

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
MARCH 20, 2019**

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, March 20, 2019 at 7:00 p.m.

The minutes include 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.

CALL TO ORDER:

Mayor Chan called the meeting to order at 7:08 p.m.

FLAG SALUTE:

The Monterey Park Police Explorers

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang,
Teresa Real Sebastian

Council Members Absent: None

ALSO PRESENT: City Manager Ron Bow, City Attorney Mark Hensley, City Treasurer Joseph Leon, Fire Chief Scott Haberle, Police Chief Jim Smith, Director of Management Services Annie Yaung, Director of Public Works Mark McAvoy, Director of Recreation & Community Services Inez Alvarez, Director of Human Resources & Risk Management Tom Cody, Acting City Librarian Diana Garcia, Assistant City Engineer Frank Lopez, Principle Management Analyst Bonnie Tam, Deputy City Clerk Cindy Trang

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

Deputy City Clerk Trang requested to pull Item No. 3E.

ORAL AND WRITTEN COMMUNICATIONS

- Becky Cheng, District Director for the Office of Congresswoman Judy Chu, announced the rotation of a mobile office program throughout her jurisdiction of fourteen cities. The event will take place on Wednesdays between 12:00 p.m. to 2:00 p.m. with the first event scheduled for April 10th.
- Theresa Amador thanked the Fire Department for assisting her with her medical emergency on March 12.

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

She also thanked the supporters of the Monterey Park Library Foundation's 2nd Annual High Tea at the Library fundraiser to be held on April 6.

- Inez Alvarez, Director of Recreation and Community Services, and Scott Haberle, Fire Chief, invited the community to participate in the 3 Causes, 1 Walk event scheduled for May 4 at Garvey Ranch Park.
- Carol Sullivan thanked the Fire department, Police department, and Athens Disposal for their assistance with the incident that occurred on March 18.

1. PRESENTATION

None.

2. OLD BUSINESS

2A. CONSIDERATION OF TYLER TECHNOLOGIES, INC.'S REQUEST FOR SUBSTANTIVE CHANGES TO AGREEMENT FOR ENTERPRISE RESOURCE PLANNING SOFTWARE SYSTEM (AWARDED DECEMBER 5, 2018)

On December 5, 2018, the City Council awarded a contract for an ERP software system to Tyler Technologies, Inc. ("Tyler"). Since that time, staff worked with Tyler to fine-tune the contract language including, without limitation, material terms and conditions that Tyler identified as being important in its July 2018 proposal. Most of these are now resolved and included several additional concessions by Tyler. There are three areas, however, that require City Council consideration and approval: limitation of liability; insurance; and indemnification language. Based upon the concessions supplied by Tyler – and its status within the industry – staff believes that it is in the public interest for the City Council to accept Tyler's proposed language.

This item was heard after Item No. 5B.

Action Taken: The City Council authorized the City Manager to execute a contract (awarded December 5, 2018), in a form approved by the City Attorney, including substantive changes requested by Tyler Technologies, Inc. for the purchase, installation, licensing and maintenance of an Enterprise Resource Planning (ERP) Software System as amended to direct staff to continue discussion with Tyler Technologies regarding the indemnification and to give authority to the City Attorney to approve the contract.

Motion: Moved by Mayor Pro Tem Liang and seconded by Council Member Real Sebastian, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3. CONSENT CALENDAR ITEMS NOS. 3A-3G

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified.

Action Taken: The City Council and the City Council, acting on behalf of the Successor Agency, approved and adopted Items Nos. 3A, 3B, and 3C on Consent Calendar, except for Items Nos. 3D, 3F, and 3G which were pulled for discussion and separate motion, reading resolutions and ordinances by the title only and waiving further reading thereof. Item No. 3E was continued to the next council meeting.

Motion: Moved by Mayor Pro Tem Liang and seconded by Council Member Lam, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3A. WARRANT REGISTER FOR SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF MARCH 20, 2019

Disbursements will be made from the funds referenced in the Resolution in Warrants numbered 375-376.

