



CITY OF MONTEBELLO REGULAR MEETING

MINUTES

WEDNESDAY, SEPTEMBER 24, 2025 AT 6:00 PM

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

OPENING CEREMONIES

CALL TO ORDER - 6:00 P.M.

Mayor Melendez called the meeting to order at 6:01 p.m.

ROLL CALL

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

Councilmember Alonzo was absent.

City Attorney Arnold Alvarez-Glasman, City Manager Raul Alvarez, Assistant City Manager Angelica Palmeros, Deputy City Clerk Nelly Ochoa, and Department Directors Kimberly Guillen, Michael Solorza, Joseph Palombi, Ramon Figueroa, John Soria, David Sosnowski, Cesar Roldan, Fire Chief Pelaez, and Police Chief Lopez were present.

ANNOUNCEMENT OF CLOSED SESSION ITEMS

City Attorney Alvarez-Glasman announced the Closed Session Items.

PUBLIC COMMENTS ON CLOSED SESSION ITEMS

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

None.

CLOSED SESSION

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

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

1. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
Government Code Section 54956.9(d)(1)
I. Valencia v. City of Montebello

Case No. ADJ14391669, ADJ14392090, ADJ14392864

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(d)(1)

C. Wells v. City of Montebello

Case No. ADJ383275, ADJ2643641, ADJ1109814, ADJ4198980, ADJ10773345, ADJ14597382, ADJ15692902, ADJ16633877

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957

Title: City Manager

REGULAR SESSION - IMMEDIATELY FOLLOWING CLOSED SESSION

CLOSED SESSION REPORT

Mayor Melendez reconvened the meeting at 7:03 p.m.

All four members were present to discuss all Closed Session items. City Attorney Arnold Alvarez-Glasman provided the following report to City Council: Item No. 1, a briefing was provided to City Council, no action was taken, direction was provided to Counsel, and nothing to further to report; Item No. 2, a briefing was provided to City Council, direction was provided to Counsel, no action was taken and nothing further to report; Item No. 3, a briefing was provided to City Council, no action was taken and nothing further to report.

INVOCATION

Led by City Clerk Jimenez.

PLEDGE OF ALLEGIANCE

Led by City Treasurer Matanga.

CORRECTIONS TO THE AGENDA - CITY MANAGER

City Manager Alvarez announced the following corrections to the agenda:

1) Adding a presentation to recognize "La Carniceria"

2) Item No. 20 had a minor clerical error; the subject line listed RFP No. 26-05. It should read RFP No. 26-06.

CEREMONIAL ITEMS/PRESENTATIONS

4. HYDROGEN FUEL BUS DEVELOPMENT

Consultants from CTE, Cynthia Gibson and Todd Walton, provided a presentation on the development of hydrogen fuel buses. The presentation included information on the benefits of hydrogen fuel buses, infrastructure, and safety readiness, strategic partnerships and funding, as well as a timeline and next steps.

Councilmember Peralta inquired about training for current mechanics to understand the new technology. Staff confirmed training will be provided.

PUBLIC COMMENTS ON NON-AGENDA ITEMS (30 MINUTES)

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

The City Council will address non-agenda items during this section and speakers will be called in the order received. Those

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

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

The City Clerk’s Office acknowledged eight(8) members of the public wishing to address the City Council. Speakers were provided three minutes to address the City Council, and said speaker cards are on file at the City Clerk’s office.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

City Manager Alvarez announced that the City has been named a finalist for the Most Business Friendly City in Los Angeles County.

Director of Recreation and Community Services, David Sosnowski, announced the upcoming Pup-A-Palooza on Saturday, September 27, at the Montebello Dog Park.

PUBLIC HEARING

5. APPROVE RESOLUTION NO. 25-69 AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FISCAL YEAR 2025-26 ANNUAL ACTION PLAN TO INCLUDE ADDITIONAL FUNDING AND ADOPT RESOLUTION NO. 25-70 APPROVING THE FISCAL YEAR 2024-25 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 25-69 amending the Fiscal Year 2025-26 Community Development Block Grant (CDBG) and Home Investment Partnerships Annual Action Plan to incorporate additional CDBG funding; and
2. Amend the Fiscal Year 2025-26 budget by increasing appropriations by \$13,394 in Account No. 255-50-500-6046 (CDBG, Community Development, Administration); and
3. Adopt Resolution No. 25-70 approving the Fiscal Year 2024-25 draft Consolidated Annual Performance and Evaluation Report (CAPER); and
4. Take such additional, related action that may be desirable.

Mayor Melendez opened the Public Hearing at 7:46 p.m.

There were no speakers.

Mayor Melendez closed the Public Hearing at 7:47 p.m.

Mayor Pro Tem Tamayo motioned, seconded by Councilmember Romero, to approve the item; the motion was approved by the following vote:

MOVED: Tamayo

SECONDED: Romero

APPROVED: 4-0-0-1

AYES: Tamayo, Peralta, Romero, Melendez

NOES: None

ABSTAIN: None

ABSENT: Alonzo

6. INTRODUCE AND WAIVE FIRST READING OF ORDINANCE NO. 2483 AMENDING CHAPTER 17 OF THE MONTEBELLO MUNICIPAL CODE TO ESTABLISH CHAPTER 17.41- VIEWSHED PRESERVATION OVERLAY

RECOMMENDATION: It is recommended that the City Council:

1. Introduce and waive first reading of Ordinance No. 2483, amending Chapter 17 of the Montebello Municipal Code ("MMC") to establish Chapter 17.41 - Viewshed Preservation Overlay to protect and preserve significant public and private views; and
2. Determine and Find that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to the "Common Sense" exemption set forth under Section 15061(b)(3); and
3. Take such additional, related, action that may be desirable.

Director of Planning and Community Development Joe Palombi provided a presentation of the item. The presentation included a project overview, a sample visual impact analysis, and staff recommendations.

Mayor Melendez opened the Public Hearing at 7:54 p.m.

The City Clerk's Office acknowledged eleven(11) members of the public wishing to address the City Council in support of the item. Speakers were provided three minutes to address the City Council and said speaker cards are on file at the City Clerk's office. Additionally, the City Clerk's Office received 10 written comments in support of the item. Said comments are on file at the City Clerk's Office.

Mayor Melendez closed the Public Hearing at 8:19 p.m.

City Councilmembers spoke in support of the item and thanked the residents for their participation.

Councilmember Romero motioned, seconded by Mayor Pro Tem Tamayo, to approve the item; the motion was approved by the following vote:

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

REGULAR BUSINESS - NONE**CONSENT CALENDAR**

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

Mayor Pro Tem Tamayo motioned, seconded by Councilmember Peralta, to approve Item Nos. 7-25; the motion was approved by the following vote:

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

7. **ADOPT RESOLUTION NO. 25-86 APPROVING THE AUTHORIZATION AND EXECUTION OF AGREEMENT TO RECEIVE GRANT FUNDS FROM THE CALIFORNIA HIGHWAY PATROL (CHP) THROUGH THE CANNABIS TAX FUND GRANT PROGRAM (CTFGP)**

RECOMMENDATION: It is recommended that the City Council:

1. Approve the use of grant funding awarded to the Police Department by the California Highway Patrol (CHP) under the Cannabis Tax Fund Grant Program (CTFGP) in the amount of \$147,574 by adopting Resolution No. 25-86; and
2. Authorize the City Manager to execute the contract for grant funds; and
3. Amend the Fiscal Year 2025-26 budget and increase appropriations by \$72,928 in Account No. 265-80-832.5010.10 (Grants, Police, CHP Cannabis Tax fund Grant Program, Overtime [expenditures]), \$74,646 in Account No. 265-80-832-6082 (Grants, Police, CHP Cannabis Tax Fund Grant Program, Vehicle Purchase [expenditures]), and \$147,754 in Account No. 265-99-4198.86 (Grants, CHP Cannabis Tax Fund Grant Program [revenue]); and
4. Take such additional, related, action that may be desirable.

