

**MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
REGULAR MEETING
DECEMBER 21, 2022**

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) 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, December 21, 2022 at 6:30 p.m.

PUBLIC PARTICIPATION

In accordance with Government Code § 54953(e) and City Council resolution, remote public participation is allowed in the following ways:

Via Email

Public comment will be accepted up to 24 hours before the meeting via email to mpclerk@montereypark.ca.gov and read into the record during public comment, when feasible. We request that written communications be limited to not more than 50 words.

Via Telephone

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling (888) 788-0099 or (877) 853-5247 and entering Zoom Meeting ID: 289 222 5995 then press pound (#). When prompted to enter password, enter 12345 and press pound (#) again. If participants would like to make a public comment they will enter “*9” then the Clerk’s office will be notified, and you will be in the rotation to make a public comment. Press “*6” to unmute yourself when called upon to speak. Participants are encouraged to join the meeting 15 minutes before the start of the meeting. You may speak up to 5 minutes on Agenda items. Speakers will not be allowed to combine time. The Mayor and City Council may change the amount of time allowed for speakers. As part of the virtual meeting protocols, anonymous persons will not be allowed to provide public comment.

Via Internet

Public comment may be submitted via internet during the meeting, before the close of public comment, by visiting www.zoom.us/j/2892225995 and entering Zoom Meeting ID: 289 222 5995 or <https://us06web.zoom.us/j/2892225995> and enter the passcode 12345. If participants would like to make a public comment, utilize the raise hand feature and the City Clerk will notify you when it is your time to speak. You can then unmute yourself at

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

that time. The Mayor and City Council may change the amount of time allowed for speakers. As part of the virtual meeting protocols, anonymous persons will not be allowed to provide public comment.

Important Disclaimer – When a participant calls in to join the meeting, their name and/or phone number will be visible to all participants. Note that all public meetings will be recorded.

CALL TO ORDER:

Mayor Lo called the meeting to order at 6:36 p.m.

FLAG SALUTE:

The Monterey Park Fire Explorers

ROLL CALL:

City Clerk Maychelle Yee called the roll:

Council Members Present: Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong,
Yvonne Yiu

Council Members Absent: None

ALSO PRESENT: City Attorney Karl Berger, City Manager Ron Bow, City Treasurer Amy Lee, Assistant City Manager Inez Alvarez, Fire Chief Matt Hallock, Acting Police Captain Gustavo Jimenez, City Librarian Diana Garcia, Director of Public Works Shawn Igoe, Director of Recreations and Community Services Robert Aguirre, Director of Finance Martha Garcia, Finance Manager Laura Borjon, Interim Director of Community Development Jessica Serrano, Economic Development Manager Joseph Torres, Senior Planner Beth Chow, Paramedic Andrew Respicio, Deputy City Clerk Cindy Trang

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

Mayor Lo announced that Agenda Item No.1A was carried over from the December 21, 2022 Special meeting held at 5:30 p.m.

Item carried over from the December 21, 2022 Special Meeting at 5:30 p.m.

1-A. RESOLUTION ADOPTING REGULATIONS IMPLEMENTING MONTEREY PARK MUNICIPAL CODE (MPMC) CHAPTER 3.30 REGARDING THE MONTEREY PARK TRANSACTIONS AND USE TAX (MEASURE MP)

On December 7, 2022, the City Council certified the results of the November 8, 2022, municipal election. Among other things, Measure MP was approved by voters and added Chapter 3.30 to the MPMC to impose a transactions and use tax. MPMC Chapter 3.30 references the “State Board of Equalization” as the California agency responsible for collecting and remitting the new tax on the City’s behalf.

The successor in interest to the State Board of Equalization is the California Department of Tax and Fee Administration (CDTFA). The CDTFA requested that the City Council identify this new agency as the one responsible for collecting the City's taxes under MPMC Chapter 3.30.

Staff recommends adopting the attached draft resolution to the Staff Report to allow the City to begin collecting transactions and use tax effective April 1, 2023.

Discussion: City Attorney reported an addendum for this item, a revised resolution at the request of the California Department of Tax and Fee Administration. The revised resolution was provided to the City Council and made available to the public.

