

REVISED AGENDA – Addition of New Business Item No. 5D

**CITY COUNCIL OF MONTEREY PARK
AND THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY OF THE
FORMER REDEVELOPMENT AGENCY**

AGENDA

**THIS IS A JOINT SPECIAL AND REGULAR CITY COUNCIL MEETING
BOTH MEETINGS WILL BE CALLED TO ORDER AT 6:00 P.M.
(THE REGULAR MEETING WILL NOT BE SEPARATELY CALLED TO ORDER)**

**THESE MEETINGS WILL BE CONDUCTED PURSUANT TO
SECTION 3 OF EXECUTIVE ORDER NO. N-29-20 ISSUED BY GOVERNOR NEWSOM ON MARCH
17, 2020.**

**ACCORDINGLY, COUNCILMEMBERS WILL BE PROVIDED WITH A MEETING LOGIN NUMBER
AND CONFERENCE CALL NUMBER; THEY WILL NOT BE PHYSICALLY PRESENT AT COUNCIL
CHAMBERS.**

**PURSUANT TO THE GOVERNOR’S ORDER, THE PUBLIC MAY PROVIDE PUBLIC COMMENT
UTILIZING THE METHODS SET FORTH BELOW.**

**NOTE THAT CITY HALL IS CURRENTLY CLOSED TO THE PUBLIC. YOU WILL NOT BE
ADMITTED TO CITY HALL.**

**Wednesday
June 3, 2020**

**NOTE: THIS IS A JOINT SPECIAL AND REGULAR CITY COUNCIL MEETING THAT WILL START
AT 6:00 P.M. THE SPECIAL MEETING AND REGULAR MEETING WILL BE COMBINED FOR
PURPOSES OF ACTION TAKEN AND OFFICIAL MINUTES**

MISSION STATEMENT

**The mission of the City of Monterey Park is to provide excellent services
to enhance the quality of life for our entire community.**

Documents related to an Agenda item are available to the public in the City Clerk’s Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City’s website at <http://www.montereypark.ca.gov/AgendaCenter/City-Council-17> .

PUBLIC COMMENTS ON AGENDA ITEMS

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person’s speaking. No person may speak more than a total of 10 minutes. The Mayor and City Council may change the amount of time allowed for speakers.

This Agenda includes items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency which dissolved February 1, 2012. Successor Agency matters will include the notation of “SA” next to the Agenda Item Number.

PUBLIC PARTICIPATION

In accordance with Executive Order No. N-29-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed in the following ways:

Participants are encouraged to join the meeting 30 minutes before the start of the meeting.

Public comment will be accepted via email to mpclerk@montereypark.ca.gov during the meeting, before the close of public comment, and read into the record during public comment, when feasible. We request that written communications be limited to not more than 50 words.

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling (888) 788-0099 or (877) 853-5247 and entering Zoom Meeting ID: 935 3190 3044 then press pound (#). When prompted to enter participation ID number press pound (#) again. If participants would like to make a public comment they will enter “*9” then the Clerk’s office will be notified and you will be in the rotation to make a public comment.

The public may also watch the meeting live on the city’s cable channel MPKTV (AT&T U-verse, channel 99 or Charter Communications, channel 182) or by visiting the city’s website at <http://www.montereypark.ca.gov/133/City-Council-Meeting-Videos>.

Important Disclaimer – When a participant calls in to join the meeting, their name and/or phone number

CALL TO ORDER Mayor

FLAG SALUTE Mayor

ROLL CALL Peter Chan, Hans Liang, Henry Lo, Fred Sornoso, Yvonne Yiu

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS:

While all comments are welcome, the Brown Act does not allow the City Council to take action on any item not on the agenda. The Council may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the City Council’s subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

[1.] PRESENTATION

1-A. INDIVIDUALS EXPERIENCING HOMELESSNESS WITHIN THE CITY OF MONTEREY PARK.