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

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

8. **AWARD AGREEMENT NO. 4402 WITH CART MART, INC. FOR THE PURCHASE OF SIX LOW SPEED VEHICLES (GOLF CARTS)**

RECOMMENDATION: It is recommended that the City Council:

1. Award Agreement, No. 4402 with Cart Mart, Inc (Cart Mart), for a one-year (1-year) term, to purchase six (6) street legal Low Speed Vehicles (Golf Carts), for a total not-to-exceed amount of \$120,003; and
2. Authorize the City Manager to approve purchase change orders up to an additional ten percent (10%) or \$12,001 of the total agreement amount; and
3. Amend the Fiscal Year 2025-26 adopted operating budget to increase appropriations by \$132,004 in Account No. 600-90-915-6082 (Transit, Administration, Corporate Shop, Vehicle Purchases); and
4. Approve disposing of Transit vehicles that are beyond their useful life through an acceptable process such as surplus, transfer to another Department or other method as allowed by existing policies; and,
5. Take such additional, related, action that may be desirable.

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

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

9. **APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 4378 WITH ALARM PROGRAM SYSTEMS (APS) FOR ALARM PERMITTING SERVICES**

RECOMMENDATION: It is recommended that the City Council:

1. Approve Professional Services Agreement No. 4378 with Alarm Program Systems, LLC (APS) for Alarm Permitting Services; and
2. Authorize the City Manager to execute the agreement; and
3. Take such additional, related action that may be desirable.

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

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

10. APPROVE ISSUING REQUEST FOR PROPOSALS (RFP) NO. 26-05 FOR FEDERAL LOBBYING SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve issuing a Federal Lobbying Services Request for Proposals (RFP No. 26-05); and
2. Approve establishing a blanket Purchase Order (PO) with the existing vendor, Lincoln Concepts, for a total not-to-exceed amount of Fifty Thousand Dollars (\$50,000), to continue providing federal lobbying services for a six (6) month term; and
3. Take such additional, related, action that may be desirable.

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

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

11. APPROVE AMENDMENT NO. 2 TO AGREEMENT 3892 WITH ION SECURITY SYSTEMS, LLC TO PROVIDE CITYWIDE MONITORING, MAINTENANCE, AND REPAIRS OF SECURITY AND FIRE ALARM SYSTEMS

RECOMMENDATION: It is recommended that the City Council:

1. Approve Amendment No. 2 to Agreement 3892 between the City of Montebello and Ion Security Systems, LLC for a One (1) Year Term Extension through June 30, 2026; and
2. Authorize the City Manager to execute the Amendment on behalf of the City; and
3. Take such additional, related action that may be desirable.

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

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

12. APPROVE AMENDMENT NO. 3 TO AGREEMENT NO. 3878 WITH SHOCKWAVE ELECTRIC FOR THE PROVISION OF CITYWIDE ON-CALL ELECTRICAL SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve Amendment No. 3 to Agreement No. 3878 between the City of Montebello and Shockwave Electric, increasing the annual not-to-exceed amount by an additional Seventy Thousand Dollars (\$70,000); and

2. Authorize the City Manager to execute the Amendment on behalf of the City; and
3. Take such additional, related action that may be desirable.

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

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

13. APPROVE AMENDMENT NO. 2 TO AGREEMENT 3834 WITH CLEAN SWEEP SUPPLY CO. TO PROVIDE CITYWIDE JANITORIAL SUPPLIES

RECOMMENDATION: It is recommended that the City Council:

1. Approve Amendment No. 2 to Agreement 3834 between the City of Montebello and Clean Sweep Supply Co. for a One (1) Year Extension through June 30, 2026; and
2. Authorize the City Manager to execute the Amendment on behalf of the City; and
3. Take such additional, related action that may be desirable.

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

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

14. REJECT BIDS RECEIVED FOR CONSTRUCTION OF THE SENIOR CENTER REMODEL PROJECT (CP 925)

RECOMMENDATION: It is recommended that the City Council:

1. Reject bids received for construction of the Senior Center Remodel Project (CP 925) 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.

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

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

15. APPROVE AMENDMENT NO. 1 TO AGREEMENT 3836 WITH WEST COAST ARBORIST FOR CITYWIDE TREE GRID PRUNING, TREE REMOVALS, TREE PLANTING, AND EMERGENCY SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve Amendment No. 1 to Agreement 3836 between the City of Montebello and West Coast Arborists to exercise the first one-year term extension through October 14, 2026, and increase the annual not-to-exceed amount by ten percent (10%) in addition to the five percent (5%) cost of living annual increase; and
2. Authorize the City Manager to execute the Amendment on behalf of the City; and
3. Take such additional, related action that may be desirable.

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

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

16. APPROVE AGREEMENT NO. 4403 WITH PRECISION CONCRETE CUTTING, INC. FOR CITYWIDE SIDEWALK IMPROVEMENTS PROJECT (CP 941)

RECOMMENDATION: It is recommended that the City Council:

1. Approve Agreement No. 4403 between the City of Montebello and Precision Concrete Cutting, Inc for sidewalk improvements project (CP 941) for a not-to-exceed amount of \$1,000,000; and
2. Approve use of a cooperative agreement between Public Risk Innovation Solutions and Management (PRISM) and Precision Concrete Cutting as allowed by Montebello Municipal Code Chapter 3.20.050(F) – Cooperative Purchases; and,
3. Authorize the City Manager to execute Agreement No. 4403 on behalf of the City; and
4. Take such additional, related action that may be desirable.

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

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

17. APPROVE PURCHASE OF FOUR (4) LOW-EMISSION VEHICLES AND CHARGING EQUIPMENT FOR THE POLICE DEPARTMENT UTILIZING SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD) FUNDING

RECOMMENDATION: It is recommended that the City Council:

1. Approve the purchase of four (4) vehicles and electric charging equipment for the Police Department using Air Quality Management District (AQMD) funds; and,
2. Authorize the purchase of the four (4) vehicles utilizing Montebello Municipal Code Section 3.20.050(F) - Cooperative Purchase, through Sourcwell Cooperative Contract #032824-OLA (Attachment B); and,
3. Authorize the City Manager to execute all necessary documents related to the purchase of four vehicles and charging equipment; and,
4. Amend the Fiscal Year 2025-26 budget by increasing appropriations by \$200,000 in Account No. 245-99-6082 (AQMD, Vehicle Purchases) and \$45,000 in Account No. 245-99-6010.10 (AQMD, Machinery and Equipment); and,

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

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

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

18. APPROVE ISSUING BUS ADVERTISING SERVICES REQUEST FOR PROPOSALS (RFP) NO. 26-04

RECOMMENDATION: It is recommended that the City Council:

1. Approve issuing Bus Advertising Services Request for Proposals No. 26-04 (RFP No. 26-04); and
2. Take such additional, related, action that may be desirable.

