

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
REGULAR MEETING
MARCH 5, 2014**

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, March 5, 2014 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 Wong called the meeting to order at 7:00 p.m.

FLAG SALUTE:

The Monterey Park Fire Explorers led the flag salute.

Mayor Wong led a moment of silence in memory of Monterey Park Police Reserve Officer, Captain David Lombardero.

ROLL CALL:

City Clerk Chang called the roll:

Council Members Present: Real Sebastian, Ing, Chan, Liang, Wong

Council Members Absent: None

ALSO PRESENT: City Manager Talbot, City Attorney Hensley, City Treasurer Leon, Public Works Director/Assistant City Manager Bow, Police Chief Smith, Human Resources Director Cody, Community and Economic Development Director Huntley, Management Services Director Thai, Recreation and Community Services Director Costley, City Librarian Arvizu, Interim Fire Chief Birrell, Controller Yaung, Battalion Chief Leasure, Battalion Chief Harper, Code Enforcement Officer Reichhardt, Assistant City Engineer Alfonso, Acting Senior Planner Tewasart

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTION

None.

1. PRESENTATIONS

None.

ORAL AND WRITTEN COMMUNICATIONS

- Nancy Arcuri informed the council that the San Gabriel Valley Water District has responded to her public inquiry regarding a potential conflict of interest between Board Member Thomas Wong and the Olson Urban Housing, LLC proposed project.

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.

- Rita Miller invited the residents to support the Monterey Park Fire Department's BBQ Fundraiser on March 15, 2014 at 12:00 p.m. at Fire Station 61. Tickets are \$7.00 each to benefit the Arizona Granite Mountain Hotshots Memorial. She also invited the residents to attend the American Legion's Annual Pancake Breakfast on Saturday, March 22, 2014 from 8:30 a.m. - 11:30 a.m. Tickets for both the BBQ Fundraiser and the Pancake Breakfast may be purchased at Fire Station 61 near City Hall.
- Sarkis Antonian addressed the council of his concerns regarding pedestrian safety and recommended that the council distribute public safety information to parents and local schools and to appoint a crosswalk guard to each school in the city.
- Larry Sullivan addressed the council and residents that the American Cancer Society has sadly informed him that they will not be able to support the city's cancer walk this year and will in its place have a community-wide Cancer Walk in Downtown Los Angeles in October. He expressed his appreciation to East Los Angeles College for their sponsorship and recognized several community organizations and the city's police and fire department's for their support.
- Jim Lissner spoke of his concerns regarding red-light traffic camera regulations and distributed information to the City Clerk that was received, distributed, and filed.

2. SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) CONSENT CALENDAR ITEM NOS. 2A - 2B

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

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

Action Taken: The City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency approved and adopted Item Nos. 2A - 2B and reading resolutions and ordinances by title only and waiving further reading thereof.

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

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

2A.WARRANT REGISTER FOR SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF MARCH 5, 2014

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 – 64** of the Successor Agency (SA) to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated **March 5, 2014 totaling \$3,014.97** and specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. SA – 64, entitled:

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED **March 5, 2014 totaling \$3,014.97** AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2B.SUCCESSOR AGENCY MINUTES

Approval of Minutes from the regular meeting February 5, 2014 and the special meeting of February 19, 2014 of the Successor Agency to the former Monterey Park Redevelopment Agency.

Action Taken: The City Council approved the minutes from the Successor Agency to the former Monterey Park Redevelopment Agency regular meeting of February 5, 2014 and the special meeting of February 19, 2014 on Consent Calendar.

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

3. CITY OF MONTEREY PARK CONSENT CALENDAR CONSISTS OF ITEM NOS. 3A - 3H

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. 3A - 3H, and reading resolutions and ordinances by title only and waiving further reading thereof.

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

Ayes: Council Members: Real Sebastian, Ing, Chan, Liang, Wong
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: Real Sebastian on Item No. 3D

3A.WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF FEBRUARY 19, 2014

It is required that the City Council approve all disbursements.

