MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
REGULAR MEETING
APRIL 03, 2013

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, April 03, 2013 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 Ing called the meeting to order at 7:10 p.m.

FLAG SALUTE:
The Monterey Park Fire Explorers led the flag salute.

ROLL CALL:
City Clerk Chang called the roll:
Council Members Present: Chan, Liang, Wong, Real Sebastian, Ing
Council Members Absent: None

ALSO PRESENT: City Manager Talbot, City Attorney Hensley, City Treasurer Leon, Fire Chief Birrell, Police Chief Smith, Human Resources Director Cody, Recreation and Community Services Costley, Financial Services Manager Yaung, City Librarian Arvizu, Interim Director of Public Works/Community Development Quintero, Special Projects Coordinator Funk

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTION
None.

SUCCESSOR AGENCY CONSENT CALENDAR CONSISTS OF ITEM NO. 1
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 acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency approved and adopted Item No. 1 and reading resolutions and ordinances by title only and waiving further reading thereof.

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

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

1. **SUCCESSOR AGENCY RESOLUTIONS, DEMANDS, PROGRESS PAYMENTS AND INTERFUND TRANSFERS**

   It is required that the City Council (acting on behalf of the Successor Agency) approve all disbursements.

   Action Taken: The City Council approved the payment of warrants and adopted **Resolution No. SA – 37** of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated **April 03, 2013 totaling $1,412,267.72** and specifying the funds out of which the same are to be paid on Consent Calendar.

   Resolution No. SA - 37, entitled:
   A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED **April 03, 2013 totaling $1,412,267.72** AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

This is the end of Successor Agency (SA) items.

PRESENTATIONS
None.

ORAL AND WRITTEN COMMUNICATIONS

- Song Park spoke on behalf of the Yeongdeungpo-Gu, Sister City Association sending congratulatory remarks to Yeongdeungo-Gu for the Spring Flower Festival on April 12, 2013.

- Ed Chen spoke as the Vice President of the Monterey Park Chamber of Commerce inviting the council and residents to attend their monthly mixtures and visit their newly designed website.

- Sarkis Antonian spoke of his concerns and recommendations to increase the city's sales tax revenue.

- Mary Ann Barlow spoke as a resident informing the council of her concerns regarding council's motion at the March 20, 2013 council meeting to select Bart Patel, City of El Monte, for the position of Alternate Member of the Board of the San Gabriel Basin Water Quality Authority.

- Joseph Leon invited the council and residents to attend the Alhambra Education Foundation dinner fundraiser on Saturday, April 6, 2013 at the San Gabriel Hilton from 6:00 p.m. – 11: 00 p.m.

- Michael Schlegel spoke as a concerned resident requesting additional information regarding the city's round-up program funding and city election contributions.

- Thomas Wong spoke on behalf of the Environmental Commission inviting the council and residents to attend the Earth Day Festival and Bike Ride on Saturday, April 20, 2013 from 7:00 a.m. – 1:00 p.m.

- Darlene McClain addressed the council of her concerns as a Highland's resident opposing the installation of a proposed fence at Highland's Elementary School.

- Cindy Yee spoke as a concerned resident and read aloud a letter stating public notices of the proposed fencing at Highland's Elementary School were not received. She requested a public hearing be held with the City and Alhambra Unified School District to discuss the resident's concerns of the proposed fencing at Highland's Elementary and access to the adjacent city park.

- City Clerk Chang received and filed the written communication received from Cindy Yee, Marcia Spira, and Darlene McClain.

- City Manager Talbot commented briefly on speaker, Darlene McClain and Cindy Yee's comments. The Council/Agency Members directed the City Manager to schedule a special meeting with the Alhambra Unified School District to discuss the resident's concerns of the proposed fencing at Highland's Elementary School.

CITY OF MONTEREY PARK CONSENT CALENDAR CONSISTS OF ITEMS 2 - 9

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

Action Taken: Council Members approved and adopted Item Nos. 2 – 9, except for Item No. 5 which was pulled and reading resolutions and ordinances by title only and waiving further reading thereof.

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

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

2. RESOLUTIONS, DEMANDS, PROGRESS PAYMENTS AND INTERFUND TRANSFERS

It is required that the City Council approve all disbursements.

Action Taken: The City Council approved payment of warrants and adopted **Resolution No. 11560** allowing certain claims and demands per Warrant Register dated **April 03, 2013 Totaling $1,156,233.37** and specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. 11560, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED **April 03, 2013 Totaling $1,156,233.37** AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3. EARTH DAY 2013

Supporting Earth Day will encourage voluntary action by the residents of our City to promote environmentally friendly practices such as recycling, walking and biking to improve the quality of life of all Monterey Park residents.

