MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
REGULAR MEETING
SEPTEMBER 17, 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, September 17, 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 7:04 p.m.

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

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, Assistant City Attorney Berger, City Treasurer Leon, Public Works Director/Assistant City Manager Bow, Police Chief Smith, Fire Chief Haberle, Human Resources Director Cody, Community and Economic Development Director Huntley, City Librarian Arvizu, Management Services Director Thai, Recreation and Community Services Director Costley, Controller Yaung, Assistant City Engineer Alfonso, Economic Development Specialist Ramirez

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

Discussion: City Manager Talbot informed the council that Item No. 3C includes the minutes of August 20, 2014 Special Meeting for council's approval.

1. **PRESENTATIONS:** None

ORAL AND WRITTEN COMMUNICATIONS

-Nancy Arcuri spoke of her attendance at the Town Hall Meeting. She also encouraged the council to consider having developers pay larger impact fees and place a moratorium or hold on developments pending a city water conservation policy for developers.

-Shirley Hwong, spoke on behalf of the Community Participation Commission inviting the council and the residents to attend the City's 1st Germanium Festival on Saturday, October 14, 2014 and requested monetary donations to fund a 2nd banner sign to be displaced on Garfield and Garvey Avenue.

-Larry Sullivan, Planning Commissioner, gave an update on the 710 North Study and made available copies of the reports along with the Frequently Answer & Questions reports. He also requested for the city's HDL report be made available for public viewing.

-Matt Hallock, on behalf of the Monterey Park Firefighters Association, informed the council of the upcoming Firefighters Association Casino Night fundraiser and Firefighters Association 1st Annual T-shirt sales.

-Delario Robinson spoke of his concerns on comments made at the last council meeting on the mitigated noise presentation by Los Angeles International Airport (LAX).

-Dora Leung invited the council on behalf of the Chamber of Commerce, to the State of the City's Address and the MPK Night Market.

-Sam Cheng, on behalf of Gabriel Suarez from the American Legion Post 397, invited the council and residents to support their fundraiser, "Raise the Roof" Dance Benefit.

-Council Member Real Sebastian introduced United States Marine Corps Veteran Sergeant Mark Kleinsmith as the city's new Finance intern in partnership with the Mission to Continues Fellowship Program. She also invited the residents to the City's 1st Annual Germanium Festival and inquired about the how the City addresses the Violence Against Women which City Manager Talbot responded that a report will be presented by the Human Resources Director at the next council meeting.

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.

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 Chan, 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. SUCCESSOR AGENCY MONTHLY INVESTMENT REPORT AS OF AUGUST 2014

In accordance with the City's investment Policy, a monthly investment report is presented to the City Council showing the types of investments, dates of maturities, amounts of deposits, rates of interest, and the current market values for securities with maturity more than 12 months.

Action Taken: The City Council received and filed the investment report as of August 2014 on Consent Calendar.

2B. SUCCESSOR AGENCY MINUTES

Approval of Minutes from the regular meeting of August 20, 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 August 20, 2014 of the Successor Agency to the former Monterey Park Redevelopment Agency on Consent Calendar.

NEW BUSINESS

2C. RESOLUTION ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET FOR JANUARY - JUNE 2015

AB X1 26 requires the Monterey Park Successor Agency ("SA") to formulate Recognized Obligation Payment Schedules under which the SA makes payments for eligible obligations of the former Redevelopment Agency. The Recognized Obligation Payment Schedules are considered by the Successor Agency Board, proposed to the Oversight Board ("O8") and, if approved by the OB, provided to the California Department of Finance ("DOF') for review.

Action Taken: The City Council (1) adopted Resolution SA-79 adopting the Recognized Obligation Payment Schedule (ROPS 14-15B) for the period between January - June 2015; (2) approved the Successor Agency Administrative Budget for January - June 2015; and (3) directed staff to post and transmit the ROPS and Administrative Budget to the appropriate public agencies.

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

Resolution No. SA – 79, entitled:
A RESOLUTION OF THE SUCCESSOR AGENCY TO THE MONTEREY PARK REDEVELOPMENT AGENCY ADOPTING RECOGNIZED OBLICATION PAYMENT SCHEDULES PURSUANT TO HEALTH AND SAFETY CODE § 34177

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

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

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 - 3G and reading resolutions and ordinances by title only and waiving further reading thereof. Council Member Ing abstained on Item No. 3C as he was absent for those meetings.

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:	Ing on Item No. 3C

3A. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF SEPTEMBER 17, 2014

It is required that the City Council approve all disbursements.

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 11679 allowing certain claims and demands per Warrant Register dated September 17, 2014 totaling $582,664.66 and specifying the funds out of which the same are to be paid on Consent Calendar.

