

**ADDENDUM TO ITEM NO. 4A**

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

**AGENDA**

**FINISHED AGENDA**  
**NOT OFFICIAL MINUTES**

**THIS IS A JOINT SPECIAL AND REGULAR CITY COUNCIL MEETING  
BOTH MEETINGS WILL BE CALLED TO ORDER AT 6:30 P.M.  
(THE REGULAR MEETING WILL NOT BE SEPARATELY CALLED TO ORDER)**

**THE SPECIAL MEETING AND REGULAR MEETING WILL BE COMBINED  
FOR PURPOSES OF ACTION TAKEN AND OFFICIAL MINUTES**

**Wednesday  
July 1, 2020  
6:30 p.m.**

**EXECUTIVE ORDER NO. N-29-20**

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.

**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.

**GENERAL INFORMATION**

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>.

The public may 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>.

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:

### Via Email

Public comment will be accepted up to an hour before the meeting via email to [mpclerk@montereypark.ca.gov](mailto:mpclerk@montereypark.ca.gov) and read into the record during public comment, when feasible. We request that written communications be limited to not more than 50 words.

### Via Telephone

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: 972 7712 7559 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. Participants are encouraged to join the meeting 15 minutes before the start of the meeting. You may speak up to 5 minutes on Agenda item. Speakers will not be allowed to combine time. The Mayor and City Council may change the amount of time allowed for speakers. As part of the virtual meeting protocols, anonymous persons will not be allowed to provide public comment.

### Important Disclaimer

When a participant calls in to join the meeting, their name and/or phone number will be visible to all participants. Note that all public meetings will be recorded.

**CALL TO ORDER** Mayor at 6:30 p.m.

**FLAG SALUTE** Mayor

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

## **AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS**

**CITY MANAGER BOW REPORTED THAT THE CITY RECEIVED A LARGE AMOUNT OF DOCUMENTS FROM THE APPELLANTS AND THEIR ATTORNEY FOR ITEM 4A AND REQUESTED TO CONTINUE THE ITEM TO SEPT. 2, 2020**

### **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. FIREWORKS UPDATE**

**THIS ITEM WAS HEARD AFTER ITEM 4A  
DISCUSSION ONLY – NO ACTION TAKEN**

**[2.] OLD BUSINESS**

**2-A. CONSIDERATION AND POSSIBLE ACTION REGARDING IMPLEMENTING A BUSINESS RECOVERY PROGRAM FOR RESTARTING THE LOCAL ECONOMY (CONTINUED FROM JUNE 17, 2020)**

It is recommended that the City Council consider:

- (1) Planning Agency restructure:
  - A. Adopting an uncodified Urgency Ordinance upon 4/5s vote implementing the Planning Agency restructure; and
  - B. Introducing and waiving first reading of an uncodified Ordinance implementing the Planning Agency restructure.
- (2) Business Recovery Program Phase I:
  - A. Adopting an uncodified Urgency Ordinance upon 4/5s vote implementing the Planning Agency restructure; and
  - B. Introducing and waiving first reading of an uncodified Ordinance implementing the Planning Agency restructure
- (3) Business Recovery Program Phase II: Choosing temporary land use regulations to be considered during a July 15, 2020 public hearing based upon this staff report and City Council direction.
- (4) Or, taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed Planning Agency and Business Recovery Program Phase I Ordinances 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, these Ordinances are 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.<sup>1</sup> Additionally, these Ordinances are exempt pursuant to CEQA Guidelines §15061(b)(3) because it can be seen with certainty that there is no possibility that the Ordinances may have a significant effect on the environment.

<b>MOTION BY: CHAN</b>				
<b>SECONDED BY: LO</b>				
<b>COUNCIL MEMBERS</b>	<b>AYE</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
YIU	X			
LO	X			
SORNOSO	X			
CHAN	X			
LIANG	X			

**APPROVED URGENCY ORDINANCE** Planning Agency restructure:

**ORDINANCE NO. 2177 ADOPTED**

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

<b>MOTION BY: CHAN</b>				
<b>SECONDED BY: YIU</b>				
<b>COUNCIL MEMBERS</b>	<b>AYE</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
YIU	X			
LO	X			
SORNOSO	X			
CHAN	X			
LIANG	X			

