

**CITY COUNCIL OF MONTEREY PARK
THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY OF THE FORMER
REDEVELOPMENT AGENCY, THE HOUSING AUTHORITY, THE MONTEREY PARK FINANCING
AUTHORITY AND THE MONTEREY PARK GEOLOGIC HAZARD ABATEMENT DISTRICT
AGENDA**

**REGULAR CITY COUNCIL MEETING
MONTEREY PARK CITY HALL COUNCIL CHAMBERS
320 W. NEWMARK AVENUE, MONTEREY PARK, CA 91754**

**Wednesday
January 17, 2024
6:30 p.m.**

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.

LAND ACKNOWLEDGMENT

We would like to acknowledge that the land we inhabit today was once known as Tovangaar, the home of the Gabrieleño-Tongva people. We show our respect to the Gabrieleño-Tongva people, as well as all Indigenous people, past, present, and future, and honor their labor as original caretakers of this land. We commit to uplifting the Gabrieleño-Tongva people, invite you to acknowledge the history, and join us in caring for this land.

GENERAL INFORMATION

Documents related to an Agenda item are available to the public in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at <http://www.montereypark.ca.gov/AgendaCenter/City-Council-17>.

The public may watch the meeting live on the city's cable channel MPKTV (AT&T U-verse, channel 99 or Charter Communications, channel 182) or by visiting the city's website at <http://www.montereypark.ca.gov/133/City-Council-Meeting-Videos>. Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call City Hall at (626) 307-1359 for reasonable accommodation at least 24 hours before a meeting. Council Chambers are wheelchair accessible.

PUBLIC PARTICIPATION

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Mayor and City Council may change the amount of time allowed for speakers. Written Communication will be accepted up to 24 hours before the meeting via email to mpclerk@montereypark.ca.gov.

While all comments are welcome, the Brown Act does not allow the City Council to take action on any item not on the agenda. The Council may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the City Council's subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

CALL TO ORDER Mayor
FLAG SALUTE The Monterey Park Police Explores
ROLL CALL Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS

STAFF COMMUNICATIONS:

- City Manager's Office
- Fire Department
- Library
- Recreation and Community Services

[1.] PRESENTATION

1-A. METROPOLITAN WATER DISTRICT

1-B. MPK HOPE RESILIENCY CENTER UPDATES

1-C. RECREATION STAFF RECOGNITION

[2.] OLD BUSINESS

2-A. DISCUSSION OF FINDINGS ON CITY'S INCLUSIONARY HOUSING ORDINANCE FEASIBILITY/FEE STUDY

It is recommended that the City Council consider:

- (1) Receiving and filing the report and presentation;
- (2) Providing direction to staff; and
- (3) Taking such additional, related, action that may be desirable.

2-B. LEGISLATIVE SUBPOENAS

It is recommended that the City Council consider:

- (1) Continuing this matter until the regular meeting of February 21, 2024;
- (2) Taking such additional, related, action that may be desirable.

2-C. SR-710 NORTH MOBILITY IMPROVEMENTS PROJECT UPDATE AND FUNDING AGREEMENT

It is recommended that the City Council consider:

- (1) Authorizing the City Manager to execute a funding agreement with Los Angeles County Metropolitan Transportation Authority ("LACMTA"), on a form approved by the City Attorney, for the Garvey Avenue Capacity Improvements totaling \$18,202,000;
- (2) Authorizing the City Manager to appropriate project funds for the Garvey Avenue Capacity Improvements project per the project funding schedule included in the terms and conditions of the funding agreement;
- (3) Adopting a Resolution to add the Garvey Avenue Capacity Improvement and Parking Structure projects to the fiscal year 2023-2024 Capital Improvement Program ("CIP");
- (4) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act)

The City reviewed the environmental impacts of the Project under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the "CEQA Guidelines"). CEQA Guidelines §§ 15060(c)(2), 15061(b)(3), and 15378 exempt activities that will not result in a direct or reasonably foreseeable indirect physical change in the environment, activities where there is possibility that it may have a significant effect on the environment, and activities that do not constitute a "project" as defined, respectively. This activity is primarily a legislative tool to assess legislative and budgetary priorities and does not approve any of the specific projects for construction, and therefore does not have the potential to have a significant effect on the environment. Accordingly, no further review is required.

[3.] CONSENT CALENDAR ITEM NOS. 3A-3J

All items under the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion. Specific items may be removed from the Consent Calendar at the request of any member of the City Council for separate consideration.

