

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
JOINT SPECIAL AND REGULAR MEETING
JULY 1, 2020**

The City Council of the City of Monterey Park held a Joint Special and Regular Teleconference Meeting on Wednesday, July 1, 2020 at 6:30 p.m. The joint special and regular meetings were 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 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.

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 6:30 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, Assistant City Attorney Karl Berger, 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, Interim Director of Human Resources Danielle Tellez, City Librarian Diana Garcia, Senior Planner Samantha Tewasart, Deputy City Clerk Cindy Trang, Assistant Deputy City Clerk Helena Cho

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

- City Manager Bow reported that the City received a voluminous amount of documents from the appellants and their attorney for Agenda Item No. 4A and requested that the City Council continue the item to the September 2, 2020 City Council meeting.

PUBLIC COMMUNICATIONS

Public Speaker Disclaimer: Meetings are held virtually and the information listed for the speakers may or may not reflect the correct spelling of their respective names.

- Sarah Withers voiced her support for Agenda Item 2A and suggested that restaurants permitted under the city's zoning code and exempt from drive-throughs be given the same consideration under Policy 3, Administrative Use Permit.
- Allison Martinez expressed her support for Agenda Item No. 2A.
- City Clerk Chang received, filed, and read into the record four written communications. Three written communications from Patrick Petre, Lily & Ernest Contreras, and Mike Thammavongsa who voiced their support and appreciation for the Monterey Park Police Department. One written communication from Darren C Chavira who stated that more diverse restaurants are needed in the city.

1. PRESENTATION

1A. FIREWORKS UPDATE

This item was heard after Agenda Item No. 4A.

Fire Chief Hallock presented the City of Monterey Park Fireworks Update

Public Speakers:

- Teresa Real Sebastian inquired if Governor Gavin Newsom's executive order can only be enforced by the state police. She implored the City Council to make masks mandatory when out in public during the pandemic.
- David Barron announced that the Greater Monterey Park Chamber of Commerce will be hosting a non-contact barbeque on July 2, 2020 at El Encanto and invited the public.

2. OLD BUSINESS

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

On June 17, 2020, the City Council considered a Monterey Park Business Recovery Program (staff report, without attachments, included for reference) attached to the staff report. During the course of the meeting, individual City Councilmembers expressed concern regarding the length of the temporary Business Recovery Program (approximately one year) and having the City Council act as the Planning Agency for all matters. Ultimately, the City Council continued the matter until July 1st to further consider the matter during an anticipated public hearing to be held on that date. As explained below, staff reconvened after that meeting to provide the City Council with some alternative policy decisions regarding the Monterey Park Planning Agency; temporary permitting for outdoor dining and retail sales; and options for land use regulations that could be adopted following a public hearing on July 15, 2020.

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.¹ 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.

Public Speakers:

- David Barron stated that he supports the Business Recovery Program and implored the City Council to provide more marketing for the businesses.
- Rafael Casillas advised removing Design Review Board (DRB) and Planning Commission items from the Business Recovery Plan and proposed the Council get two members from each DRB and Planning Commission and a member from the chamber of Commerce to come up with ideas to help businesses.
- City Clerk Chang received, filed, and read into the record two written communications in support of the Business Recovery Program from Alfred Fraijo Jr. and Nancy Arcuri.
- Teresa Real Sebastian proposed various ideas for the Business Recovery Program.
- Boris Macias spoke about the Monterey Park Police Department and stated that they need the public supports.
- Tammy Sam stated that Self Certification should still involve plan checkers.

Discussion: City Manager Bow informed the City Council that there was a typographical error in the staff report. He stated that the numbering of the policies listed were incorrectly showing eight (8) policies, however, there are only seven (7) policies to be considered for the Business Recovery Program Phase II.

Action Taken: The City Council adopted an uncodified Urgency Ordinance No. 2177 upon 4/5ths vote implementing the Planning Agency restructure.

Motion: Moved by Mayor Pro Tem Chan 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

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

Urgency Ordinance No. 2177, entitled:

AN URGENCY ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE TO REVISE THE DUTIES AND RESPONSIBILITIES OF THE PLANNING COMMISSION AND DESIGN REVIEW BOARD

Action Taken: The City Council adopted an uncodified Urgency Ordinance No. 2178 upon 4/5ths vote for the Business Recovery Program Phase I.

Motion: Moved by Mayor Pro Tem Chan and seconded by Council Member Yiu 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

Urgency Ordinance No. 2178, entitled:

AN UNCODIFIED URGENCY ORDINANCE ADOPTING NON-LAND USE REGULATIONS FOR IMPLEMENTING THE MONTEREY PARK BUSINESS RECOVERY PROGRAM

Action Taken: The City Council introduced and waived the first reading of an uncodified Ordinance implementing the Planning Agency restructure.