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

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

19. APPROVE PURCHASE OF AN EMERGENCY RESPONSE VEHICLE / PARAMEDIC RESCUE SQUAD FROM ELK GROVE AUTO UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FISCAL YEAR 2025-26 FUNDING

RECOMMENDATION: It is recommended that the City Council:

1. Approve the purchase of one (1) 2026 Ram 4500 Chassis Cab Tradesman 4x2 Crew Cab (Model DP4L93) in the amount of \$254,032 from Elk Grove Auto; and
2. Authorize the City Manager, or designee, to execute all necessary documents to effectuate the purchase of the vehicle plus necessary emergency equipment for the vehicle, with a not-to-exceed amount of \$325,488 to accommodate taxes, fees, incidental costs and emergency response equipment; and
3. Amend the Fiscal Year 2025-26 budget by increasing appropriations by \$325,488 in Account No. 255-85-850-6082 (CDBG, Fire, Fire Administration, Vehicle Purchases); and
4. Take such additional, related action that may be desirable.

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

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

20. APPROVE ISSUING REQUEST FOR PROPOSALS (RFP) NO 26-05 FOR DESIGN, ENGINEERING, AND CONSTRUCTION SUPPORT SERVICES FOR A ZERO-EMISSION BUS FACILITY UPGRADE

RECOMMENDATION: It is recommended that the City Council:

1. Approve issuing Request for Proposals (RFP) No. 26-06 for Design, Engineering and Construction Services for a Zero-Emission Bus Facility Upgrade; and
2. Take such additional, related action that may be desirable.

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

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

21. ADOPT RESOLUTION NO. 25-85 AUTHORIZING THE DIRECTOR OF FINANCE TO SUBMIT A CLAIM FOR FUNDING PROVIDED BY THE TRANSPORTATION DEVELOPMENT ACT AND THROUGH THE LOCAL TRANSPORTATION FUND AND THE STATE TRANSIT ASSISTANCE FUND FOR FISCAL YEAR 2025-26

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 25-85 authorizing the Director of Finance to submit a claim for funding provided by the Transportation Development Act and through the Local Transportation Fund and the State Transit Assistance Fund for Fiscal Year 2025-26; and
2. Take such additional, related, action that may be desirable.

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

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

22. ADOPT RESOLUTION NO. 25-84 AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS REQUIRED TO OBTAIN FUNDS PROVIDED BY SENATE BILL 1

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 25-84 authorizing the City Manager to execute all documents required to obtain funds provided by Senate Bill 1 (SB1); and
2. Take such additional, related, action that may be desirable.

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

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

23. APPROVE PROFESSIONAL SERVICE AGREEMENTS WITH IBE DIGITAL FOR PROVISION OF PRINTING AND COPYING SERVICES, MANAGED INFORMATION TECHNOLOGY SERVICES, AND TECHNICAL STAFF AUGMENTATION SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve the Proposal submitted by IBE Digital (IBE) for the acquisition and leasing of printing and copying equipment utilized by the City via the Sourcewell cooperative agreement approach, with terms of such acquisition subject to the final negotiation and approval of the City Manager (Attachment D); and
2. Approve Professional Services Agreement No. 4408 with IBE Digital for Managed Information Technology Services and Technical Staff Augmentation Services as set forth in the proposal submitted by IBE Digital (Attachments B, C, and D); and
3. Take such additional, related action that may be desirable.

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

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

24. **APPROVAL OF MINUTES: SEPTEMBER 10, 2025, CITY COUNCIL MEETING**

RECOMMENDATION: It is recommended that the City Council:

1. Approve said Minutes as is.

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

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

25. **PAYMENT OF BILLS: ADOPT RESOLUTION NO. 25-83 APPROVING THE CITY WARRANT REGISTER OF DEMANDS DATED SEPTEMBER 24, 2025**

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 25-83 approving the Warrant Register dated September 24, 2025.

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

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

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).

None.

COUNCIL/AGENCY ORALS

Announcements and requests for future agenda items.

- **Georgina Tamayo, Mayor Pro Tem**

1. I'd like to seek consensus to prioritize a cleanup effort along Lincoln Avenue, in particular the area that connects Avenida de La Merced to San Gabriel Boulevard. Residents in the area have raised concerns about debris and overall conditions, and addressing this will help improve safety, appearance, and community pride.

1. *Consensus was received.*

- **Scarlet Peralta, Councilmember**

1. Discussion and direction to develop a Median Landscape Beautification Plan.
2. Infant changing stations at City Hall and public facilities.

1. *Consensus was received.*
2. *City Manager Alvarez informed the Council that the installation of infant changing stations in public restrooms was underway. He added that staff would provide a follow-up report on the progress.*

- **Ric Alonzo, Councilmember**

- **Danielle Romero, Councilmember**

1. Montebello's first Annual Car show was a success, bringing the community together and highlighting our heritage of iconic Whittier Blvd.
2. National Suicide Awareness Month is more than just a month and we each can reach out to someone to help.
3. Police & Community Resource Center is going to bring safety services to the southside.

1. *Councilmember Romero thanked the City for organizing the Montebello Car Show.*
2. *Councilmember Romero announced her oral.*
3. *Councilmember Romero announced her oral.*

- **Salvador Melendez, Mayor**

CLOSED SESSION - CONTINUED

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on October 8, 2025, at 6:00 p.m.**, which can be live-streamed at <https://www.montebellocal.gov> (Click on Live Stream).

I, Kimberly Guillen, Director of City Clerk Services for the City of Montebello, hereby certify that a copy of this agenda has been posted on or before **Sunday, September 21, 2025, no later than 6:00 p.m.**



Kimberly Guillen, Director of City Clerk Services

Mayor Melendez adjourned the meeting at 8:39 p.m.

THE MINUTES OF SEPTEMBER 24, 2025, ARE HEREBY APPROVED AND ADOPTED ON THIS 8TH DAY OF OCTOBER 2025.

EXHIBIT - CITY OF MONTEBELLO FORECASTED AGENDA

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

- **CITY OF MONTEBELLO FORECASTED AGENDA**

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

CITY OF MONTEBELLO

Request No.