[2.] OLD BUSINESS

2-A. CONSIDERATION AND POSSIBLE ACTION TO WAIVE FIRST READING AND INTRODUCE AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE GOVERNING HOTEL/MOTEL GUEST REGISTRIES

It is recommended that the City Council consider:

- (1) Waiving first reading and introduce a draft Ordinance amending the Monterey Park Municipal Code ("MPMC") regulating guest registries; or
- (2) Alternatively, discussing and taking such additional, related, action that may be desirable.

2-B. CONSIDERATION OF AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE ("MPMC") BY ADDING CHAPTER 16.37 ENTITLED "PERMIT PROCESS FOR ELECTRIC VEHICLE CHARGING STATIONS"

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of an ordinance adding Chapter 16.37 entitled "Permit Process for Electric Vehicle Charging Stations"; and/or
- (2) Take such additional, related, action that may be desirable.

2-C. ELECTRONIC COMMUNICATIONS RETENTION AND PURGING POLICY; SOCIAL MEDIA POLICY

It is recommended that the City Council consider:

- (1) Adopting a Resolution establishing a Social Media Policy and a Resolution amending the City's retention policy as to electronic communications;
- (2) Authorizing the City Manager to execute an agreement with a social media archiving service vendor, in a form approved by the City Attorney; and
- (3) Take such additional, related, action that may be desirable.

[3.] CONSENT CALENDAR ITEMS NOS. 3A-3C

3-A. CONSIDERATION AND POSSIBLE ACTION TO DIRECT THE CITY CLERK TO PERFORM THE BIENNIAL REVIEW OF THE CITY'S CONFLICT OF INTEREST CODE

It is recommended that the City Council consider:

- (1) Directing the City Clerk to perform the biennial review of the City's Conflict of Interest Code and report back before October 1, 2020; and
- (2) Take such additional, related, action that may be desirable.

3-B. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE §14.12.185 TO PROVIDE A FORMULA FOR CALCULATING EITHER THE ELIGIBLE CEILING, INCOME THRESHOLD OR THE DISCOUNT RATE FOR THE LIFELINE PROGRAM

It is recommended that the City Council:

- (1) Waive second reading and adopt the proposed ordinance; and/or
- (2) Take such additional, related, action that may be desirable.

3-C. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE RELATING TO DELINQUENT WATER BILLS AND CREATING A POLICY ON THE DISCONTINUATION OF RESIDENTIAL WATER SERVICE FOR NONPAYMENT IN COMPLIANCE WITH THE WATER SHUTOFF PROTECTION ACT (HEALTH & SAFETY CODE §§ 116900-116926)

It is recommended that the City Council:

- (1) Waive second reading and adopt the proposed ordinance; and/or
- (2) Take such additional, related, action that may be desirable.

[4.] PUBLIC HEARING

4-A. CONSIDER ASSESSMENTS FOR THE CITYWIDE MAINTENANCE DISTRICT NO. 93-1 FOR FISCAL YEAR 2020-21 PURSUANT TO STREETS AND HIGHWAYS CODE §§ 22500, ET SEQ.

It is recommended that the City Council consider:

- (1) Open the public hearing and receive documentary and testimonial evidence;
- (2) Close the public hearing and adopt a Resolution authorizing the Levy and Collection of Assessments for Fiscal Year 2020-21 in Citywide Maintenance District No. 93-1 pursuant to Streets and Highways Code § 22587; and
- (3) Taking such additional, related, action that may be desirable

CEQA (California Environmental Quality Act):

The proposed action is exempt from review under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000, *et seq.*; "CEQA") and CEQA Guidelines (Cal. Code Regs. tit. 14, §§ 15000, *et seq.*) because it establishes, modifies, structures, restructures, and approves rates and charges for meeting operating expenses; purchasing supplies, equipment, and materials; meeting financial requirements; and obtaining funds for capital projects needed to maintain service within existing service areas. The proposed action, therefore, is categorically exempt from further CEQA review under CEQA Guidelines § 15273

4-B. ANNUAL WEED ABATEMENT PROTEST HEARING

It is recommended that the City Council consider:

- (1) Opening the public hearing, receiving public comment, closing the public hearing;
- (2) Adopting the attached Resolution; or
- (3) Taking such additional, related action that may be desirable

[5.] NEW BUSINESS

5-A. ADOPT A RESOLUTION RATIFYING CERTAIN ACTIONS COMPLETED BY THE CITY MANAGER REGARDING COVID-19 PANDEMIC AND CONTINUE TO EXTEND THE EXISTENCE OF A LOCAL EMERGENCY

It is recommended that the City Council consider:

- (1) Adopting a Resolution Ratifying Certain Actions Completed by the City Manager; and
- (2) Taking such additional, related, action that may be desirable

CEQA (California Environmental Quality Act):

The Resolution itself and the actions anticipated by the Resolution were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). Based upon that review, this action is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹

5-B. OVERVIEW OF PROJECT ROOMKEY BY MONTEREY PARK POLICE DEPARTMENT

It is recommended that the City Council consider:

- (1) Receiving and filing this report; and
- (2) Taking such additional, related, action that may be desirable

5-C. CONSIDERATION OF AMENDMENTS TO THE MONTEREY PARK LAND USE ELEMENT (LUE) OF THE GENERAL PLAN

It is recommended that the City Council consider:

- (1) Receiving and filing this report; and
- (2) Taking such additional, related, action that may be desirable

5-D. DECLARATION OF EMERGENCY: LOS ANGELES COUNTY CIVIL UNREST

It is recommended that the City Council consider:

- (1) Adopting a Resolution declaring a local emergency resulting from the civil unrest in Los Angeles County and ratifying the City Manager’s Administrative Declaration of Emergency dated May 31, 2020; and
- (2) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The Resolution itself and the actions anticipated by the Resolution were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). Based upon that review, this action is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.²

¹ CEQA findings regarding an anticipated imminent emergency are valid (*see CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

² CEQA findings regarding an anticipated imminent emergency are valid (*see CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

[6.] COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

6-A. CONSIDERATION OF HOTEL/MOTEL ACQUISITIONS BY STATE AND COUNTY AUTHORITIES (REQUESTED BY COUNCIL MEMBER YIU)

At Councilmember Yiu's request, the City Council should discuss whether a plan is needed to react to the potential acquisition of hotels/motels within the City's jurisdiction by State or County officials for purposes of opening a homeless shelter.

6-B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK RECOGNIZING THE MONTH OF JUNE AS LESBIAN, GAY, BISEXUAL, AND TRANSGENDER (LGBT) PRIDE MONTH (REQUESTED BY COUNCIL MEMBER LO)

It is recommended that the City Council consider:

- (1) Adopting a resolution of the City Council of the City of Monterey Park recognizing the month of June as Lesbian, Gay, Bisexual, And Transgender (LGBT) Pride Month; and
- (2) Taking such additional, related, action that may be desirable

[7.] CLOSED SESSION (IF REQUIRED; CITY ATTORNEY TO ANNOUNCE)

ADJOURN



City Council Staff Report

DATE: June 3, 2020

AGENDA ITEM NO: New Business
Agenda Item 5-D

TO: The Honorable Mayor and City Council

FROM: Ron Bow, City Manager

SUBJECT: Declaration of Emergency: Los Angeles County Civil Unrest

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting a Resolution declaring a local emergency resulting from the civil unrest in Los Angeles County and ratifying the City Manager's Administrative Declaration of Emergency dated May 31, 2020; and
2. Taking such additional, related, action that may be desirable.

CEQA:

The Resolution itself and the actions anticipated by the Resolution were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Based upon that review, this action is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹

EXECUTIVE SUMMARY:

Following May 25, 2020, protests throughout Los Angeles County have resulted in widespread arson, looting, assaults, vandalism and rioting, which continue to the present. On May 30, 2020, the Governor issued a Proclamation of Emergency for Los Angeles County. On May 31, 2020, the County of Los Angeles Board of Supervisors imposed a curfew for the protection of public order and safety.