Action Taken: The City Council approved payment of warrants and adopted **Resolution No. 11641** allowing certain claims and demands per Warrant Register dated **March 5, 2014 Totaling \$592,176.39** and specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. 11641, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED **March 5, 2014 Totaling \$592,176.39** AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3B.AWARD OF CONTRACT FOR THE BARNES PARK PICNIC SHELTER REPLACEMENTS (Spec. # 829)

In December 2013, the City Council authorized the solicitation of bids for replacement of picnic shelters at three parks. The parks were grouped together to create specific projects for bidding. The California Environmental Quality Act (CEQA): This project was previously found to be categorically exempt pursuant to 14 California Code of Regulations § 15301 (Class 1 - Existing Facilities).

Action Taken: The City Council (1) awarded a contract for constructing Barnes Park Picnic Shelter (Specification No. 829) to Golden Sun Firm and Company for \$225,656 and (2) authorized the City Manager to execute a standard public works contract, in a form approved by the City Attorney, with Golden Sun Firm and Company on Consent Calendar.

3C.AWARD OF CONTRACT FOR THE ELDER AND HIGHLANDS PARK PICNIC SHELTER REPLACEMENTS (Spec. # 830)

In December 2013, the City Council authorized the solicitation of bids for replacement of picnic shelters at three parks. The parks were grouped together to create specific projects for bidding. The California Environmental Quality Act (CEQA): This project was previously found to be categorically exempt pursuant to 14 California Code of Regulations § 15301 (Class 1 - Existing Facilities).

Action Taken: The City Council (1) awarded a contract for constructing Elder and Highlands Parks Picnic Shelter (Specification No. 830) to Interlog Corporation for \$85,550 and (2) authorized the City Manager to execute a standard public works contract, in a form approved by the City Attorney, with Interlog Corporation on Consent Calendar.

3D.CONSTRUCTION MANAGEMENT SERVICES FOR PARK MASTER PLAN CAPITAL IMPROVEMENTS PROGRAM AND AMERICANS WITH DISABILITIES PROGRAM

The Construction Manager will be responsible for ensuring the work is performed on schedule and in compliance with contract documents. It will work closely with the Public Works and Recreation/Community Services Departments to ensure the impact on the facilities and surrounding neighborhoods is minimal.

Action Taken: Council Member Real Sebastian declared a potential conflict of interest and recused herself as her residence is within 500 feet of La Loma Park. The City Council (1) awarded a professional services contract to DMR Team in the amount of \$111,000, (plus a ten percent contingency to bring the total to \$122,000) to provide construction management services for the Park Master Plan Capital Improvement Program, and the Americans with Disabilities Access Program. This is to be funded out of account numbers 0010-801-5002-(91525 and 91527-91584) and (2) authorized the City Manager to execute a standard professional services contract, in a form approved by the City Attorney, with DMR Team on Consent Calendar.

3E. APPROVAL OF PURCHASE -- FIRE DEPARTMENT DEFIBRILLATOR

The Fire Department's current Zoll E-Series cardiac defibrillator is more than five years old, which is beyond the recommended service life and outdated in terms of technological advances and software improvements.

Action Taken: The City Council (1) waived the bidding requirements pursuant to Monterey Park Municipal Code §3.20050 (2) and awarded the bid to Zoll Medical Corp. Funds in the amount of \$36,695 were budgeted in Fiscal Year 2013-2014, Account Number 0010-801-5002-88560 and (2) authorized the City Manager to execute an agreement in a form approved by the City Attorney on Consent Calendar.

3F. CONSIDER ADOPTING A RESOLUTION DECLARING REAL PROPERTY LOCATED AT 751 S. ALHAMBRA AVENUE TO BE SURPLUS PROPERTY IN ACCORDANCE WITH THE APPLICABLE LAW

The City is proposing the disposition of City owned property located at 751 S. Alhambra Avenue. It is City Ventures Homebuilding, LLC intention to purchase the property to from the City to develop and utilize as the City Yard. The California Environmental Quality Act (CEQA): This project is categorically exempt in accordance with CEQA Guidelines § 15061(b)(3) as CEQA only applies to projects that have the potential to cause a significant effect on the environment. In addition, disposal of the Surplus Property is categorically exempt in accordance with CEQA Guidelines § 15302.