Motion: Moved by Mayor Pro Tem Chan and seconded by Mayor Liang 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

Ordinance 1st reading, entitled:

AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE TO REVISE THE DUTIES AND RESPONSIBILITIES OF THE PLANNING COMMISSION AND DESIGN REVIEW BOARD

Action Taken: The City Council introduced and waived first reading of an uncodified Ordinance implementing the Business Recovery Program Phase I.

Motion: Moved by Mayor Pro Tem Chan and seconded by Mayor Liang 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

Ordinance 1st reading, entitled:

AN UNCODIFIED ORDINANCE ADOPTING NON-LAND USE REGULATIONS FOR IMPLEMENTING THE MONTEREY PARK BUSINESS RECOVERY PROGRAM

Action Taken: The City Council approved the 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.

Motion: Moved by Mayor Pro Tem Chan 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

RECESSED AND RECONVENED

The City Council recessed at 8:44 p.m. and reconvened with all council members present at 8:55 p.m.

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

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 Agenda Items Nos. 3A-3C on Consent Calendar.

Motion: Moved by Council Member Lo and seconded by Mayor Pro Tem Chan 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

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

Consideration of this ordinance was continued from the June 3, 2020 City Council meeting to June 17, 2020. On June 17, 2020, the ordinance was introduced, and the City Council conducted the first reading. The staff report from the June 17, 2020 meeting is attached to the staff report for reference. Second reading and adoption of this ordinance is recommended; if adopted, the ordinance will take effect in 30 days.

Action Taken: The City Council waived second reading and adopted Ordinance No. 2179 amending the Monterey Park Municipal Code governing hotel/motel guest registries on Consent Calendar.

Ordinance No. 2179, entitled:

AN ORDINANCE ADDING CHAPTER 5.88 TO THE MONTEREY PARK MUNICIPAL CODE TO CLARIFY WHEN HOTEL OPERATORS MUST DISCLOSE GUEST REGISTRIES TO LAW ENFORCEMENT OFFICIALS

3B. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE (“MPMC”)

The ordinance was introduced on June 17, 2020. At that meeting, the City Council conducted the first reading. The staff report from the June 17, 2020 meeting is attached to the staff report for reference. Second reading and adoption of this ordinance is recommended; if adopted, the ordinance will take effect in 30 days.

Action Taken: The City Council waived second reading and adopted Ordinance No. 2180 amending Monterey Park Municipal Code (“MPMC”) 2.04.010 to change the regular meeting time on Consent Calendar.

Ordinance No. 2180, entitled:

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE (“MPMC”) § 2.04.010 TO CHANGE THE REGULAR MEETING DAY AND TIME

3C. 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

The City of Monterey Park is eligible to receive federal funding for various transportation projects through State of California Department of Transportation (Caltrans). To ensure receipt of federal funding for these projects, the City Council must adopt a resolution designating the Director of Public Works or his designee

as the authorized official to execute documents and agreements for projects funded through Caltrans.

Action Taken: The City Council adopted Resolution No. 12176 authorizing 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 on Consent Calendar.

Resolution No. 12176, entitled:

A RESOLUTION AUTHORIZING THE PUBLIC WORKS DIRECTOR/CITY ENGINEER, OR DESIGNEE, TO EXECUTE ALL DOCUMENTS AND AGREEMENTS FOR PROJECTS FUNDED THROUGH THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS)

4. PUBLIC HEARING

4A. 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

Appellants, Rafael and Gina Casillas (“Appellants”) reside within the City of Monterey Park near the project site (1970 South Atlantic Boulevard). On May 12, 2020, the Planning Commission adopted Resolution No. 01-20 approving a conditional use permit (CUP-19-13) for developing a new drive-through retail eating establishment. On May 22, 2020, Appellants appealed the Planning Commission’s decision, pursuant to Monterey Park Municipal Code (MPMC) §§ 1.10.060 and 21.32.140.

This item was heard after Public Communications.

Public Speakers:

- Rafael Casillas stated that the project was denied by the planning commission on May 12, 2019 failing to obtain majority vote.
- The City Clerk’s Office received fourteen written communications regarding Agenda Item 4A. Two written communications were in support: Byron de Arakal and Nancy Arcuri. Twelve written communications were in opposition: Rodger Tanaka, Diane Beltoya, Barbara Diaz, Yvonne Wong, Carlos & Teresa Lozano, Terree Walton, Scott Dumke, Dulce Moran, Chris & Eileen Romero, and Mr. & Ms. Sakae.

Recommendation: (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.

Action Taken: The City Council continued the agenda item to the September 2, 2020 regular City Council meeting.

Motion: Moved by Council Member Sornoso 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

5. **NEW BUSINESS**

5A. **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**

On June 17, 2020, the City Council amended the Land Use Element (the "LUE") to conform with a version of the LUE originally vetted by the General Plan Advisory Committee ("GPAC") and recommended by the Planning Commission in 2019. As discussed during that meeting, the LUE is subject to voter ratification.