Action Taken: The City Council adopted the revised Resolution No. 2022-R100 pursuant to Monterey Park Municipal Code § 3.30.160 that recognizes the transition of tax collection responsibilities from the State Board of Equalization to the California Department of Tax and Fee Administration (CDTFA) and authorizes the City Manager to contract the CDTFA in accordance with MPMC Chapter 3.30. The revised resolution amended. Section 1D as follows: "The successor in interest to the State Board of Equalization is the California Department of Tax and Fee Administration (CDTFA). Under Government Code section 15570.24 (a), CDTFA maintains the authority to administer the tax even though BOE is referenced in the Ordinance: "[U]nless the context clearly requires otherwise, whenever any reference to the board appears in any statute, regulation, or contract, or in any other code, with respect to any of the functions transferred to the department pursuant to Section 15570.22, it shall be deemed to refer to the department [CDTFA]." City Council identify CDTFA as the one responsible for administering and collecting the City's taxes under MPMC Chapter 3.30."

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

Ayes: Council Members: Yiu, Ngo, Wong, Sanchez, Lo
Noes: Council Members: None
Absent: Council Members: None

RESOLUTION 2022-R100:

A RESOLUTION ADOPTING REGULATIONS IMPLEMENTING MONTEREY PARK MUNICIPAL CODE (MPMC) CHAPTER 3.30 REGARDING THE MONTEREY PARK TRANSACTIONS AND USE TAX (MEASURE MP)

PUBLIC COMMUNICATIONS

- Sarkis Antonian recommended that the speed sign located at the Marketplace shopping center be reduced to 35 mph. He also suggested there should be flashing signal lights informing people to slow down.

STAFF COMMUNICATIONS

- Fire Department: Fire Paramedic Respicio spoke on the Vial of Life program which provides emergency personnel with vital medical information to assist individuals with medical emergencies. He said the public can contact the Fire Department for more information on the program.
- Police Department: Acting Police Captain Jimenez provided a PowerPoint presentation on the Police Departments use of Electric Cars that is operating in the city.
- Recreation and Community Service Department: Recreation Director Aguirre expressed his gratitude to the Chinatown Service Center for providing Covid tests for the community. He informed the Council Members and public that the playground at Sequoia Park has been removed due to safety concerns, but that they are working on getting a new playground in 2023. He also shared a presentation on the success of the Holiday Snow Village and provided information on upcoming city events.

1. PRESENTATION

Matters listed under presentation are informational content and for discussion only.

1-A. OATH OF OFFICE TO THE NEWLY ELECTED CITY CLERK MAYCHELLE YEE

- Kailia Garfield, daughter of Maychelle Yee, administered the oath of office to the newly elected City Clerk Yee.

1-B. INTRODUCTION OF INTERIM DIRECTOR OF COMMUNITY DEVELOPMENT JESSICA SERRANO

- City Manager Bow introduced Jessica Serrano as the newly appointed Interim Director of Community Development. He provided a brief history of her education and work experience.

1-C. GOING GREEN UPDATE

- Interim Director of Community Development Serrano updated the City Council on the climate change initiative and the implementation of a “Green” team. She introduced CivicSparks Fellow Olivia William who will be leading the Going Green program.

1-D. MPK REWARDS UPDATE

- Economic Development Manager Torres shared a presentation on the program overview, achievements, growth metrics and next steps of the MPK Rewards program. .

2. OLD BUSINESS - None.

3. CONSENT CALENDAR ITEMS NOS. 3A-3K

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 approved and adopted Item Nos. 3A, 3E, 3F, 3G, 3H, and 3I on Consent Calendar, excluding Item Nos. 3B, 3C, 3D, 3J, and 3K, which were pulled for discussion and separate motion, reading resolutions and ordinances by the title only and waiving further reading thereof.

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

Ayes:	Council Members:	Yiu, Ngo, Wong, Sanchez, Lo
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

3-A. MINUTES

Approving the minutes from the regular and special meetings of November 16, 2022.

Action Taken: The City Council approved the minutes from the regular and special meetings of November 16, 2022 on Consent Calendar.

3-B. MONTHLY INVESTMENT REPORT – NOVEMBER 2022

As of November 30, 2022, invested funds for the City of Monterey Park is \$77,975,943.52.

Public Speakers:

- City Treasurer Lee reported the breakdown of the invested funds.
- Finance Director Garcia informed the City Council that they will be updating the City Investment Policy and will have an update within the next few months.