In order to safeguard the rights of peaceful assembly and protest, to protect the safety of Monterey Park residents, property and businesses as well as emergency and law enforcement providers, it was necessary to establish a curfew to quell anticipated violence and destruction of property during hours of darkness – when it is especially

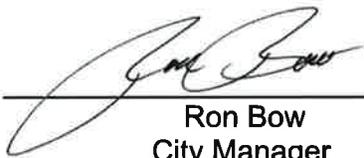
¹ CEQA findings regarding an anticipated imminent emergency are valid (*see CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

difficult to preserve public peace and safety. The dangers presented by the widespread civil unrest in Los Angeles County caused the City Manager to proclaim the existence of a local emergency beginning on May 31, 2020.

FISCAL IMPACT:

The fiscal impact is unknown at this time. The City Manager's Office will provide a report within 30 days after the City Council's action.

Respectfully Submitted by:



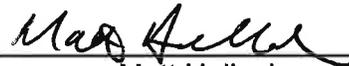
Ron Bow
City Manager

Reviewed by:



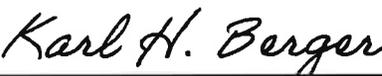
Kelly Gordon
Police Chief

Reviewed by:



Matt Hallock
Fire Chief

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENT:

1. Draft Resolution

RESOLUTION NO. 20__-__

**A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF
MONTEREY PARK CONFIRMING THE EXISTENCE OF A LOCAL
EMERGENCY DUE TO CIVIL UNREST.**

BE IT RESOLVED by the Council of the City of Monterey Park as follows:

SECTION 1: The City Council finds as follows:

- A. Following May 25, 2020, protests throughout Los Angeles County have resulted in widespread arson, looting, assaults, vandalism and rioting, which continue to the present;
- B. Peaceful demonstrations are essential to our democratic system, and the City respects the right to protest peacefully. Some individuals, however, have engaged in unlawful and dangerous activity, threatening the safety of lawful demonstrators, surrounding communities and first responders;
- C. On May 30, 2020, the Governor issued a Proclamation of Emergency for Los Angeles County. On May 31, 2020, the County of Los Angeles Board of Supervisors imposed a curfew for the protection of public order and safety;
- D. In order to safeguard the rights of peaceful assembly and protest, to protect the safety of Monterey Park residents, property and businesses as well as emergency and law enforcement providers, it is necessary to establish a curfew to quell violence and destruction of property during hours of darkness – when it is especially difficult to preserve public peace and safety;
- E. The dangers presented by the widespread civil unrest in Los Angeles County caused the City Manager to proclaim the existence of a local emergency beginning on May 31, 2020 in accordance with the Monterey Park Municipal Code (“MPMC”) as specified in attached Exhibit “A” (“Declaration of Emergency”); and
- F. Based upon information provided to the City Council by the City Manager including, without limitation, set forth in the staff report accompanying this Resolution, it is apparent that local resources are unable to completely cope with the effects of this emergency.

SECTION 2: The City Council has reviewed the state of the community and ratifies the City Manager’s Declaration of Emergency.

SECTION 3: In accordance with MPMC Chapter 2.52, and applicable law, the City Council declares that due to widespread civil unrest a local emergency exists within the City of Monterey Park's territorial limits.

SECTION 4: The City Manager, as the Director of Emergency Services, is empowered to carry out all emergency powers conferred upon him/her as the Emergency Services Director by local and state laws, and by all other lawful authority, as may be necessary to protect life and property.

SECTION 5: During the existence of this local emergency, the powers, functions, and duties of the Emergency Services Director and the emergency organization of this City will be those prescribed by state law, by ordinance, and resolutions of this City approved by the City Council.

SECTION 6: Since local resources are unable to cope with the effects of this emergency, the City Council directs the Emergency Services Director to forward a copy of this resolution to the Governor of California with the request that he/she proclaim the City of Monterey Park to be in a state of emergency.

SECTION 7: Since local resources are unable to cope with the effects of this emergency, the City Council directs the Emergency Services Director to forward a copy of this resolution to the Governor of California and request that the Governor request a Presidential Declaration of Emergency from the President of the United States.

