

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
AUGUST 19, 2020**

The City Council of the City of Monterey Park held a Regular Teleconference Meeting via Zoom on Wednesday, August 19, 2020 at 6:30 p.m. The regular meeting was conducted pursuant to Section 3 of Executive Order No. N-29-20 issued on March 17, 2020. Accordingly, Council Members were provided a meeting login number and conference call number and were not physically present at Council Chambers.

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.

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 was allowed in the following ways:

Via Email

Public comment were accepted up to an hour before the meeting via email to mpclerk@montereypark.ca.gov and, when feasible, read into the record during public comment. Written communications are 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: 974 3441 5629 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.

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

CALL TO ORDER:

Mayor Liang called the meeting to order at 6:31 p.m.

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Hans Liang, Henry Lo, Fred Sornoso,
Yvonne Yiu

Council Members Absent: None

ALSO PRESENT: City Manager Ron Bow, City Attorney Karl Berger, City Treasurer Joseph Leon, Fire Chief Matt Hallock, Police Chief Kelly Gordon, Director of Public Works Mark McAvoy, Director of Management Services Martha Garcia, Director of Recreation & Community Services Inez Alvarez, City Librarian Diana Garcia, Economic Development Manager Joseph Torres, Deputy City Clerk Cindy Trang, Assistant Deputy City Clerk Helena Cho

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

City Manager Bow reported that the City Council, by consensus, carried over Agenda Item No. 1 from the City Council Special meeting held at 5:00 p.m. for consideration.

Mayor Liang reported out of Closed Session of the City Council Special meeting held at 5:00 p.m. that the City Council, by consensus, appointed Karl Berger as the City Attorney and Mark Hensley as the Assistant City Attorney.

PUBLIC COMMUNICATIONS

- Inez Alvarez, Director of Recreation & Community Service, spoke about the MPK Count Census 2020 Campaign and informed the public that the deadline for the Census 2020 has been moved to September 30, 2020. She encouraged the public to complete the 2020 Census.
- Matt Hallock, Fire Chief, provided an update regarding the Assistance to Firefighter Grant awarded to the Fire Department.

1. PRESENTATION

1A. MAYOR'S OUTGOING ADDRESS

Outgoing Mayor Liang presented his outgoing speech. He thanked city staff and Council for all their hard work and collaborations. He stated that he was pleased that he was able to move forward with the Code of Conduct for the City Council.

1B. REORGANIZATION OF MONTEREY PARK CITY COUNCIL

Discussion: The City Council discussed changing the sequence of the Mayoral Rotation.

Action Taken: The City Council appointed Peter Chan as Mayor and Yvonne Yiu as Mayor Pro Tem in accordance with City Council resolution No. 11507 and directed staff to bring back a Resolution at the next City Council meeting to change the sequence of the Mayoral Rotation.

Motion: Moved by Mayor Liang and seconded by Council Member Lo motion carried by the following vote:

Ayes: Council Members: Yiu, Lo, Sornoso, Chan, Liang
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

S1. IDENTIFYING A TAX RATE FOR COLLECTING VOTER AUTHORIZED PROPERTY TAXES FOR EMPLOYEE RETIREMENT BENEFITS BASED ON THE ASSESSED VALUATION ESTABLISHED BY THE COUNTY ASSESSOR'S OFFICE

The City of Monterey Park's retirement costs are funded by a special voter-approved property tax. Each year the City is required to establish a tax rate to generate the retirement property tax based on the assessed valuation established by the County Assessor's Office.

This item was carried over from the 5:00 p.m. City Council special meeting, Open Session.

Action Taken: The City Council adopted Resolution No. 12188 identifying the amount of tax revenue required to fulfill the voters' intent in funding the City's retirement system.