Resolution No. 11679, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED SEPTEMBER 17, 2014 TOTALING $582,664.66 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3B. MONTHLY INVESTMENT REPORT AS OF AUGUST 2014

In accordance with the City's investment Policy, a monthly investment report is presented to the City Council showing the types of investments, dates of maturities, amounts of deposits, rates of interest, and the current market values for securities with maturity more than 12 months.

Action Taken: The City Council received and filed the investment report as of August 2014 on Consent Calendar.

3C. CITY COUNCIL MINUTES

Approval the minutes from the regular meeting of August 20, 2014 and the special meeting of August 20, 2014.

Action Taken: The City Council approved the minutes from the regular meeting of August 20, 2014 and special meeting of August 20, 2014 on Consent Calendar. Council Member Ing abstained on Item No. 3C as he was absent for those meetings.

3D. REQUEST TO AWARD CONTRACT FOR WORKERS' COMPENSATION CLAIMS ADMINISTRATION

The City solicited proposals from three WC Claims Management firms who had the highest scores from ICRMA's 2012 audits and had also indicated interest in providing Third Party Administration services for the City's Workers Compensation Claims Management Program. Two firms responded to the city's RFP for our workers' compensation claims program and following a review of the proposals and interviews with these two firms, staff is recommending awarding of the contract to AdminSure for workers' compensation claims management for a three-year term with a possible two year extensions.

Action Taken: The City Council authorized the City Manager to execute a Professional Services Agreement, in a form approved by the City Attorney, for Workers' Compensation (W/C) Claims Administration Services between the City of Monterey Park and AdminSure for a three-year term commencing January 1, 2014 on Consent Calendar.

3E. 2012-2013 AND 2013-2014 SIDEWALK RECONSTRUCTION AND WHEELCHAIR ACCESS RAMPS

On June 19, 2013, the City Council awarded a contract to FS Construction in the amount of $61,830 for the 2012-2013 Sidewalk Reconstruction project. The Council also authorized the Director of Public Works to negotiate and approve change orders for additional sidewalk repairs up to the budgeted amount of $150,000 in the 2012-2013 Capital Improvement Plan. This project involved the removal and replacement of concrete sidewalk at approximately 130 locations city wide to repair damaged sidewalk sections uplifted by street trees, and infilling missing sidewalk sections.

On December 4,2013, following the substantial completion of the 2012-2013 Sidewalk Reconstruction by FS Construction, the City Council authorized the Director of Public Works to identify additional sidewalk repair locations and needed wheelchair access ramp installations, and negotiate and approve change orders with FS Construction up to $230,000 as budgeted in the 2013-2014 CIP. The additional work included approximately 100 sidewalk repairs and construction of 40 new wheelchair ramps, increasing the contract amount to $380,000.

The additional sidewalk work identified by the Director of Public Works included large areas of repairs on South Atlantic Boulevard from Harding Avenue to Floral Drive, North Garfield Avenue from Hellman Avenue to Garvey Avenue, South Garfield Avenue from Coral View Street to Pomona Boulevard, and Riggin Street from Atlantic Boulevard to Garfield Avenue. Unfortunately, due to the extent of the needed repairs, there was a slight cost overrun of $6,863.36 (1.8%) for a final project cost of $386,863.36. Therefore, staff is requesting an additional allocation of $7,000 in Measure R funds to cover the final cost of the project. All of the sidewalk work has been inspected and approved by the Public Works Department.

Action Taken: The City Council (1) accepted the 2012-2013 and 2013-2014 Sidewalk Reconstruction and Wheelchair Access Ramp work completed by FS Construction; (2) allocated an additional $7,000 in Measure R Funds to cover the final cost of the project; and (3) authorized staff to file a Notice of Completion with the Los Angeles County Recorder's Office and pay the final retention 35 days thereafter on Consent Calendar.

3F. PURCHASE OF A CASE 580SN LOADER/BACKHOE

The Water Division currently operates a 2002 Caterpillar 416D loader/backhoe which has a Tier 1 (Federal Commission Standard) rated engine. Effective January 1, 2015, the California Air Resource Board (CARB) has mandated that all Tier 1 engine equipment cease operation due to more stringent standards. Due to the configuration of the current loader/backhoe's exhaust stack, it is not possible to retrofit the engine with a DPF (diesel particulate filter), an emission control device.

Action Taken: The City Council (1) waived the bidding requirements pursuant to Monterey Park Municipal Code § 3.20.050(3); and (2) authorized the City Manager, or designee, to purchase a 2014 Case 580SN loader/backhoe from Sonsray Machinery at the cost of $123,466.18 on Consent Calendar.