SECTION 8: The City Manager is designated as the authorized representative for public assistance and as the authorized representative for individual assistance of the City of Monterey Park for the purpose of receiving, processing, and coordinating all inquiries and requirements necessary to obtain available state and federal assistance.

SECTION 9: This local emergency will continue to exist until otherwise determined by City Council Resolution.

SECTION 10: This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 11: This Resolution will take effect immediately upon adoption.

PASSED AND ADOPTED this ____ day of June, 2020.

Hans Liang, Mayor

ATTEST:

Vincent D. Chang, City Clerk

APPROVED AS TO FORM:

Karl H. Berger, Assistant City Attorney



CITY OF MONTEREY PARK

City Manager's Office

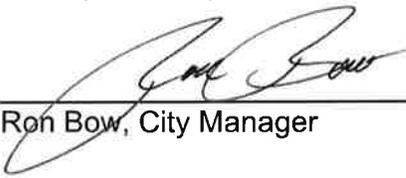
DECLARATION OF EMERGENCY

The City Manager finds:

Pursuant to Monterey Park Municipal Code § 2.52.060(a)(1), a local emergency is proclaimed to exist within the City of Monterey Park on May 31, 2020.

Following the events of May 25, 2020 in Minneapolis, Minnesota, there has been widespread arson, looting, assaults, vandalism and rioting stemming from public demonstrations in numerous other cities across the country and throughout California. Peaceful demonstrations are essential to our democratic system. Some individuals, however, have engaged in dangerous and unlawful activity, threatening the safety of lawful demonstrators, surrounding communities and first responders. Since May 30, 2020, there has been widespread arson, looting, assaults, vandalism and rioting in the City and County of Los Angeles, and other nearby cities/counties, which continue to the present. As a result, the Governor issued a Proclamation of Emergency for Los Angeles County on May 30, 2020.

The foregoing conditions constitute the existence of conditions of extreme peril to the safety of persons and property within the City of Monterey Park, which conditions are likely to be beyond the control of the services, personnel, equipment and facilities of the City and require the combined forces of other political subdivisions to combat. To assist with regional law enforcement efforts, I am authorizing the Police Chief to implement the attached Curfew Regulations as needed, in her sole discretion, to preserve public health, safety, and welfare.



Ron Bow, City Manager

May 31, 2020 at 13:42

Date/Time

CURFEW ORDER

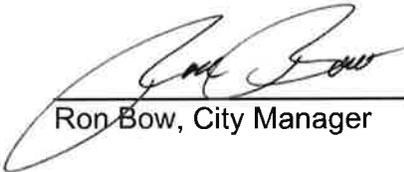
(Pursuant to Declaration of Emergency Dated May 31, 2020)

Beginning May 31, 2020 at 8:00 p.m., and if determined by the Police Chief that a curfew is required to preserve public health, safety, or welfare, it is unlawful for any person to travel or be present upon a public street, sidewalk, or public place within the City of Monterey Park. Once activated by the Police Chief, the curfew will be in effect between 8:00 p.m. and 5:30 a.m. every day. Once activated, this curfew will continue until terminated by the City Council, the City Manager, or the Police Chief.

For purposes of this Curfew, "travel" includes without limitation, travel on foot, bicycle, skateboard, scooter, motorcycle, automobile or public transit.

All law enforcement, fire, medical personnel, and members of the news media are exempt from these Curfew Regulations. Individuals traveling directly to and from work, seeking emergency care, fleeing dangerous circumstances, or experiencing homelessness are also exempt.

PURSUANT TO MONTEREY PARK MUNICIPAL CODE § 2.52.100(E) VIOLATION OF THIS ORDER IS A MISDEMEANOR PUNISHABLE BY A FINE NOT TO EXCEED \$1000, BY IMPRISONMENT NOT TO EXCEED SIX MONTHS, OR BOTH.



Ron Bow, City Manager

May 31, 2020 at 13:42
Date/Time