MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
REGULAR MEETING
MARCH 21, 2018

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 21, 2018 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 Lam called the meeting to order at 7:02 p.m.

FLAG SALUTE:
The Monterey Park Police and Fire Explorers

ROLL CALL:
City Clerk Vincent Chang called the roll:

Council Members Present:	Peter Chan, Mitchell Ing, Stephen Lam, Teresa Real Sebastian
Council Members Absent:	Hans Liang

ALSO PRESENT: City Manager Ron Bow, City Attorney Mark Hensley, City Treasurer Joseph Leon, Fire Chief Scott Haberle, Director of Human Resources and Risk Management Tom Cody, Director of Community & Economic Development Michael Huntley, Director of Management Services Annie Yaung, Director of Public Works Mark McAvoy, Director of Recreation & Community Services Inez Alvarez, Police Captain Kelly Gordon, Support Services Manager Timothy Shay

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

City Manager Bow announced that Council Member Liang will not be attending the meeting due to the passing of his father. He requested Item No. 6B be continued to the April 4th council meeting. Council Member Ing requested Item No. 6A be heard after oral communications.

ORAL AND WRITTEN COMMUNICATIONS

- Dylan Djoenadi and Tristan Li, students of Mark Keppel High School, asked the community to support and participate in the 2018 Mark Keppel Fear the Spear 5K Run on April 22nd at Mark Keppel High School.

- Maychelle Yee relayed her concerns towards the behavior of some of the Planning Commissioners.

- Nancy Arcuri voiced her concerns on the proposed OneLegacy project.

- Margaret Leung spoke about her concerns on the proposed OneLegacy project.

- Dave Jones provided information about the American Youth Soccer Organization (AYSO) Region 60 and conveyed his concerns on the proposed OneLegacy project, speaker Patricia Kawaski gave her speaking time to Dave Jones.

Discussion: Council Member Real Sebastian directed City Manager Bow to televise the upcoming Planning Commission meeting on March 27, 2018 and any other Planning Commission meeting that discuses the Conditional Use Permit (CUP) application for the OneLegacy project. In addition, she requested staff to begin posting the audio recordings of the Planning Commission meetings. She also requested that the notice radius provisions in the city's ordinance be brought back for Council's consideration.

1. PRESENTATIONS

None.

2. SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) - CONSENT CALENDAR ITEMS NO. 2A-2C

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified. By consensus of the Council, matters were taken individually and each agenda item had its own motion.

2A. WARRANT REGISTER FOR SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF MARCH 21, 2018

Disbursements will be made from the funds referenced in the Resolution, attached to the staff report, in Warrants numbered 357-358.

This item was heard after Agenda Item 6B.

Action Taken: The City Council, acting on behalf of the Successor Agency, approved payment of warrants and adopted Resolution No. SA-150 of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated March 21, 2018 totaling $820.32 and specifying the funds out of which the same are to be paid.

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

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

Resolution No. SA-150, entitled:
A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 21ST DAY OF MARCH 2018 TOTALING $820.32 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2B. SUCCESSOR AGENCY MONTHLY INVESTMENT REPORT - FEBRUARY 2018

As of February 28, 2018 invested funds for the Successor Agency of the City of Monterey Park is as follows:

• Successor Agency (SA) Checking	247,337.07
• Successor Agency (SA) RORF	69,190.00
Total	$ 316,527.07

Action Taken: The City Council, acting on behalf of the Successor Agency, received and filed the Monthly Investment Report.

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

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

2C. SUCCESSOR AGENCY (SA) MINUTES

Approve the minutes from the regular meeting of February 21, 2018.

Action Taken: The City Council, acting on behalf of the Successor Agency, approved the minutes from the regular meeting of February 21, 2018.

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

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

This is the end of Successor Agency (SA) items

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

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified. By consensus of the Council, matters were taken individually and each agenda item had its own motion.

3A. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF MARCH 21, 2018

Disbursements will be made from the funds referenced in the Resolution, attached to the staff report, in Warrants numbered 318287-318426 and e-Payables numbered 000885-000898.