Public Speakers:

- Nancy Arcuri spoke of her concerns of the proposed project and recommended that the City adopt a resolution following voter's approval to declare the property to be surplus property and expressed that any Council Member holding a active real estate license recuse themselves from any action taken due to a potential conflict of interest.

Action Taken: The City Council (1) finding that the project as proposed is exempt from Environmental Review under CEQA Guidelines § 15312 (Surplus Government Property Sales); (2) adopted **Resolution No. 11642** declaring property located at 751 S. Alhambra Avenue to be surplus property; and (3) authorized the City Manager to convey the real property in accordance with the applicable law as amended to include the council's direction to Section 1(E) state "A review of the City's application shows that the Surplus Property is no longer required for the City's use if the City Yard is relocated

and provided that we have not identified suitable replacement property that makes financial, logistic and development sense to the city pursuant to the City Council's action" and amended Section 2: Purpose of Surplus Property Sale to include the council's recommendations that "The City Council declares that contingent upon Section 1(E) above, the property to be Surplus Property in accordance with applicable law" on Consent Calendar.

Resolution No. 11642, entitled:

A RESOLUTION FINDING THAT CONVEYANCE OF SURPLUS PROPERTY LOCATED 751 SOUTH ALHAMBRA CONFORMS TO THE MONTEREY PARK GENERAL PLAN AND THE MONTEREY PARK MUNICIPAL CODE

3G.RECOMMENDATION TO ADOPT A RESOLUTION EXTENDING THE CONTRACT OF INTERIM FIRE CHIEF JIM BIRRELL PURSUANT TO GOVERNMENT CODE § 21221(H)

It is recommended that the City Council adopt a resolution extending the appointment of Interim Fire Chief Jim Birrell until such time as a new Fire Chief is appointed.

Action Taken: The City Council adopted **Resolution No. 11643** authorizing the City Manager to execute an amendment to Chief Birrell's contract, in a form approved by the City Attorney, to extend his appointment as Interim Fire Chief employment pursuant to Government Code § 21221(h) as amended to include the council's recommendation that the resolution language be consistent with the amendment on Consent Calendar.

Resolution No. 11643, entitled:

A RESOLUTION REQUESTING EXTENDING THE APPOINTMENT PURSUANT TO GOVERNMENT CODE § 21221(H) FOR THE POSITION OF INTERIM FIRE CHIEF

3H.MINUTES

Approval of Minutes from the regular meeting of February 5, 2014.

Action Taken: The City Council approved the minutes from the regular meeting of February 5, 2014 on Consent Calendar.

4. PUBLIC HEARING

Mayor Wong opened the public hearing at 9:30 p.m. and closed the public hearing at 9:31 p.m. with no registered speakers.

4A. ANNUAL WEED ABATEMENT PROTEST HEARING

The County of Los Angeles Department of Agriculture Commissioner and Weights and Measures Weed Abatement Division submitted the annual Weed Abatement Declaration List to the City. The public hearing allows property owners of the parcels identified as being public nuisances to protest that designation.

Action Taken: The City Council (1) opened the public hearing, received public comment, and closed the public hearing; (2) referred any complaints received from

parcel owners to Los Angeles County for follow-up and City staff will monitor the status of any complaints.

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

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

PUBLIC HEARING

Mayor Wong reconvened the public hearing opened at the January 15, 2014 Regular Meeting at 7:30 p.m. and closed the public hearing at 8:21 p.m.

4B.AN APPEAL (AP-13-01) OF THE PLANNING COMMISSION'S APPROVAL OF A CONDITIONAL USE PERMIT (CUP) (CU-13-02) AND THAT PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO CEQA GUIDELINES §§ 15301 AND 15332 AS A CLASS 1 CATEGORICAL EXEMPTION (EXISTING FACILITIES) AND CLASS 32 CATEGORICAL EXEMPTION (INFILL PROJECT) TO ALLOW A PRIVATE MIDDLE SCHOOL FOR UP TO 30 STUDENTS WITH EXTENDED CHILD DAY CARE FOR SUCH STUDENTS WITHIN AN EXISTING ASSEMBLY USE BUILDING – 133 EAST GRAVES AVENUE.