Action Taken: The City Council, acting on behalf of the Successor Agency approved payment of warrants and adopted Resolution No. SA-166 of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated March 20, 2019 totaling \$301.45 and specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. SA-166, entitled:

A Resolution of the Successor Agency to the former Monterey Park Redevelopment Agency (SA) allowing certain claims and demands per warrant register dated March 20, 2019 totaling \$301.45 and specifying the funds out of which the same are to be paid

3B. SUCCESSOR AGENCY MONTHLY INVESTMENT REPORT – FEBRUARY 2019

As of February 28, 2019 invested funds for the Successor Agency of the City of Monterey Park is as follows:

• Successor Agency (SA) Checking	135,728.24
• Successor Agency (SA) RORF	<u>137,861.00</u>
Total	<u>\$ 273,589.24</u>

Action Taken: The City Council, acting on behalf of the Successor Agency, received and filed the monthly investment report on Consent Calendar.

3C. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF MARCH 20, 2019

Disbursements will be made from the funds referenced in the Resolution in Warrants numbered 322925-323112 and ACH numbered 000326-000353.

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 12066 allowing certain claims and demands per Warrant Register dated March 20, 2019 totaling \$658,178.40 specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. 12066, entitled:

A Resolution of the City Council of the City of Monterey Park, California allowing certain claims and demands per Warrant Register dated March 20, 2019 totaling \$658,178.40 specifying the funds out of which the same are to be paid;

3D. MONTHLY INVESTMENT REPORT – FEBRUARY 2019

As of February 28, 2019 invested funds for the City of Monterey Park is \$85,809,033.39.

Action Taken: The City Council received and filed the monthly investment report.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Ing, motion carried by the following vote:

Ayes: Council Members: Lam, Ing, Real Sebastian, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3E. CITY COUNCIL MINUTES

Approve the minutes from the regular meeting of February 20, 2019.

Recommendations:

1. Approve the minutes from the regular meeting of February 20, 2019; and
2. Take such additional, related, action that may be desirable.

Action Taken: The City Council tabled the item for the next council meeting as requested by the City Clerk's office.

3F. MAP NO. 72976 (221-223 S NEW AVE) – APPROVAL OF FINAL MAP

Final Map No. 72976 was reviewed by the City's consultant surveyor, Boghossian & Associates, for mathematical accuracy, survey analysis, and title information, compliance with the Subdivision Map Act, Conditions of Approval and applicable Monterey Park Municipal Code provisions. In accordance with the Subdivision Map Act, the developer, Pacific Plaza Monterey Park LLC, will enter into a Subdivision Improvement Agreement and has posted bonds to guarantee construction of the required public improvements such as new curb, gutter, sidewalk and driveway aprons, etc. in the street right-of-way. Additionally, all utility services will be placed underground, and new trees, parkway landscaping and irrigation system will be installed.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

The Planning Commission, at their meeting of July 14, 2015, determined this project to be a Class 15 Categorical Exemption pursuant to the California Environmental Quality Act of 1970, as amended; and also determined that the subject tentative map is consistent with the City's General Plan.

Action Taken: The City Council authorized the City Manager to execute a Subdivision Improvement Agreement for Final Map in a form approved by the City Attorney; and authorized the City Engineer to sign Final Map No. 72976. Motion was taken to approve Item Nos. 3F and 3G.

Motion: Moved by Mayor Pro Tem Liang and seconded by Council Member Lam, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3G. FINAL MAP NO. 74409 (420 N ATLANTIC BLVD) - APPROVAL OF FINAL MAP

The final map was reviewed by the City's consultant surveyor, Boghossian & Associates, for mathematical accuracy, survey analysis, and title information, compliance with the Subdivision Map Act, Conditions of Approval and applicable Monterey Park Municipal Code provisions. In accordance with the Subdivision Map Act, the developer, Pacific Plaza Monterey Park LLC, will enter into a Subdivision Improvement Agreement and has posted bonds to guarantee construction of the required public improvements such as new curb, gutter, sidewalk and driveway aprons will be constructed in the street right-of-way.

