

**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
September 2, 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: 968 0855 5390 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 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 MANGER BOW REQUESTED TO PULL ITEM NOS. 2B AND 5B FOR THE NEXT COUNCIL MEETING

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. MPK COUNTS CENSUS 2020 – INFORMATIONAL UPDATE

DISCUSSION ONLY – NO ACTION TAKEN

[2.] PUBLIC HEARING

2-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 the continued 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: YIU				
COUNCIL MEMBERS	AYE	NO	ABSTAIN	ABSENT
LIANG	X			
SORNOSO	X			
LO	X			
YIU	X			
CHAN	X			

PUBLIC HEARING HELD

RESOLUTION NO. 12194 ADOPTED - TO UPHOLD PLANNING COMMISSION RESOLUTION AS AMENDED TO REDUCE HOURS OF OPERATION TO 10 PM

RECESSED – 9:22 P.M.

RECONVENED – 9:30 P.M.

2-B. CONSIDERATION AND POSSIBLE ACTION TO INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE ADDING A NEW CHAPTER 21.50 ENTITLED “ACCESSORY DWELLING UNITS” TO THE MONTEREY PARK MUNICIPAL CODE PURSUANT TO GOVERNMENT CODE §§ 65852.2 AND 65852.22

It is recommended that the City Council:

- (1) Open the public hearing, take testimonial and documentary evidence and, after considering the evidence, introduce and waive first reading of the Ordinance; and/or
- (3) Take such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The Ordinance was revised for compliance with the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.; “CEQA Guidelines”). The Ordinance is exempt from additional environmental review pursuant to CEQA Guidelines § 15282(h) because it is an Ordinance implementing the provisions of Government Code §§ 65852.1 and 65852.2 (as set forth in Public Resources Code § 21080.17) regarding accessory dwelling units in a single-family or multifamily residential zone.

THIS ITEM WAS CONTINUED TO SEPTEMBER 16, 2020 COUNCIL MEETING

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

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

**APPROVED/ADOPTED ON CONSENT CALENDAR
ITEM NOS. 3A, 3C, 3D, 3F, 3G & 3H, AND
EXCLUDING ITEM NOS. 3B & 3E WHICH WERE
PULLED FOR SEPARATE DISCUSSION**

3-A. MINUTES

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

- (1) Approve the minutes from the Joint regular and special meeting of June 3, 2020 and June 17, 2020 and the special meeting of June 11, 2020 and June 17, 2020
- (2) Take such additional, related, action that may be desirable.

APPROVED ON CONSENT CALENDAR

3-B. AMENDING RESOLUTION NO. 12155 GOVERNING PROCEDURES FOR CITY COUNCIL REORGANIZATION AND ROTATING MAYORAL RESPONSIBILITIES

It is recommended that the City Council consider:

- (1) Adopting a resolution amending Resolution No. 12155 governing procedures for city council reorganization and rotating Mayoral responsibilities; and
- (2) Taking such additional, related, action that may be desirable.

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

**APPROVED RECOMMENDATION
RESOLUTION NO. 12195 ADOPTED**

3-C. CONTINUE WAIVING THE SECOND READING AND ADOPTION 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) Continue waiving the second reading and adoption of the proposed ordinance to the September 16, 2020 City Council meeting; and/or
- (2) Taking such additional, related action that may be desirable.

APPROVED ON CONSENT CALENDAR

3-D. N ATLANTIC WATER & SEWER IMPROVEMENT PROJECT – REJECTION OF ALL BIDS AND AUTHORIZATION TO RE-ADVERTISE

It is recommended that the City Council:

- (1) Reject all bids received for the North Atlantic Water & Sewer Improvement Project (Bid Spec 2020-02); and
- (2) Authorize staff to re-advertise the North Atlantic Water & Sewer Improvement Project as two separate projects, one for water improvements only and the other for sewer improvements only; and
- (3) Take such additional, related, action that may be desirable.

APPROVED ON CONSENT CALENDAR

3-E. BARNES PARK PLAYGROUND AND FITNESS COURT PROJECT - AUTHORIZATION TO ADVERTISE

It is recommended that the City Council:

- (1) Adopt a resolution approving the design and plans for the Barnes Park Playground and Fitness Court Project, authorizing solicitation of bids for construction, and identifying a cooperative purchasing agreement executed by and between the City of Bell and Playcore Wisconsin, Inc. dba Gametime, as a cooperative competitive bidding procedure utilized within the last twenty-four months prepared by and processed through another local, state, or federal governmental agency upon which the city can piggy-back to procure playground equipment;
- (2) Approve a purchase order for Playcore Wisconsin, Inc. dba Gametime, to procure playground equipment for Barnes Park in the amount of \$248,016.58, and
- (3) Take such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

Pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000, *et seq.*) and CEQA Guidelines (California Code of Regulations, Title 14, §§ 15000, *et seq.*), the City conducted an environmental assessment. Based on the environmental assessment, the project was determined to be categorically exempt pursuant to CEQA Guidelines § 15301 (Existing Facilities).