SPEAKER CARD

Please Note:

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

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

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:**

MEETING DATE: **TIME RECEIVED:**

SPEAKER'S FULL NAME: Lieutenant William Molinari **PHONE:**
(Optional)

ADDRESS:

ORGANIZATION REPRESENTED: Montebello Police Management Association
(Optional)

NOTES:

ACCOMMODATIONS:

TRANSLATION NEEDED: No ☐ Yes ☐ Language:

RECEIVED BY STAFF:

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

CITY OF MONTEBELLO

Request No. 2



SPEAKER CARD

Please Note:

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

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

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: _____

MEETING DATE: _____ TIME RECEIVED: _____

SPEAKER'S FULL NAME: Monique DeLibovi PHONE: _____

(Optional)

ADDRESS: _____

(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 3



SPEAKER CARD

Please Note:

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

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

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

MEETING DATE: 09-24-2025 **TIME RECEIVED:** _____

SPEAKER'S FULL NAME: Rosa Tamayo **PHONE:** _____
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

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

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 4



SPEAKER CARD

Please Note:

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

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

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

MEETING DATE: 9/24/25 **TIME RECEIVED:** _____

SPEAKER'S FULL NAME: MP OA **PHONE:** _____

(Optional)

ADDRESS: _____

(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

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

RECEIVED BY STAFF: _____

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



CITY OF MONTEBELLO

Request No. 5



SPEAKER CARD

Please Note:

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

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

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

MEETING DATE: 9/24/25 **TIME RECEIVED:** _____

SPEAKER'S FULL NAME: Paul Hurtado **PHONE:** _____
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

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

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 6



SPEAKER CARD

Please Note:

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

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

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

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

SPEAKER'S FULL NAME: LINDA NICHOLAS **PHONE:** _____
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

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

RECEIVED BY STAFF: _____

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



CITY OF MONTEBELLO

Request No. 7



SPEAKER CARD

Please Note:

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

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

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

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

SPEAKER'S FULL NAME: TICA GREGORIAN **PHONE:** _____
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 8



SPEAKER CARD

Please Note:

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

TYPE OF COMMENT: Closed Session ☐ Non-Agenda Item ☒ AGENDA ITEM NO. 6

Opposed ☐ In Support ☐ Neutral ☐ TOPIC: View preservation

MEETING DATE: 9-24-25 TIME RECEIVED: _____

SPEAKER'S FULL NAME: Felipe Acuña PHONE: [REDACTED] (Optional)

ADDRESS: [REDACTED] (Optional)

ORGANIZATION REPRESENTED: Real estate

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☒ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 9



SPEAKER CARD

Please Note:

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

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

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** _____

MEETING DATE: 24 Sept 2025

TIME RECEIVED: 1900

SPEAKER'S FULL NAME: GREG GONZALEZ

PHONE: _____
(Optional)

ADDRESS: _____
(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

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

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 1



SPEAKER CARD

Please Note:

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

TYPE OF COMMENT:

Closed Session ☐

Non-Agenda Item ☐

AGENDA ITEM NO. 6

Opposed ☐

In Support ☒

Neutral ☐

TOPIC: VIEWSHED preservation

MEETING DATE: 9-24-25

TIME RECEIVED: _____

SPEAKER'S FULL NAME:

DAVID MATANOR

PHONE

(Optional)

ADDRESS: _____

(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☒ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

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



CITY OF MONTEBELLO

Request No.

2



SPEAKER CARD

Please Note:

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

TYPE OF COMMENT: Closed Session ☐ Non-Agenda Item ☐

AGENDA ITEM NO.

6

Opposed ☐ In Support ☒ Neutral ☐ **TOPIC:** _____

MEETING DATE: 09-24-2025 **TIME RECEIVED:** _____

SPEAKER'S FULL NAME:

HAMBAR KARMIRYAN

PHONE: _____

(Optional)

ADDRESS: _____

(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 3 ✓



SPEAKER CARD

Please Note:

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

TYPE OF COMMENT:

Closed Session ☐

Non-Agenda Item ☐

AGENDA ITEM NO. 6

Opposed ☐

In Support ☒

Neutral ☐

TOPIC:

VIEWSHED PRESERVATION

MEETING DATE:

9/24/2025

TIME RECEIVED:

SPEAKER'S FULL NAME:

TIM YAMAMOTO

PHONE:

(Optional)

ADDRESS:

ORGANIZATION REPRESENTED:

NOTES:

ACCOMMODATIONS:

TRANSLATION NEEDED: No ☐ Yes ☐ Language:

RECEIVED BY STAFF:

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

CITY OF MONTEBELLO

Request No. 4



SPEAKER CARD

Please Note:

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

TYPE OF COMMENT:

Closed Session ☐

Non-Agenda Item ☐

AGENDA ITEM NO. 6

Opposed ☐

In Support ☐

Neutral ☐

TOPIC: _____

MEETING DATE: _____

TIME RECEIVED: _____

SPEAKER'S FULL NAME: Andre Luke

PHONE: _____

(Optional)

ADDRESS: _____

ORGANIZATION REPRESENTED: MATCH

(Optional)

90640

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 5



SPEAKER CARD

Please Note:

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

TYPE OF COMMENT:

Closed Session ☐

Non-Agenda Item ☐

AGENDA ITEM NO. 6

Opposed ☐

In Support ☒

Neutral ☐

TOPIC: _____

MEETING DATE:

9/24/25

TIME RECEIVED: _____

SPEAKER'S FULL NAME:

Alexandra Briseno

PHONE: _____

(Optional)

ADDRESS: _____

(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 6



SPEAKER CARD

Please Note:

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

TYPE OF COMMENT:

Closed Session ☐

Non-Agenda Item ☐

AGENDA ITEM NO. 6

Opposed ☐

In Support ☒

Neutral ☐

TOPIC: _____

MEETING DATE:

9/24/25

TIME RECEIVED: _____

SPEAKER'S FULL NAME:

ELAINE HIROYE HARADA

PHONE: _____

(Optional)

ADDRESS: _____

(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☒

Yes ☐

Language: _____

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 7



SPEAKER CARD

Please Note:

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

TYPE OF COMMENT: Closed Session ☐ Non-Agenda Item ☐ **AGENDA ITEM NO.** 6
Opposed ☐ In Support ☒ Neutral ☐ **TOPIC:** View Preservation Ordinance

MEETING DATE: 9/24 **TIME RECEIVED:** _____

SPEAKER'S FULL NAME: Wilfrido Soto **PHONE:** _____

ADDRESS: _____ (Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 8



SPEAKER CARD

Please Note:

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

TYPE OF COMMENT: Closed Session ☐ Non-Agenda Item ☐ **AGENDA ITEM NO.** 6
Opposed ☐ In Support ☒ Neutral ☐ **TOPIC:** View Preservation Ordinance

MEETING DATE: 9/24 **TIME RECEIVED:** _____

SPEAKER'S FULL NAME: Xvette Fimbres **PHONE:** _____

ADDRESS: Morris Place
(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

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

CITY OF MONTEBELLO

Request No. 9



SPEAKER CARD

Please Note:

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

TYPE OF COMMENT:

Closed Session ☐

Non-Agenda Item ☐

AGENDA ITEM NO. 6

Opposed ☐

In Support ☐

Neutral ☐

TOPIC: _____

MEETING DATE: 9/24/25

TIME RECEIVED: _____

SPEAKER'S FULL NAME: Maria Knox

PHONE [REDACTED]

(Optional)

ADDRESS: _____

(Optional)

ORGANIZATION REPRESENTED: _____

NOTES: _____

ACCOMMODATIONS: _____

TRANSLATION NEEDED: No ☐ Yes ☐ Language: _____

RECEIVED BY STAFF: _____

September 24, 2025

Good evening, honorable Mayor, staff, and community

This evening, I'd like to speak on a few items that are concerning to our community. I watched a clip from a meeting of the City of Whittier Council, a man went up to the podium clapped his hands to get the attention of Councilmembers. He said I want you all to know I met with the FBI and they are coming to the city of Whittier to investigate the corruption by you all on the dais.