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 11995 allowing certain claims and demands per Warrant Register dated March 21, 2018 totaling $755,801.27 specifying the funds out of which the same are to be paid.

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

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

Resolution No.11995, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 21ST DAY OF MARCH 2018 TOTALING $755,801.27 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

3B. MONTHLY INVESTMENT REPORT - FEBRUARY 2018

As of February 28, 2018 invested funds for the City of Monterey Park is $83,854,387.88.

Action Taken: The City Council received and filed the Monthly Investment Report.

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

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

3C. CITY COUNCIL MINUTES

Approve the minutes from the regular meeting of February 21, 2018.

Action Taken: The City Council approved the minutes from the regular meeting of February 21, 2018.

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

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

3D. SECOND READING AND ADOPTION: CODE ENFORCEMENT UPDATES INCLUDING AMENDMENTS TO NEIGHBORHOOD PRESERVATION REGULATIONS FOR COST RECOVERY

The first reading of the Ordinance occurred at the March 7, 2018 City Council meeting. The Ordinance is ready for its second reading and adoption by the City Council. A copy of the staff report from the March 7, 2018 meeting was attached to the staff report for reference.

CEQA (California Environmental Quality Act):
The ordinance and resolution are exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because they consist only of revisions and clarifications to existing public nuisance codes and procedures related to such codes. Adopting the ordinance or resolution will not have the effect of deleting or substantially changing any regulatory standards or required findings. Adopting the ordinance and resolution are actions being taken for enhanced protection of the environment.

Action Taken: The City Council waived second and enacted Ordinance No. 2150 amending the Monterey Park Municipal Code regulations regarding recovering costs for second responses to unruly gatherings and recurring nuisances, and creating a private right of action for violations of the City's boarding house regulations.

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

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

Ordinance No. 2150, entitled:
AN ORDINANCE REPEALING MONTEREY PARK MUNICIPAL CODE CHAPTER 9.52; ADDING A NEW CHAPTER 4.40 ENTITLED "ENFORCEMENT AND RESPONSE COST RECOVERY"; REPEALING SECTION 12 OF ORDINANCE NO. 2118 AND ADDING A NEW SECTION 4.30.200 TO CREATE A PRIVATE RIGHT OF ACTION FOR ABATING UNLAWFUL BOARDING HOUSES

3E. MEMORANDUM OF AGREEMENT FOR THE COORDINATED INTEGRATED MONITORING PROGRAM AND ENHANCED WATERSHED MANAGEMENT PLAN FOR THE UPPER LOS ANGELES RIVER WATERSHED MANAGEMENT AREA FOR FISCAL YEARS 2019 - 2023

On November 18, 2015, Los Angeles Regional Water Quality Control Board (Regional Board) approved the Coordinated Integrated Monitoring Program (CIMP) that Monterey Park, along with 18 other jurisdictions in the Upper Los Angeles River (ULAR) group, had submitted to the Regional Board for review. On April 20, 2016, the Regional Board also approved the Enhanced Watershed Management Plan (EWMP) that the ULAR group had also submitted. The ULAR group is now required to implement the CIMP.

The CIMP and EWMP Memorandum of Agreement (MOA) is a cost-sharing agreement to perform and coordinate the monitoring services required per the CIMP. The previous CIMP and EWMP MOA will expire on June 30, 2018. Staff is requesting the City Council's approval to enter into a new 5-year agreement with 19 other jurisdictions (one additional) for this effort. Monterey Park's cost share is $17,332 for FY 2019, $14,736 for FY 2020, $17,016 for FY 2021, $15,124 for FY 2022, and $16,255 for FY 2023, for a total cost of $80,462 over five years.

CEQA (California Environmental Quality Act):
The project is categorically exempt from additional environmental review pursuant to CEQA Guidelines Sections 15262, 15306, 15307, and 15308. The project consists of comprehensive data collection efforts to monitor the aquatic toxicity that is present in downstream receiving waters. The purpose of the project is to determine if possible actions are necessary to protect natural resources and the environment.

Public Speakers:

- Cameron McCullough, Environmental Programs Manager for John L. Hunter & Associates, provided general information about the company and was available to answer questions.