3G. INTERNATIONAL WALK TO SCHOOL DAY RESOLUTION

International Walk to School Day gives children, parents, school teachers and community leaders an opportunity to be part of a global event as they celebrate the many benefits of walking. Walkers from around the world walk to school together for various reasons - all hoping to create communities that are safe places to walk.

Action Taken: The City Council adopted Resolution No. 11680 declaring October 8, 2014 as International Walk to School Day on Consent Calendar.

Resolution No. 11680, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA PROCLAIMING OCTOBER 8 2014 AS "INTERNATIONAL WALK TO SCHOOL DAY"

4. PUBLIC HEARING

4A. AGREEMENT WITH SIEMENS INDUSTRY INC. FOR ENERGY EFFICIENCY PERFORMANCE CONTRACT AGREEMENT AND SIEMENS PUBLIC INC. FOR $10.5 MILLION LEASE PURCHASE AGREEMENT

The City is working with Siemens and San Gabriel Valley Council of Governments (SGVCOG) to achieve a Gold Level recognition from Southern California Edison's (SCE) Energy Leader Partnership program. In the future, the City hopes to achieve Platinum Level in energy conservation.

Siemens was authorized to work with the City and recommend energy efficiency improvements throughout city parks, facilities and infrastructure. These recommended facility improvement measures include interior lighting retrofits, exterior lighting retrofits, HVAC equipment replacement at select sites, building automation system and water meter replacements. Implementation timeline is approximately one year.

The total project cost of $10.5 million will be fully offset by reduced energy expenses and increased accuracy of water consumption billing. The 15 year program will be annually monitored and reported to the City Council. The proposed efficiency savings have a performance guarantee by Siemens.

Action Taken: Council Member Ing declared a potential conflict of interest and recused himself as his spouse is an employee of Southern California Edison. City Manger Talbot clarified that the City is at the Southern California Edison Silver Level designation as oppose to what was stated in the staff report. Council Member Real Sebastian requested for a list of the nationwide lenders and local banking institutions which were sent a request for proposal for funding of the projects to be entered into the records. She stated that she requested continuation of this item but her request was denied and given the time provided, she could not vote on the item as she was not afforded the time to go through the 600 page document. The public hearing was continued from the September 3, 2014 council meeting and being there were no speakers on this item, the Mayor closed the public hearing at 9:25 p.m. The City Council (1) authorized the City Manager to execute the Performance Contract Agreement, in a form approved by the City Attorney, with Siemens Industry Inc. for energy efficiency projects; (2) authorized the City Manager to execute lease and escrow agreements, in forms approved by the City Attorney, related to $10.5 million lease purchase agreement with Siemens Public Inc.; (3) adopted Resolution No. 11681 establishing Tax-Exempt Financing Compliance; and (4) adopted Resolution No. 11682 authorizing the Performance Contract Agreement, Lease Agreement and Escrow Agreement.

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

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

Resolution No. 11681, entitled:
A RESOLUTION ESTABLISHING POLICIES AND PROCEDURES FOR TAX EXEMPT FINANCING COMPLIANCE

Resolution No. 11682, entitled:
A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH SIEMENS INDUSTRY INC. AND SIEMENS PUBLIC, INC. FOR AN ENERGY EFFICIENCY PROGRAM PURSUANT TO GOVERNMENT CODE § 4217.10, ET SEQ. WITHOUT THE NEED FOR COMPETITIVE BIDDING AND MAKING FINDINGS PURSUANT TO GOVERNMENT CODE § 830.6

RECESSED AND RECONVENED

The City Council recessed at 9:25 p.m. and reconvened with all council members present at 9:30 p.m.

4B. A PUBLIC HEARING TO CONSIDER THE DRAFT 2013-2014 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

As a condition of receiving federal grant funding, Federal Regulations require the City to submit a CAPER to the Department of Housing and Urban Development (HUD). The CAPER provides information to HUD documenting the City's progress in meeting its Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) program goals.

Action Taken: The City Council (1) opened and closed the public hearing at 9:37 p.m. there being no registered speakers on file; (2) approved the draft 2013-2014 Consolidated Annual Performance and Evaluation Report (CAPER); and (3) authorized the City Manager, or designee, to execute and submit the necessary documents to United States Department of Housing and Urban Development (HUD) for its review and approval.

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:	None

5. UNFINISHED BUSINESS
None.

6. NEW BUSINESS

6A. ADOPTION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA APPROVING AND ADOPTING THE MEMORANDA OF UNDERSTANDING BETWEEN THE CITY AND THE MONTEREY PARK FIREFIGHTERS ASSOCIATION, THE MONTEREY PARK CHIEF OFFICERS ASSOCIATION, THE MONTEREY PARK POLICE OFFICERS MID-MANAGEMENT ASSOCIATION AND THE MONTEREY PARK POLICE OFFICERS ASSOCIATION – CAPTAINS UNIT FIXING THE RATE OF COMPENSATION AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT FOR REPRESENTED EMPLOYEES FOR THE TERM JULY 1, 2014 TO JUNE 30, 2016.

