Closed Session items shall not exceed three (3) minutes per person. State Law prohibits the City Council from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor and City Council.

CLOSED SESSION

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

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Government Code Section 54956.9(d)(2)
BKK Class I Landfill Cost Recovery Efforts (one matter)
2. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
Government Code Section 54956.8
Property: 602, 604, 608 and 610 Whittier Boulevard, Montebello, California
Agency negotiators: Raul Alvarez, Joseph Palombi
Negotiating party: Weber Properties
Under negotiation: Price and terms of sale
3. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Government Code Section 54956.9(d)(1)
NASA Services v. City of Montebello
Los Angeles Superior Court Case No. 21 STCP01969
4. **INSURANCE LIABILITY CLAIM**
Government Code Section 54956.95
Claimant: Arlene Salazar
Agency claimed against: City of Montebello
5. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
Government Code Section 54956.9(d)(2)
Significant exposure to litigation in one case
6. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Government Code Section 54956.9(d)(1)
J. Carrera v. City of Montebello
Los Angeles Superior Court Case No. 21 STCV 24612
7. **CONFERENCE WITH THE CITY COUNCIL RELATED TO AN AUDIT BY CALIFORNIA STATE AUDITOR'S OFFICE**
Government Code Section 54956.75

REGULAR SESSION - IMMEDIATELY FOLLOWING CLOSED SESSION

CLOSED SESSION REPORT

INVOCATION

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA - CITY MANAGER

CEREMONIAL ITEMS/PRESENTATIONS

8. CITIZEN OF THE MONTH - YVETTE FIMBRES
9. ASHIYA JAPAN STUDENTS
10. ADVENTIST HEALTH WHITE MEMORIAL PRESENTATION
11. PROCLAMATION FOR NATIONAL WELLNESS MONTH
12. TREASURER'S MONTHLY UPDATE

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

At this time, the public may submit speaker card(s) to the City Clerk staff, for both agenda and non-agenda items, prior to the beginning of this statement; Public Hearing items do not require a speaker card.

The City Council will address non-agenda items during this section and speakers will be called in the order received. Those persons not accommodated during this 30-minute period will have an opportunity to speak under "Public Comments – Continued", after all scheduled matters have been considered. **Public Hearing, Regular Business and/or Consent Calendar items will be addressed at the time that matter of business is heard, in the order received.**

Please be aware that the maximum time allotted for members of the public to speak shall not exceed three (3) minutes per speaker. State Law prohibits the City Council from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Mayor and City Council.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

PUBLIC HEARING

13. **APPEAL OF A PLANNING COMMISSION DECISION OF DENIAL OF SITE PLAN REVIEW AND ZONE VARIANCE REQUESTS FOR REDUCED LOT SIZE, REDUCTION IN FRONT YARD SETBACK, AND LOT COVERAGE, AS WELL AS THE DENIAL OF A RECOMMENDATION OF APPROVAL TO THE CITY COUNCIL REGARDING VESTING TENTATIVE TRACT MAP ("VTTM") NO. 084478 TO SUBDIVIDE ONE LEGAL LOT RESULTING IN THE CREATION OF 16 LEGAL LOTS TO ACCOMMODATE 15 SINGLE-FAMILY DWELLING UNITS INCLUDING A COMMON PARCEL FOR STREETS, UTILITIES, AND A PRIVATE PARK (CASE NO. PC-2024-0002-SPR/ZV/TTM) FOR THE PROPERTY LOCATED AT 301 JACMAR DRIVE.**

RECOMMENDATION: It is recommended that the City Council:

1. Conduct a Public Hearing to consider all matters presented at the public hearing, uphold the Planning Commission denial of PC-2024-0002/SPR/ZV/TTM, and direct staff to bring back a City Council Resolution containing findings supporting the Planning Commissions denial of PC-2024-0002-SPR/ZV/TTM; or
2. Conduct a public hearing to consider all matters presented at the public hearing, adopt a resolution overturning the Planning Commission decision to deny PC-2024-0002-SPR/ZV/TTM and approving PC-2024-0002-SPR/ZV/TTM, which would become effective after City Council's findings are referred to the

- Planning Commission and the Planning Commission provides a further report on the matter per Montebello Municipal Code 17.78.130 "Council decisions contrary to planning commission action;" and
3. Take such additional, related action that may be desirable.