3-A. MINUTES

It is recommended that the City Council consider:

- (1) Approving the minutes from the special and regular meetings of November 15, 2023; and
- (2) Taking such additional, related, action that may be desirable.

3-B. MONTHLY INVESTMENT REPORT – DECEMBER 2023

It is recommended that the City Council consider:

- (1) Receiving and filing the monthly investment report; and
- (2) Taking such additional, related, action that may be desirable.

3-C. RECEIVE AND FILE EFFECTIVE DATE FOR THE INCREASE IN WATER RATES AND CHARGES

It is recommended that the City Council consider:

- (1) Receiving and filing effective date for the increase in water rates and charges;
- (2) Direct the City Manager to postpone implementing the approved rates until after the City Council considers issuing bonds for infrastructure financing (in February 2024); and
- (3) Taking such additional, related, action that may be desirable.

3-D. CONSIDERATION AND POSSIBLE ACTION TO ADOPT A RESOLUTION TO RECORD A NOTICE OF NUISANCE ABATEMENT LIEN AGAINST CERTAIN REAL PROPERTY IN THE CITY (APN 5254-002-031)

It is recommended that the City Council consider:

- (1) Adopt a resolution to record a Notice of Nuisance Abatement Lien; and/or
- (2) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

Adoption of the Resolution is exempt from the California Environmental Quality Act ("CEQA") under CEQA Guidelines § 15061(b)(3) because it can be seen with certainty that there is no possibility that the action proposed by the proposed resolution would have a significant effect on the environment.

3-E. WAIVE FURTHER READING AND ADOPT ZONE CHANGE (ZA-23-02), AN ORDINANCE AMENDING THE ZONING MAP FOR CERTAIN PROPERTIES FOR CONSISTENCY WITH THE GENERAL PLAN, LAND USE AND URBAN DESIGN ELEMENT

It is recommended that the City Council consider:

- (1) Waiving the second reading and adopting the proposed ordinances; and
- (2) Taking such additional, related, action that may be desirable.

3-F. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING THE ZONING CODE TO COMPLY WITH CALIFORNIA LAW REGARDING MEDICAL CANNABIS DELIVERY RETAILERS

It is recommended that the City Council consider:

- (1) Waiving the second reading and adopting the proposed ordinance; and
- (2) Taking such additional, related, action that may be desirable.

3-G. AUTHORIZE THE CITY MANAGER TO EXECUTE A RENEWAL AGREEMENT BETWEEN THE CITY OF MONTEREY PARK AND EZEQUIEL LOPEZ VALASCO, DOING BUSINESS AS EFFICIENT JANITORIAL SERVICE

It is recommended that the City Council consider:

- (1) Authorizing the City Manager to execute an amendment to Agreement 1974-A, in a form approved by the City Attorney, with Ezequiel Lopez Valasco, doing business as Efficient Janitorial Services, in an amount of \$68,303.78; and
- (2) Taking such additional, related, action that may be desirable.

3-H. PREFERENTIAL PARKING DISTRICT: E. HELLMAN AVENUE FROM N. ALHAMBRA AVENUE TO N. NICHOLSON AVENUE.

It is recommended that the City Council consider:

- (1) Adopting a Resolution designating E. Hellman Avenue from N. Alhambra Avenue to N. Nicholson Avenue among the preferential parking districts; and
- (2) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The City reviewed the environmental impacts of the proposed Ordinance pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, et seq. "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, et seq., the "CEQA Guidelines"). CEQA Guideline § 15303 exempts activity that results in new construction or conversion of small structures. The Resolution creates a preferential parking district governing parking within a designated area and which requires installation of pedestrian level street signage. Accordingly, the Resolution is exempt from further review.

3-I. APPROVAL OF HAULERS QUALIFIED FOR A WASTE COLLECTION AND RECYCLING FRANCHISE AND AUTHORIZATION TO RELEASE REQUEST FOR APPLICATIONS

It is recommended that the City Council consider:

- (1) Approving the list of haulers qualified to submit proposals for a waste collection and recycling franchise for residential and/or commercial services;
- (2) Authorizing the release of the Request for Applications (RFA) to the list of qualified haulers; and
- (3) Taking such additional, related, action that may be desirable.

3-J. RECEIVE AND FILE SUMMARY OF THE STATUS OF EMERGENCY REPAIRS TO THE MONTEREY PASS ROAD WATER LINE

It is recommended that the City Council consider:

- (1) Receiving and Filing the staff report summarizing the status of emergency repairs to the Monterey Pass Road water line; and
- (2) Taking such additional, related, action that may be desirable.