Action Taken: The City Council received and filed the monthly investment report for November 2022.

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

Ayes: Council Members: Yiu, Ngo, Wong, Sanchez, Lo
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3-C. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE CITY MANAGER TO EXECUTE A LEGAL RETAINER AGREEMENT WITH BURKE, WILLIAMS & SORENSEN AND TERMINATE A LEGAL RETAINER AGREEMENT WITH HENSLEY LAW GROUP EFFECTIVE ON OR BEFORE JANUARY 1, 2023; REAPPOINT KARL H. BERGER AS CITY ATTORNEY

Mr. Berger informed the City that he is accepting a partnership with Burke, Williams and Sorensen ("Burke") on or before January 1, 2023. By letter dated December 14, 2022, Burke confirmed that it will execute a legal services agreement based upon the same terms, conditions, and rate structure (as of 2022) as the current services agreement. The letter also includes a copy of Burke's firm overview. Making sure Mr. Berger continues as City Attorney is important to the City and his joining Burke will only help him continue to provide outstanding legal services.

Public Speakers:

- Maychelle Yee, resident, recommended the City Council use this opportunity to seek out bids to bring more transparency to this process.

Action Taken: The City Council (1) authorized the City Manager to terminate the legal services agreement with Hensley Law Group to be effective on or before December 31, 2022; (2) authorized the City Manager to execute a legal services agreement with Burke, Williams and Sorensen to be effective on or before January 1, 2023; and (3) confirmed Karl H. Berger as the current City Attorney and reappointed him as City Attorney, effective on or before January 1, 2023.

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

Ayes: Council Members: Yiu, Ngo, Wong, Sanchez, Lo
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3-D. ADOPT A RESOLUTION CONFIRMING AND EXTENDING A LOCAL EMERGENCY FOR THE GOODVIEWS ABATEMENT PROJECT (“GAP”)

Completion of the GAP was scheduled to occur by December 31, 2022. Complications resulting from the required redesign of the GAP (see Exhibit B to Resolution No. 2022-R34) postponed the completion date until February 2023. While Resolution No. 2022-R63 anticipated a termination of emergency powers by the end of December 2022, it is now apparent that such emergency powers must be extended until at least March 1, 2023.

Public Speakers:

- Maychelle Yee, expressed concerns about the way fiscal impact and lack of transparency is written on the staff report.

Action Taken: The City Council adopted Resolution No. 2022-R101 confirming and extending a local emergency for the GAP.

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

Ayes:	Council Members:	Yiu, Ngo, Wong, Sanchez, Lo
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

Resolution No. 2022-R101:

A RESOLUTION EXTENDING THE LOCAL EMERGENCY FOR THE GOODVIEWS ABATEMENT PROJECT (“GAP”) PURSUANT TO GOVERNMENT CODE § 8630 AND RATIFYING ALL EMERGENCY ACTIONS UNDERTAKEN BY THE CITY MANAGER AND CITY ATTORNEY JUNE 16, 2021

3-E. DEVELOPMENT IMPACT FEES FOR FISCAL YEAR 2021-2022

In accordance with Section 66006 of California Government Code the City is required to annually report on the status of Development Impact Fees, including the collection of revenue and expenditures of these funds. This report summarizes the required financial information for Fiscal Year 2021-2022.

Action Taken: The City Council received and filed the Annual Report on Development Impact Fees for Fiscal Year 2021-2022 on Consent Calendar.

3-F. AWARD OF CONTRACT TO KNIGHT COMMUNICATIONS FOR INFORMATION TECHNOLOGY SERVICES

Information Technology (IT) Services is a critical function of the City. IT services provides technical expertise that supports the City in the creation, management and

optimization of or access to information and business processes. After completing the Request for Proposal (RFP) evaluation process, staff is recommending Knight Communications for the IT Information Technology Services contract for the City of Monterey Park.

The contract is for a term of five (5) years in an amount not to exceed \$2,484,674. The first-year service is for \$468,000 with a 3% cost of services increase for each additional year.

Action Taken: The City Council authorized the City Manager to execute an agreement with Knight Communications, in a form approved by the City Attorney for Information Technology Network/Servers and IT Projects for a five-year contract and amount not to exceed \$2,484,674; and authorized a budget appropriation of \$110,500 from the Technology fund on Consent Calendar.