REGULAR BUSINESS

14. ADOPT PLANS, SPECIFICATIONS AND ENGINEER'S ESTIMATE FOR THE SENIOR CENTER RENOVATION PROJECT (CP 925) AND AUTHORIZATION TO PROCEED WITH BID ADVERTISEMENT

RECOMMENDATION: It is recommended that the City Council:

1. Approve Environmental Assessment pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption under the California Environmental Quality Act (CEQA); and,
2. Approve Level of Environmental Review Determination via the National Environmental Policy Act (NEPA): Categorically Excluded per 24 CFR 58.35(a), and subject to laws and authorities at §58.5: (3) Rehabilitation of buildings and improvements when the following conditions are met: (iii) In the case of non-residential structures, including commercial, industrial, and public buildings: (A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and (B) The activity does not involve a change in land use, such as from nonresidential to residential, commercial to industrial or from one industrial use to another; and,
3. Adopt the 100% completed plans, specifications and engineer's estimate for the Construction of the Senior Center Renovation Project at 115 S. Taylor Avenue Improvements Capital Project 925; and
4. Authorize staff to proceed with bid advertisement for construction; and
5. Take such additional, related action that may be desirable.

CONSENT CALENDAR

All matters listed under the Consent Calendar are considered to be routine. Any items a member wishes to discuss, including any items the public submitted speaker cards for, should be designated at this time. All other items may be approved in a single motion. Such approval will also waive the reading of any Ordinance.

15. APPROVE LETTER OF ENGAGEMENT TO MASTER RETAINER AGREEMENT NO. 3919 WITH AIM CONSULTING SERVICES FOR CONSTRUCTION MANAGEMENT/INSPECTION SERVICES FOR THE MONTEBELLO MUNICIPAL GOLF COURSE RENOVATION PROJECT PHASE 3 (CP NO. 894-3)

RECOMMENDATION: It is recommended that the City Council:

1. Approve Task Order No. 6.1 via an Engagement Letter under Master Retainer Agreement No. 3919 with AIM Consulting Services for Construction Management and Inspection Services for the Golf Course Renovation Project Phase 3 for a not-to-exceed-amount of \$469,692; and,
2. Authorize the City Manager to execute the Letter of Engagement; and,
3. Take such additional, related action that may be desirable.

16. AWARD CONSTRUCTION CONTRACT FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 7 VARIOUS INTERSECTION IMPROVEMENTS CAPITAL PROJECT 851 – FEDERAL PROJECT NO. HSIPL-5247(024) TO ALFARO COMMUNICATIONS CONSTRUCTION, INC. AND REJECT ALL OTHER BIDS

RECOMMENDATION: It is recommended that the City Council:

1. Award construction contract (Attachment B) to Alfaro Communications Construction, Inc. for Highway Safety Improvement Program (HSIP) Cycle 7 Capital Project 851 – Federal Project No. HSIPL-5247(024) for the amount of \$1,134,591; and,
2. Approve a 10% construction contingency of \$113,459; and,
3. Reject all other bids and authorize the City Clerk's Office to release bidders' bonds; and,
4. Accept Crosstown Electrical & Data, Inc.'s bid withdrawal letter dated July 25, 2024 (Attachment A); and,
5. Authorize the City Manager to execute the agreement and any subsequent change orders; and,
6. Take such additional, related action that may be desirable.

17. APPROVE AWARD OF PROFESSIONAL SERVICES AGREEMENT NO. 4219 TO G2 CONSTRUCTION, INC. TO INSTALL FULL CAPTURE STORM DRAIN TRASH DEVICES ON CITY-OWNED CATCH BASINS

RECOMMENDATION: It is recommended that the City Council:

1. Approve by a four-fifths vote of the City Council the urgency fabrication and installation of Connector Pipe Screen (CPS) and Automatic Retractable Screen (ARS) units at thirteen locations per Municipal Code Section 3.20.050(D) - Conformance with bidding procedures (exceptions); and,
2. Award Professional Services Agreement No. 4219 to G2 Construction, Inc. to install thirteen catch basins with screen devices for stormwater quality protection for a not-to-exceed amount of \$104,479; and,
3. Amend the Fiscal Year 2024-25 budget by increasing appropriations by \$104,479 in the Measure W Fund, Account No.229-30-315-6040.55 (Measure W, Public Works, Stormwater, Water System Maintenance); and,
4. Authorize the City Manager to execute the Agreement on behalf of the City; and
5. Take such additional, related action that may be desirable.

