CITY OF MONTEBELLO
REGULAR MEETING

MINUTES

WEDNESDAY, JUNE 24, 2026 AT 7:00 PM

TELECONFERENCE LOCATION FOR MAYOR PRO TEM ROMERO:
6131 WEST SEEGER COURT
VISALIA, CA 93277

CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA

OPENING CEREMONIES

CALL TO ORDER - 7:00 P.M.

Mayor Tamayo called the City Council Meeting to order at 7:02 p.m., in conjunction with the City Council and Public Financing Authority Joint Meeting.

ROLL CALL

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

Councilmember Alonzo and City Treasurer Matanga were absent.

City Attorney Arnold Alvarez-Glasman, City Manager Raul Alvarez, Assistant City Manager Angelica Palmeros, Records Coordinator Alejandro Rodarte, 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

None.

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 - NONE

REGULAR SESSION - 7:00 P.M.

CLOSED SESSION REPORT - NONE

INVOCATION

Led by City Clerk Jimenez.

PLEDGE OF ALLEGIANCE

Led by Isabella Rosario Reinozo.

CORRECTIONS TO THE AGENDA - CITY MANAGER

None.

CEREMONIAL ITEMS/PRESENTATIONS

1. ADMINISTRATION OF OATH OF OFFICE - KALINA FIERRO, YOUTH AND EDUCATION COMMISSIONER

City Clerk Jimenez administered the Oath of Office to Youth Commissioner Kalina Fierro.

2. SCHURR HIGH SCHOOL TRANSIT CLUB PRESENTATION AND SCHOLARSHIP AWARDS

Schurr High School Students: Duong Lam, Daniel Bermudez, Zander Venegas, Jacob Padilla, and Mason Louie provided a presentation.

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 nine(9) members of the public wishing to address the City Council. Speakers were provided three minutes to address the City Council, and the speaker cards are on file at the City Clerk's Office.

STAFF COMMUNICATIONS ON ITEMS OF COMMUNITY INTEREST

None.

PUBLIC HEARING

3. ADOPT RESOLUTION NO. 26-39 CONFIRMING THE FISCAL YEAR 2026–27 ENGINEER'S REPORT FOR THE ANNUAL NATASHA LANE LANDSCAPE ASSESSMENT DISTRICT NO. 2005-1 AND LEVYING SUCH ASSESSMENTS

RECOMMENDATION: It is recommended that the City Council:

1. Conduct a Public Hearing and adopt Resolution No. 26-39 (Attachment A) confirming the Fiscal Year 2026-27 Engineer's Report (Attachment B) for the Annual Natasha Lane Landscape Assessment District No. 2005-1; and
2. Authorize the Levying of the Fiscal Year 2026-27 Assessments; and
3. Take such additional, related action that may be desirable.

Mayor Tamayo requested to combine the Public Hearing for Item No. 3 and Item No. 4

Mayor Tamayo opened the Public Hearing at 7:12 p.m.

The City Clerk's Office acknowledged three(3) members of the public wishing to address the City Council in opposition to the item. Speakers were provided three minutes to address the City Council, and the speaker cards are on file at the City Clerk's office.

Mayor Tamayo closed the Public Hearing at 7:17 p.m.

City Manager Alvarez and City Attorney Alvarez stated that there are a total of twenty (20) parcels located within the District. The City Clerk's Office reported receiving ten (10) ballots in opposition and one (1) ballot in support. Under California assessment laws, eleven (11) ballots in opposition would be required to constitute a majority protest. Based on the ballots received, a majority protest did not exist; therefore, the City Council had the authority to adopt the Resolution.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

4. **ADOPT RESOLUTION NO. 26-40 CONFIRMING THE ENGINEER'S REPORT AND ASSESSMENT FOR THE NATASHA LANE SEWER AND STORM WATER PUMP STATION ASSESSMENT DISTRICT NO. 2005-2 AND LEVYING ASSESSMENTS ON ASSESSABLE LOTS AND PARCELS OF LAND IN SAID DISTRICT FOR FISCAL YEAR 2026-2027**

RECOMMENDATION: It is recommended that the City Council:

1. Conduct the public hearing for the Fiscal Year 2026-27 annual levy of assessments for the Natasha Lane Sewer and Storm Water Pump Station Assessment District No. 2005-2; and
2. Receive and tabulate all assessment ballots submitted pursuant to Article XIII D of the California Constitution (Proposition 218);
3. Determine whether a majority protest exists; and
4. If no majority protest exists, adopt Resolution No. 26-40 (Attachment A) confirming the Engineer's Report and levying assessments on assessable lots and parcels of land within the Natasha Lane Sewer and Storm Water Pump Station Assessment District No. 2005-2 for Fiscal Year 2026-27; or
5. If a majority protest exists, adopt Resolution No. 26-40 (Attachment B – Alternate Resolution) confirming the Engineer's Report and levying assessments on assessable lots and parcels of land within the Natasha Lane Sewer and Storm Water Pump Station Assessment District No. 2005-2 for Fiscal Year 2026-27 in the same amounts and in the same levels as approved and assessed for Fiscal Year 2025-26; and
6. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez to approve the item; the motion passed by the following vote.

MOVED: Peralta	***SECONDED: Melendez***	***APPROVED: 4-0-0-1***

AYES: *Tamayo, Peralta, Romero, Melendez*
NOES: *None*
ABSTAIN: *None*
ABSENT: *Alonzo*

REGULAR BUSINESS

5. APPROVAL OF AN EXCLUSIVE NEGOTIATION AGREEMENT BETWEEN THE CITY OF MONTEBELLO AND PRIMESTOR DEVELOPMENT, LLC FOR THE POTENTIAL REDEVELOPMENT OF DOWNTOWN MONTEBELLO PROPERTIES

RECOMMENDATION: It is recommended that the City Council:

1. Approve the Exclusive Negotiation Agreement (“ENA”) between the City of Montebello and Primestor Development, LLC for the evaluation and potential redevelopment of Downtown Montebello properties; and
2. Authorize the City Manager, or designee, to execute the ENA and any non-substantive administrative modifications approved by the City Attorney; and
3. Take such additional, related, action that may be desirable.

The City Clerk’s Office acknowledged two(2) 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.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

6. APPROVE A RESOLUTION DECLARING THE CITY'S INTENTION TO ESTABLISH THE MONTEBELLO ENHANCED INFRASTRUCTURE FINANCING DISTRICT (EIFD) TO SUPPORT PUBLIC INFRASTRUCTURE AND ECONOMIC DEVELOPMENT INVESTMENTS

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 26-46 declaring the City Council’s intention to establish the Montebello Enhanced Infrastructure Financing District (EIFD) pursuant to Government Code Section 53398.50 et seq.; and
2. Establish the proposed boundaries of the Montebello EIFD, as described in the Resolution and accompanying map; and
3. Designate the City Council as the Public Financing Authority (PFA) for purposes of governing the EIFD, consistent with applicable State law; and
4. Direct staff and the City’s consultants to prepare an Infrastructure Financing Plan (IFP) identifying eligible public infrastructure improvements, facilities, and financing mechanisms within the EIFD; and
5. Set a public hearing date and direct staff to provide all required notices and undertake all actions necessary to continue the EIFD formation process in accordance with State law; and
6. Authorize the City Manager, or designee, to take such additional actions and execute any documents necessary to implement the City Council’s direction regarding the establishment of the Montebello EIFD; and
7. Take such additional and/or related action that may be desirable.