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

**APPROVED RECOMMENDATIONS
RESOLUTION NO. 12196 ADOPTED**

3-F. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE § 3.90.050 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) Waiving second reading and adopt the proposed ordinance; or
- (2) Taking such additional, related, action that may be desirable.

APPROVED/ADOPTED ON CONSENT CALENDAR, ORDINANCE NO. 2187 ADOPTED

3-G. HINDERLITER DE LLAMAS AND ASSOCIATES/HINDERLITER SOFTWARE, LLC MASTER SERVICES AGREEMENT AMENDMENT FOR SALES TAX AND TRANSIENT OCCUPANCY TAX CONSULTING SERVICES

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 master service agreement with Hinderliter De Llamas and Associates/Hinderliter Software, LLC; and
- (2) Take such additional, related, action that may be desirable.

APPROVED ON CONSENT CALENDAR

3-H. HINDERLITER DE LLAMAS AND ASSOCIATES/HINDERLITER SOFTWARE, LLC MASTER SERVICES AGREEMENT AMENDMENT FOR REVENUE AUDIT AND CONSULTING SERVICES

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 master service agreement with Hinderliter De Llamas and Associates/Hinderliter Software, LLC; and
- (2) Take such additional, related, action that may be desirable.

APPROVED ON CONSENT CALENDAR

[4.] OLD BUSINESS – NONE.

[5.] NEW BUSINESS

5-A. REVIEW AND DISCUSS THE APPOINTMENT OF THE FINANCING TEAM AND PENSION OBLIGATION BOND BASICS

It is recommended that the City Council:

- (1) Consider a Financing Team for the proposed financing:
 - a. Ramirez & Co., Inc. to serve as Senior Managing Underwriter;
 - b. Stifel, to serve as Co-Managing Underwriter;
 - c. Urban Futures, Inc., to serve as Municipal Advisor;
 - d. Stradling Yocca Carlson & Rauth to serve as Bond and Disclosure Counsel;
 - e. Bartel and Associates to serve as consulting actuary; and
 - f. HdL Companies to serve as property tax consultant
- (2) That the City Council approve the proposed Financing Team for issuing Pension Obligation Bonds and authorize the City Manager to execute agreements, in a form approved by the City Attorney, with the consultants; and
- (3) Take such additional, related, action that may be desirable.

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

APPROVED RECOMMENDATIONS

5-B. CREATING THE MONTEREY PARK HOMEOWNERS’ ASSOCIATION MONITORING PROGRAM AND CONSIDERING AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE §§ 4.10.080 AND 21.04.475, AND CHAPTERS 21.32 AND 4.30 TO REGULAR HOMEOWNERS’ ASSOCIATIONS WITHIN THE CITY

It is recommended that the City Council:

- (1) Introduce and waive first reading of the draft Ordinance;
- (2) Adopt a Resolution creating the Monterey Park Homeowners’ Association Program; or
- (3) Alternatively, take such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed actions are exempt from additional review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, “CEQA”) and CEQA regulations (14 California Code of Regulations (“CCR”) §§ 15000, *et seq.*) because they establish rules and procedures to clarify existing policies and practices related to discretionary permitting; do not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitute an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, these actions do not constitute a “project” that requires environmental review (see specifically 14 CCR § 15378(b)(4-5)).

THIS ITEM WAS CONTINUED TO SEPTEMBER 16, 2020 COUNCIL MEETING

[6.] COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

6-A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK FINALIZING AN AGREEMENT OF FRIENDLY COOPERATION BETWEEN THE CITY OF MONTEREY PARK AND DAVAO CITY, PHILIPPINES – REQUESTED BY COUNCIL MEMBER LIANG

It is recommended that the City Council consider:

- (1) Adopting a Resolution finalizing an agreement of Friendly Cooperation between the City of Monterey Park and Davao City, Philippines
- (2) 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
RESOLUTION NO. 12197 ADOPTED

6-B. CONSIDERATION AND POSSIBLE ACTION TO INTRODUCE AND WAIVE FIRST READING OF AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE (MPMC) §§ 6.20.020 AND 9.100.020 TO INCLUDE CANNABIS AND ITS DERIVATIVES AS PART OF THE PROHIBITION ON SMOKING IN OUTDOOR PUBLIC AREAS AND REGULATION OF TOBACCO RETAILER LICENSING – REQUESTED BY MAYOR CHAN

It is recommended that the City Council:

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

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

APPROVED RECOMMENDATION
ORDINANCE – 1ST READING

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

ADJOURNED – 10:58 P.M.