[4.] PUBLIC HEARING

4-A. CONTINUED PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE INCORPORATING BY REFERENCE CHAPTER 7.46 OF LOS ANGELES COUNTY CODE TITLE 7 – BUSINESS LICENSES INTO A NEW CHAPTER 5.90 OF THE MONTEREY PARK MUNICIPAL CODE ("MPMC")

It is recommended that the City Council consider:

- (1) Opening the continued public hearing to receive both written and oral testimony, closing the continued public hearing;
- (2) Waiving second reading and adopting an Ordinance that would incorporate by reference Los Angeles County Code Title 7, Chapter 7.46 regarding the regulation of gun dealers within the City of Monterey Park ("City"); and
- (3) Taking such additional, related, action that may be desirable.

CEQA DETERMINATION

This Ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) in that it is not a "project" for purposes of CEQA, as that term is defined by CEQA Guidelines § 15378. Specifically, this Ordinance constitutes creation of government regulations which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. In addition, this Ordinance is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment.

[5.] NEW BUSINESS

5-A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA APPOINTING COUNCIL REPRESENTATIVES TO SPECIFIC ORGANIZATIONS

It is recommended that the City Council consider:

- (1) Adopting a Resolution appointing representatives to specific organizations; and
- (2) Taking such additional, related, action that may be desirable.

5-B. REQUESTING DIRECTION FROM THE CITY COUNCIL REGARDING THE STRUCTURE OF THE SISTER CITIES COMMISSION

It is recommended that the City Council consider:

- (1) Providing direction to the City Manager regarding the structure of the Sister Cities Commission; and
- (2) Taking such additional, related, action that may be desirable.

5-C. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MAYOR TO EXECUTE A THREE-YEAR EMPLOYMENT AGREEMENT (WITH ONE-YEAR EXTENSION) WITH MS. INEZ ALVAREZ, IN A FORM APPROVED BY THE CITY ATTORNEY, FOR CITY MANAGER SERVICES. FISCAL IMPACTS INCLUDE, WITHOUT LIMITATION, A (1) BASE COMPENSATION FOR A TOTAL OF \$265,000 BEGINNING NOVEMBER 15, 2023; (2) VEHICLE ALLOWANCE OF \$600 PER MONTH; AND (3) MEDICAL, DISABILITY, AND OTHER FRINGE BENEFITS INCLUDING, WITHOUT LIMITATION, CALPERS RETIREMENT BENEFITS SUBSTANTIALLY THE SAME AS OTHER DEPARTMENT DIRECTORS. THE TOTAL COMPENSATION PACKAGE IS APPROXIMATELY \$325,278 FOR THE FIRST YEAR. AN INCREASE IN BASE SALARY TO MEDIAN SALARY (OF SIMILARLY SIZED CITIES) MAY OCCUR ON JANUARY 1, 2025 WITH A CORRESPONDING INCREASE IN TOTAL COMPENSATION.

It is recommended that the City Council consider:

- (1) Authorize the Mayor to execute an Agreement with Ms. Inez Alvarez, in a form approved by the City Attorney; and
- (2) Taking such additional, related, action that may be desirable.

[6.] CITY COMMUNICATIONS (CITY COUNCIL)

[7.] FUTURE AGENDA ITEMS

[8.] CLOSED SESSION (IF REQUIRED; CITY ATTORNEY TO ANNOUNCE)

ADJOURN



City Council Staff Report

DATE: January 17, 2024

AGENDA ITEM NO: 2-B

TO: The Honorable Mayor and City Council
FROM: Karl H. Berger, City Attorney
SUBJECT: Legislative Subpoenas

RECOMMENDATION:

It is recommended that the City Council consider:

1. Continuing this matter until the regular meeting of February 21, 2024;
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The City Attorney's office delayed posting a staff report for this item pending discussions with TRC's counsel regarding a City proposal to process land use applications utilizing a team of consultants (separate from City staff) paid for by TRC.

TRC accepted this proposal by email dated January 12, 2024 at 10:00 a.m.

Consequently, it is recommended that the City Council postpone this matter until February 21, 2024. This will give TRC and the City enough time to put together the reimbursement team and allow the City to assemble the land use team.

If all elements are in place before February 21st, then the legislative subpoena matter will be taken off calendar. We will instead provide a receive and file item on that date regarding the "next steps."

FISCAL IMPACT:

None.

Respectfully submitted by:

A handwritten signature in blue ink, appearing to read "Karl H. Berger", is written over a horizontal line. Below the line, the name "Karl H. Berger" and title "City Attorney" are printed.

Karl H. Berger
City Attorney