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

Joe Dieguez of Kosmont and Associates presented the item.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

7. ADOPT RESOLUTION NO. 26-52 APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MONTEBELLO AND THE MONTEBELLO POLICE MANAGEMENT ASSOCIATION

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 26-52 approving a Memorandum of Understanding (MOU) between the City of Montebello and the Montebello Police Management Association (MPMA); and
2. Take such additional, related action that may be desirable.

Councilmember Melendez motioned, seconded by Councilmember Peralta, to approve the item; the motion passed by the following vote.

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

8. ADOPT URGENCY ORDINANCE NO. 2495 ESTABLISHING A TEMPORARY MORATORIUM ON SENATE BILL 79 DEVELOPMENT APPLICATIONS WITHIN THE WASHINGTON BOULEVARD TRANSIT-ORIENTED DEVELOPMENT SPECIFIC PLAN AREA PURSUANT TO GOVERNMENT CODE SECTION 65858

RECOMMENDATION: It is recommended that the City Council:

1. Find that the proposed Urgency Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15061(b)(3) and 15308; and
2. Adopt Urgency Ordinance No. 2495 by a four-fifths vote, pursuant to Government Code Section 65858, establishing a temporary moratorium on the acceptance, processing, and approval of certain transit-oriented development applications within the Washington Boulevard Transit-Oriented Development Specific Plan Area; and
3. Take such additional and/or related action that may be desirable.

Director of Planning and Community Development Joseph Palombi presented the item.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

ABSTAIN: *None*
ABSENT: *Alonzo*

9. ADOPT RESOLUTION NO. 26-49, DISRUPTION POLICY AND RESOLUTION NO. 26-50, PUBLIC POSTING BOARD POLICY / MEETING OUTREACH ENACTING BROWN ACT UPDATES PURSUANT TO SENATE BILL 707

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 26-49, a Resolution of the City Council of the City of Montebello adopting Policy No. 26-01, Disruption of Telephonic or Internet Service During Public Meetings, in compliance with Senate Bill 707; and
2. Adopt Resolution No. 26-50, a Resolution of the City Council of the City of Montebello adopting Policy No. 26-02, Public Agenda Translation Posting Board Policy, in compliance with Senate Bill 707; and
3. Receive and file the City Clerk's update regarding implementation of additional Senate Bill 707 requirements, including agenda translation services through Doc Access, public outreach efforts through the Montebello Newsletter, and the establishment of a public agenda translation posting board; and
4. Take such additional, related action that may be desirable.

Director of Citly Clerk Services Kimberly Guillen presented the item.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

10. ADOPT RESOLUTION NO. 26-48 APPROVING AN AMENDMENT TO THE 2024 - 2027 MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MONTEBELLO AND THE MONTEBELLO POLICE OFFICERS' ASSOCIATION

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 26-48 approving an Amendment to the Memorandum of Understanding (MOU) between the City of Montebello and Montebello Police Officers' Association (MPOA) effective July 1, 2024, through June 30, 2027, to approve the revised MOU Exhibit A; and
2. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

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 Romero pulled Item No. 31 for discussion.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve Item Nos. 11-30 and 32; the motion passed by the following vote.

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

11. **AUTHORIZE ISSUING REQUEST FOR PROPOSALS (RFP) NO. 26-16 FOR RED LIGHT CAMERA SERVICES**

RECOMMENDATION: It is recommended that the City Council:

1. Authorize issuing Request for Proposals (RFP) No. 26-16 for red-light camera services; and
2. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

12. **AUTHORIZE ISSUING REQUEST FOR PROPOSALS (RFP) NO. 26-08 FOR CROSSING GUARD SERVICES**

RECOMMENDATION: It is recommended that the City Council:

1. Authorize issuing Request for Proposals (RFP) No. 26-08 for crossing guard services: and
2. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

13. **APPROVE PURCHASE OF ONE (1) ELECTRIC VEHICLE AND ONE (1) HYBRID VEHICLE FOR THE PUBLIC WORKS DEPARTMENT UTILIZING ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT (EECBG) AND SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD) FUNDING**

RECOMMENDATION: It is recommended that the City Council:

1. Approve the purchase of one (1) Ford E-Transit Cargo Van and one (1) Ford F-150 Hybrid for the Public Works Department utilizing Energy Efficiency and Conservation Block Grant (EECBG) and South Coast Air Quality Management District (AQMD) funds; and

2. Approve the purchase of one (1) Ford E-Transit Cargo Van through State of California Statewide Contract #1-22-23-20 with National Auto Fleet Group as allowed by Montebello Municipal Code Chapter 3.20.050(F) – Cooperative Purchases; and
3. Approve the purchase of one (1) Ford F-150 Hybrid through Sourcewell Contract #081325-NAF with National Auto Fleet Group as allowed by Montebello Municipal Code Chapter 3.20.050(F) – Cooperative Purchases; and
4. Authorize the City Manager to execute all necessary documents related to the purchase of the vehicles; and
5. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

14. ADOPT SAFE, CLEAN WATER PROGRAM REPORTING POLICY AND PROCEDURES AS A CONDITION TO RECEIVE MEASURE W FUNDING

RECOMMENDATION: It is recommended that the City Council:

1. Adopt the Safe, Clean Water Program reporting policy and procedures as a condition to receive Measure W funding; and
2. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

15. APPROVE AGREEMENT NOS. 4530, 4531 AND 4532 WITH AVANT GARDE CORPORATION, DCCM INFRASTRUCTURE INC., AND CUMMING CONSTRUCTION MANAGEMENT, INC. FOR LABOR COMPLIANCE AND PROGRAM ADMINISTRATION SUPPORT SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Authorize the City Manager to execute Professional Service Agreement No. 4530 (Attachment A) with Avant Garde Corp. for labor compliance and program administration support services for the not-to-exceed annual amount of one hundred and fifty thousand ($150,000); and
2. Authorize the City Manager to execute Professional Service Agreement No. 4531 (Attachment B) with DCCM Infrastructure, Inc. for labor compliance and program administration support services for the not-to-exceed annual amount of one hundred thousand ($100,000); and
3. Authorize the City Manager to execute Professional Service Agreement No. 4532 (Attachment C) with Cumming Construction Management Inc. for labor compliance and program administration support services for the not-to-exceed annual amount of seventy-five thousand ($75,000); and
4. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