Recommendations: (1) Authorize the City Manager to execute the Memorandum of Agreement, in a form approved by the City Attorney, to cooperatively share costs in the implementation of the Coordinated Integrated Monitoring Program and Enhanced Watershed Management Plan for the Upper Los Angeles River Watershed Management Area for Fiscal Years 2019 – 2023; and (2) Taking such additional, related, action that may be desirable.

Action Taken: The City Council continued this item to the April 18, 2018 regular City Council Meeting and asked staff to bring back more information regarding the audit prepared by the California State Auditor, in regards to the State and Regional Water Boards.

3F. AWARD OF CONTRACT WITH KNIGHT COMMUNICATIONS FOR INFORMATION TECHNOLOGY SUPPORT SERVICES

I.T. Support Services is a critical service to the City not only to ensure the availability of data and processes so that all business objectives can be met, but also to ensure the confidentiality and integrity of the City as a whole. After completing the Requests for Proposal evaluation process, staff recommends approving a contract with Knight Communications for an annual cost of $298,800 for Information Technology (I.T.) Support Services for a five-year contract.

Public Speakers:

- Paul Ramakrishnan, Chief Executive Officer (CEO) for Knight Communications, provided general information about the company and was available to answer questions.

- Jason Sam, Knight Communications Manager, provided general information about the company and was available to answer questions.

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

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

Action Taken: The City Council authorized the City Manager to execute a five-year contract with Knight Communications for Information Technology Network/Servers/IT Projects Support Services for an annual cost of $298,800 in a form approved by the City Attorney; and approved a budget amendment of $2,441.00 in account # 0010-801-1404-38400 to cover minor cost adjustments for three months, April through June, in Fiscal Year 2017-18 as amended to direct the City Attorney to review and amend the contract as needed regarding firewall protections and security level for the Knight Communications Employees.

RECESSED AND RECONVENED

The City Council recessed at 8:58 p.m. and reconvened with all Council Members present at 9:10 p.m.

4. PUBLIC HEARING

None.

5. OLD BUSINESS

5A. AIRPLANE NOISE UPDATE

The City Council directed staff to provide airplane noise update at a future City Council meeting. This report includes the updates from Federal Aviation Administration (FAA) and discussions at recent Los Angeles World Airport (LAX)/Community Noise Roundtable (Roundtable) meetings. Staff recommends the City Council receive and file this report and take any additional, related action that may be desirable.

Recommendations: (1) Receive and file the Airplane Noise Update; and (2) Take such additional, related, action that may be desirable.

Discussion: The City Council directed staff to seek out a law firm that has expertise in going against the FAA, seek a vender who can measure the sound and pollution emitted by airplanes, and present new findings to council at a future council meeting.

6. NEW BUSINESS

6A. PERSONNEL BOARD RECOMMENDATION TO THE CITY COUNCIL FOR APPOINTMENTS TO THE BOARD

The vacant Personnel Board seats were advertised and the City Clerk's office received three applications. Of these, two are from residents interested in serving on the Personnel Board and one is an incumbent resident interested in continuing to serve as a Personnel Board member. Members of the Personnel Board are appointed pursuant to the following Monterey Park Municipal Code ("MPMC") section:

"2.28.050 Personnel Board -- Appointment.
(a) The city council shall appoint the members of the Personnel Board in the following manner: One member from a list of three persons nominated by the personnel of the Monterey Park fire and police departments, one member from a list of three persons nominated by the remaining employees of the city, two members from the community at large, and one member from a list of three persons nominated by a majority of the four previously appointed members. A majority vote of the city council shall be required to appoint a member of the Personnel Board.

(b) Nominations as required in subsection (a) of this section shall be made to the council within thirty days following notification by the council that such nominations are required. In the event nominations are not received within the thirty-day period, the council may proceed to fill the vacancies by appointment from the community at large."