Additionally, all utility services will be placed underground, and new trees, parkway landscaping and irrigation system will be installed.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

The Planning Commission, at its meeting of June 13, 2017, determined this project to be a Class 15 Categorical Exemption pursuant to the California Environmental Quality Act; and also determined that the subject tentative map is consistent with the City's General Plan.

Action Taken: The City Council (1) authorized the City Manager to execute a Subdivision Improvement Agreement for Final Map in a form approved by the City Attorney; (2) accepted a 13 feet dedication strip of land along the Atlantic Blvd Frontage and a 15-foot corner radius property line dedication at the northeast intersection of Atlantic Blvd and Emerson Ave for street and public utility purposes; and (3) authorized the City Engineer to sign Final Map No. 74409. Motion was taken with Item No. 3F.

RECESSED AND RECONVENED

The City Council recessed at 8:42 p.m. and reconvened with all council members present at 8:52 p.m.

4. PUBLIC HEARING

4A. PUBLIC HEARING TO RECEIVE INPUT FROM THE COMMUNITY REGARDING THE CREATION OF A CITY COUNCIL DISTRICT-BASED ELECTORAL SYSTEM PURSUANT TO ELECTIONS CODE §10010

On November 7, 2018, the City Council adopted Resolution No. 12043 declaring its intent to transition from at-large to district-based elections for City Council commencing with the General Municipal Election in March 2020. Elections Code § 10010 requires that the City conduct four public hearings to receive community input on district boundaries and maps for the formation of City Council districts.

On December 19, 2018, the City Council conducted the second of four Public Hearings. Community input regarding the composition of district boundaries is summarized in Attachment 1 of the staff report.

Based on public input, the City Council's direction, and other legally required criteria, the City's Demographer evaluated and submitted the proposed draft maps for public review and comments. It is recommended that the City Council give direction regarding which final map product, with any necessary modifications, the City Council would like to consider at the March 6th City Council Meeting.

Public Speakers:

- Robert McEntire, City Consultant and representative of the National Demographics Corporation (NDC) team, presented a summary and reviewed 18 proposed maps, 4 of which were from NDC. He was available to answer questions.
- Michael Lopez, said his map is based on school districts boundaries which do not break up the community interest based on visible boundaries. He provided an example stating that north and south Riggins are both in the same school district and are not separated into different districts in his map. He clarified that his intention was not to pair Mayor Pro Tem Liang and Council Member Ing in the same district.
- Bill Lam, stated he had look at other cities with 5, 7 and 9 districts and understands that adding additional seats will require voters approval. He said he drew a centralize style map with no pairing of council members and one using major streets like Garfield and Atlantic as boundaries to match the precinct areas closer to polling locations. He stated the southern region should be up for 2020 election. He clarified that he did not realize the 2 maps limitation and his Map No. 24 was not population balance. He expressed that he would like to see a 5 districts map from the South or the United South category, using major streets such as Atlantic, Garfield, Garvey or Floral west of Atlantic to split up the districts. He concluded by encouraging the district members to work beyond their district boundaries and look at other issues.
- David Barron, recommended the council to review the spirit and the intention of transitioning to district based electoral system, and to focus on diversify in the areas of interests, ethnicity or the council. He encouraged the council to choose a map with a potential of selecting two Latino members to serve on the council. He said he favored Map 5 which he feels has potential and it does not divide his neighbors into two districts. He concluded that he still believes in a 7 district council and encouraged the council to place the question out to the voters.
- City Clerk Chang read into the records a written communication received via email from Jason Lister with a response from NDC.

Action Taken: The Mayor opened the Public Hearing at 7:47 p.m. and received public testimony and closed the Public Hearing at 8:08 p.m. on the composition of districts for a district-based electoral system pursuant to Elections Code § 10010. The City Council provided direction to staff to continue the Public Hearing to April 3, 2019, and directed the City's Demographer not to process any additional maps submitted.