16. APPROVE AGREEMENT NOS. 4533, 4534 AND 4535 WITH G3 QUALITY, THE CONVERSE PROFESSIONAL GROUP AND PA & ASSOCIATES FOR MATERIAL TESTING AND SPECIAL INSPECTION SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Authorize the City Manager to execute Professional Services Agreement No. 4533 with G3 Quality, Inc. (Attachment A) for on-call material testing and special inspection services for the not-to-exceed annual amount of one hundred thousand ($100,000); and
2. Authorize the City Manager to execute Professional Services Agreement No. 4534 with Converse Professional Group (Attachment B) for on-call material testing and special inspection services for the not-to-exceed annual amount of one hundred thousand ($100,000); and
3. Authorize the City Manager to execute Professional Services Agreement No. 4535 with PA & Associates (Attachment C) for on-call material testing and special inspection services for the not-to-exceed annual amount of seventy-five ($75,000); and
4. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

17. APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 4538 WITH THE LOS ANGELES CONSERVATION CORPS FOR THE COMMUNITY CLEANUP AND EMPLOYMENT PATHWAY (CCEP) GRANT PROGRAM

RECOMMENDATION: It is recommended that the City Council:

1. Approve Professional Services Agreement No. 4538 (Attachment A) with the Los Angeles Conservation Corps for the Community Cleanup and Employment Pathways (CCEP) Grant Program in an amount not-to-exceed $175,000; and
2. Authorize the City Manager to execute the agreement in good faith; and
3. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

18. ACCEPTANCE OF THE MONTEBELLO BOULEVARD FROM LOS ANGELES AVENUE TO LINCOLN BOULEVARD CAPITAL IMPROVEMENT PROJECT (CP 888) – NOTICE OF COMPLETION

RECOMMENDATION: It is recommended that the City Council:

1. Accept the Montebello Boulevard from Los Angeles Avenue to Lincoln Boulevard Capital Improvement Project (CP 888) as completed by Toro Enterprises, Inc.; and
2. Approve the final contract amount with Toro Enterprises, Inc. for the Project in the amount of $3,610,816 including change orders; and
3. Approve the Final Total Project Budget (Attachment A); and
4. Authorize the City Clerk to execute, verify and file the Notice of Completion (Attachment B) with the Los Angeles County Registrar-Recorder; and
5. Authorize the release of the retention payment of $180,541 due to Toro Enterprises, Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
6. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

19. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 4542 TO CROSSTOWN ELECTRICAL AND DATA, INC AND PROFESSIONAL SERVICES AGREEMENT NO. 4543 TO POWER OF FAITH CONSTRUCTION FOR THE PROVISION OF ON-CALL ELECTRICAL MAINTENANCE AND REPAIR SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Award Professional Services Agreement No. 4542 to Crosstown Electrical and Data, Inc. for the provision of electrical maintenance and repair services at City facilities and infrastructure in an amount not-to-exceed $165,000 annually; and
2. Award Professional Services Agreement No. 4543 to Power of Faith Construction for the provision of electrical maintenance and repair services at City facilities and infrastructure in an amount not-to-exceed $30,000 annually; and
3. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

20. AWARD PROFESSIONAL SERVICES AGREEMENT NO. 4541 TO SEBASTIAN WATERWORKS DBA MR. ROOTER FOR THE PROVISION OF ON-CALL PLUMBING SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Award Professional Services Agreement No. 4541 to Sebastian Waterworks DBA Mr. Rooter for the provision of on-call plumbing services at City facilities in an amount not-to-exceed $126,000 annually; and

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

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

21. **APPROVE AGREEMENT NO. 4544 WITH ION SECURITY & FIRE SYSTEMS INC. FOR SECURITY AND FIRE ALARM MONITORING, MAINTENANCE, AND REPAIR SERVICES**

RECOMMENDATION: It is recommended that the City Council:

1. Award Professional Services Agreement No. 4544 to Ion Security & Fire Systems Inc. for the provision of security and fire alarm monitoring, maintenance and repair services in an amount not-to-exceed $86,000 annually; and
2. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

22. **AWARD PROFESSIONAL SERVICES AGREEMENT NO. 4539 TO WOLVERINE FENCE COMPANY, INC. AND PROFESSIONAL SERVICES AGREEMENT NO. 4540 TO J & A FENCE ENGINEERING CORPORATION FOR THE PROVISION OF ON-CALL FENCE SERVICES**

RECOMMENDATION: It is recommended that the City Council:

1. Award Professional Services Agreement No. 4539 to Wolverine Fence Company, Inc. for the provision of on-call fence installation, repair, and replacement services at City facilities, parks, rights-of-way, and other City-owned properties in an amount not-to-exceed $75,000 annually; and
2. Award Professional Services Agreement No. 4540 to J & A Fence Engineering Corporation for the provision of on-call fence installation, repair, and replacement services at City facilities, parks, rights-of-way, and other City-owned properties in an amount not-to-exceed $50,000 annually; and
3. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

23. **ADOPT RESOLUTION APPROVING A LEASE AGREEMENT WITH MAOF PROPERTIES, INC. FOR THE USE OF A DIGITAL MESSAGE BOARD FOR THE PROPERTY LOCATED AT 401 N. GARFIELD AVENUE**

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 26-45, approving Sign Lease Agreement No. 4524 between the City of Montebello and MAOF Properties Inc.; and
2. Authorize the City Manager, or designee, to execute the Agreement and any non-substantive administrative documents necessary to implement the Agreement; and
3. Take such additional, related, action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

24. APPROVE BLANKET PURCHASE ORDERS WITH AFTERMARKET PARTS COMPANY LLC, AMERICAN MOVING PARTS LLC, CUMMINS CAL PACIFIC LLC, INLAND KENWORTH, INC., WAYNE HARMEIER, INC., AND RUSH TRUCK CENTERS OF CALIFORNIA INC. FOR MAINTENANCE-RELATED BUS PARTS, FIRE APPARATUS PARTS, AND VEHICLE FLEET PARTS

RECOMMENDATION: It is recommended that the City Council:

1. Approve establishing a blanket purchase order (PO) with Aftermarket Parts Company LLC (Aftermarket Parts), for a total not-to-exceed (NTE) amount of $300,000, to purchase maintenance-related bus parts for Fiscal Year 2026-27; and
2. Approve establishing a blanket PO with American Moving Parts LLC (American Moving Parts), for a total NTE amount of $140,000, to purchase maintenance-related bus and fire apparatus parts for both Montebello Bus Lines (MBL) and the Montebello Fire Department (MFD) for FY 2026-27; and
3. Approve establishing a blanket PO with Cummins Cal Pacific LLC (Cummins Pacific), for a total NTE amount of $140,000, to purchase maintenance-related bus and fleet parts for both MBL and the MFD for FY 2026-27; and
4. Approve establishing a blanket PO with Inland Kenworth, Inc. (Inland Kenworth), for a total NTE amount of $75,000, to purchase maintenance-related bus parts for FY 2026-27; and
5. Approve establishing a blanket PO with Wayne Harmeier, Inc. (dba Wayne Electric Company), for a total NTE amount of $80,000, to purchase maintenance-related bus parts for FY 2026-27; and
6. Approve establishing a blanket PO with Western States Converters & Transmissions, Inc. (Western States), for a total NTE amount of $75,000, to purchase maintenance-related bus parts for FY 2026-27; and
7. Approve establishing a blanket PO with Rush Truck Centers of California, Inc. (Rush Truck), for a NTE amount of $100,000, to purchase maintenance-related bus and vehicle fleet parts for FY 2026-27; and
8. Take such additional, related, action as may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

25. ADOPT RESOLUTION NO. 26-47 AUTHORIZING THE RECEIPT OF FEDERAL TRANSIT ADMINISTRATION (FTA) GRANT FUNDS AWARDED TO THE CITY OF MONTEBELLO FOR THE PURCHASE OF HYDROGEN

FUEL CELL ELECTRIC BUSES AND COMPRESSED NATURAL GAS BUSES

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Resolution No. 26-47 authorizing the receipt of Federal Transit Administration (FTA) grant funds, in the amount of $9,434,183, awarded to the City of Montebello for the purchase three (3) hydrogen Fuel Cell Electric Buses (FCEBs) and nine (9) Compressed Natural Gas (CNG) buses; and
2. Amend the Transportation Department's Fiscal Year 2026-27 adopted operating budget to appropriate the FTA grant funds ($9,434,183) in Account No. 270-9068-2026-070 to purchase three (3) FCEBs and nine (9) CNG buses; and
3. Take such additional, related, action as may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

26. APPROVE AGREEMENT NO. 4545 WITH TRANSTRACK SYSTEMS INC TO PROVIDE SUPPORT SERVICES FOR FEDERAL TRANSIT ADMINISTRATION REPORTING

RECOMMENDATION: It is recommended that the City Council:

1. Approve Agreement No. 4545 with Transtrack Systems, Inc. (Transtrack Systems) for a three-year (3 year) term for a total not-to-exceed amount of $128,205, to provide software licensing and support services in accordance with the Federal Transit Administration's (FTA) reporting requirements for Montebello Bus Lines' (MBL); and
2. Authorize the City Manager and/or his designee to execute the agreement on behalf of the City of Montebello; and
3. Take such additional, related, action as may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

27. APPROVE ISSUING REQUEST FOR PROPOSALS (RFP) NO. 26-17 FOR A BENEFITS BROKER FOR THE CITY'S ANCILLARY BENEFITS

RECOMMENDATION: It is recommended that the City Council:

1. Approve issuing an Employee Ancillary Benefits Insurance Broker Services Request for Proposals (RFP No. 26-17) for the City's ancillary benefits; and,
2. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

MOVED: Peralta	***SECONDED: Melendez***	***APPROVED: 4-0-0-1***

AYES: *Tamayo, Peralta, Romero, Melendez*
NOES: *None*
ABSTAIN: *None*
ABSENT: *Alonzo*

28. APPROVE AMENDMENT NO. 1 TO AGREEMENT NO. 4327 WITH A.O. REED & CO. TO INCLUDE THE TRANSPORTATION DEPARTMENT FOR HEATING, VENTILATION, AND AIR CONDITIONING (HVAC) PREVENTATIVE MAINTENANCE AND AS-NEEDED REPAIR SERVICES

RECOMMENDATION: It is recommended that the City Council:

1. Approve Amendment No. 1 to Agreement No. 4327 with A.O. Reed & Co. (A.O. Reed), to include the Transportation Department for citywide Heating, Ventilation, and Air Conditioning (HVAC) preventative maintenance and as-needed repair services; exercise the first one-year (1-year) term extension authorized under the agreement; increase the annual as-needed repair allocation from $200,000 to $250,000 (effective July 1, 2026 – June 30, 2029), increasing the total compensation by $634,355 for a revised not-to-exceed amount of $1,482,040; and
2. Authorize the City Manager and/or his designee to execute Amendment No. 1 on behalf of the City of Montebello (City); and
3. Take such additional, related, action as may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

29. APPROVE AGREEMENT NO. 4522 WITH ZEROUP ENERGY, INC., FOR PROVISION OF TEMPORARY HYDROGEN REFUELING SOLUTIONS

RECOMMENDATION: It is recommended that the City Council:

1. Approve Agreement No. 4522 with ZeroUp Energy, Inc., (ZeroUp Energy), for a two-year (2-year) term with the option for renewal of up to one (1) additional one-year (1-year) term, for a total not-to-exceed amount of $1,484,420, to provide a Temporary Hydrogen Refueling Solution; and
2. Authorize the City Manager to execute and finalize Agreement No. 4522 with ZeroUp Energy on behalf of the City of Montebello; and
3. Authorize the City Manager to approve change orders up to an additional ten percent (10%) or $148,442 of the total agreement amount; and
4. Amend the Fiscal Year 2026-27 adopted budget to increase appropriations by $932,420 in Account No. 600-90-915-6070.60 (Transit, Transportation, Corporate Shops, Fuel Hydrogen); and
5. Take such additional, related, action as may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

30. ADOPTION OF ORDINANCE NO. 2496 GRANTING OIL PIPELINE FRANCHISE TO CRIMSON CALIFORNIA PIPELINE L.P.

RECOMMENDATION: It is recommended that the City Council:

1. Adopt Ordinance No. 2496 granting an oil pipeline franchise to Crimson California Pipeline L.P.; and
2. Authorize the continuation of pipeline operations within the public right-of-way under the updated terms and conditions set forth in the ordinance; and,
3. Take such additional and/or related action that may be desirable.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

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

31. APPROVE PROFESSIONAL SERVICES AGREEMENT NO. 4546 WITH STAFFORD LIGHTS FOR CITY HALL LIGHTING INSTALLATION

RECOMMENDATION: It is recommended that the City Council:

1. Approve Professional Services Agreement No. 4546 with Stafford Lights for City Hall lighting installation in an amount not-to-exceed $59,999; and
2. Authorize the City Manager to take actions necessary to execute and finalize an agreement on behalf of the City of Montebello; and
3. Take such additional, related action that may be desirable.

Councilmember Peralta motioned, seconded by Mayor Pro Tem Romero, to approve the item; the motion passed by the following vote.

