MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
REGULAR MEETING
OCTOBER 5, 2016

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, October 5, 2016 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 7:04 p.m.

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

ROLL CALL:
City Clerk Vincent Chang called the roll:
Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Hans Liang, Teresa Real Sebastian
Council Members Absent: None.

ALSO PRESENT: City Manager Paul Talbot, City Attorney Mark Hensley, Public Works Director/Assistant City Manager Ron Bow, Fire Chief Scott Haberle, Director of Management Services Chu Thai, Director of Human Resources Tom Cody, Community and Economic Development Director Michael Huntley, Director of Recreation & Community Services Dan Costley, City Librarian Norma Arvizu, Police Chief Jim Smith, Police Captain Gene Harris, Controller Annie Yaung, Water Utility Manager Frank Heldman, Public Works Maintenance Manager Tito Haes, Public Works Assistant City Engineer Rey Alfonso, Senior Planner Samantha Tewasart

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS
City Manager Talbot announced that Agenda Item No. 1-A will be continued to a future council meeting.

ORAL AND WRITTEN COMMUNICATIONS

- Gary Sims, a Monterey Park Police Officer, spoke regarding the Coffee with a Cop event on October 7, 2016 from 8:00 am to 10:00 pm

- Nancy Arcuri, a resident, spoke regarding the recent planning commission meeting.

- David Barron, a resident, spoke regarding the Centennial Dinner on October 22, 2016 at the Langley Senior Center at 5:00 p.m.

- Carol Sullivan, a resident, also announced the Centennial Dinner on October 22, 2016 at the Langley Senior Center at 5:00 p.m.

- Evelyn Moreno, representative for the Centennial Committee, announced that the Monterey Park 5K Run is on November 5, 2016 and the Geranium Festival is on October 8, 2016 at Barnes Park.

1. PRESENTATIONS

1A. DISCUSSION AND CONSIDERATION OF THE 2015 PAVEMENT MANAGEMENT PROGRAM REPORT

Staff completed an update to the City's Pavement Management Program and is presenting the final report's findings and recommendations. Staff is requesting that the City Council receive and file the report for reference.

Action Taken: This item was continued to a future city council meeting.

2. SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA)

NEW BUSINESS

2A. WARRANT REGISTER FOR SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF OCTOBER 5, 2016

Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered **332-332.**

Action Taken: The City Council, acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, approved payments of warrants and adopted Resolution No. SA-127 of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated October 5, 2016 totaling $17.52 and specifying the funds of which the same are to be paid.

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

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

Resolution No. SA-127, entitled:
A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 5TH DAY OF OCTOBER 2016 TOTALING $17.52 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2B. SUCCESSOR AGENCY (SA) MINUTES

Approve the minutes from the regular meeting of September 7, 2016 and the special meeting of September 7, 2016.

Action Taken: The City Council, acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, approved the minutes from the regular meeting of September 7, 2016 and the special meeting of September 7, 2016.

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

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

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

3. CITY OF MONTEREY PARK CONSENT CALENDAR

None.

4. PUBLIC HEARING

4A. CONSIDER AMENDING THE MONTEREY PARK MUNICPAL CODE (MPMC) CHAPTER 21.22 REGULATING OFF-STREET PARKING REGULATIONS IN RESIDENTIAL ZONES

On September 21, 2016, the City Council reviewed an ordinance proposing amendments to Monterey Park Municipal Code (MPMC) Chapter 21.22 regulating

off-street parking requirements in residential zones. After an extensive discussion on the matter, the City Council decided to separately consider proposed amendments to the MPMC. Specifically, the City Council introduced an ordinance amending single-family residential parking requirements and continued consideration of MPMC amendments regulating multi-family residential parking requirements.

Recommendation: It is recommended that the City Council (1) open the continued public hearing; (2) take documentary and testimonial evidence; (3) close the public hearing and consider the draft ordinance; (4) and waive the second reading and adopt the proposed ordinance related to single-family residential parking requirements and schedule second reading and adoption for October 19, 2016; and (5) introduce and waive the first reading of the ordinance for multi-family residential parking requirements and schedule second reading and adoption for October 19, 2016.