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

Ayes: Council Members: Liang, Sornoso, Lo, Yiu, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12188, entitled:

A RESOLUTION IDENTIFYING THE AMOUNT OF TAX REVENUE REQUIRED TO FULFILL THE VOTERS' INTENT IN FUNDING THE CITY'S RETIREMENT SYSTEM DURING FISCAL YEAR 2020-2021 AND AUTHORIZING THE LEVY OF APPROPRIATE TAXES

2. OLD BUSINESS

2A. CONSIDERATION AND POSSIBLE ACTION TO ADOPT A RESOLUTION TO RECORD A NOTICE OF SPECIAL ASSESSMENT FOR NUISANCE ABATEMENT AT 299 E. MARKLAND DRIVE (APN 5265-007-007)

Pursuant to Monterey Park Municipal Code ("MPMC") § 4.30.150, the City may recover abatement costs and administrative citation fines by recording a special assessment upon real property. A public nuisance at 229 E. Markland Drive, was abated by the City. As a result, the City incurred a total of \$52,510.03 (which includes legal fees). The property owner was provided with an opportunity to either remit payment to the City or contest the costs incurred and fine. As of the preparation of this report, the owner has not done either one or the other.

CEQA (California Environmental Quality Act):

Adoption of this Resolution is exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines § 15061 (b)(3) because it can be seen with certainty that there is no possibility that the Resolution may have a significant effect on the environment.

Action Taken: The City Council adopted Resolution No. 12189 to record a Notice of Special Assessment for Nuisance Abatement at 229 E. Markland Drive (APN 5265-007-007).

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

Ayes: Council Members: Liang, Sornoso, Lo, Yiu, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12189, entitled:

A RESOLUTION TO RECORD A NOTICE OF SPECIAL ASSESSMENT FOR NUISANCE ABATEMENT AT 229 E. MARKLAND DRIVE (APN 5265-007-007)

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

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, 3C, 3D, and 3F on Consent Calendar, excluding Items Nos. 3B and 3E which were pulled for discussion and separate motion, reading resolutions and ordinances by the title only and waiving further reading thereof.

Motion: Moved by Council Member Lo and seconded by Mayor Pro Tem Yiu motion carried by the following vote:

Ayes: Council Members: Liang, Sornoso, Lo, Yiu, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3A. 2019-2020 ANNUAL INVESTMENT REPORT [SA]

The City's Investment Policy requires an annual investment report and a statement of investment policy to be submitted to the City Council for review within 60 days of the fiscal year-end. The annual report attached to the staff report shows that all investment activities during 2019-20 were conducted according to the City's Investment Policy.

Action Taken: The City Council received and filed the 2019-20 Annual Investment report and adopted Resolution No. 12190 / SA-179 authorizing the Treasurer to implement the City's Investment Policy for FY 2020-21 on Consent Calendar.

Resolution No. 12190 / SA-179, entitled:

A JOINT RESOLUTION OF THE CITY OF MONTEREY PARK AND SUCCESSOR AGENCY TO THE MONTEREY PARK REDEVELOPMENT AGENCY ADOPTING AN INVESTMENT POLICY AND AUTHORIZING THE TREASURER TO IMPLEMENT THE POLICY

3B. MONTHLY INVESTMENT REPORT – JULY 2020

As of July 31, 2020 invested funds for the City of Monterey Park is \$93,127,167.50.

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

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

Ayes: Council Members: Liang, Sornoso, Lo, Yiu, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3C. FIRST AMENDMENT TO CONTRACT BETWEEN THE CITY OF MONTEREY PARK AND BANK OF THE WEST

The City contracts with financial institutions for the processing of collections, disbursements, online banking services/reporting, reconciliation services, and investment transactions. To ensure that the City's banking services are of the highest quality and cost effectiveness, in March 2012, staff sent banking services requests for proposals to various banks. Seven proposals were received and on July 18, 2012, City Council authorized the City Manager to execute an agreement with Bank of the West.

Action Taken: The City Council authorized the City Manager to execute an Amendment, in a form approved by the City Attorney, to a banking services contract with Bank of the West on Consent Calendar.