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

32. APPROVAL OF MINUTES: JUNE 10, 2026, CITY COUNCIL

RECOMMENDATION: It is recommended that the City Council:

1. Approve said Minutes as is.

Councilmember Peralta motioned, seconded by Councilmember Melendez, to approve the item; the motion passed by the following vote.

MOVED: Peralta	***SECONDED: Melendez***	***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.

- **Ric Alonzo, Councilmember**

- **Danielle Romero, Mayor Pro Tem**

- **Scarlet Peralta, Councilmember**

- **Salvador Melendez, Councilmember**

- **Georgina Tamayo, Mayor**

CLOSED SESSION - CONTINUED

ADJOURNMENT

The City of Montebello will adjourn to the next **Regular Meeting on August 12, 2026, at 6:00 p.m.,** which can be live-streamed at https://www.montebelloca.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, June 21, 2026, no later than 6:00 p.m.**

Kimberly Guillen, Director of City Clerk Services

Mayor Tamayo adjourned the City Council Meeting at 10:28 p.m.

THE MINUTES OF JUNE 24, 2026 ARE HEREBY APPROVED AND ADOPTED ON THIS 26TH DAY OF AUGUST 2026.

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

- **CITY OF MONTEBELLO FORECASTED AGENDA**

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

CITY OF MONTEBELLO Request No. 1

SPEAKER CARD

Please Note:

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

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

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

MEETING DATE: ______ **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Will Cervera **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

CITY OF MONTEBELLO
INCORPORATED OCT. 16, 1920
CALIFORNIA

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: 6/24/26 **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Raul 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. 3

CITY OF MONTEBELLO INCORPORATED OCT. 16, 1920 CALIFORNIA

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:** Train Stoppage

MEETING DATE: ______ **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Ray Brossuere **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: 06-24-2026 **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Rosa Tamayo **PHONE:** [redacted]

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. general public comment

Opposed ☐ In Support ☐ Neutral ☐ TOPIC:

MEETING DATE: 6/24/24 TIME RECEIVED:

SPEAKER'S FULL NAME: Amy Tannenbaum PHONE: (Optional)

ADDRESS: [redacted] (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:** Montebello Blvd Center Divider

MEETING DATE: ______ **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Denise Abraham PHONE: ______ (Optional)

ADDRESS: Heavenly Choral (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

CITY OF MONTEBELLO INCORPORATED OCT. 16, 1920 CALIFORNIA

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:** Vote of no confidence/Fire Department for Fire Chief

MEETING DATE: 06/24/26 **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Alfredo Estrada **PHONE:** [redacted]

ADDRESS: [redacted]

ORGANIZATION REPRESENTED: Montebello Fire Department

NOTES: ______

ACCOMMODATIONS: None

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.** ______

Opposed ☐ In Support ☐ Neutral ☐ **TOPIC:** Vote of no Confidence / Fire department

MEETING DATE: 6/24/26 **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Marcos Miranda **PHONE:** [redacted]

ADDRESS: ______

(Optional)

ORGANIZATION REPRESENTED: Montebello Fire department

NOTES: ______

ACCOMMODATIONS: ______

TRANSLATION NEEDED: No ☐ Yes ☐ Language: ______

RECEIVED BY STAFF: ______

PLEASE NOTE: A SEPARATE CARD MUST BE SUBMITTED FOR EACH ITEM 9 ✓

CITY OF MONTEBELLO

Request No. 9

SPEAKER CARD

CITY OF MONTEBELLO INCORPORATED OCT. 16, 1920 CALIFORNIA

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: 6/24 **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Corey Chappell **PHONE:** ______ *(Optional)*

ADDRESS: Dist 5 *(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

CITY OF MONTEBELLO INCORPORATED OCT. 16, 1920 CALIFORNIA

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. 3 ~~4~~

Opposed ☐ In Support ☑ Neutral ☐ TOPIC: ______

MEETING DATE: 6/24/26 TIME RECEIVED: ______

SPEAKER'S FULL NAME: Raymond Perez PHONE: [redacted] (Optional)

ADDRESS: [redacted] (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. 41

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.** 4

Opposed ☑ In Support ☐ Neutral ☐ **TOPIC:** Natasha Lane Sewer

MEETING DATE: 6/24/26 **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Oscar Ramirez **PHONE:** ______ (Optional)

ADDRESS: [redacted]ptional)

ORGANIZATION REPRESENTED: ______

NOTES: ______

ACCOMMODATIONS: n/a

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. 4

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

MEETING DATE: ______ **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Raymond Perez **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.** 5

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

MEETING DATE: ______ **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Will Cervera **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

CITY OF MONTEBELLO CALIFORNIA INCORPORATED OCT. 16, 1920

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.** 5

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

MEETING DATE: 6/24 **TIME RECEIVED:** __________

SPEAKER'S FULL NAME: Corey Chappell **PHONE:** __________ *(Optional)*

ADDRESS: Dst 5 *(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:** ____________

MEETING DATE: ____________ **TIME RECEIVED:** ____________

SPEAKER'S FULL NAME: Will Cervera **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: 6-24-26 **TIME RECEIVED:** ______

SPEAKER'S FULL NAME: Larry Salazar **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 3 ✓

CITY OF MONTEBELLO Request No. ______

CITY OF MONTEBELLO · INCORPORATED OCT. 16, 1920 · CALIFORNIA

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: RAY BROGUIERE **PHONE** [redacted]

ADDRESS: [redacted] (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

CITY OF MONTEBELLO INCORPORATED OCT. 16, 1920 CALIFORNIA

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: Denise Haggerty **PHONE:** ______ (Optional)

ADDRESS: Heavenly Choice (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.** 6

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

MEETING DATE: __________ **TIME RECEIVED:** __________

SPEAKER'S FULL NAME: Marie Ledezma **PHONE:** __________ *(Optional)*

ADDRESS: __________ *(Optional)*

ORGANIZATION REPRESENTED: __________

NOTES: __________

ACCOMMODATIONS: __________

TRANSLATION NEEDED: No ☐ Yes ☐ Language: __________

RECEIVED BY STAFF: __________

MONTEBELLO PROFESSIONAL FIREFIGHTERS ASSOCIATION LOCAL 3821
P.O. Box 622
Montebello, CA 90640

June 10, 2026

To:
Jesus Macias, President
Adam Bickford, Vice President
Diego Lucas, Secretary

RE: Letter of No Confidence

Dear Executive Board Members,

We, the Majority of the Members of Montebello Professional Firefighters Association Local 3821, submit this Letter of No Confidence regarding the leadership of President Jesus Macias, Vice President Adam Bickford, and Secretary Diego Lucas.

After careful consideration and consultation among the membership, it has become evident that the current leadership has failed to uphold the standards of integrity, professionalism, accountability, and fair representation expected of elected officers of this Association. As a result, we no longer have confidence in your ability to effectively represent the membership and advance the interests of Local 3821.

