

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

AGENDA

REGULAR CITY COUNCIL MEETING

**Wednesday
August 19, 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 may 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 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 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.

CALL TO ORDER Mayor at 6:31 p.m.

FLAG SALUTE Mayor

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

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

MAYOR LIANG ANNOUNCED REPORTABLE ACTION OUT OF THE SPECIAL 5 PM CLOSED SESSION APPOINTING KARL BERGER AS THE CITY ATTORNEY AND MARK HENSLEY AS THE ASSISTANT CITY ATTORNEY WITH A UNANIMOUS VOTE

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. MAYOR’S OUTGOING ADDRESS

1-B. REORGANIZATION OF MONTEREY PARK CITY COUNCIL

It is recommended that the City Council consider:

- (1) Appointing the Mayor and the Mayor Pro Tem in accordance with City Council Resolution No. 11507; and
- (2) Taking such additional, related, action that may be desirable.

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

APPOINTED PETER CHAN AS MAYOR AND YVONNE YIU AS MAYOR PRO AND DIRECTED STAFF TO BRING BACK A RESOLUTION AT THE NEXT COUNCIL MEETING CHANGING THE SEQUENCE OF THE MAYORAL ROTATION

1. 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

It is recommended that the City Council:

- (1) Continue this item until the 6:30 p.m. open session and then adopt a Resolution identifying the amount of tax revenue required to fulfill the voters’ intent in funding the City’s retirement system; and
- (2) Take such additional, related, action that may be desirable.

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

THIS ITEM WAS A CARRY OVER ITEM FROM 5 PM SPECIAL MEETING OPEN SESSION

**APPROVED RECOMMENDATION
RESOLUTON NO. 12188 ADOPTED**

[2.] OLD BUSINESS

2-A. 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)

It is recommended that the City Council:

- (1) Adopt a resolution to record a Notice of Special Assessment for Nuisance Abatement; and/or
- (2) Taking such additional, related, action that may be desirable.

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.

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

**APPROVED RECOMMENDATION
RESOLUTION NO. 12189 ADOPTED**

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

MOTION BY: LO				
SECONDED BY: YIU				
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, 3D & 3F, AND EXCLUDING ITEM
NOS. 3B & 3E WHICH WERE PULLED.**

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

It is recommended that the City Council, and the City Council acting on behalf of the Successor Agency:

- (1) Receive and file the 2019-20 Annual Investment report;
- (2) Adopt a Resolution authorizing the Treasurer to implement the City's Investment Policy for FY 2020-21; and
- (3) Take such additional, related, action that may be desirable.

APPROVED/ADOPTED ON CONSENT CALENDAR RESOLUTION NO. 12190/SA-179

3-B. MONTHLY INVESTMENT REPORT – JULY 2020

It is recommended that the City Council:

- (1) Receive and file the monthly investment report; and
- (2) Take such additional, related, action that may be desirable.

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

RECEIVED AND FILED

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

It is recommended that the City Council:

- (1) Authorize 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; and
- (2) Take such additional, related action that may be desirable.

APPROVED ON CONSENT CALENDAR

3-D. 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

It is recommended that the City Council:

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

APPROVED/ADOPTED ON CONSENT CALENDAR ORDINANCE NO. 2186

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

It is recommended that the City Council:

- (1) Receive and file a status on the Demolition & Reconstruction of Fire Station 62 project; and
- (2) Take such additional, related, action that may be desirable.

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

RECEIVED AND FILED

3-F. 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

It is recommended that the City Council consider:

- (1) Adopting a resolution 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; and
- (2) Taking such additional, related, action that may be desirable.

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.

APPROVED/ADOPTED ON CONSENT CALENDAR RESOLUTION NO. 12191

[4.] PUBLIC HEARING – None.

[5.] NEW BUSINESS

5-A. 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

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of the draft Ordinance; or
- (2) Alternatively, take such additional, related, action that may be desirable.

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

**APPROVED RECOMMENDATION
ORDINANCE – 1ST READING**

5-B. 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

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

APPROVED RECOMMENDATION
RESOLUTION NO. 12192 ADOPTED

5-C. 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.)

It is recommended that the City Council consider:

- (1) Introducing and waiving first reading of the draft Ordinance; or
- (2) Alternatively, taking such additional, related, action that may be desirable.

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

APPROVED RECOMMENDATION
ORDINANCE – 1ST READING

¹CEQA 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. 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

It is recommended that the City Council consider:

- (1) Adopting the Resolution 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; and
- (2) Taking such additional, related, action that may be desirable

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

APPROVED RECOMMENDATION
RESOLUTION NO. 12193 ADOPTED

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

ADJOURNED - 8:03 P.M.