Action Taken: The City Council adopted **Resolution No. 11561** supporting Earth Day 2013 on Consent Calendar.

Resolution No. 11561, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA SUPPORTING EARTH DAY 2013

4. SCHEDULE PUBLIC HEARING FOR BENEFIT ASSESSMENT DISTRICT RENEWAL

In 1993, the City formed a citywide benefit assessment district to finance the operation and maintenance of public street lighting and landscaping. The City is required to renew the assessment district annually and have done so for the past 20 years.

Action Taken: The City Council adopted **Resolution No. 11562** initiating the district renewal approving the Preliminary Engineer's Report for the 2013-14 Fiscal Year and set a public hearing on the Consent Calendar.

Resolution No. 11562, entitled:
RESOLUTION DECLARING THE CITY COUNCIL'S INTENT TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2013-14 IN CITYWIDE MAINTENANCE DISTRICT NO. 93-1 PURSUANT TO STREETS AND HIGHWAYS CODE § 22587 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING

5. 115, 138, 168, 188 E. GARVEY AVENUE FAÇADE IMPROVEMENT PROJECT

On April 14, 2012, the City Council approved the Community Development Block Grant Annual Action Plan by including the Downtown Commercial Rehabilitation Program. The First Phase of the Program includes exterior painting and awning replacement.

This item was pulled for separate discussion and heard after Oral and Written Communications.

Council Member Wong left the dais and abstained from discussion due to a potential conflict of interest as his business is within 500 feet of the proposed project.

Proposed Action: The City Council adopted a resolution approving the bidding documents and specifications for the Façade Improvement Project pursuant to Government Code § 830.6 and establishing a project payment account.

Motion: Moved by Council Member Liang and seconded by Council Member Chan, motion failed by the following vote:

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

6. **2013 LOCALIZED PAVEMENT REPAIRS**

The project involves the removal and replacement of asphalt concrete pavement at approximately 180 locations city wide to repair old water utility cuts and local pavement failures.

Action Taken: The City Council adopted **Resolution No. 11563** authorizing staff to advertise the 2013 Localized Pavement Repairs for bids on Consent Calendar.

Resolution No. 11563, entitled:
A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE 2013 LOCALIZED PAVEMENT REPAIRS PURSUANT TO GOVERNMENT CODE § 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT

7. **CITY HALL GRAND LOBBY AND EXTERIOR CORRIDOR ENTRIES PAINT WORK**

The project involves the repair and painting of wall, ceiling and floor surfaces of the Grand Lobby of City Hall, including two bathrooms and the east and west corridor entries to the Grand Lobby.

Action Taken: The City Council adopted **Resolution No. 11564** approving the bidding documents and specifications for the Grand Lobby and exterior corridor entries paint work pursuant to Government Code § 830.6 and establishing a project payment account on Consent Calendar.

Resolution No. 11564, entitled:
A RESOLUTION APPROVING THE BIDDING DOCUMENTS AND SPECIFICATIONS FOR THE GRAND LOBBY AND EXTERIOR CORRIDOR ENTRIES PAINT WORK PURSUANT TO GOVERNMENT CODE § 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT

8. **2013 SLURRY SEAL OF VARIOUS STREETS -- AUTHORIZATION TO ADVERTISE**

The project involves the application of an asphalt emulsion slurry seal on various residential streets and restoration of the existing traffic striping and pavement markings.

Action Taken: The City Council adopted **Resolution No. 11565** approving the design and plans for the 2013 Slurry Seal of Various Streets pursuant to Government Code §

830.6 and establishing a project payment account on Consent Calendar.

Resolution No. 11565, entitled:
A RESOLUTION APPROVING THE DESIGN AND PLANS FOR THE 2013 SLURRY SEAL OF VARIOUS STREETS PURSUANT TO GOVERNMENT CODE § 830.6 AND ESTABLISHING A PROJECT PAYMENT ACCOUNT

9. RECOMMENDATION FOR 2013 TREE MEMORIAL

The Tree Memorial Selection Committee received two nominations this year for Herb Motonaga and Catherine Wills. The Committee voted unanimously to honor them with a Tree Memorial on Tuesday, June 4, 2013 with a tree and plaque to be placed at Garvey Ranch Park.

Action Taken: The City Council approved the recommendations of the Tree Memorial Selection Committee to honor Herb Motonaga and Catherine Wills with a Tree Memorial on Consent Calendar.