Action Taken: The City Council waived the second reading and adopted Ordinance No. 2136 related to single-family residential parking requirements.

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

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

Ordinance No. 2136 entitled:
AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE ("MPMC") AFFECTING REGULATIONS GOVERNING THE SINGLE-FAMILY RESIDENTIAL OFF-STREET PARKING REQUIREMENTS

Action Taken: The City Council opened the continued public hearing at 7:34 p.m.; took documentary and testimonial evidence; closed the public hearing at 7:34 p.m.; and approved to include stacked and tandem parking as an option to meet parking requirements set forth by the ordinance for multi-family dwellings.

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

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

Action Taken: The City Council opened the continued public hearing at 7:34 p.m.; took documentary and testimonial evidence; closed the public hearing at 7:34 p.m.; and introduced and waived the first reading of the ordinance and scheduled the second reading and adoption for October 17, 2016 as amended below:

Number of bedrooms	Previous Code:	Adopted Code:
3 or less bedrooms	2 enclosed garage spaces, plus 1 guest space per 2 dwelling unit	2 enclosed garage spaces, plus 1 guest space per 2 dwelling unit
4 bedrooms	2 enclosed spaces, plus 1 guest space per 1 dwelling unit	2 enclosed garage spaces, plus 1 guest space per 1 dwelling unit
5 bedrooms		3 enclosed garage spaces, plus 1 guest parking space per 1 dwelling unit
6 bedrooms		3 enclosed garage spaces, plus 1 guest parking space per bedroom above 5, plus 1 guest parking space per 1 dwelling unit

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

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

Ordinance, first reading:
AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE ("MPMC") AFFECTING REGULATIONS GOVERNING THE MULTI-FAMILY RESIDENTIAL OFF-STREET PARKING REQUIREMENTS

4B. CONSIDER THE PROPOSED CODE AMENDMENTS TO THE MONTEREY PARK MUNICIPAL CODE (MPMC) RELATING TO WIRELESS TELECOMMUNICATION FACILITIES, ASSEMLY USES, AND NONCONFORMING USES

There are three code amendments being considered by the City Council related to the City's wireless telecommunication facilities, assembly uses and nonconforming uses. Two of the amendments being considered implement changes required by federal and state laws. These amendments are specifically related to the City's wireless telecommunication facilities and assembly use regulations. Additionally,

the City Council directed staff to include an amendment that all decisions regarding telecommunications facilities be rendered by the City Council. Lastly, staff has also initiated changes to the City's nonconforming regulations designed to clean up provisions that are not readily understandable or pose concern regarding reasonable use of private property.

These code amendments were considered by the Planning Commission at its September 13, 2016 meeting. The Planning Commission adopted a resolution recommending that the City Council approve the proposed code amendments as identified below.

Public Speakers:

- Nancy Arcuri, a resident, expressed her support for the code amendments.

Action Taken: The City Council (1) opened the public hearing at 8:07 p.m.; (2) took documentary and testimonial evidence; (3) closed the public hearing at 8:08 p.m. and considered the draft ordinance; and (4) introduced and waived the first reading, one of three ordinances regulating wireless telecommunication facilities within the city of Monterey Park.

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

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

Action Taken: The City Council (1) opened the public hearing at 8:07 p.m.; (2) took documentary and testimonial evidence; (3) closed the public hearing at 8:08 p.m. and considered the draft ordinances; and (4) introduced and waived the first reading of two of the three ordinances regarding assembly-type uses and nonconforming uses and scheduled a second reading and adoption for October 19, 2016.

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

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

Ordinance 1st reading, entitled:
AN ORDINANCE AMENDING TITLE 21 OF THE MONTEREY PARK MUNICIPAL CODE REGARDING REGULATION OF ASSEMBLY-TYPE USES

Ordinance 1st reading, entitled:
AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE CHAPTER 21.30 REGULATING NONCONFORMING USES AND CHAPTER 21.10.130 REGULATING ALCOHOL SALES AND USE WITHIN THE CITY OF MONTEREY PARK

5. OLD BUSINESS

None.