Well (clap hands) now I want you all up there to know the FBI isn't coming to Montebello. They are already here investigating in Montebello.

Now you Tamayo and you Scarlet need to wonder who's going to get you first? Will it be the FBI or will it be the Los Angeles County District Attorney Office of Public Integrity?

As for the cleanup on Lincoln, Georgina, make sure that you or the city gets permission from the Army Corp of Engineers. Do not do what Rick did and go into the riverbed to cleanup and cause the city to be sent a letter by LA County to Cease and Desist entering their property.

Please do your homework, prior Councilmembers also wanted to clean up and were told it's between LA County and the Army Corps of Engineers to do cleanup, and did not allow the City of Montebello to enter their property.

Also on Lincoln Avenue there were cameras to record people, dumping mattresses, large furniture, etc. on the side of the road. I do not know if those camera still exist, previously people that were caught dumping were issued a citation, with a penalty and fine by the city.

Please before the City tries to hold another Car Show, do your homework, various residents said it was mainly the people from the car clubs like you Romero attending. How much did that use of City facilities cost us?

Just like the waste of \$700,000 for that sorry excuse for a dog park, which would've been better used to improve the playgrounds for the children in the community.

I don't think any resident would've complained if that \$700,000 would've been used to improve the playgrounds, including one for special-needs children that would've had top priority in our book.

Back in April, I gave you all a bill for half your stipend that was paid to you when one meeting was canceled and the full month for you Scarlet because you were awol the whole month.

Then the month of July, you went dark so that's another month of stipends. You owe us the residents. Then I looked up and I see that we are \$14,700,000.00 millions in the red for less revenue the last quarter how can you with any good conscience accept the stipends when you DID NOT do your job?

Please make a motion that councilmembers will not be paid if they do not attend a meeting just like commissioners do not get paid if they don't attend a meeting.

Also, any city employee, or commissioner must have a live scan test to be involved in the city, since you are our public leaders lead by example take a life scan. It would be interesting to see if any of you have any criminal background.

Thank you.

Item No. 6 - Written Public Comments

Name	Support/ Opposed
Angela Lu	Support
Pam Sakamoto	Support
Moises Mejia	Support
Kin Fung	Support
Loren Ponce	Support
Jeanne Chen	Support
Antranik Kasbarian	Support
Ruzanna	Support
John Woo	Support
Jeanette Calderon	Support
California Housing Defense Fund	Opposed

From: [REDACTED]
To: [Comment, cpublic](#)
Subject: [External Email] Protect our/my scenic Hilltop View - 9/24 hearing
Date: Saturday, September 20, 2025 3:58:03 PM

[REDACTED]

Dear Montebello Mayor, Council members, Staff,

My name is Angela Lu and I live on the 800 block of Perry Avenue. I am writing today as I am unable to attend in person for the hearing on Wednesday to support the view protection ordinance for hilltop homes, but truly want to be part of the supporters there to protect our hilltop view!!

My best choice in life was purchasing this beautiful hilltop view home in Montebello since 2019. We are grateful and fortunate not only having a lovely neighborhood and friendly neighbors, BEST thing my family and I have been loving and treasuring our time everyday living in this house is enjoy watching the sunset, and look out and up anytime can see the beautiful skies. This has become my family tradition when there is a holiday or gathering which friends and family would come over to celebrate the special events.

We can't imagine losing this part in our daily lives! Not only the scenic views, but the open air, light, and skies bring us to connect with nature and clear surroundings. This is vital to a healthy living environment for all of us. We feel free and relaxed at our backyard to enjoy the open skies and feel privileged living in the city of Montebello.

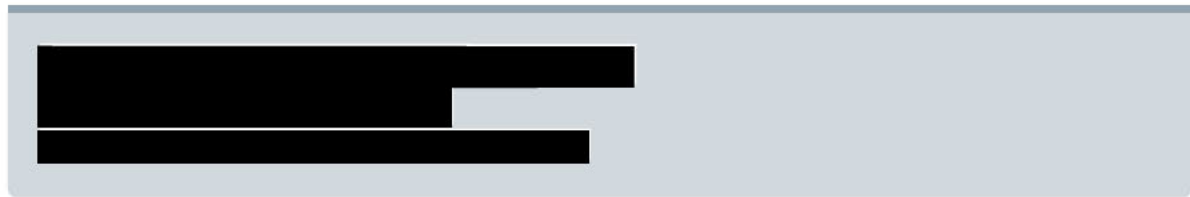
Please don't take this beautiful hill views away from my family and the neighbors. Can't imagine this lovely city will have tall trees, oversize obstructions blocking, losing, destroying the praises and wonderful nature of clean views for the Montebello city residents.

At the end of the day - Montebello stands for beautiful mountains, or hill - All of us belong to the city of Montebello need to protect and make sure we live up to this name! Please help Montebello residents to maintain our beautiful city with hilltop views.

Thank you in advance for adopting the view protection ordinance so Montebello can continue to show its beautiful hilltop views and for us to proudly call the city of Montebello our home!

Sincerely yours,
Angela Lu

From: [REDACTED]
To: [Comment, cpublic](#)
Subject: [External Email] Protect Scenic Hilltop Views
Date: Sunday, September 21, 2025 8:55:14 AM



Hello, Mr. Mayor, Councilmembers, and staff

My name is Pam Sakamoto from the 800 block of Bunker Hill Ave. My family has been in Montebello since 1976 when we purchased our home. It was a new home with a beautiful view of the city at night. However, over the years, my neighbors below on Yorktown have let their trees grow on the slope that block my view.

I have reached out to them in the past, but it does not make them routinely trim the trees.

Please support this ordinance so I can see the beautiful lights of the city again.

Thank you,
Pam Sakamoto

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

From: [REDACTED]
To: [Comment, ccpublic](#)
Subject: [External Email] Protect Your Scenic Hilltop View
Date: Sunday, September 21, 2025 9:08:17 AM

Good evening Mr. Mayor, Councilmembers, and Staff,

My name is Moises Mejia from the 1000 block on N Igula Street. My family has been proud to call Montebello home since 1977. One of the things that makes our city special is its ridgeline views. Views that give us light, open skies, and a sense of connection to the land.

When those views are blocked by unchecked trees or oversized obstructions, we lose more than just scenery, we lose part of Montebello's character, beauty and livability. Montebello stands for beautiful mountains, or beautiful hills, let's make sure we live up to our name. I urge you to adopt the view protection ordinance, so our community's beauty is preserved for generations.

Thank you,
Moises Mejia

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

From: [REDACTED]
To: [Comment, cpublic](#)
Cc: [REDACTED]
Subject: [External Email] protect our scenic hilltop view
Date: Sunday, September 21, 2025 10:56:53 AM

[REDACTED]

Good morning Mr. Mayor, council members and staff,
My name is Kin Fung from the 800 block of Bunker Hill Ave., My family has been provided to call Montebello home since 1980. One of the things that makes our city special is its ridgeline views-views that give us lights, open skies, and a sense of connection to the land.