18. APPROVE LETTER OF ENGAGEMENT TO MASTER RETAINER AGREEMENT NO. 3922 WITH PSOMAS CONSULTING SERVICES FOR HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) CYCLE 7 – FEDERAL PROJECT NO. HSIPL-5247(024)

RECOMMENDATION: It is recommended that the City Council:

1. Approve a Letter of Engagement to Master Retainer Agreement No. 3922 between the City of Montebello and PSOMAS Consulting Services for Construction Management and Inspection Services for Highway Safety Improvement Program (HSIP) Cycle 7 (CP 851) – Federal Project No. HSIPL-5247(024) for a not-to-exceed amount of \$360,051; and,
2. Authorize the City Manager to execute the Letter of Engagement on behalf of the City; and
3. Take such additional, related action that may be desirable.

19. REJECT BIDS RECEIVED FOR CONSTRUCTION OF A DOG PARK AT ACUÑA PARK (CP 922) IN ACCORDANCE WITH PUBLIC CONTRACT CODE SECTION 22038(A)(1) AND AUTHORIZE STAFF TO PROCEED WITH READVERTIZING AND REBIDDING THE PROJECT

RECOMMENDATION: It is recommended that the City Council:

1. Reject bids received for construction of a dog park at Acuña Park (CP 922) in accordance with Public Contract Code Section 22038(a)(1); and
2. Authorize staff to modify the project scope of work in conformance with all applicable engineering standards; and
3. Authorize staff to re-advertise the Notice Inviting Bid in accordance with Public Contract Code Section 22038(a)(1); and
4. Take such additional, related action that may be desirable.

20. ADOPT PLANS, SPECIFICATIONS AND ENGINEER'S ESTIMATE (PS&E) FOR CONSTRUCTION OF THE RIO HONDO RIVER ACCESS IMPROVEMENT PROJECT (CP 924) AND AUTHORIZE BID ADVERTISEMENT

RECOMMENDATION: It is recommended that the City Council:

1. Adopt the 100% completed plans, specifications and engineer's estimate (PS&E) for the Construction of the Rio Hondo River Access Improvement Project - Capital Project 924; and,
2. Approve Environmental Assessment pursuant to 14 California Code of Regulations § 15301 as a Class 11 categorical exemption under the California Environmental Quality Act (CEQA); and,
3. Authorize staff to proceed with bid advertisement for construction; and,
4. Amend the Fiscal Year 2024-25 budget by increasing appropriations by \$110,850 in Account No. 221-70-742-6040.96 (Measure A, Parks and Recreation, Rio Hondo River Access Project, Engineering Design); and,
5. Take such additional, related action that may be desirable.

21. APPROVE GRANT REA PARK PETTING ZOO LICENSE AGREEMENT

RECOMMENDATION: It is recommended that the City Council:

1. Approve a new Petting Zoo Operator License Agreement with WRW Inc. ("Licensee"); and
2. Authorize the City Manager to execute an agreement on behalf of the City; and
3. Take such additional, related action that may be desirable.

22. APPROVE ISSUING REQUEST FOR PROPOSALS (RFP) NO. 24-20 FOR POLICE AND GENERAL VEHICLE UPFITTING

RECOMMENDATION: It is recommended that the City Council:

1. Authorize issuing Request for Proposals (RFP) No. 24-20 for Police and General Vehicle Upfitting; and
2. Take such additional, and related, action that may be desirable.