One board (vacant) seat was eligible for nominations from the personnel of the Monterey Park Fire and Police Departments and a second board seat (currently occupied by Ms. Lemire) was eligible to be nominated by the "remaining employees of the city" or the general employees. The Director of Human Resources solicited both the safety and general employee associations and received one nomination of a current city employee (which is not allowed); the Director did not receive any further nominations. Therefore, both seats become "at-large seats." The third board seat available is an "at large seat" to be selected by the city council directly from applications submitted.

This item was heard after Oral Communications.

Public Speakers:

- Harvey Chin briefly introduced himself and expressed his interest in being a part of the Personnel Board.

- Gustavo Reynoso briefly introduced himself and expressed his interest in being a part of the Personnel Board.

- Pauline Lemire briefly reintroduced herself and expressed her interest in continuing to be a part of the Personnel Board.

Discussion: City Council directed staff to agendize board/commission term limits for City Councils consideration at a future council meeting.

Action Taken: The City Council approved a recommendation for re-appointment of Ms. Pauline Lemire to the Personnel Board and to appoint Mr. Harvey Chin and Mr. Gustavo Reynoso to the Personnel Board.

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

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

6B. ADOPTION OF AN URGENCY ORDINANCE AND FIRST READING OF AN ORDINANCE REAUTHORIZING THE COLLECTION OF A FEE TO SUPPORT PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ("PEG") CHANNEL FACILITIES WITHIN THE CITY

As authorized by State law, the City of Monterey Park ("City") imposes a one percent (1%) public, educational, and governmental access fee ("PEG Fee") on all state-franchised video service providers operating within the City to support PEG channel facilities and activities. The City's existing PEG Fee ordinance does not include any provisions stating it is to expire, but instead is intended to apply to all franchisees operating in the City. Pursuant to state law, however, the City's PEG fee ordinance will expire when the state franchise expires. Time Warner Cable Pacific West LLC dba Charter Communications ("Charter Communications") renewed their state video franchise on January 2, 2018 (in advance of the franchise-expiration date), and has taken the position that this renewal nullifies the City's ordinance. Furthermore, Charter Communications has expressly stated to the City that it will not collect and remit PEG fees unless the City reauthorizes its PEG fee ordinance, requiring immediate action from the City to reauthorize its ordinance to ensure the continued authority to collect the PEG Fee from Charter Communications.

Recommendations: (1) Adopt an urgency Ordinance, reauthorizing the public, educational, and governmental fee on state video franchisees operating within the City; (2) Waive first reading and introduce a Ordinance, reauthorizing the public, educational, and governmental fee on state video franchisees operating within the City; and (3) Take such additional, related, action that may be desirable.

Action Taken: The City Council continued this item to the April 4, 2018 regular City Council Meeting.

Draft Urgency Ordinance:
AN URGENCY ORDINANCE REAUTHORIZING THE PUBLIC, EDUCATIONAL, AND GOVERNMENTAL FEE ON STATE VIDEO FRANCHISEES OPERATING WITHIN THE CITY OF MONTEREY PARK

Draft Ordinance:
AN ORDINANCE REAUTHORIZING THE PUBLIC, EDUCATIONAL, AND GOVERNMNETAL FEE ON THE STATE VIDEO FRANCHISE OPERATING WITHIN THE CITY OF MONTEREY PARK

7. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Mayor Pro Tem Chan stated that he attended the Congressional City Conference in Washington D.C. held by the National League of Cities.

Council Member Ing sent his thoughts and prayers to Council Member Liang and his family.

Council Member Real Sebastian announced that she attended the 14th Annual Service to Education Awards dinner and gala held by the Alhambra Educational Foundation in where the Monterey Park Fire Department was honored. She invited the community to attend the Woman in Action Forum on April 14th at the Barnes Park Gym as well as the first annual Chi-Chi walk on May 5th which is held by the Monterey's Park Woman's Club.

Mayor Lam wanted to apologize to the Alhambra Educational Foundation for not attending the 14th Annual Service to Education Awards dinner and gala due to him not feeling well.

8. <u>CLOSED SESSION</u>
None.

<u>ADJOURNMENT</u>
There being no further business for consideration, the meeting was adjourned at 10:35 p.m.

Vincent D. Chang
City Clerk

Approved on April 18, 2018 at the Regular City Council Meeting