Motion: Moved by Mayor Pro Tem Liang and seconded by Council Member Lam, motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

5. NEW BUSINESS

5A. CONSIDERATION AND POSSIBLE ACTION TO ADOPT A RESOLUTION OF INTENT TO AMEND THE CITY'S CALPERS CONTRACT CAUSING MEMBERS OF THE MONTEREY PARK FIREFIGHTERS ASSOCIATION ("FFA") TO MAKE ADDITIONAL PAYMENTS TOWARD CALPERS COST AS FOLLOWS: AN ADDITIONAL 3% BY CLASSIC EMPLOYEES; AND 0.5% FOR NEW EMPLOYEES. THE PROPOSED ACTION INCLUDES INTRODUCING AN ORDINANCE THAT, IF ADOPTED, WOULD AMEND THE CALPERS CONTRACT

The 2018-2022 Memorandum of Understanding (MOU) between the City and Monterey Park Firefighters' Association includes an agreement that the City amend the CalPERS contract to increase the contribution by FFA members toward retirement costs. That amendment would result in FFA members increasing their own contributions as follows: a 3% increase for classic employees and 0.5% for new employees. Included in the MOU is a provision that FFA classic and FFA PEPRAs members pay a share of PERS for a total contribution of 12%.

Action Taken: The City Council (1) adopted Resolution No. 12067 providing notice of an intent to amend the City's CalPERS contract to increase contributions made by FFA members to CalPERS retirement costs; (2) waived first reading and introduced an Ordinance that would amend the City's CalPERS contract. Second reading and adoption would be scheduled for April 3, 2019; and (3) authorized the City Clerk to sign the "*Certificate of Compliance with Government Code Section 7507*".

Motion: Moved by Mayor Pro Tem Liang and seconded by Council Member Real Sebastian, motion carried by the following vote:

Ayes: Council Members: Lam, Ing, Real Sebastian, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12067, entitled:

A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL CITY OF MONTEREY PARK, CALIFORNIA

Ordinance – 1st Reading, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF MONTEREY PARK AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

5B. MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEREY PARK POLICE OFFICERS' ASSOCIATION FIXING THE RATE OF COMPENSATION AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED EMPLOYEES FOR A FOUR-YEAR TERM JULY 1, 2018 TO JUNE 30, 2022

Representatives of the City of Monterey Park have met on numerous occasions with representative of the Monterey Park Police Officers' Association (POA) regarding wages, CalPERS cost sharing, deferred compensation contribution, Retiree Healthcare Trust (RHT), a one-time cash payment compensation and other terms and conditions of employment. The results of these negotiations are contained in the attached Memoranda of Understanding (MOU), which is being presented to the City Council for approval via adopting an implementing Resolution.

The City and the POA worked through the negotiations process and focused on a four-year contract with the bulk of the cost in the last two years of the four-year contract. This will be the first four-year contract with POA in the last decade; previous contracts have typically been a two-year term.

This item was heard after Oral Communication.

Public Speakers:

- Troy Grant, President of the Monterey Park Police Officers Association, thanked the City Council, staff, and POA members and asked for the ratification of the MOU.

Action Taken: The City Council adopted Resolution No. 12065 authorizing the City Manager to execute the Memorandum of Understanding between the City of Monterey Park and the Monterey Park Police Officers' Association (POA); and amended the 2018-2019 Budget to authorize expenditure of \$121,306 for the 2018-2019 fiscal year accordingly.

Motion: Moved by Mayor Chan and seconded by Council Member Ing, motion carried by the following vote:

Ayes: Council Members: Lam, Ing, Real Sebastian, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12065, entitled:

A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR CONTRACT YEAR 2018-2022 BETWEEN THE CITY OF MONTEREY PARK AND THE MONTEREY PARK POLICE OFFICERS' ASSOCIATION.