The concerns we wish to highlight encompass several key areas:

1. Defaming and Knowingly Making False Statements About Members

Members have raised serious concerns regarding statements made by leadership that were false, misleading, or defamatory in nature. Such conduct damages the reputations of individual members, creates unnecessary division within the Association, and erodes trust in the integrity of union leadership. Union officers are entrusted with representing all members fairly and professionally, and the dissemination of false information is inconsistent with those responsibilities.

2. Conduct Detrimental to the Union

The actions and decisions of the current leadership have resulted in significant division, distrust, and discord among the membership. Rather than fostering unity and advancing the collective interests of Local 3821, leadership conduct has undermined member confidence and weakened the effectiveness of the Association. Such actions are detrimental to the welfare and interests of the Union.

3. Misusing Union Office and Authority for Personal or Political Retaliation

Members have lost confidence in leadership due to the use, or perceived use, of union positions and authority to advance personal agendas, settle personal disputes, or engage in political retaliation. Such conduct is inconsistent with the duties of elected office and undermines the fairness, integrity, and professionalism expected of the leadership of Local 3821.

4. Bringing the Organization into Disrepute

Members expect elected officers to uphold the highest standards of professionalism and conduct. Actions that diminish the reputation, credibility, and standing of Local 3821 reflect poorly on the organization and its membership. The current leadership has engaged in conduct that has negatively impacted the reputation of this Association and its ability to effectively represent its members.

5. Speaking on Behalf of the Union Without Proper Authority

Members have expressed concerns regarding statements, communications, and representations made on behalf of Local 3821 without proper authorization, membership input, or approval. Union officers have a responsibility to ensure that positions represented as those of the Association accurately reflect the will of the membership and comply with the governing documents of the Local. Unauthorized representations undermine trust and confidence in leadership.

Loss of Confidence

Collectively, these actions have eroded trust in the leadership of Local 3821, created division among the membership, and undermined the principles upon which this Association is founded.

We believe that elected union officers must act with honesty, transparency, accountability, professionalism, and respect for the members they serve. Based upon the concerns outlined above, we no longer have confidence in the ability of President Jesus Macias, Vice President Adam Bickford, and Secretary Diego Lucas to effectively lead and represent the membership of Local 3821.

Accordingly, we formally express our No Confidence in the leadership of President Jesus Macias, Vice President Adam Bickford, and Secretary Diego Lucas.

Based upon past practice and the unanimous vote of the undersigned membership, we hereby declare that we no longer recognize Jesus Macias as the representative voice of

Local 3821 and no longer have confidence in his ability to serve as President of this Association. We likewise express no confidence in Vice President Adam Bickford and Secretary Diego Lucas and request their immediate resignation from office.

The membership of Local 3821 deserves leadership that acts with integrity, professionalism, transparency, and accountability. It is our belief that the current leadership has lost the trust and confidence necessary to effectively represent the membership, and therefore should relinquish their positions so that the Association may move forward under leadership that reflects the will of its members.

We respectfully request that appropriate action be taken to restore confidence in the governance and leadership of Local 3821 and to ensure that the Association continues to represent its members with integrity, professionalism, and accountability.

This letter reflects the collective position of the undersigned membership and is being distributed to the parties listed below to ensure transparency and accountability regarding the concerns expressed herein.

CC:
Montebello Professional Firefighters Association Membership
Montebello Professional Firefighters Association Executive Board
Mayor and Members of the Montebello City Council
City Manager, City of Montebello
Ferrone Law Group
California Professional Firefighters (CPF)
International Association of Fire Fighters (IAFF)

Respectfully,

The Majority of the Membership
Montebello Professional Firefighters Association Local 3821

1. [signature]	DAVE MORGAN
2. [signature]	ERIC SUAREZ
3. [signature]	JOE DeLaTorre

4. Demetrio Valdez

5. Marcos Miranda

6. Thai Pham

7. John R Perez

8. JON GRANT

9. Daniel Barajas

10. ARTURO BARAJAS

11. AARON HARKLESS

12. NICK SWAVING

13. Elias Rocky Guerrero

14. Julian A. Maciel

15. FRANK OSORIO

16. CHRISTOPHER J. GONZALEZ

17. Hrair Haladjian

18. Michael Giron

19. Adam Padilla

20. RYAN SANTOS

21. RAMOS, KENNYA

22. Ramirez, Edgar

23. YOON, JAMES

24. JOHN PAPADAKIS

25. Bailey Macdonald

26. Steve Hernandez

27. ZACHARY HUMBER

28. Robert Aguirre ______________________ ______________________

29. Robert Berryman ______________________ ______________________

30. ______________________ ______________________

Good evening, Mayor, Members of the City Council, and City Manager.

My name is Donald Cadena, and I have proudly served the Montebello Fire Department for more than 11 years. I felt it was important to come before you tonight and share my personal experience working under Fire Chief Fernando Pelaez. I have served under Chief Pelaez for more than 11 years, promoted through every rank under his leadership, and I am here tonight voluntarily because I believe his contributions to this department and community deserve to be recognized. Throughout my career, I have promoted through the ranks under Chief Pelaez's leadership. While those promotions required me to earn the qualifications and compete through the process, I have personally witnessed his commitment to developing employees and encouraging them to prepare for advancement.

One of the qualities I have observed most is his willingness to take a personal approach with employees. I have seen him encourage training opportunities, support professional development, and help members prepare themselves for future opportunities within the organization. I have also had the opportunity to witness many of the initiatives that have shaped our department over the years. Chief Pelaez and I were both on the call that helped spark the discussions that ultimately became the Montebello Community Assistance Program, or MCAP, creating another avenue for the department to assist vulnerable members of our community. Today, our department stands on the verge of securing funding for a new fire station that will improve emergency response capabilities and enhance public safety for generations to come. Opportunities like this do not happen by accident. They are the result of years of relationship building, collaboration, and trust fostered with elected officials, community leaders, regional partners, and City leadership.

Over the past 11 years, I have observed a department that has continued to move forward through expanded programs, stronger partnerships, and a commitment to improving service to our community. While no organization is without challenges, progress should also be recognized. Leadership is rarely measured during moments of calm. It is measured during difficult times, when decisions are scrutinized, when challenges arise, and when it would be easier to step aside than continue serving. Most of us will spend only a portion of our lives serving our community. Chief Pelaez has dedicated nearly 40 years to the City of Montebello. Four decades of responding to emergencies, mentoring firefighters, developing future leaders, building partnerships, and advocating for resources that improve public safety.

As someone who has worked alongside him for more than a decade, I have seen firsthand the investment he has made in employees, our department, and the residents we serve. Not because leadership is perfect. Not because everyone will always agree. But because I believe that when evaluating a public servant, we must look beyond a single moment and consider the full measure of their service. We must consider the lives impacted, the programs created, the opportunities secured, the future leaders developed, and the lasting contributions made to the community.