3-G. SECOND AMENDMENT TO CONTRACT #2274-AD, CANON SOLUTIONS AMERICA

This second Amendment will consolidate existing Canon Agreements (1923 A-1, 2274 AD and 2274 First Amendment) established to replace outdated copy machines in the following departments: Library, Police Department, and Human Resources.

The second Amendment will also expand the Scope of Work by replacing outdated copy machines for the following areas: City Clerk's Office, City Manager's Office, Finance Department, Fire Department, Recreation and Community Services Department Planning Division, Police Records and Detective offices and Public Works Department.

Additionally, the second Amendment to Agreement 2274 AD, will merge all Lease and Maintenance costs (existing and new) into one Canon Solutions compensation plan, with individual department costs breakdown included in invoices.

Consolidating all Canon Lease and Maintenance Agreements and Compensation Plan into one, will streamline the contract process for all departments by preventing the duplication of work and will have a total Citywide cost increase of \$468 per month

Action Taken: The City Council authorized the City Manager to execute second Amendment with Canon Solutions America, in a form approved by the City Attorney for Canon lease and maintenance from December 21, 2022, to November 30, 2023, for a cost of \$108,205 annually on Consent Calendar.

3-H. REPORT SUBMITTED TO THE CITY COUNCIL PURSUANT TO GOVERNMENT CODE § 8630 REGARDING THE CITY'S EMPLOYMENT EMERGENCE (PER RESOLUTION Nos. 2022-R49 AND 2022-R67); CONTINUANCE OF SUCH EMERGENCY

As of December 12, 2022, the City is in the recruitment process for Water Utility Manager, Water Production System Supervisor, Senior Water Production System Operator, Communications Dispatcher, Code Enforcement Officers, Recreation Manager, and Public Works Inspector. Since the last report from October 2022, the City filled two Water Utility Maintenance Workers, three Firefighters, Fire Marshal, Maintenance Worker, Administrative Secretary (promotional), Library Assistant, and various part-time vacancies for Police Cadet and Recreation Leader.

The City is recruiting for 39 vacant full-time positions. Staff recommends extending the employment emergency order due to the critical vacancies in the Water Treatment division and Police Communication Dispatch division.

Action Taken: The City Council received and filed the report; and extended the Employment Emergency on Consent Calendar.

3-I. RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER PURSUANT TO GOVERNMENT CODE § 21173 TO PERFORM ALL TASKS REGARDING DISABILITY RETIREMENT OF SAFETY EMPLOYEES OF THE CITY

Resolution No. 8363, adopted January 28, 1980, delegates authority to the City Manager for determining and approving disability retirements for Safety Employees. Changes in California law since that date make it desirable to update that authority. The draft Resolution, if adopted, would accomplish that task.

Action Taken: The City Council adopted Resolution No. 2022-R102 pursuant to Government Code § 21173 to delegate authority to the City Manager regarding disability retirements on Consent Calendar.

Resolution No. 2022-R102:

A RESOLUTION DELEGATING AUTHORITY TO THE CITY MANAGER TO MAKE DETERMINATIONS REGARDING DISABILITY RETIREMENT OF SAFETY EMPLOYEES IN ACCORDANCE WITH GOVERNMENT CODE § 21173

3-J. RECEIVE AND FILE STAFF REPORT SUMMARIZING THE STATUS OF EMERGENCY REPAIRS OF THE MONTEREY PASS ROAD WATER LINE

In August 2022, the City Council declared an emergency and authorized the City Manager to by-pass general bidding requirements under the Public Contract Code (PCC) for emergency replacement of approximately 4400 linear feet of water main line on Monterey Pass Road, between Vagabond Drive and Brightwood Street.

Action Taken: The City Council received and filed the staff report summarizing the status of emergency repairs of the Monterey Pass Road water line.

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

Ayes: Council Members: Yiu, Ngo, Wong, Sanchez, Lo
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3-K. SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT WITH KIMLEY-HORN FOR POTRERO GRANDE INTERSECTIONS SIGNAL IMPROVEMENTS

The City's Capital Improvement Plan (CIP) for fiscal year 2022-23 includes Project No.96012, Potrero Grande Intersection Improvements. The project consists of the construction of landscaped median islands and traffic signal improvements at two intersections along Potrero Grande Drive. Staff requests City Council approval to execute a Second Amendment to Agreement 2304-AA with Kimley-Horn, in an amount not to exceed \$149,400, to prepare traffic signal and civil improvement plans for the Potrero Grande Intersection Improvements project.