**APPROVED URGENCY ORDINANCE** Business Recovery Program Phase I

**ORDINANCE NO. 2178 ADOPTED**

<b>MOTION BY: CHAN</b>				
<b>SECONDED BY: LIANG</b>				
<b>COUNCIL MEMBERS</b>	<b>AYE</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
YIU	X			
LO	X			
SORNOSO	X			
CHAN	X			
LIANG	X			

**APPROVED ORDINANCE PLANNING AGENCY RESTRUCTURE**

**ORDINANCE – 1<sup>ST</sup> READING**

<b>MOTION BY: CHAN</b>				
<b>SECONDED BY: LIANG</b>				
<b>COUNCIL MEMBERS</b>	<b>AYE</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
YIU	X			
LO	X			
SORNOSO	X			
CHAN	X			
LIANG	X			

**APPROVED ORDINANCE** Business Recovery Program Phase I

**ORDINANCE – 1<sup>ST</sup> READING**

<b>MOTION BY: CHAN</b>				
<b>SECONDED BY: LO</b>				
<b>COUNCIL MEMBERS</b>	<b>AYE</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
YIU	X			
LO	X			
SORNOSO	X			
CHAN	X			
LIANG	X			

**APPROVED BUSINESS RECOVERY PROGRAM PHASE II REGULATIONS TO BE BROUGHT BACK FOR CONSIDERATION ON JULY 15, 2020 PUBLIC HEARING**

**RECESSED 8:44 P.M.**  
**RECONVENED – 8:55 P.M.**

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

MOTION BY: LO				
SECONDED BY: CHAN				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
YIU	X			
LO	X			
SORNOSO	X			
CHAN	X			
LIANG	X			

**APPROVED/ADOPTED ON CONSENT CALENDAR  
ITEM NOS. 3A – 3C**

**3-A. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE GOVERNING HOTEL/MOTEL GUEST REGISTRIES**

It is recommended that the City Council:

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

**APPROVED/ADOPTED ON CONSENT CALENDAR, ORDINANCE NO. 2179 ADOPTED**

**3-B. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE (“MPMC”) 2.04.010 TO CHANGE THE REGULAR MEETING TIME**

It is recommended that the City Council:

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

**APPROVED/ADOPTED ON CONSENT CALENDAR, ORDINANCE NO. 2180 ADOPTED**

**3-C. AUTHORIZING THE DIRECTOR OF PUBLIC WORKS / CITY ENGINEER OR DESIGNEE TO EXECUTE ALL DOCUMENTS AND AGREEMENTS FOR PROJECTS FUNDED THROUGH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) ON BEHALF OF THE CITY OF MONTEREY PARK**

It is recommended that the City Council:

- (1) Authorize the Director of Public Works / City Engineer or designee to sign all documents related to federally funded grants for capital improvement projects on behalf of the City of Monterey Park; and
- (2) Take such additional, related, action that may be desirable.

**APPROVED/ADOPTED ON CONSENT CALENDAR, RESOLUTION NO. 12176 ADOPTED**

**[4.] PUBLIC HEARING**

**4-A. APPEAL OF PLANNING COMMISSION RESOLUTION NO. 20-01, ADOPTED ON MAY 12, 2020, APPROVING A CONDITIONAL USE PERMIT (CUP-19-13) TO ALLOW A RETAIL EATING ESTABLISHMENT WITH A DRIVE-THROUGH IN THE S-C (SHOPPING CENTER) ZONE – 1970 SOUTH ATLANTIC BOULEVARD**

It is recommended that the City Council consider:

- (1) Opening a public hearing to consider the appeal;
- (2) Taking testimonial and documentary evidence;
- (3) Closing the public hearing;
- (4) After considering the evidence, determine whether to uphold, amend, or overturn Planning Commission Resolution No. 01-20; and
- (5) Taking such additional, related, action that may be desirable

MOTION BY: SORNOSO				
SECONDED BY: LO				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
YIU	X			
LO	X			
SORNOSO	X			
CHAN	X			
LIANG	X			