When those views are blocked by unchecked trees or oversized obstructions, we lose more than just scenery-we lose part of Montebello's character, beauty, and livability. Most important is the blushes will create fire hazard during hot weather. Montebello stands for beautiful mountains, or beautiful hills, let's make sure we live up to our name. I urge you to adopt view protection ordinance, so our community's beauty is preserved for generations. With that, I respectfully conclude my comments, thank you.

Best regards
Kin Fung

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

From: [REDACTED]
To: [Comment, cpublic](#)
Subject: [External Email] Wed Sep 24: Comment, View Protection Ordinance
Date: Sunday, September 21, 2025 5:38:45 PM

[REDACTED]

Good evening, Mr. Mayor, Councilmembers and Staff,

My name is Loren Ponce from the 800 block of North Maple Avenue. My family has been proud to call Montebello home since 2016. One of the things that makes our city special is its ridgeline views that give us light, open skies and a sense of connection to the land. When those view are blocked by unchecked trees or oversized obstructions we lose more than just scenery, we lose part of Montebello's character, beauty and liveability. Montebello stands for beautiful mountains or beautiful hills. Let's make sure we live up to our name. I urge you to adopt the View Protection Ordinance so our community's beauty is preserved for generations. With that, I respectfully conclude my comments.

Loren Ponce

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

From: [REDACTED]
To: [Comment, ccpublic](#)
Subject: [External Email] Support for Viewshed Preservation Overlay Ordinance No. 2483
Date: Sunday, September 21, 2025 8:26:57 PM

Dear Council Member / Planning Commissioner,

I am writing to express my strong support for Ordinance No. 2483, the Viewshed Preservation Overlay Ordinance, which aims to protect the scenic quality and natural character of our community's hillside and ridgeline areas.

Preserving our viewsheds is not only vital for maintaining the aesthetic and environmental integrity of our region, but also for safeguarding public health, safety, and community welfare. Ordinance No. 2483 provides a thoughtful framework for regulating development in visually sensitive areas, ensuring that future improvements are compatible with existing landforms and minimize visual disruption.

Key aspects of the ordinance that I support include:

- **Protection of major and minor ridgelines** from intrusive development.
- **Development standards** that reduce grading, earthmoving, and vegetation removal.
- **Design guidelines** that promote architecture harmonious with the natural terrain.
- **Administrative review processes** that balance efficiency with environmental oversight.

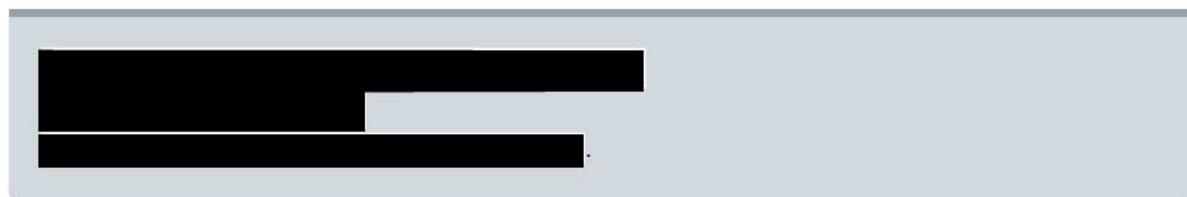
As a resident who values the unique beauty of our landscape, I believe this ordinance is a necessary step toward responsible growth and long-term preservation. I urge you to vote in favor of Ordinance No. 2483 and continue to advocate for policies that protect our community's scenic and ecological resources.

Thank you for your leadership and commitment to sustainable planning.

Sincerely,

Jeanne Chen
920 N. Durango Street, Montebello, CA 90640

From: [REDACTED]
To: [Comment, ccpublic](#)
Subject: [External Email] View Protection Ordinance
Date: Monday, September 22, 2025 11:47:20 AM



Good evening Mr. Mayor, Councilmembers, and staff.

My name is Antranik Kasbarian, and I live at 1001 Lexington Avenue here in Montebello. My family has been proud to call this city home since 1975. Over the past five decades, we have seen Montebello grow and change, but one thing that has always made our city special are its ridgeway views.

These views are more than just scenery — they bring natural light into our homes, give us open skies to enjoy, and create a sense of connection to the land around us. They're part of what makes Montebello feel like Montebello.

Unfortunately, when those views are blocked by unchecked tree growth or oversized structures, we lose more than just the ability to see the horizon. We lose part of our city's character, its beauty, and the very livability that has kept families like mine here for generations.

The name Montebello literally means "beautiful mountains" or "beautiful hills." That name carries a responsibility. It reminds us that our identity as a community is tied to the natural beauty around us. We should do everything we can to protect that identity.

That is why I urge you to adopt the View Protection Ordinance. This measure isn't about limiting growth or preventing people from enjoying their property — it's about balance, fairness, and preserving what makes our city unique. By adopting this ordinance, you will ensure that current residents and future generations alike can enjoy the same beauty and sense of place that brought so many of us to Montebello in the first place.

With that, I respectfully conclude my comments. Thank you for your time and your service to our community.

Antranik Kasbarian

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

From: [REDACTED]
To: [Comment, ccpublic](#)
Subject: [External Email] View Protection Ordinance
Date: Monday, September 22, 2025 1:35:13 PM



Dear Mr. Mayor and Council Members,

My name is Ruzanna, and I have lived in Racquet Mountain HOA for over 17 years. One of the main reasons my family and I purchased our property was because of its beautiful view.

I strongly support the ordinance that protects properties with views, as this is an important part of our community and quality of life.

Thank you for your time and consideration.

Sincerely,

Ruzanna

[Sent from Yahoo Mail for iPad](#)

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

From: [REDACTED]
To: [Comment, cpublic](#)
Subject: [External Email] View Protection Ordinance
Date: Tuesday, September 23, 2025 11:02:02 AM

[REDACTED]

Gentleman,

I am living in North Montebello hilltop property. The neighbors below us have numbers of big trees obstructing our view for many years now. It is certainly causing the drop in property values at our location. When I brought the house in 1978, we had 360 degrees view of North San Gabriel mountain and downtown. Throughout the years, the neighbors' trees getting taller and taller and obstructing our view. We are now have less than 15 percent of view. Since we do not want any conflict with our neighbors, we did not say or request any actions from them. Many cites such as Palos Verdes, Beverly Hills, and Hollywood Hills have same type of ordinance in place many years ago. I am fully support this ordinance and urge the city council to adopt it. It will bring back the high property values in our area. Thank you for allowing me to express my view of this ordinance.

Sincerely,
John

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

From: [REDACTED]
Subject: [Comment, ccpublic](#)
Date: [External Email] New ordinance to protect hilltop home views
Tuesday, September 23, 2025 11:29:45 AM

To Whom it may concern,

My name is Jeanette Calderon and I and my husband and family have lived at 853 North Vail Ave in Montebello since 1986. Since then we have enjoyed and appreciated the amenity of a beautiful view of L.A Civic Center and panoramic coastal and sometimes Catalina views. Today, as we have grown older become more home bound, this amenity is even more valuable to us.

In th past, we had an encounter with a neighbor regarding an obstruction to our view. However, we were able to settle the problem with some compromises. I also notice that other neighbors have very large trees which can present fire hazards, because the owners do not trim them.

I appreciate that the Council has developed an ordinance that will help preserve this beautiful feature which enhances the value of Montebello residential properties. I believe that curtailing overgrown plants and trees will also avoid fires.