5C. AUTHORIZATION TO ADVERTISE THE REQUEST FOR PROPOSAL (RFP) FOR SPIRIT BUS AND CONSIDERATION OF TRANSIT PROGRAM CHANGE

The existing fixed-route services Spirit Bus contract with First Transit will expire on June 30, 2019. Staff prepared a request for proposal (RFP) for Spirit Bus and seeks City Council authorization to advertise the RFP. Staff also recommends that the City Council consider the efficacy of the City's fixed-route transit system and provide direction on how to proceed with Spirit Bus.

CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

Taking the recommended action would not result in a potential for resulting in a direct or reasonably indirect physical change in the environment and, accordingly, does not qualify as a "project" under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000, *et seq.*; "CEQA") or CEQA regulations (Cal. Code Regs. tit. 14, §§ 15000, *et seq.*; see Cal. Code Regs. tit. 14, §§ 15061(b)(3), 15378). Even if the award of contract were to qualify as a project, it would be categorically exempt as a Class 1 or Class 5 project since, at best, it would constitute a minor alteration of existing public structures involving no expansion of use; or a minor alteration in land use limitations (see Cal. Code Regs. tit. 14, §§ 15301, 15305).

Action Taken: The City Council authorized staff to advertise the Request for Proposal (RFP) for the City's Fixed-Route Transit Services - Spirit Bus, and provided direction to staff regarding the Fixed-Route Transit Services Contract and Program by requesting a report be brought back for discussion considering a change in bus routes and bus fare, and the Alternative Mobility Program.

Motion: Moved by Mayor Pro Tem Liang and seconded by Council Member Lam, motion carried by the following vote:

Ayes: Council Members: Lam, Ing, Real Sebastian, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

6. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

- 6A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA DECLARING THE MONTH OF MARCH AS WOMEN'S HISTORY MONTH, A NATIONAL CELEBRATION THAT HIGHLIGHTS THE CONTRIBUTIONS OF WOMEN TO EVENTS IN HISTORY AND CONTEMPORARY SOCIETY (REQUESTED BY COUNCIL MEMBER REAL SEBASTIAN)

Action Taken: The City Council adopted Resolution. No. 12068 declaring the month of March as Women's History Month, a national celebration that highlights the contributions of women to events in history and contemporary society.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Lam, motion carried by the following vote:

Ayes: Council Members: Lam, Ing, Real Sebastian, Liang, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12068, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA DECLARING THE MONTH OF MARCH AS WOMEN'S HISTORY MONTH, A NATIONAL CELEBRATION THAT HIGHLIGHTS THE CONTRIBUTIONS OF WOMEN TO EVENTS IN HISTORY AND CONTEMPORARY SOCIETY

COUNCIL COMMUNICATIONS

Council Member Lam has nothing to report.

Council Member Real Sebastian invited the community to participate in the 3 Causes, 1 Walk event on May 4. She announced that City Manager Bow will be partaking in the LA Marathon on March 23 and wish him the best.

Council Member Ing announced he appointed Kathy Ko to the Environmental Commission.

Mayor Pro Tem Liang thanked the Fire and Police departments for their response the trash truck incident. He encouraged residents to participate in the CERT program.

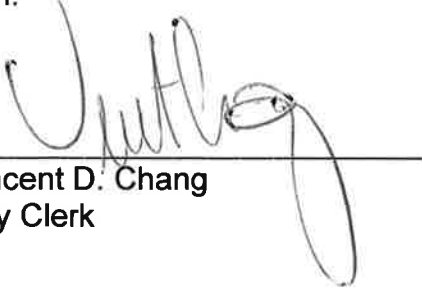
Mayor Chan announced his attendance to the Women's Club Fashion Show and provide a brief summary of the Town Hall meeting held at Brightwood school on March 12. He encouraged residents to participate in the General Plan meetings to provide input on the future of the city.

7. CLOSED SESSION

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 10:38 p.m.

A handwritten signature in black ink, appearing to read 'Vincent D. Chang', is written over a horizontal line. The signature is cursive and somewhat stylized.

Vincent D. Chang
City Clerk

Approved on May 1, 2019 at the Regular City Council Meeting