The Council opened the public hearing at its January 15, 2014, meeting and continued the public hearing for further consideration. The applicant, John F. Page of Meher Montessori School, applied for a Conditional Use Permit to allow the operation of a private middle school for up to 30 students with extended child day care for the students within an existing assembly building ("Montessori School") at 133 East Graves Avenue. The subject property is located at the northwest corner of Graves Avenue and Cecil Street. On November 21, 2013, Joseph Reichenberger filed an appeal application to overturn the Planning Commission's determination. At this time, staff is recommending that the City Council uphold the Planning Commission's recommendation to approve the proposed Montessori School. The California Environmental Quality Act (CEQA): This project is categorically exempt pursuant to CEQA Guidelines §§ 15031 and 15332 as a Class 1 categorical exemption (existing facilities) and Class 32 categorical exemption (infill project).

This item was heard after Oral and Written Communications.

Public Speakers:

- Daniel Kamei spoke as a resident and in support of the public school education against the proposed project stating his concerns of the traffic congestion; potential traffic overlap of the two schools in proximity; and lastly stated his concerns of the potential impact of the proposed school to the city's public school system. He also expressed his concerns of how the proposed school will benefit the community and residents.

- Joy Rowe spoke of her concerns against the proposed school stating she concurs with the residents and speakers who have addressed their concerns. She requested that the City and staff address the resident's concerns that an environmental study should be included for the project to continue.
- Nicholas Stratacos spoke as a Meher Middle School student and resident stating his support of the proposed school and that he is respectfully requesting that the council handle it well and let the students move forward at Meher Middle School at St Episcopal Church.
- Adela Munoz spoke in favor of the proposed school and expressed her appreciation to the Council, Planning Department and Planning Commission staff for their time. She spoke of the Montessori School Education and its enrichment to the students, families, and the community.
- Sandra Escamilla spoke in favor of the proposed middle school and shared her family's request to respectfully allow their son the option to continue his Montessori education at Meher Middle School.
- Sofia Martinez spoke as one of the current Meher Middle School students stating her support of the Montessori education and requested that the council allow the school to move forward by approving the proposed project.
- Tadashi Kamei spoke of his concerns as a long-time resident and on behalf of his wife stating dangerous traffic and safety issues of the proposed location of the middle school. He requested the council deny the proposed project.
- Dr. James Padgett spoke against the proposed middle school stating that he concurs with the fellow speakers stating that they support the Montessori education but oppose the location of the proposed Meher Middle School.
- John Zhu spoke against the proposed project stating his concerns of the location, traffic and pedestrian safety, and lastly the proximity of the school to Repetto Elementary. He encouraged the council to consider the resident's concerns and recommended that Meher Montessori choose another site location and that the city prohibit any school's to be permitted on Graves Avenue due to the landslide and traffic slope hazards.
- Xavier Barrameda spoke as a resident and teacher at Meher Montessori stating his support of the proposed middle school. He stated that as a resident on Graves Avenue, he has not experienced the traffic concerns expressed to the council and staff.
- Andrew Tran spoke as a Meher Middle School student and encouraged the council to adopt the resolution and grant Meher Montessori the Conditional Use Permit to continue his education at Meher Middle School.