Public Speakers:

- Andrew implored the City Council to remove Exhibit A section 3B from the Land Use Element.
- Kevin voiced his concerns regarding the Land Use Element and requested for clarification on the language of Exhibit A Section 3B at the next City Council meeting.
- Armando expressed his concerns regarding the Land Use Element. He requested that the City Council remove Exhibit A Section 3B from the Land Use Element.
- City Clerk Chang received, filed, and read into the record a written communication from Bill Lam. Mr. Lam who requested that the City Council place the Land Use Element onto the March 2022 Election.

Action Taken: The City Council (1A) adopted Resolution No. 12177 calling for a special election on November 3, 2020 for consideration of a ballot proposition; (1B) adopted Resolution No. 12178 requesting that Los Angeles County consolidate the special election with the general presidential election scheduled for the same date; (1C) adopted Resolution No. 12179 adding a proposition entitled the “Revised Monterey Park 2040 Land Use Element Proposition” to the previously called November 3, 2020 ballot as amended to revise the website address on Exhibit A, Section 2 to www.montereypark.ca.gov/MPKLUE/Nov2020 and to remove Section 3B, State Imposed Land Use Legislation from Exhibit A; (1D) adopted Resolution No. 12180 requesting that the City Attorney prepare an impartial analysis for the Revised Monterey Park 2040 Land Use Element Proposition; and (1E) adopted Resolution No. 12181 authorizing ballot arguments regarding the Revised Monterey Park 2040 Land Use Element Proposition.

Motion: Moved by Council Member Yiu 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

Resolution No. 12177, entitled:

A RESOLUTION CALLING A SPECIAL ELECTION ON NOVEMBER 3, 2020 PURSUANT TO ELECTIONS CODE § 9222

Resolution No. 12178, entitled:

A RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE THE CITY OF MONTEREY PARK’S SPECIAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, WITH THE GENERAL ELECTIONS CODE SECTION 10403

Resolution No. 12179, entitled:

A RESOLUTION ADDING A PROPOSITION TO THE BALLOT FOR THE PREVIOUSLY CALLED NOVEMBER 3, 2020, SPECIAL ELECTION PURSUANT TO ELECTIONS CODE § 9222

Resolution No. 12180, entitled:

A RESOLUTION ESTABLISHING REQUIREMENTS FOR BALLOT ARGUMENTS FILED WITH THE CITY CLERK TO BE INCLUDED WITH VOTER INFORMATION FOR THE GENERAL ELECTION ON NOVEMBER 3, 2020

Resolution No. 12181, entitled:

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE PROPOSITION CAPTIONED THE “REVISED MONTEREY PARK 2040 LAND USE ELEMENT PROPOSITION.”

Action Taken: The City Council designated Mayor Pro Tem Chan to draft an argument in favor of the Monterey Park 2040 Land Use Element Proposition and directed that the City Manager draft a Resolution for City Council consideration at a future meeting agenda supporting the Revised Monterey Park 2040 Land Use Element Proposition.

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

5B. 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

If adopted, the resolution will allow the City of Monterey Park to become subject to the Uniform Public Construction Cost Accounting Act. If enacted, the Ordinance will amend Chapter 3.100 of the Monterey Park Municipal Code (MPMC) to increase the thresholds for City Manager spending authority and ability to use informal bidding procedure on “public projects” as defined in Public Contract Code section 22002(c).

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).

Action Taken: The City Council adopted Resolution No. 12182 declaring the City’s intent to become subject to the Uniform Public Construction Cost Accounting Act and introduced and waived 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).

Motion: Moved by Mayor Pro Tem Chan and seconded by Council Member Yiu 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

Resolution No. 12182, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK ELECTING TO BECOME SUBJECT TO THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

Ordinance 1st reading, entitled:

AN ORDINANCE AMENDING CHAPTER 3.100 TO TITLE 3 OF THE MONTEREY PARK MUNICIPAL CODE ENTITLED "PUBLIC WORKS CONTRACTS."

6. **COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS**

Council Member Yiu introduced her Planning Commissioner Kevin Lo and Design Review Board Member Lincoln Lee.

Council Member Lo wished everyone a Happy 4th of July and acknowledged his Planning Commissioner appointment Tammy Sam.

Council Member Sornoso stated that he invited the public out for a Bike Ride on Saturday and that he hopes to make this a weekly event.

Mayor Pro Tem Chan stated that he attended a zoom meeting hosted by the City of Alhambra regarding the Interstate 710 Freeway. He wished everyone a Happy 4th of July.

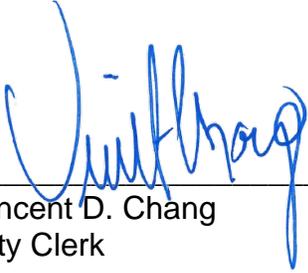
Mayor Liang wished everyone a Happy and safe 4th of July.

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

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 9:55 p.m.



Vincent D. Chang
City Clerk

Approved on September 16, 2020 at the Regular City Council Meeting