

**MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
REGULAR MEETING
OCTOBER 5, 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, October 5, 2022 at 6:30 p.m.

CALL TO ORDER:

Mayor Lo called the meeting to order at 6:32 p.m.

FLAG SALUTE:

Mayor Lo.

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Hans Liang, Henry Lo, Yvonne Yiu
Council Members Absent: None.

ALSO PRESENT: City Attorney Karl Berger, City Manager Ron Bow, Assistant City Manager Inez Alvarez, Fire Chief Matt Hallock, City Librarian Diana Garcia, Director of Recreation & Community Services Robert Aguirre, Director of Human Resources & Risk Management Christine Tomikawa, Director of Management Services Martha Garcia, Director of Public Works Shawn Igoe, Interim Police Chief Scott Wiese, Fire Department Battalion Chief Chris Thompson, Battalion Chief Mark Khail, Planning Manager Jessica Serrano, Deputy City Clerk Cindy Trang, Adult Literacy Coordinator Victor Castellanos, Community Communications Coordinator Randy Ishino

VIRTUALLY PRESENT Economic Development Manager Joseph Torres

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

None

PUBLIC COMMUNICATIONS

- Sarkis Antonian spoke about the stop signs on Alhambra and Graves Avenues. He suggests having flashing red stop signs.

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

- Joseph Leon reported his meeting with financial consultant, Michael Bush, on possible new investments and financial management options.
- Maychelle Yee voiced her objection on item 4A.
- Delario Robinson expressed that his focus is on finance, and that services we need in Monterey Park requires money. He spoke on Measure MP and why we need it.

STAFF COMMUNICATIONS

- City Clerk's Office: City Clerk Chang provided a PowerPoint presentation regarding the upcoming election and the location of the Vote Centers and permanent ballot boxes.
- Fire Department: Fire Department Battalion Chief Thompson invited the residents to the earthquake event – America's Great Shakeout on October 20, 2022.
- Library Services: City Librarian Garcia presented a PowerPoint for their upcoming foundation fundraiser and literacy program. Adult Literacy Coordinator Castellanos invited members of the community to become a tutor for English and Job Skill workshops.
- Department of Public Works: City Manager Bow introduced the new Public Work's Director, Shawn Igoe.
- Recreation and Community Service Department: Director of Recreation and Community Services Aguirre informed the community of all their upcoming events for the month of October.

1. PRESENTATION

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

1A. UNITED STATES 247TH BIRTHDAY CELEBRATION

Commander Philip S. Ujie thanked Mayor Lo for hosting the United States Navy's 247th Birthday celebration. Navy Commander Arthur Fong helped with the traditional cutting of the cake.

RECESSED AND RECONVENED

The City Council recessed at 7:25 p.m. and reconvened at 7:36 p.m.

2. OLD BUSINESS - None.

3. CONSENT CALENDAR ITEMS 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 Member Yiu reported a potential conflict of interest as her spouse's employment is in the healthcare industry, therefore she did not participate on Item No. 3C. City Council approved and adopted Item Nos. 3B, 3C, 3D, 3F, and 3G on Consent Calendar, excluding Item Nos. 3A and 3E which were pulled for discussion and separate motion, reading resolutions and ordinances by the title only and waiving further reading thereof.

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

Ayes: Council Members: Chan, Liang, Lo
Noes: Council Members: None
Absent: Council Members: None (Yiu, Item No. 3C)
Abstain: Council Members: None

3A. MONTHLY INVESTMENT REPORT – AUGUST 2022

As of August 31, 2022 invested funds for the City of Monterey Park is \$88,697,579.10.

Public Communication:

- City Treasurer Leon gave an update on the August 2022 monthly investment report and the City's investment policy. He stated that the next month's report will be his last before he is termed out of office.

Action Taken: The City Council received and filed the monthly investment report of August 2022.

3B. MINUTES

Approving the minutes from the regular special meeting of August 1, 2022 at 6:30 p.m.

Action Taken: The City Council approved the minutes from the special meetings of August 1, 2022 on Consent Calendar.

3C. BALLOT MEASURE FOR HEALTHCARE WORKER MINIMUM WAGE PETITION

On August 1, 2022, the City Council voted 2-1 to adopt Ordinance No. 2223 which added the Healthcare Worker Minimum Wage initiative petition (certified by

Resolution No. 2022-R62) to the Monterey Park Municipal Code. A lawsuit captioned *Gonzalez v. City of Monterey Park* LASC Case No. 22STCP02942 was filed by opponents to the Healthcare Worker Minimum Wage initiative which challenged the City Council's action regarding Ordinance No. 2223. After a closed session held on August 17, 2022 regarding the lawsuit, the City Council directed the City Attorney not to defend that lawsuit (see attached meeting minutes, to the staff report). Consequently, on September 2, 2022, the Honorable Mary H. Strobel issued the attached (to the staff report) stipulated judgment in the case (the "Writ").