PUBLIC HEARING
None.

UNFINISHED BUSINESS
None.

RECESSED - The City Council recessed at 9:45 p.m.
RECONVENED – The City Council reconvened with all council members present at 9:52 p.m.

NEW BUSINESS

10. POTENTIAL TRANSFER OF FIRE SERVICES FROM THE CITY OF MONTEREY PARK TO THE LOS ANGELES COUNTY FIRE PROTECTION DISTRICT

A. AD HOC FIRE CITIZEN COMMITTEE REPORT AND RECOMMENDATIONS.
On January 18, 2012, the City Council adopted Resolution No. 11459 which established the Ad Hoc Fire Citizen's Committee in accordance with Monterey Park Municipal Code ("MPMC") § 2.40.065. Since that time, the Committee studied the proposal from the Los Angeles County Fire Protection District in order to advise the City Council whether a proposed transfer of fire services met the requirements of MPMC § 2.40.065. That report is now complete.

B. FIRE SERVICES INITIATIVE PETITION.
At the March 6, 2013 City Council meeting, the City Clerk presented a certificate of sufficiency regarding an initiative petition seeking to transfer fire services from the City to the Los Angeles County Fire Protection District ("LACFD"). At that time, the City Council requested that a report be prepared in accordance with Elections Code § 9212 to include, without limitation, an overview provided by LACFD; recommendations from the Fire Ad Hoc

Committee formed in accordance with Monterey Park Municipal Code § 2.40.065; and a financial analysis. The report is prepared and the City Council must now place the certified initiative on the ballot.

C. **BALLOT MEASURE TO CLARIFY MPMC § 2.40.065 RELATING TO MUTUAL AID AND COOPERATIVE AGREEMENTS.**
On March 26, 2013, the City Council requested that the City Attorney's office prepare an initiative which, if approved by the voters, would amend MPMC § 2.40.065 to clarify that the City Council retains its authority to approve mutual aid and cooperative agreements for the sharing of fire service resources without the need for voter approval. Such agreements do not involve the transfer of fire services from the City to any other entity. Rather, they are used to share public safety resources among agencies; the City retains control over its own resources.

D. **BALLOT MEASURE PLACING A $100 TAX ON PARCELS WITHIN THE CITY'S JURISDICTION TO FUND PUBLIC SAFETY SERVICES.**
On March 26, 2013, the City Council requested that the City Attorney's office prepare a draft ballot measure for Council consideration which would place a tax on parcels within the City's jurisdiction to fund public safety services. Various options were discussed at that time. The City Attorney's office prepared a draft document for City Council consideration. Any language crafted by the City Council would need to be considered at a subsequent public hearing (scheduled for April 11, 2013) before it could be placed on the ballot.

EXTENSION OF COUNCIL MEETING

Action Taken: The City Council extended the meeting to 12:00 a.m.

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

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

Public Speakers:

- Gene Fowler spoke on behalf of the Monterey Park Fire Department Fire Association thanking Fire Chief Birrell and the city staff for the presentation and report. He also stated that as a proud Monterey Park firefighter, he wanted to publicly address the residents that their priority is to serve and protect the residents and supports the proposed transfer to county.

- Nancy Arcuri expressed her concerns opposing to transferring the city's fire services to county stating the proposed fire initiative fails to meet the voter approved Measure J requirements.

- David Goetz spoke as a Monterey Park Firefighter stating that the residents safety is the fire departments first priority and supports transferring the city's fire services to county due to the current economic status.

- Jimmy Gin spoke as a long time resident supporting the proposed fire initiative to transfer the city's fire services to county.

- Jon Nesher addressed the council opposing the proposed transfer of the city's fire services to county. He spoke of his concerns of the city losing local control and conversion costs. He recommended that the council consider redistricting or other alternatives prior to transferring to county.

- Terry DeWolfe thanked the city council for the release of the City Attorney's legal opinion and spoke of his concerns opposing the proposed transfer stating that the proposed fire initiative does not meet Measure J requirements.

- Jonathan Silvas spoke in favor of the proposed initiative and recommended that the council support transferring the city's fire services to maximize the city's cost-savings expenditures.

- Rick Burroughs expressed his appreciation to the city and county staff for their due diligence and spoke in favor of the proposed fire initiative. He addressed the council stating transferring the city's fire services to county will maintain the city's existing services and provide residents and the fire department with additional equipment and fire services that the city is unable to attain due to the current financial and economic status.