For nearly 40 years, Chief Fernando Pelaez has dedicated himself to the residents of Montebello. The fire stations, programs, partnerships, and personnel that will continue serving this community long after any of us leave this room are part of that legacy. I am proud to serve the City of Montebello. I felt it was important that my experience as someone who has worked under Chief Pelaez for more than a decade be part of this public discussion. Whatever decisions are made moving forward, I hope Chief Pelaez's service, accomplishments, and commitment to this community are given the consideration they deserve.

Thank you for your time.

Donald Cadena

Acting Deputy Chief

Montebello Fire Department

YIMBY Law

2261 Market Street STE 10416
San Francisco, CA 94114
hello@yimbylaw.org

YIMBY LAW

6/24/2026

City of Montebello
City Council
1600 West Beverly Blvd.
Montebello, CA 90640

Re: SB 79 Compliance, Agenda Item 8

To the City Council of Montebello,

YIMBY Law is a 501(c)3 non-profit corporation, whose mission is to increase the accessibility and affordability of housing in California. YIMBY Law sues municipalities when they fail to comply with state housing laws, including the Housing Element Law. Should the City fail to follow the law, YIMBY Law is prepared to file suit to ensure that the law is enforced.

Under the false pretense of an "emergency", this Council is contemplating an illegal urgency ordinance that would suspend SB 79's transit-oriented development standards from going into effect in Montebello. This "emergency" is nothing more than SB 79 going into effect on July 1 and is self-made; now that time has run out, the staff are recommending urgency ordinances that are clearly out of compliance with state and even the City's own law.

The City Council should reject the staff's recommendation to adopt the urgency ordinance and instead follow the law and use the normal legislative process to consider the ordinances. This will give Montebello's residents the appropriate time to consider and comment on these ordinances, including whether blanket suspension of SB 79 makes sense for the City, as it works towards meeting its state-mandated housing production goals.

An urgency ordinances is only allowable where it:

> **contains legislative findings that there is a current and immediate threat to the public health, safety, or welfare**, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare. In addition, **any interim ordinance** adopted pursuant to this section **that has the effect of denying** approvals needed for the development of projects with a significant component of **multifamily housing may not be extended except** upon written findings adopted by the legislative body, **supported by substantial evidence** on the record…

CA Gov Code § 65858(c), emphasis added.

The urgency findings contained in the draft ordinances are so sparse and without evidence as to be utterly meaningless. The threat is unnamed, uncertain, and inappropriate to justify obstruction of a state housing law addressing the statewide housing crisis. A temporary change in permitting for a specific plan area is no emergency, and no local or state law is referenced that could justify this measure.

The draft ordinance identifies no specific threat to the public peace, health, or safety for a reason: there is none. It's pure speculation to say that historic resources will be impacted at all. Speculating that a project might use SB 79 does not present an immediate threat sufficient to authorize an emergency ordinance, according to state law and Montebello's own regulations. Notably if there were actually projects in process, the law grants stricter protections against denying them. Because the draft urgency ordinances would pre-emptively deny *all* such projects within the affected areas, the protections are likely triggered automatically.

California Courts have already weighed against this kind of blatant obstruction. The findings for urgency ordinances, especially where they would preclude multifamily housing, must cite "specific significant, quantifiable, direct, and unavoidable impact upon the public health or safety that would result from continued development approvals, and objective, written public health or safety standards, policies, or conditions on which that impact is based". *Hoffman St., LLC v. City of W. Hollywood,* 179 Cal. App. 4th 754, 771 (2009) (internal citations omitted). Specifically for the *Hoffman* case, a blatant finding that affordable housing created a current and immediate threat was rightly dismissed as insufficient justification for an urgency ordinance. The prospect of slightly less wealthy people being able to afford living in Montebello is not the threat you think it is. At least not as far as the law is concerned.

SB 79's passage followed a string of reforms at the state level to address a systemic, ongoing shortage of housing across the state. YIMBY Law has sued to enforce many of those reforms, and remains very well prepared to continue that work. Any section of the alternatives before you which institute urgency ordinances without substantial evidence to the immediacy they speak to must be discarded. We urge you to follow the law and adopt an alternative plan or allow SB 79 to come into effect as intended, within the City.

Sincerely,

Sonja Trauss

Sonja Trauss
Executive Director
YIMBY Law

Jun 24, 2026

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

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

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

Re: SB 79 Moratorium

Dear City of Montebello,

Californians for Homeownership and the California Housing Defense Fund submit this letter in regard to the City's proposed ordinance establishing a moratorium on SB 79 development projects within the Washington Boulevard Transit-Oriented Development Specific Plan Area.

The City may not use urgency or interim ordinances to temporarily exempt the City or a portion thereof from SB 79, nor may it implement a moratorium without approval from the State of California. The City also may not opt out of state law via a local ordinance.

Furthermore, the City cannot use the cited California Environmental Quality Act (CEQA) exemptions to implement its moratorium.

SB 79 is not a sudden emergency requiring an urgency ordinance

Per Government Code section 36937, subdivision (b), ordinances will not be effective for 30 days after adoption unless necessary to preserve the public peace, health, or safety of the City and the City Council adopts by a four-fifths majority a declaration of the facts constituting the urgency. The State Supreme Court has ruled that "the nature of the ordinance itself will . . . be determinative, and where a sudden emergency has arisen, a statement of the nature of the urgency finds proper place to support the declaration." *Ex parte Hoffman* (1909) 155 Cal. 114, 120.

SB 79 was signed into law in October 2025, giving the City almost nine months before its effective date of July 1, 2026 to enact an ordinance preserving the public health and safety of its residents. This was ample time; had there been an immediate and urgent threat to the public health and safety of residents, the City would have enacted an ordinance more quickly.

The City cites the following supposed impacts of SB 79:

> (a) Establish development patterns inconsistent with the pending TOD Specific Plan;
> (b) Create vested rights that could impair the City's ability to adopt and implement corridor-wide planning policies;
> (c) Result in piecemeal development that frustrates comprehensive transit-oriented planning objectives;
> (d) Consume available transportation, utility, public safety, and infrastructure capacity before completion of corridor-wide analyses;
> (e) Undermine the City's ability to adopt objective design standards, development standards, and implementation measures currently under preparation;
> (f) Interfere with the City's ability to coordinate future public infrastructure investments;
> (g) Result in environmental impacts that are presently being evaluated through ongoing planning and environmental review efforts;
> (h) Impair future affordable housing, mobility, economic development, and public benefit programs contemplated by the TOD Specific Plan; and
> (i) Cause substantial prejudice to the City's ongoing legislative planning process; and
> (j) Result in economic waste and inefficiencies by undermining ongoing TOD Specific Plan planning and environmental review.