Representatives of the City of Monterey Park have meet on numerous occasions with representative of the Monterey Park Firefighters Association (FFA), the Monterey Park Professional Chief Officers' Association (PCOA); the Monterey Park Police Officer Mid-Management Association (POMMA); and the Monterey Park Police Officers' Association Captains' Unit (POA-Captains' Unit) regarding wages, medical, benefits including vision and dental, uniform allowances, educational incentive allowances, longevity, work schedules and other terms and conditions of employment. The results of these negotiations are contained in the attached Memoranda of Understandings (MOU's), which is being presented to the City Council for approval and adoption of an implementing Resolution.

Action Taken: The City Council (1) adopted Resolution No. 11683 approving the Memoranda of Understanding between the City of Monterey Park and the Monterey Park Firefighters Association (FFA); Resolution No. 11684 approving the Memoranda of Understanding between the City of Monterey Park and, the Monterey Park Professional Chief Officers' Association (PCOA); Resolution No. 11685 approving the Memoranda of Understanding between the City of Monterey Park and the Monterey Park Police Officers' Mid-Management Association (POMMA); Resolution No. 11686 approving the Memoranda of Understanding between the City of Monterey Park and the Monterey Park Police Officers' Association Captains' Unit (POA-Captains' Unit); and (2) authorized the expenditure of $340,553 for the 2014-2015 fiscal year, and amend the 2014-2015 Budget accordingly.

Motion: Moved by Mayor Pro Tem Liang and seconded by Mayor Wong, 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

Resolution No. 11683, entitled:
A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR CONTRACT YEAR 2014-2016 BETWEEN THE CITY OF MONTEREY PARK AND THE MONTEREY PARK FIREFIGHTERS' ASSOCIATION

Resolution No. 11684, entitled:
A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR CONTRACT YEAR 2014-2016 BETWEEN THE CITY OF MONTEREY PARK AND THE MONTEREY PARK PROFESSIONAL CHIEF OFFICERS ASSOCIATION

Resolution No. 11685, entitled:
A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR CONTRACT YEAR 2014-2016 BETWEEN THE CITY OF MONTEREY PARK AND THE MONTEREY PARK POLICE OFFICERS MID-MANAGEMENT ASSOCIATION

Resolution No. 11686, entitled:
A RESOLUTION APPROVING THE MEMORANDUM OF UNDERSTANDING FOR CONTRACT YEAR 2014-2016 BETWEEN THE CITY OF MONTEREY PARK AND THE MONTEREY PARK POLICE OFFICERS ASSOCIATION – CAPTAINS' UNIT

7. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

At the last meeting, the City Council adopted an ordinance (that will become effective in November) that includes vaping within the outdoor smoking prohibitions regulated by the Monterey Park Municipal Code ("MPMC"). In addition, e-cigarettes were added to the definition of "tobacco products" for purposes of the City's tobacco retailer licensing regulations.

A possible additional step for the City Council to consider, would be to control the location and operation of vaping stores within the City's jurisdiction. However, the Monterey Park Municipal Code does not currently address this. Until the City has time to update the MPMC to regulate this, Council Member Ing would like to direct the City Manager to prepare documents for City Council consideration that would adopt a moratorium, as some of the neighboring jurisdictions have adopted, against approving new vaping stores.

Staff was directed to look into options for regulating vaping stores for consideration at a future meeting. Additional regulations as define by specific percentage of the floor space use for displaying of vaping products.

Mayor Wong appointed Kuei Tung Chen, CEO and President of T & A Tea Inc., located at 111 W. Garvey Ave. to the Business Improvement District Advisory Committee. He reported he attended Monterey Park Kiwanis Club Golf Tournament along with Council Member Chan on September 9, 2014. He was also in attendance with Council Members Chan and Real Sebastian, the East Los Angeles College's event recognizing the County Supervisor Elect Hilda Solis and the College Chancellor Dr. Francisco Rodriguez. Council Member Real Sebastian reported she attended the South California Association of Government. The Council reported their presence at the 9/11 Patriotic Day Ceremony and the LA Mayors event held at the Bruggemeyer Library on September 12, 2014.

8. CLOSED SESSION
None.

ADJOURNMENT
There being no further business for consideration, the meeting was adjourned at 10:30 p.m.

Vincent D. Chang
City Clerk