- Delario Robinson spoke against the proposed initiative to transferring the city's fire services to county stating his concerns of losing the city's management and control.

- Lucia Su spoke as a long time resident expressing her appreciation to the city's fire department and spoke of maintaining the city's local control and existing fire services from transferring to county.

- Rita Miller expressed her appreciation to the city's fire department stating she is against the proposed fire initiative but respectfully supports what is best for the city and staff's recommendations.

- City Clerk Chang reported and read aloud a written communication letter received from resident Yuki Kawaratani opposing the proposed City of Monterey Park Safe and Affordable Fire and Emergency Services Maximization ordinance to transferring the city's fire services to county that was received, distributed and filed.

Discussion: The Ad Hoc Citizen's Fire Committee Chair Betty Morin presented a brief report to the council and residents stating the committee's recommendations on consensus items to the proposed initiative to transfer the Monterey Park Fire Department to Los Angeles County. Each of the committee members: Christine

Chandler, Joseph Rubin, Betty Morin, and Paul Isozaki, individually addressed the council and residents and spoke of their concerns.

Action Taken Recommendation No. 1: Received and filed the Ad Hoc Fire Citizen Committee report and Elections Code § 9212 report.

Action Taken Recommendation No. 2: The City Council adopted **Resolution No. 11566** calling for a special election on July 2, 2013.

Resolution No. 11566, entitled:
A RESOLUTION CALLING A SPECIAL MUNICIPAL ELECTION ON JULY 2,2013 PURSUANT TO ELECTIONS CODE § 1410

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

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

Proposed Action Recommendation No. 10: None. The City Council delayed to review the draft ballot measure provided by the City Attorney's office to place a tax measure on the same ballot pending the outcome of the July 2, 2013 election.

Action Taken Recommendation No. 3: The City Council adopted **Resolution No. 11567** requesting that the Los Angeles County Clerk's Office, Elections Division, assist with the special election and authorizing the County Clerk's office to canvass the votes.

Resolution No. 11567, entitled:
A RESOLUTION REQUESTING THAT THE LOS ANGELES COUNTY BOARD OF SUPERVISORS PROVIDE ELECTION SERVICES TO THE CITY FOR THE JULY 2, 2013 SPECIAL ELECTION

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

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

Action Taken Recommendation No. 4: The City Council adopted **Resolution No. 11568** establishing regulations for ballot arguments.

Resolution No. 11568, entitled:
A RESOLUTION ESTABLISHING REQUIREMENTS FOR BALLOT ARGUMENTS FILED WITH THE CITY CLERK TO BE INCLUDED WITH VOTER INFORMATION FOR THE SPECIAL ELECTION ON JULY 2, 2013

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

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

Action Taken for Recommendations No. 7 and 8: This recommendation was heard with No. 8 and motion taken together with No. 8. Recommendation No. 7: (1) Adopt either a Resolution (finding that the LACFD propose **does** meet the requirements of MPMC § 2.40.065) or (2) Adopt a Resolution (finding that the LACFD proposal **does not** meet the requirements of MPMC § 2.40.065). Recommendation No. 8: The City Council approved to stop proceedings to the matter of the ad hoc committee and take no further actions.

Motion: Moved by Vice Mayor Real Sebastian and seconded by Mayor Ing, motion carried by the following vote:

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

Action Taken No. 9: The City Council approved to delay placing a ballot measure on the special election to amend MPMC § 2.40.065 in the manner described in Subsection C.

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

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

Action Taken Recommendation No.6: The City Council adopted **Resolution No. 11569** directing the City Attorney to prepare an impartial analysis for all ballot measures approved by the City Council.

Resolution No. 11569, entitled:
A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF BALLOT MEASURES FOR THE SPECIAL ELECTION CALLED FOR JULY 2, 2013

Motion: Moved by Vice Mayor Real Sebastian and seconded by Mayor Ing, motion carried by the following vote:

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

Action Taken Recommendation No. 5: The City Council designated Council Member Chan to draft a ballot argument against Measure FF on the City's behalf and allow for other council members to sign the argument.

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

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

COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Council Communications and committee reports from Council Representatives of specific organizations (Non Action Item)

Vice Mayor Real Sebastian invited the residents and members of the council to attend her Mayoral inauguration and Mayor Pro Tem Anthony Wong's installation on Wednesday, April 10, 2013 at 7:00 p.m. at the City Hall Council Chambers.

CLOSED SESSION
None.

ADJOURNMENT
City Clerk Chang adjourned the meeting at 11:53 p.m.

Vincent D. Chang
City Clerk