I urge you to adopt the ordinance to protect our views and maintain the values, desirability and beauty of our community.

Thank you for your attention to this matter.

Sincerely,

Jeanette Calderon
Lawrence Calderon

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



Sep 24, 2025

City of Montebello
1600 W. Beverly Blvd.
Montebello, CA 90640

By Email: Smelendez@montebelloca.gov; gtamayo@montebelloca.gov;
speralta@montebelloca.gov; ralonzougalde@montebelloca.gov;
dromero@montebelloca.gov;

CC: cjimenez@montebelloca.gov; JPalombi@montebelloca.gov;
ralvarez@montebelloca.gov; aglasman@agclawfirm.com

Re: Proposed Viewshed Preservation Overlay

Dear Montebello City Council,

The California Housing Defense Fund ("CalHDF") submits this letter to remind the City of its obligation to abide by all relevant state and federal laws when considering the proposed Viewshed Preservation Overlay for the meeting of September 24, 2025. Specifically, the City must comply with Housing Element law, SB 330, the Housing Accountability Act, and other statutes.

The Viewshed Preservation Overlay, as proposed, would result in a violation of state law (including Housing Element Law) inasmuch as the viewshed overlay would: inhibit development of the City's Regional Housing Needs Allocation; add a new governmental constraint that must be analyzed and mitigated by the City's Housing Element; violate numerous policies in the City's Housing Element; require no-net loss findings to be made; violate the City's duty to affirmatively further fair housing; constitute an impermissible downzoning in violation of SB 330; and be non-objective.

The Viewshed Protection Overlay Would Violate Housing Element Law

The Viewshed Preservation Inhibits Development of the City's Regional Housing Needs Allocation

If the outcome of these regulations is that proposed developments actually produce fewer units than projected, then this policy violates Housing Element Law. The City's Housing Element has planned for three sites within the proposed overlay area: sites 7, 14, and 15.

2201 Broadway, PH1, Oakland, CA 94612
hi@calhdf.org

Together, the City's Housing Element plans for 3,069 housing units on these sites, of which 1,124 are planned to be lower-income units. This is more than half of the City's lower-income Regional Housing Needs Allocation ("RHNA") of 2,021 units.

However, if the City's proposed viewshed overlay is adopted as proposed, then this capacity will likely be unachievable if developers can only develop multifamily buildings to lower heights and densities. Implementing the viewshed overlay as proposed calls into question the City's ability to achieve substantial compliance with its Housing Element.

The Viewshed Protection Overlay Is a New Government Constraint that Must Be Analyzed

The Viewshed Protection Overlay represents a new governmental constraint on housing, which the City's Housing Element fails to analyze. A city's housing element must analyze potential and actual governmental constraints on housing maintenance and production. (Gov. Code, § 65583, subd. (a)(5).)

The City's Housing Element must include a specific analysis of how the Viewshed Protection Overlay will constrain housing development, but the overlay is not discussed at all in the Housing Element.

Furthermore, the Housing Element must include programs to actively remove constraints. (Gov. Code, § 65583, subd. (c)(3).) By imposing new land use regulations (i.e. the Viewshed Protection Overlay) that inhibit development, the Housing Element will directly violate this aspect of Housing Element Law.

The Viewshed Preservation Overlay Violates Numerous Policies in the City's Housing Element

Additionally, the proposed Viewshed Protection Overlay runs counter to goals and policies in the City's Housing Element:

- Goal 2: Increase housing production to improve affordability for the City's current and future residents.
- Policy 2.1: The City shall increase zoning capacity to allow more housing to be built.
- Policy 2.6: The City shall streamline entitlement and permitting process to reduce the cost of new housing and to accelerate housing production.
- Goal 3: Ensure fair and equal housing opportunity.

Instead of streamlining entitlements and liberalizing zoning, the Viewshed Protection Overlay does the contrary:

- Code sections 17.41.040 and 17.41.050 require a visual impact analysis to be submitted as part of a development application.
- Code section 17.41.040 requires mitigation measures to protect views and it requires applicants to seek variances.
- Code section 17.41.060 calls for height limits and upper story setbacks
- Code section 17.41.080 calls for enhanced public review

The City's implementation of this ordinance is a direct violation of its own Housing Element.

The City Must Make No Net Loss Findings to Pass the Viewshed Protection Overlay

If the City adopts the Viewshed Protection Overlay as proposed, it may fail to meet its RHNA obligations and violate the No Net Loss Law, i.e., Government Code section 65863. Pursuant to State law, the City must:

“... ensure that its housing element inventory... can accommodate, at all times throughout the planning period, its remaining unmet share of regional housing need... At no time... shall a city... by administrative, quasi-judicial, legislative, or other action permit or cause its inventory of sites identified in the housing element to be insufficient to meet its remaining unmet share of the regional housing need for lower and moderate-income households.” (Gov. Code, § 65863, subd. (a).)

Since the City's Housing Element has already been approved by HCD and adopted, the City must first ensure that the proposed Viewshed Protection Overlay will not interfere with its RHNA obligations for each income category by reducing the residential capacity of any inventoried sites in the Housing Element before adopting the ordinance. If the proposed Viewshed Protection Overlay would reduce an inventoried site's residential capacity, the City must first make written findings, supported by substantial evidence, that the remaining inventoried sites can still accommodate its RHNA requirements. (Gov. Code, § 65863, subd. (b)(1).)

If the remaining inventoried sites cannot accommodate the City's RHNA requirements, then the City must immediately identify and add additional, adequate sites to its Housing Element to ensure there is no net loss of residential unit capacity. (Gov. Code, § 65863, subd. (c)(1).) Any “actions to identify additional sites or rezone must occur before or concurrently with any action or approval to reduce a parcel's density.” (Gov. Code, § 65863, subd. (c)(1); [Memorandum](#) from HCD on No Net Loss Law Gov. Code, § 65863 (Oct. 2, 2019).) If those actions “represent a fundamental alteration” to the City's approved Housing Element, the City is required to amend their Housing Element's inventoried sites pursuant to Government Code section 68885, subdivision (b), which requires revisions to be submitted to HCD for review, prior to or concurrently with, any action or approval to reduce a parcel's residential density.

The Ordinance Will Violate the City's Duty to Affirmatively Furthering Fair Housing

Local governments have a duty to affirmatively further fair housing ("AFFH"). (Gov. Code § 8899.50; *Martinez v. City of Clovis*, 90 Cal.App.5th 193, 283 (2023)). California's 2018 law, AB 686 (Gov. Code, § 8899.50), requires all public agencies in the state to promote fair housing and avoid actions that undermine this duty, building on the federal Fair Housing Act of 1968. In *Martinez v. City of Clovis*, the California Court of Appeal held that the City of Clovis's Housing Element law violation also constituted a violation of a city's statutory duty to AFFH because "one purpose of Housing Element Law and its requirement that municipalities zone sufficient sites to accommodate their RHNA is to further affordable housing for lower income households." (*Id.* at 289).

For purposes of state fair housing law (see, e.g., Gov. Code, § 8899.50), residents of low-income housing are a protected class. The City is obligated by state law (*ibid.*) not to discriminate against such residents based on protected characteristics.