6. NEW BUSINESS

6A. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF OCTOBER 5, 2016

Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered **311201-311409** and e-Payables numbered **000411-000427.**

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 11863 allowing certain claims and demands per Warrant Register dated October 5, 2016 totaling $481,627.57 and specifying the funds out of which the same are to be paid.

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

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

Resolution No. 11863, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED THE 5th DAY OF OCTOBER TOTALING $481,627.57 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

6B. CITY COUNCIL MINUTES

Approve the minutes from the regular meeting of September 7, 2016 and the special meeting of September 7, 2016.

Action Taken: The City Council approved the minutes from the regular meeting of September 7, 2016 and the special meeting of September 7, 2016.

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

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

6C. TITLE VI – ANTI-DISCRIMINATION PROGRAM UPDATE

The Title VI of the Civil Rights Act of 1964 (Title VI) prohibits discrimination on the basis of race, color, and national origin in programs that receive federal funding. The Federal Transportation Administration (FTA) requires agencies that receive their grant funds to demonstrate compliance with Title VI by submitting a Title VI Program Update every three years. The City Council had approved the Title VI Program in 2013.

Action Taken: The City Council (1) approved the Title VI of the Civil Rights Act of 1964 (Title VI) Program Update and (2) authorized the City Manager to submit the Title VI Program Update to Federal Transit Administration (FTA).

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

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

6D. COST RECOVERY FOR CODE ENFORCEMENT ACTION AT 201 NORTH NEW AVENUE; CONDITIONAL AUTHORITY FOR CITY MANAGER, OR DESIGNEE, TO PURCHASE REAL PROPERTY DURING TAX FORECLOSURE SALE

On June 6, 2016, the City recorded a lien on vacant real property located at 201 North New Avenue (the "Property") for $21,356.83. This lien amount represents the code enforcement costs incurred by the City for nuisance abatement. The Property is 0.27 acres and vacant; pictures are attached for reference.

Since that time, the Community and Economic Development Department learned that the County of Los Angeles scheduled an auction of the Property for October 17 and 18 to recover $35,500.63 in unpaid taxes. The City's lien is subordinate to that of the County. The owner can avoid the auction if the County's lien is paid in

full by October 14, 2016 (though there is no requirement, at this time, that the owner pay the City's lien by that date).

The Property's value is assessed at $378,000. It is unclear, however, for how much the Property will actually sell; for the City to recover its lien amount, the Property will need to sell for at least $57,000 (rounded up). If the Property sells for less than that amount, then the County's lien would be paid first and the City would receive any remainder monies; all liens would then be discharged.

In an abundance of caution, it seems prudent to authorize the City Manager, or designee, to purchase the Property for up to $60,000. This would pay the County's tax lien and then allow the City to resell the Property at a later date to recover its own cost liens. Such authority would only be exercised, however, if no buyers were willing to pay more than $57,000.

California law historically placed significant restrictions on the City's ability to acquire real property. Upon the demise of redevelopment, however, the California Legislature adopted new law that authorizes cities to acquire real property when the City Council finds that doing so will fulfill an economic opportunity. Specifically, where private enterprise alone is insufficient to create economic opportunities, public money may be advanced for the purpose of acquiring land; planning or financing land assembly; clearance; and making improvements on the property. Most recently – in August 2016 – the Legislature adopted AB 806 which reaffirmed and clarified existing law regarding cities' ability to acquire real property for economic development purposes.

Here, the primary purpose for conditionally authorizing the purchase of the Property is to recover the City's code enforcement costs. If acquired, however, the City could potentially utilize the Property for economic development opportunities. Notably, the Property is zoned R-3 (Multi-Family Residential) and has a lot area of approximately 11,878 square feet. Based on the lot size and frontage along North New Avenue, a private developer could develop up to three (3) residential dwelling units.