Action Taken: Council Member Yiu declared a potential Conflict of Interest as her spouse's employment is in the healthcare industry, therefore she did not participate on this item. The City Council received and filed this report; and adopted Resolution 2022-R76 upon a 3-0 vote, adding an initiative to the ballot for the regular municipal election to be held November 5, 2024 on Consent Calendar.

Resolution No. 2022-R76:

A RESOLUTION ADDING AN INITIATIVE MEASURE TO THE BALLOT FOR NOVEMBER 5, 2024 REGULAR MUNICIPAL ELECTION PURSUANT TO ELECTIONS CODE §§ 1405 AND 9215(B) IN ACCORDANCE WITH THE PEREMPTORY WRITE OF MANDATE ISSUED ON SEPTEMBER 2, 2022

3D. CONSIDERATION AND POSSIBLE ACTION TO ADOPT THE 2022 CONFLICT OF INTEREST CODE FOR THE CITY OF MONTEREY PARK IN ACCORDANCE WITH THE POLITICAL REFORM ACT

Pursuant to the Political Reform Act, Government Code § 81000, *et seq.*, every local agency is required to review its Conflict of Interest Code disclosure biennially to determine if the Code is accurate or in need of amendment. City staff has reviewed its previous determinations relating to disclosure levels and determined that Resolution No. 12198 should be amended to include revisions consistent with existing positions in the City.

Action Taken: The City Council adopted Resolution No. 2022-R77 amending the City's Conflict of Interest Code on Consent Calendar.

Resolution No. 2022-R77:

A RESOLUTION ADOPTING THE 2022 CONFLICT OF INTEREST CODE FOR THE CITY OF MONTEREY PARK IN ACCORDANCE WITH THE POLITICAL REFORM ACT

3E. A RESOLUTION DECLARING THE MONTH OF OCTOBER AS BREAST CANCER AWARENESS MONTH

National Breast Cancer Awareness Month takes place every year during the month of October. It is an annual health campaign organized by major breast cancer awareness charities to increase the awareness charities to increase the awareness

of the disease and to raise funds for research into its cause, prevention, diagnosis, treatment, and cure.

Action Taken: The City Council adopted Resolution No. 2022-R78 declaring the month of October as Breast Cancer Awareness Month.

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

Ayes:	Council Members:	Yiu, Chan, Liang, Lo
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

Resolution No. 2022-R78:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA DECLARING OCTOBER 2022 AS BREAST CANCER AWARENESS MONTH IN MONTEREY PARK

3F. CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES – HAZARD MITIGATION GRANT PROGRAM UPDATE

On May 25, 2022, The California Governor's Office of Emergency Services (Cal OES) awarded the City of Monterey Park, Fire Department, grant funds to update the City's Local Hazard Mitigation Plan (LHMP). Per the Scope of Work, the grant will fund the procurement of a consultant to provide project management and subject matter expertise throughout the planning process. Additionally, to ensure an inclusive and comprehensive plan, translation services and public outreach supplies will be utilized to reach a broader audience. The culminating result is a FEMA approved multi-hazard mitigation plan.

On August 1, 2022, staff advertised a Request for Proposal (RFP) on the City's website, to solicit bids for a consultant. In addition to posting the RFP, staff also emailed prospective agencies, notifying them of the RFP and inviting them to bid. The RFP closed on September 1, 2022. Staff received a total of two bids. One from the Resiliency Initiative and the second from Emergency Planning Consultants. While both applicants proved to have significant qualifications, staff identified Emergency Planning Consultants as the more knowledgeable agency, due to its extensive experience working with local municipalities.

Emergency Planning Consultants successfully completed over 120 Federal Emergency Management Agency (FEMA) approved LHMP projects. Moreover, the agency most notably collaborated with the City of Rosemead, City of South El Monte, and the City of Montebello on their FEMA approved LHMPs. This prior working experience may allow for the agency to provide further insight to potential hazards that extend beyond Monterey Park's boundaries. It also gives the agency some

understanding and working knowledge of the demographics and communities the City serves.

Moreover, the agency clearly outlined a fast-track timeline, to guarantee the project completed in a timely fashion, without skipping steps or missing pertinent deadlines. The agency's assurance of a thorough and timely completion of the project will allow staff to adhere to Cal OES' grant deadlines. Emergency Planning Consultant is requesting a total of \$45,000 to complete the project.