None of these issues threaten the public health, safety, and welfare. On the contrary, SB 79 will advance a number of public policy goals of the State of California. See the below legislative findings and declarations from SB 79 (Gov. Code, § 65912.155):

> The Legislature finds and declares all of the following:
> (a) California faces a housing shortage both acute and chronic, particularly in areas with access to robust public transit infrastructure.
> (b) Creating ownership opportunities can be an effective long-term strategy for building wealth and can create a path to financial security.
> (c) Building more homes near transit access reduces housing and transportation costs for California families, and promotes environmental sustainability, economic growth, and reduced traffic congestion.

> (d) Public transit systems require sustainable funding to provide reliable service, especially in areas experiencing increased density and ridership. The state does not invest in public transit service to the same degree as it does in roads, and the state funds a smaller proportion of the state's major transit agencies' operations costs than other states with comparable systems. Transit systems in other countries derive significant revenue from transit-oriented development at and near their stations.

Additionally, we would like to draw the City's attention to the attached July 17, 2023 letter from the California Attorney General regarding the use of urgency ordinances in response to state housing laws. The letter reiterates the requirements from statute and caselaw that the legislative findings must establish a threat to the public health, safety, or welfare that is current and immediate; local jurisdictions must provide evidence documenting the immediacy of the threat to public health, safety, or welfare; and local jurisdictions must make these findings with enough specificity to support an adverse impact. In other words, there is a high bar for the use of urgency ordinances. The letter states specifically that urgency ordinances "must comply with the substantive requirements of state housing laws and cannot be used in an attempt to circumvent substantive legal requirements."

Given the extremely thin findings and complete lack of evidence that the City has presented to justify these urgency ordinances, it is clear that the City has not met the requirements discussed in the Attorney General's letter.

The City therefore may not use urgency ordinances to adopt an SB 79 implementation ordinance.

The City's Use of an Interim Ordinance is Unlawful

In addition to adopting its SB 79 ordinance as an urgency ordinance, the City is adopting it as an interim ordinance pursuant to Government Code section 65858 in order to take illegal shortcuts in adopting this ordinance. Section 65858, subdivision (a) provides:

> Without following the procedures otherwise required prior to the adoption of a zoning ordinance, the legislative body of a county, city, including a charter city, or city and county, to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time …

As discussed *supra*, just as SB 79 poses no risk to "public peace, health, or safety" it also poses no risk to "public safety, health, and welfare." In fact, as discussed *supra*, the Legislature has found the contrary to be true. (See Gov. Code, § 65912.155.)

The City may therefore not use an interim ordinance to establish a moratorium on development pursuant to SB 79.

Of note, the City is fully empowered to implement an alternative plan pursuant to Government Code section 65912.161, subdivision (a), and it had nine months to do so prior to the effective date of July 1, 2026. The City's failure to complete an alternative plan in this timeframe does not constitute justification for an interim ordinance to opt out of a state law.

The City Must Receive Approval from the State for A Moratorium

Government Code section 66300, subdivision (b)(1)(B) prohibits the City from "Imposing a moratorium or similar restriction or limitation on housing development, including mixed-use development, within all or a portion ..." of the city without approval from the California Department of Housing and Community Development (HCD).

Furthermore, SB 79 separately requires the City to submit any ordinance implementing SB 79 to HCD for review. (Gov. Code, § 65912.160, subd. (d).) The City has not done this.

Enacting a moratorium on SB 79 projects without approval from HCD is illegal. The City must seek approval from HCD prior to enforcement of this moratorium.

The City May Not Opt Out of State Law

State law preempts local law. (Cal. Const., art. XI, § 7.) This is a foundational constitutional principle, and it is no less true in the land use context than anywhere else. As a corollary to this principle, local governments "cannot choose to forgo application of land use policies imposed by the Legislature." (*Ailanto Properties v. City of Half Moon Bay* (2006) 142 Cal.App.4th 572, 595.) The City's proposed moratorium, however, attempts to do exactly that: it states, in effect, that state land use laws do not apply so long as the City chooses to opt out of them. The proposed moratorium's purpose is to "forgo application of land use policies imposed by the Legislature," as caselaw and the California constitution forbid. (*Ibid.*)

Of note, in SB 79 the Legislature has prescribed very specific criteria for how a City may temporarily exclude parcels from the effect of the law (Gov. Code, § 65912.161, subd. (b)) and also how a City may tailor the application of SB 79 to its local context. (*Id*. at subd. (a).) Regardless of these provisions, SB 79 specifies that the law becomes effective on July 1, 2026 (Gov. Code, § 65912.157, subd. (n).)

If the Legislature had intended to allow a general moratorium on SB 79 projects, then it would have allowed such a moratorium in SB 79. As the law is written, the very specific provisions of SB 79 prevail over the generalized provisions of Government Code section 65858 pursuant to *lex specialis derogat legi generali.* Furthermore, Government Code section 65858 does not authorize a local agency to disregard other state law.

The City’s Proposal is Ineligible for the Cited CEQA Exemptions

The City is proposing to exempt its moratorium from CEQA pursuant to CEQA Guidelines Sections 15061(b)(3) (Common Sense Exemption) and 15308 (Environmental Protection).

However, the proposed moratorium is not eligible for either exemption. This is because impeding the development of housing near transit will, in fact, have a significant impact on the environment.

Multifamily development near transit has dramatically lower carbon dioxide emissions on a per unit basis than greenfield single-family development, both in terms of energy usage and tailpipe emissions. A discretionary government action undertaken to thwart such development will undoubtedly contribute to increased carbon emissions and environmental degradation. This action will also exacerbate homelessness as the market is prohibited from producing adequate multifamily housing stock. In other words, the proposed moratorium will damage, not protect, the environment.

The Legislature made a policy judgement that compliance with the provisions of section 65912.157 were to be exempt from CEQA. (Gov. Code, § 65912.161, subd. (c)(2).) It made no such judgement that an attempt to evade the provisions of section 65912.157 were to be equally exempt from CEQA.

The City therefore may not use the proposed CEQA exemptions and it must otherwise comply with the provisions of CEQA.

The City Retains the Power to Prevent Health & Safety Impacts

The Housing Accountability Act (HAA) (Gov. Code, § 65589.5) allows the City to deny a proposed housing development project if it “would have a specific, adverse impact upon the public health or safety.” (*Id*. at subds. (d), (j).) As multifamily housing development projects, SB 79 projects are subject to the HAA. If a situation ever arose that presented a true threat to public health and safety as defined by the HAA, the City could use the power of that statute to lawfully deny a proposed development. Given the backstop provided by the HAA, there is no justification for the City to use an interim/urgency ordinance based on supposed health and safety impacts.

♦ ♦ ♦

For these reasons, we urge the Council to reject the proposed moratorium.

Sincerely,

Matthew Gelfand
Californians for Homeownership

Dylan Casey
CalHDF