Action Taken: The City Council authorized the City Manager to execute a Second Amendment to Professional Professional Services Agreement, in a form approved by the City Attorney, with Kimley-Horn, in an amount not to exceed \$149,400, for Engineering Services for the Potrero Grande Intersections Signal Improvements

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

Ayes: Council Members: Yiu, Ngo, Wong, Sanchez, Lo
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

4. PUBLIC HEARING

4-A. PUBLIC HEARING TO APPROVE THE 2022 ANNUAL REPORT AND THE LEVY OF ASSESSMENTS FOR DOWNTOWN BUSINESS IMPROVEMENT DISTRICT NO. 1 FOR PROGRAM YEAR 2023.

On December 7, 2022, the City Council set a continuance date of December 21, 2022, or a public hearing regarding the assessment of businesses within Business

Improvement District No. 1 (BID). BID assessment revenues will fund beautification, promotional activities, and special events to benefit the downtown BID businesses.

This hearing was noticed in the Monterey Park Press newspaper and every business in the BID was sent a hearing notice in Chinese, English, and Spanish. At the conclusion of this public hearing, the Council can choose to adopt the resolution confirming the levy of assessments for the BID or adjust as needed.

Discussion: Economic Development Manager Torres presented a PowerPoint presentation on the bids efforts and what it will entail.

Action Taken: The City Council opened the public hearing at 8:38 p.m. to receive testimonial and documentary evidence; and closed the public hearing at 8:39 p.m. with no registered speakers; adopted Resolution No. 2022-R103 as amended to reflect 2023 instead of 2013 in Section 1E, and \$31,574 instead of \$51,188 in Section 2, and confirmed the 2022 Annual Report and the levy of assessments for Business Improvement District No. 1 for program year 2023.

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

Ayes:	Council Members:	Yiu, Ngo, Wong, Sanchez, Lo
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

Resolution No. 2022-R103:

A RESOLUTION LEVYING ASSESSMENTS FOR BUSINESS IMPROVEMENT DISTRICT NO. 1 FOR PROGRAM YEAR 2023 IN ACCORDANCE WITH GOVERNMENT CODE § 21173

5. NEW BUSINESS – None.

6. CITY COMMUNICATIONS (CITY COUNCIL)

Council Member Yiu reported she attended the Holiday Snow Village at George Elder Park and many “swearing in” ceremonies from surrounding cities; such as, Arcadia, Montebello, San Gabriel, Alhambra, Mountain View School District, and Assessor Jeff Prang. She congratulated all the newly elected officials and wished everyone Happy Holidays.

Council Member Ngo said he also attended the “swearing in” ceremonies, and the Women’s Group Christmas meeting. He also wished everyone a safe and warm holiday.

Council Member Wong wished Council Member Ngo happy birthday. He suggested the city to revamp the current design on the certificates and proclamations. He also asked about the history of the San Gabriel Regional Housing Trust and why we didn't join as a city and would love to bring it up as a future agenda item. He also expressed his appreciation for the efforts of the employees and wished everyone a Happy Holidays.

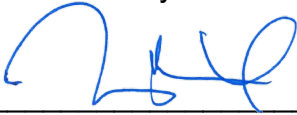
Mayor Pro Tem Sanchez would like to send his gratitude to the Parks and Recreation Department, and Library for all the programs that are provided to the community. He wished Council Member Ngo happy birthday, and congratulated Maychelle on being sworn in. He wished everyone Happy Christmas and Happy New Year.

Mayor Lo acknowledged that Monterey Park played host for the swearing in ceremony for Assessor Jeff Prang and wanted to thank Assessor Prang for choosing Monterey Park to hold the event. He enclosed the council meeting in memory of a devoted resident, and former Mayor Louise Davis that passed away at age of 90; and shared her biography.

7. **FUTURE AGENDA ITEMS** – None.
8. **CLOSED SESSION (IF REQUIRED; CITY ATTORNEY TO ANNOUNCE)**
None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 8:58 p.m. in memory of Louise Davis, former Mayor, Council Member, and City Treasurer.



Maychelle Yee
City Clerk

Approved on February 15, 2023 at the Regular City Council Meeting