Based upon its location, the current market for real property, and the upturn in economic opportunities, it appears that acquiring the Property will create, retain, and expand job opportunities (at least one full-time job would be retained or added within the City as a result of acquiring the Property and after the Property is incorporated into a private development that is anticipated to provide commercial land uses); and utilizing the Property as part of private development opportunities, will ultimately result in increased property tax revenue. Once the Property is incorporated into a private development, and is fully utilized by such development, it is anticipated that the amount of property tax will increase from the Property by at least 15% as compared to the property tax now collected from the Property in its vacant state.

In sum, the City will collect its code enforcement costs if the Property sells for more than $57,000. If, however, the final offer by a private party is less than $57,000, the City Manager, or designee, should be authorized to purchase the Property. Acquiring the Property will not only allow the City to recover its nuisance abatement costs, but will provide economic opportunities for developing the Property by a private party.

Public Speakers:

- Nancy Arcuri, a resident, expressed her concerns regarding the purchasing of the property located at 201 North New Avenue.

Action Taken: The City Council conditionally authorized the City Manager, or designee, to purchase real property at 201 North New Avenue for not more than $60,000.

Motion: Moved by Council Member Chan and seconded by Council Member Lam, motion carried by the following vote:

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

6E. BALLOT MEASURE REGARDING CITY COUNCIL BENEFITS

On November 18, 2015, the City Council adopted Resolution No. 11806 which made City officials and employees eligible for benefits under the Public Employees' Medical and Hospital Care Act (the "Act") starting January 1, 2016. The Act is administered by the California Public Employee Retirement System ("CalPERS").

The City Council previously determined (during its meeting of July 15, 2015) that officials elected after July 15, 2015 should not be eligible for fringe benefits offered to other City employees including, without limitation, participation in CalPERS and medical benefits. To reaffirm that determination, and ensure that elected officials could not obtain benefits under the Act beginning January 1, 2016, the City Council adopted Resolution No. 11807. That Resolution reaffirms the City Council's intent to eliminate any fringe benefits for officials elected after July 15, 2015 to participate in CalPERS or the Act. As stated in Resolution No. 11809, such action was taken to ensure that the City of Monterey Park would not be financially responsible for lifetime medical contributions of future elected officials.

The City Council may place a proposition on the ballot pursuant to Elections Code § 9222; the last day for doing so is December 9, 2016. Should the Council decide to move forward with such a proposition, it should provide direction as to the scope

of the ballot proposition, e.g., utilizing the language from Resolution No. 1807 for a proposition, and whether there are any circumstances in which the voters would authorize a future City Council to change the general prohibition.

Public Speakers:

- Nancy Arcuri, a resident, spoke in support of the proposition to be placed on the ballot.

Recommendation: It is recommended that the City Council decide (1) whether or not to place a proposition on the ballot ratifying action taken in 2015 to curtail certain fringe benefits for future elected officials and (2) if the City Council decides to place such a proposition on the ballot, provide direction as to the scope and wording of such a proposition.

Action Taken: The City Council continued this item to a future council meeting.

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

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

7. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Council Member Chan reported that on October 15, 2016 and on October 18, 2016 there is a quarterly neighborhood watch meeting.

Council Member Liang reported that on September 29, 2016 he attended the Boy's and Girl's Club Youth of the Year Award Ceremony, the swearing in of new officers for the City of Monterey Park, and the Taiwan Ten Ten celebration.

Council Member Lam announced that there is a Double Ten celebration on Sunday October 9, 2016 at Barnes Park.
Vice Mayor Real Sebastian announced that the Geranium Festival will be on Saturday October 8, 2016 at Barnes Park and registration for the November 5, 2016 Monterey Park Pajama 5K Run can be done at Mpkrun.com.

Mayor Ing did not have anything to report.

8. CLOSED SESSION
None.

ADJOURNMENT
There being no further business for consideration, the meeting was adjourned at 9:21 p.m.

Vincent D. Chang
City Clerk

Approved on October 19, 2016 at the Regular City Council Meeting