23. WAIVE THE SECOND READING AND ADOPTION OF ORDINANCE NO. 2478 AMENDING CHAPTER 10.68 OF THE CITY OF MONTEBELLO MUNICIPAL CODE REGARDING OVERSIZED VEHICLE PARKING

RECOMMENDATION: It is recommended that the City Council:

1. Waive Second Reading and Adopt Ordinance No. 2478 amending Montebello Municipal Code ("MMC") Chapter 10.68 to establish new regulations regarding oversized vehicle parking including containers and unattached trailers Citywide; and
2. Determine and find that this action is exempt from the California Environmental Quality Act ("CEQA") pursuant to CEQA Section 15061(b)(3), the commonsense exemption; and
3. Take such additional, related, action that may be desirable.

24. RECEIVE AND FILE THE FISCAL YEAR 2022-23 ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR)

RECOMMENDATION: It is recommended that the City Council:

1. Receive and file the Fiscal Year 2022-23 Annual Comprehensive Financial Report (ACFR); and
2. Take such additional, related action that may be desirable.

25. TREASURER'S REPORT FOR THE QUARTER ENDING JUNE 30, 2024

RECOMMENDATION: It is recommended that the City Council:

1. Receive and file the Quarterly Treasurer's Report for the quarter ending June 30, 2024 (Fourth Quarter of Fiscal Year 2023-24); and
2. Take such additional, related action that may be desirable.

26. APPROVAL OF MINUTES: JUNE 26, 2024, CITY COUNCIL MEETING; JULY 24, 2024, CITY COUNCIL MEETING

RECOMMENDATION: It is recommended that the City Council:

1. Approve said Minutes as is.

27. PAYMENT OF BILLS: ADOPT RESOLUTION NO. 24-63 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED AUGUST 14, 2024

RECOMMENDATION: It is recommended that the City Council:...

1. Adopt Resolution No. 24-63 approving the Warrant Register dated August 14, 2024.

PUBLIC COMMENTS - CONTINUED

AB 1234 TRAVEL REPORTS

Members will provide a brief report on meetings attended at the expense of the local agency as required by Government Code Section 53232.3(d).

COUNCIL/AGENCY ORALS

Announcements and requests for future agenda items.

- **David N. Torres, Councilmember**
 1. Request for council consensus to establish a Fireworks Ad Hoc committee to analyze current ordinances and recommend updates that will discourage illegal activity and improve community safety.
 2. Request for staff update on establishing an ordinance to address vacant commercial properties.
 3. Requesting council consensus directing staff to develop an ordinance requiring establishments accept cash as payment in Montebello.
 4. Request for council consensus to designate, by ordinance, truck routes in the City of Montebello for the health of residential streets and enforcement against improper routes.
 5. Request for council consensus to develop an ordinance for the preservation of historic architecture and other culturally significant features in Montebello.
 6. Request for council consensus to calendar further discussions on a policy to guide council and commission procedures.
- **Salvador Melendez, Mayor Pro Tem**
- **Angie M. Jimenez, Councilmember**
- **Georgina Tamayo, Councilmember**
- **Scarlet Peralta, Mayor**
 1. Request a study session to develop an Inclusionary Housing Ordinance.
 2. Request consensus to create the Community Beautification Awards Initiative, recognizing residents who take pride in the appearance of their homes.
 3. Launch Operation City Pride in partnership with Caltrans:
 - Integrate the Caltrans Customer Service Request Portal and Support Services into the City App and platforms.
 - Organize community cleanups in partnership with Caltrans.

CLOSED SESSION - CONTINUED

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on August 28, 2024, at 6:00 p.m.**, which can be live-streamed at <https://www.montebellocal.gov> (Click on Live Stream).

I, Kimberly Guillen, Senior Deputy City Clerk for the City of Montebello, hereby certify that a copy of this agenda has been posted on or before **Sunday, August 11, 2024, no later than 6:00 p.m.**



Kimberly Guillen, Senior Deputy City Clerk

EXHIBIT - CITY OF MONTEBELLO FORECASTED AGENDA

Please note, the attached exhibit is a draft version that is to be used for reference purposes only; agenda items, information, and dates are subject to change. The exhibit will be placed at the end of the Agenda Packet.

- **CITY OF MONTEBELLO FORECASTED AGENDA**