3D. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE ("MPMC") § 2.80.060 TO CHANGE THE DATE THE BRUGGEMEYER LIBRARY BOARD OF TRUSTEES MUST SUBMIT ITS ANNUAL REPORT TO THE CITY COUNCIL

The Ordinance was introduced at the August 5, 2020 City Council meeting. On August 5, 2020, the City Council conducted the first reading. The original staff report is attached to the staff report for reference. Second reading and adoption of this Ordinance is recommended; it will take effect in 30 days.

Action Taken: The City Council waived second reading and adopted Ordinance No. 2186 to change the date the Bruggemeyer Library Board of Trustees must submit its annual report to the City Council on Consent Calendar.

Ordinance No. 2186, entitled:

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE ("MPMC") § 2.80.060 TO CHANGE THE DATE THE BRUGGEMEYER LIBRARY BOARD OF TRUSTEES MUST SUBMIT ITS ANNUAL REPORT TO THE CITY COUNCIL

3E. DEMOLITION & RECONSTRUCTION OF FIRE STATION 62 – UPDATE ON AWARD OF CONTRACT

On May 20, 2020, the City Council gave direction to City Manager to terminate the control of the previous contractor over the agreement for Demolition & Reconstruction of Fire Station 62 ("project") due to non-performance; and adopted Resolution No. 12157 declaring an emergency and authorizing contracting without the need for formal bidding pursuant to Public Contracts Code §2205 and Monterey Park Municipal Code ("MPMC) Chapter 2.52.

Staff solicited bids informally and the lowest bidder was Robert Clapper (RC) Construction Services, Inc. On July 13, 2020, the City Manager has now executed a public works contract with RC Construction Services, Inc. in the amount of \$5,128,000, which is just over \$269,000 less than the original contract.

Action Taken: The City Council received and filed the status on the Demolition & Reconstruction of Fire Station 62 project.

Motion: Moved by Council Member Liang and seconded by Council Member Sornoso motion carried by the following vote:

Ayes: Council Members: Liang, Sornoso, Lo, Yiu, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3F. ONE-YEAR TIME EXTENSION (EX-20-02) FOR TENTATIVE MAP NO. 71473 (TM-17-01) TO SUBDIVIDE ONE LOT INTO FOUR LOTS – SOUTHEAST CORNER OF SOUTH ORANGE AVENUE AND PEPPER STREET

On May 7, 2020, the City Manager executed an Administrative Order that – retroactively to March 11, 2020 – suspended the timelines within the Monterey Park Municipal Code (“MPMC”) regarding automatic extensions, etc., on subdivision maps and applications.

On June 20, 2020, Paul Cheung of Goldstar Development Inc., submitted an application pursuant to MPMC Title 20 requesting approval of a one-year time extension for Tentative Map No. 71473 (TM-17-01) to subdivide one lot into four lots at southeast corner of South Orange Avenue and Pepper Street (“Project”). Pursuant to MPMC § 20.10.020, the City Council “shall grant the extension and any subsequent extensions; provided, that it finds good cause for doing so and that such extensions do not exceed an aggregate of three years.” It is recommended that the City Council determine whether good cause for the extension exists.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15315 as a Class 15 categorical exemption (Minor Land Divisions). The Project consists of the division of property in an urbanized area that is zoned for residential use. The Project conforms to the General Plan because, according to the Land Use Element, the Single-Family Residential land use category allows for low density residential units, traditionally single-family homes with one dwelling permitted per legal lot. The Project is the subdivision of one lot into four lots for the construction of four new single-family residential dwelling units. The Project is consistent with zoning. Furthermore, the Project does not require any variances or exceptions, all services and access to the proposed parcels are

available (to the City's standards), the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

Action Taken: The City Council adopted Resolution No. 12191 approving a time extension (EX-20-02) for Tentative Map No. 71473 (TM-17-01) which includes amendments and additions to the Conditions of Approval on Consent Calendar.