The Viewshed Protection Overlay will hamper the development of more than half of the City's lower-income RHNA by imposing enhanced public review processes, height limits, and building articulation requirements. This will make building housing more difficult and expensive and discourage the building of new housing affordable to lower-income households. Discouraging affordable housing development violates the City's duty to affirmatively further fair housing under state law.

The Ordinance is an Impermissible Downzoning

The City may not adopt any regulations if they would have the effect of reducing the intensity of land use, as such a downzoning is forbidden by SB 330. Government Code section 66300, subdivision (b)(1)(A) prohibits local agencies from (emphasis added):

Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district in effect at the time of the proposed change, below what was allowed under the land use designation or zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018, except as otherwise provided in clause (ii) of subparagraph (B) or subdivision (h). For purposes of this subparagraph, "reducing the intensity of land use" **includes, but is not limited to, reductions to height, density, or floor area ratio,** new or increased open space or lot size requirements, new or increased setback requirements, minimum frontage requirements, or maximum lot coverage limitations, **or any other action** that would individually or cumulatively reduce the site's residential development capacity.

The proposed Viewshed Protection Overlay violates this state law in multiple ways.

If the Council implements the ordinance with height controls and increased setbacks, this is a violation of the specific terms of SB 330 and is also an effective downzoning as compared with what was allowed under the City's zoning on January 1, 2018. In turn, this could make many residential projects unbuildable. The City may not apply this standard to any housing development projects if it would reduce a project's residential development capacity.

The California Court of Appeal has made clear that the City's proposed actions here would violate state law's prohibition on downzoning. In *Yes in My Back Yard v. City of Culver City* (2023) 96 Cal.App.5th 1103, the Court of Appeal ruled that a reduction in floor-area-ratio ("FAR") maximums violated the downzoning prohibition. This conclusion was straightforward: the reductions in FAR maximums cut the buildable capacity of parcels they applied to in direct violation of the letter and the spirit of state law. The same is true of the City's proposal here.

The Ordinance is Not Objective

Of note, the City may not enforce non-objective standards. This is because the Housing Accountability Act ("HAA") only permits consideration of objective standards. (Gov. Code, § 65589.5, subd. (j).) The HAA defines "objective" as "involving no personal or subjective judgment by a public official and being uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official." (*Id.* at subd. (h)(9).)

SB 330 also protects projects against non-objective criteria. Specifically, SB 330 prohibits "Imposing or enforcing design standards established on or after January 1, 2020, that are not objective design standards." (Gov. Code, § 66300, subd. (b)(1)(C).) SB 330 defines "Objective design standard" in almost identical terms as the HAA: "a design standard that involves no personal or subjective judgment by a public official and is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application." (*Id.* at subd. (a)(7).)

The viewshed protection overlay does not satisfy SB 330's definition of "objective," nor does it satisfy the HAA's definition of "objective." This means that the City may not enforce the overlay.

The following provisions of the ordinance are not objective:

Section 1741.020 DEFINITIONS

(9) Visual Quality: Visual quality is a result of the interactive experience [sic] viewers and their environment.

Section 1741.040 REVIEW PROCEDURE FOR DEVELOPMENT AND/OR IMPROVEMENTS AFFECTING PROTECTED VIEWS

(2) Application Requirements: Developers shall submit a visual impact analysis as part of the development application, which demonstrates how the project will maintain or enhance the integrity of protected views.

(3) Mitigation Measures: If a proposed development is found to significantly obstruct or diminish a protected view, the applicant may be required to:

- Adjust the height, size, color, bulk, or placement of the structure to minimize impact.
- Incorporate landscaping, screening, or other elements to reduce visual intrusion.
- Explore alternative site designs or building configurations that better preserve the protected view.

Section 1741.050 VISUAL IMPACT ANALYSIS

Visual impact analysis may be required for any property in any viewshed area designated on Exhibit 1741.050, Viewshed Preservation Areas Map. If it is determined by the Director of Planning and Community Development that the construction of [sic] new multiple story structure or any addition may obstruct the protected views, a visual analysis shall be required.

Section 1741.060 HEIGHT LIMITATIONS IN VIEWSHED PROTECTION AREAS

(3) Any building or structure that exceeds these height limits may be required to incorporate measures that minimize visual impact, such as stepped-back facades, lower profiles, or architectural features that blend with the natural environment.

1741.070 EXTERIOR COLOR AND MATERIAL [sic] LIMITATIONS IN VIEWSHED PROTECTION AREAS

(1) In the designated viewshed protected areas, colors of residence, fences, walls, and all other exterior structures should complement or be consistent with the colors of the natural environment. Visible roof coverings and deck surfaces shall not be reflective.

It is impossible for an applicant to know, ex ante, whether or not a visual impact analysis will be required by the City, what needs to be included in the analysis, and how to comply with such standards. Rather, this ordinance establishes a wholly subjective process, which is unenforceable, as discussed *supra*.

The Proposed Viewshed Protection Overlay May Not Be Applied to Sites in the Housing Element Inventory

The City may not use the proposed viewshed protection overlay to disapprove certain residential development projects on sites in the City's housing element site inventory. This follows from the portion of the HAA known as the "baby builder's remedy," i.e. Government Code Section 65589.5, subdivision (d)(5)(A):

[A local jurisdiction may not cite inconsistency with the zoning code to] disapprove or conditionally approve a housing development project if the housing development project is proposed on a site that is identified as suitable or available for very low, low-, or moderate-income households in the jurisdiction's housing element, and consistent with the density specified in the housing element, even though it is inconsistent with both the jurisdiction's zoning ordinance and general plan land use designation.

The viewshed protection overlay must take note of this rule and, at minimum, exempt such projects from its requirements.

The City cannot rely on subdivision (f)(1) of the HAA to escape this outcome. That subdivision allows the application of objective standards only if they are "appropriate to, and consistent with, meeting the jurisdiction's share of the regional housing need." (Gov. Code, § 65589.5, subd. (f)(1).) On top of this, any development standards applied based on subdivision (f)(1)'s authority "shall be applied to facilitate and accommodate development at the density permitted on the site and proposed by the development." (*Ibid.*)



CalHDF understands the City's desire to protect its scenic vistas. We remind the City, however, that it must take care to follow the law in doing so. The current proposal needs many revisions before it can be finalized and implemented in accordance with state and federal law.

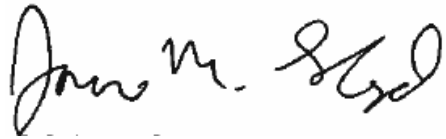
CalHDF encourages the Council to exempt housing development projects from the requirements of the viewshed protection overlay. As discussed in this letter, the viewshed overlay presents considerable legal issues, and the City is much better off simply exempting housing developments from their provisions.

CalHDF is a 501(c)(3) non-profit corporation whose mission includes advocating for increased access to housing for Californians at all income levels, including low-income households. You may learn more about CalHDF at www.calhdf.org.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dylan Casey', with a stylized, looping flourish extending to the right.

Dylan Casey
CalHDF Executive Director

A handwritten signature in black ink, appearing to read 'James M. Lloyd', with a stylized, looping flourish extending to the right.

James M. Lloyd
CalHDF Director of Planning and Investigations