- Janice Carr spoke as a long-time resident stating that she is very familiar with the morning traffic at the intersection of Graves and Garfield and although it is a nuisance, she has learned to deal with it and is highly in favor of allowing Meher Montessori to continue its Middle School education at St. Episcopal Church.
- Joe Reichenberger spoke as a resident and the appellant of the proposed middle school project stating his concerns as previously indicated in the appeal summarizing that: (1) The project is not categorically exempt under CEQA; (2) Staff is relying on the City's standard peak hour traffic and it is not appropriate when looking at the proposed school's impact; and (3) The impact will be worsened dramatically if and when the City develops the corporation yard into homes.
- Artemisa Zamora spoke as a resident in favor of the proposed middle school encouraging the council to allow the 4 current middle school students to continue their Montessori education.
- Robert Carr spoke as a resident in favor of allowing Meher Montessori to use St Episcopal Church for a junior high school. He stated that the traffic contribution from the proposed middle school will reflect less than 1% of Repetto Elementary School's mitigated traffic and stated that he understands the speakers' traffic concerns but that they are misplaced.
- John Page, Executive Director of Meher Montessori School and teacher encouraged the City Council to stand with the students and families of Meher Montessori and support the proposed project to allow the 4 current students to continue their Montessori education and flourish at Meher Middle School at St. Episcopal Church.
- City Clerk Chang reported written communication letters received from Janice Carr and Robert Carr in favor of the proposed middle school was received, distributed, and filed.
- City Clerk Chang reported written communication letters received from Joe Reichenberger, Nathan Shimizu, Reject Graves School, and Graves Avenue Coalition opposing the proposed middle school was received, distributed, and filed.

Action Taken: City Attorney Hensley advised the council that the City Council cannot discriminate between private and public school entities; it is not the City's role to determine the best use of the site and/or location; and that after considering the factual findings and evidence submitted into the record, the proposed Conditional Use Permit (CU-13-02) meets the MPMC 21.32.020(B) guidelines as stated in the resolution. The City Council (1) reconvened the public hearing; (2) received documentary and testimonial evidence; (3) closed the public hearing; and (4) adopted **Resolution No. 11644** upholding the Planning Commission's recommendation to approve the proposed Montessori School in accordance with Conditional Use Permit and CEQA determinations set forth above.

Resolution No. 11644, entitled:

A RESOLUTION OF THE MONTEREY PARK CITY COUNCIL DENYING AN APPEAL (AP-13-01) BY UPHOLDING A PLANNING COMMISSION DECISION APPROVING A CONDITIONAL USE PERMIT (CU-13-02) AND DETERMINING THE PROJECT IS CATEGORICALLY EXEMPT FROM THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), PURSUANT TO 14 CALIFORNIA CODE OF REGULATIONS §§ 15301 AND 15332 AS A CLASS 1 CATEGORICAL EXEMPTION(EXISTING FACILITIES) AND CLASS 32 CATEGORICAL EXEMPTION(INFILL PROJECT)TO ALLOW THE OPERATION OF A PRIVATE MIDDLE SCHOOL WITH EXTENDED CHILD DAY CARE WITHIN AN EXISTING ASSEMBLY USE BUILDING AT 133 EAST GRAVES AVENUE

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

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

The City Council recessed at 8:49 p.m. and reconvened at 8:56 p.m. with all council members present.

5. UNFINISHED BUSINESS

None.

6. NEW BUSINESS

None.

7. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Council communications and committee reports from Council Representatives of specific organizations.

Council Member Real Sebastian informed the council and the residents that the city's website has posted the article "Close the 710 Freeway gap by building the tunnel: Gloria Molina and Ed Chau," published in the San Gabriel Valley Tribune Opinion. Council Member Real Sebastian also recommended that staff provide sun-hats to the Public Works Department and city staff to shield from any sun exposure. Mayor Wong informed the council of his attendance with Council Member Chan at the Monterey Park Fire Department Promotional Ceremony at City Hall on February 25, 2014 to congratulate Captain Adam Malouf and Engineer Daniel Park. Mayor Wong spoke of his attendance at the Los Angeles County Sanitation District meeting on February 26, 2014. He invited residents to attend the LA County Sanitation's Earth Day Festival on April 12, 2014 from 10:00 a.m. - 2:00 p.m. at the District Office located at, 1955 Workman Will Road, Whittier. Mayor Wong announced the Monterey Park Bruggemeyer Library will hold a ribbon cutting ceremony on March 6, 2014 at 10:00 a.m. in celebration of its New Early Learning Space for Young Children and Families. He also informed residents that the Bruggemeyer Library is now open 7 days a week.

8. CLOSED SESSION

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 9:40 p.m. in memory of long-time Monterey Park Police Reserve Officer, Captain David Lombardero.



Vincent D. Chang
City Clerk