Resolution No. 12191, entitled:

A RESOLUTION APPROVING A ONE-YEAR EXTENSION (EX-20-02) FOR TENTATIVE MAP NO. 71473 (TM-17-01) TO SUBDIVIDE ONE LOT INTO FOUR LOTS AT THE SOUTHEAST CORNER OF SOUTH ORANGE AVENUE AND PEPPER STREET (ASSESSOR'S PARCEL NUMBER: 5276-008-045)

4. PUBLIC HEARING

None.

5. NEW BUSINESS

5A. CONSIDERATION AND POSSIBLE ACTION TO INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE AMENDING SECTION 3.90.050 OF THE MONTEREY PARK MUNICIPAL CODE ("MPMC") REGARDING SIGNATURE AUTHORITY FOR THE CITY MANAGER AND DEPARTMENT DIRECTORS WHEN EXECUTING CONTRACTS ON THE CITY'S BEHALF

Government Code § 40602 generally requires that the City's contracts be signed by the Mayor in order to become binding. It also provides, however, that the City Council may, by ordinance, authorize a city officer to sign contracts on behalf of the City. Monterey Park Municipal Code § 3.90.050 currently authorizes the City Manager and Department Directors to sign contracts for purchasing services and supplies under specified dollar amounts; \$25,000 and \$2,500, respectively. By increasing the signature authority thresholds, Purchasing and Contracts Administration staff will be able to focus on improving turn-around performance, training, strategic procurement, and other valued areas, while improving project-management oversight. Additionally, staff will be able to shift time to the larger, more complex contracts in an effort to further reduce turn-around time.

Action Taken: The City Council introduced and waived first reading of an Ordinance amending section 3.90.050 of the Monterey Park Municipal Code ("MPMC") regarding signature authority for the City Manager and Department Directors when executing contracts on the City's behalf and directed the City Manager to provide quarterly reports for contracts that are under \$60,000 and \$25,000.

Motion: Moved by Council Member Lo and seconded by Council Member Sornoso motion carried by the following vote:

Ayes: Council Members: Liang, Sornoso, Lo, Yiu, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Ordinance, 1st Reading, entitled:

AN ORDINANCE AMENDING SECTION 3.90.050 OF THE MONTEREY PARK MUNICIPAL CODE (“MPMC”) REGARDING SIGNATURE AUTHORITY FOR THE CITY MANAGER AND DEPARTMENT DIRECTORS WHEN EXECUTING CONTRACTS ON THE CITY’S BEHALF

5B. 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

On March 18, 2020, the City Council adopted Resolution No. 12142 which declared a local emergency resulting from the COVID-19 Pandemic (the “COVID-19 Pandemic”). Pursuant to Resolution No. 12142 and Monterey Park Municipal Code (“MPMC”), the City Manager implemented certain emergency policies and procedures (“EP&P”) to protect public health and safety. Generally, these relate to designation of quarantine sites; protection of public employees; and continuity of government.

On April 15, the City Council adopted Resolution No.12151 ratifying certain actions completed by the City Manager and extending the existence of a local emergency. On June 3, the City Council adopted Resolution No.12164 ratifying certain actions completed by the City Manager and extending the existence of a local emergency.

Pursuant to the Governor’s March 4, 2020 Proclamation of Emergency (see paragraph 8), the reporting and extension requirements of Government Code § 8630 are suspended for the duration of this emergency. However, the City is regularly updating the City Council regarding the ongoing emergency and seeks City Council ratification for the exercise of emergency powers. Based upon readily available information, it does not appear that the Pandemic will end any time soon.

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

Action Taken: The City Council adopted Resolution No. 12192 ratifying certain actions completed by the City Manager.

Motion: Moved by Council Member Sornoso and seconded by Mayor Pro Tem Yiu motion carried by the following vote:

Ayes: Council Members: Liang, Sornoso, Lo, Yiu, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12192, entitled:

A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF MONTEREY PARK RATIFYING CERTAIN ACTIONS COMPLETED BY THE CITY MANAGER AND EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY

5C. CONSIDERATION AND POSSIBLE ACTION TO INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE AMENDING TITLE 20 (SUBDIVISIONS) OF THE MONTEREY PARK MUNICIPAL CODE IN ITS ENTIRETY IN ACCORDANCE WITH THE SUBDIVISION MAP ACT (GOVERNMENT CODE §§ 66410, ET SEQ.)