**THIS ITEM WAS HEARD AFTER PUBLIC COMMUNICATIONS**

**ITEM CONTINUED TO SEPTEMBER 2, 2020 COUNCIL MEETING**

**[5.] NEW BUSINESS**

**5-A. CONSIDERATION AND DIRECTION REGARDING PLACING A PROPOSITION ON THE NOVEMBER 3, 2020 BALLOT TO ADOPT THE LAND USE ELEMENT TO THE MONTEREY PARK GENERAL PLAN**

It is recommended that the City Council consider:

- (1) Adopting the following resolutions:
  - A. A resolution calling for a special election on November 3, 2020 for consideration of a ballot proposition;
  - B. A resolution requesting that Los Angeles County consolidate the special election with the general presidential election scheduled for the same date;
  - C. Adopting a resolution adding a proposition entitled the “Revised Monterey Park 2040 Land Use Element Proposition” to the previously called November 3, 2020 ballot;
  - D. Adopting a resolution requesting that the City Attorney prepare an impartial analysis for the Revised Monterey Park 2040 Land Use Element Proposition; and
  - E. Adopting a resolution authorizing ballot arguments regarding the Revised Monterey Park 2040 Land Use Element Proposition.
- (2) If desirable, direct that the City Manager draft a resolution for City Council consideration on a future meeting agenda supporting the Revised Monterey Park 2040 Land Use Element Proposition;
- (3) If desirable, designate one or more Councilmembers to draft an argument in favor of the Monterey Park 2040 Land Use Element Proposition; and
- (4) Taking such additional, related, action that may be desirable.

MOTION BY: YIU				
SECONDED BY: LO				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
YIU	X			
LO	X			
SORNOSO	X			
CHAN	X			
LIANG	X			

**APPROVED RECOMMENDATIONS TO ADOPT ALL RESOLUTIONS AS AMENDED TO THE ADDING PROPOSITION RESOLUTION TO CORRECT THE WEBSITE ADDRESS TO SECTION 2 AND REMOVE 3B ON THE EXHIBIT OF THE RESOLUTION**  
**RESOLUTION 12177 – CALLING THE ELECTION**  
**RESOLUTION 12178 – CONSOLIDATION**  
**RESOLUTION 12179 – ADDING A PROPOSITION**  
**RESOLUTION 12180 – IMPARTIAL ANALYSIS**  
**RESOLUTION 12181 – BALLOT ARGUMENTS**

MOTION BY: LIANG				
SECONDED BY: LO				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
YIU	X			
LO	X			
SORNOSO	X			
CHAN	X			
LIANG	X			

**DESIGNATE MAYOR PRO TEM CHAN TO DRAFT AN ARGUMENT IN FAVOR AND DIRECTED STAFF TO PREPARE A RESOLUTION IN SUPPORT TO BRING BACK AT A SPECIAL MEETING FOR CONSIDERATION**

**5-B. CONSIDERATION AND POSSIBLE ACTION REGARDING ADOPTION OF A RESOLUTION ELECTING TO BECOME SUBJECT TO THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT AND AMENDING CHAPTER 3.100 “PUBLIC WORKS CONTRACTS” OF THE MONTEREY PARK MUNICIPAL CODE**

It is recommended that the City Council consider:

- (1) Adopting Resolution No. \_\_\_\_ declaring the City’s intent to become subject to the Uniform Public Construction Cost Accounting Act.
- (2) Introducing and waiving first reading of an Ordinance amending Chapter 3.100 to Title 3 of the Monterey Park Municipal Code (“MPMC”) to extend the City’s election under the Uniform Public Construction Cost Accounting Act to all forms of “public projects” as defined in Public Contract Code section 22002(c); and/or
- (3) Taking such additional, related, action that may be desirable

CEQA (California Environmental Quality Act):

The proposed Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., “CEQA” and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures in compliance with State law; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, the Ordinance does not constitute a “project” that requires environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5).

MOTION BY: CHAN				
SECONDED BY: YIU				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
YIU	X			
LO	X			
SORNOSO	X			
CHAN	X			
LIANG	X			

**APPROVED RECOMMENDATIONS**  
**RESOLUTION NO. 12182 ADOPTED**  
**ORDINANCE - 1<sup>ST</sup> READING**

**[6.] COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS**  
**DISCUSSION ONLY – NO ACTION TAKEN**

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

**ADJOURNED – 9:55 p.m.**