The City's Subdivision Ordinance (Ordinance No. 1444) was adopted in 1977.¹ The draft Ordinance is intended to update the Monterey Park Municipal Code ("MPMC") to implement various changes in California law and codify some of the City's current practices.

Action Taken: The City Council introduced and waived first reading of an Ordinance amending Title 20 (Subdivisions) of the Monterey Park Municipal Code in its entirety in accordance with the Subdivision Map Act (Government Code §§ 66410, et seq.)

Motion: Moved by Council Member Liang and seconded by Council Member Lo motion carried by the following vote:

Ayes: Council Members: Liang, Sornoso, Lo, Yiu, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

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

¹ While some sections of MPMC Title 20 were amended as recently as 2007 (see Ordinance No. 2051), a large majority of Title 20 has remained unchanged since 1977.

Ordinance, 1st Reading, entitled:

AN ORDINANCE AMENDING TITLE 20 OF THE MONTEREY PARK MUNICIPAL CODE IN ITS ENTIRETY REGULATING SUBDIVISIONS IN ACCORDANCE WITH THE SUBDIVISION MAP ACT (GOVERNMENT CODE §§ 66410, ET SEQ.)

6. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

6A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK RESPONDING TO THE TRUMP ADMINISTRATION'S ATTEMPT TO EXCLUDE UNDOCUMENTED PERSONS FROM THE 2020 CENSUS COUNT APPORTIONMENT BASE AND RECOGNIZING THE IMPORTANCE OF COUNTING ALL PERSONS IN THE 2020 CENSUS – REQUESTED BY COUNCIL MEMBER LO

Action Taken: The City Council adopted Resolution No. 12193 responding to the Trump administration's attempt to exclude undocumented persons from the 2020 census count apportionment base and recognizing the importance of counting all persons in the 2020 census.

Motion: Moved by Council Member Lo and seconded by Council Member Liang motion carried by the following vote:

Ayes: Council Members: Liang, Lo, Sornoso, Lo, Yiu, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12193, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK RESPONDING TO THE TRUMP ADMINISTRATION'S ATTEMPT TO EXCLUDE UNDOCUMENTED PERSONS FROM THE 2020 CENSUS COUNT APPORTIONMENT BASE AND RECOGNIZING THE IMPORTANCE OF COUNTING ALL PERSONS IN THE 2020 CENSUS

COUNCIL COMMUNICATIONS

Council Member Liang attended the ground breaking ceremony for Fire Station 62.

Council Member Sornoso congratulated Peter Chan as Mayor and Yvonne Yiu as Mayor Pro Tem. He advised the public to drink plenty of water and stay protected throughout the heat waves.

Council Member Lo attended the Ground Breaking Ceremony for Fire Station 62 and reminded the community to complete the 2020 Census.

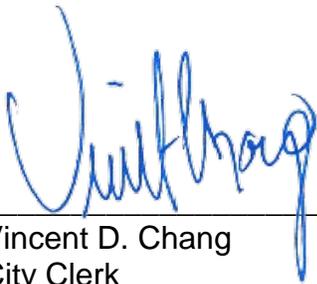
Mayor Pro Tem Yiu reported that on August 14, 2020, she hosted a Meet and Greet via Zoom. She introduced her Community Participation Commissioner Orianna Chan and Recreations and Parks Commissioner Johnny Kwok.

Mayor Chan reported that he attended the Ground Breaking Ceremony for Fire Station 62 and attended the Greater Monterey Park Chamber of Commerce zoom meeting.

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

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 8:03 p.m.



Vincent D. Chang
City Clerk

Approved on October 7, 2020 at the Regular City Council Meeting