Action Taken: The City Council received and filed the report on Consent Calendar.

3G. RESOLUTION RATIFYING THE CITY'S APPLICATION SUBMITTAL AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO RECEIVED, AND APPROPRIATE GRANT FUNDS FROM THE DEPARTMENT OF TRANSPORTATION GRANTS

On September 7, 2022, City Council adopted a Local Road Safety Plan (LRSP) and a Vision Zero Policy for the City of Monterey Park. The LRSP is intended to proactively address local traffic safety needs, reduce traffic accident fatalities and serious injuries on all public roads. The Vision Zero Policy calls for the development of an Action Plan that prioritizes safe roadways and the highest level of safety for all road users through new policies, systems, and infrastructure improvements for pedestrians, bicyclists, and motorists. As part of the City's commitment to these traffic safety strategies, staff submitted grant applications to the Department of Transportation Highway Safety Improvement Program (HSIP) grant and the Safe Streets and Roads for All (SS4A) Discretionary Grant. Staff requests City Council adopt a Resolution to ratify the submission of the City's applications for these two grant programs and authorize the City Manager or Designee to Receive, and Appropriate Grant Funds, if awarded.

Action Taken: The City Council adopted Resolution No. 2022-R79 ratifying the City's application submittal and authorized the City Manager, or designee, to receive and appropriate grant funds from the Department of Transportation Highway Safety Improvement Program and the Safe Streets and Roads for All Discretionary Grant Program on Consent Calendar.

Resolution No. 2022-R79:

RESOLUTION RATIFYING THE CITY'S APPLICATION SUBMISSION AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO RECEIVE, AND APPROPRIATE GRANT FUNDS FROM THE DEPARTMENT OF TRANSPORTATION GRANT PROGRAMS FOR WHICH THE CITY IS ELIGIBLE

4. PUBLIC HEARING

4A. CONSIDERATION AND POSSIBLE ACTION TO ADOPT A RESOLUTION FINDING A PUBLIC NECESSITY TO ACQUIRE REAL PROPERTY THROUGH EMINENT DOMAIN AND AUTHORIZING THE CITY ATTORNEY, OR DESIGNEE, TO FILE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE REAL PROPERTY OWNED BY CENTER INT'L INVESTMENTS ("CII") IDENTIFIED BY ASSESSOR PARCEL NO. 5254-002-031, LOCATED ON GARVEY AVENUE FOR THE PURPOSES OF COMPLETING AND MAINTAINING THE GOODVIEWS ABATEMENT PROJECT ("GAP")

On August 22, 2022, the City sent a fair market purchase offer to the owners of Assessor Parcel No. 5254-002-031 (the "property") for the purpose of completing and maintain the Goodviews Abatement Project ("GAP"), which is located at 1688 West Garvey Avenue. A copy of the Offer Letter is attached as Exhibit 1 of the Staff Report. The property owner did not respond to the City's repeated offers for acquiring the Property. Since the parties cannot agree on price and terms for the sale of the Property, the City Manager and City Attorney recommend that the City Council consider adopting the attached Resolution to the staff report finding a public necessity to acquire the Property through eminent domain. (See attached Exhibit 2 of the staff report.)

CEQA (California Environmental Quality Act):

The findings set forth in Resolution No. 12553 (adopted June 16, 2021) and Section 2 of Resolution No. 12255 (adopted June 16, 2021), are incorporated by reference. For ease of reference, Resolution No. 12553 certifies the Final Environmental Impact Report for 1688 West Garvey Avenue Project (State Clearinghouse No. 2020070419); Resolution No. 12255 authorizes the GAP to protect public health and safety without the need for additional environmental review (see, *Ca/Beach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529: CEQA findings regarding an anticipated imminent emergency are valid).

Public Communications:

- Karrie On, representative of Center International Investment Incorporation (CII,) spoke on behalf of CII and communicated the plans CII and the City had with the project. She asked the council to reject the proposal and thoroughly investigate the city's work.
- James Bradshaw, resident of Monterey Park, asked what the intended public use of the property would be for eminent domain. He voiced his opinion on the condition of his slope due to the hillside stabilization work done by the city. He mentioned his family history and involvement with the city.
- Teresa Real Sebastian expressed her concern regarding the funding source for this project and inquired as to that public use for this property.

- Cindy Yee urged that the item should be postponed until the newly elected council takes office.
- Jason Dhing articulated his thoughts on the funding for this project.
- Benjamin Venti stated that the property for this project was a prehistoric landslide and should not have anything built on this lot.
- City Clerk Chang received and filed three written communications. (1) Sean P. O'Connor, Sheppard, Mullin, Richter & Hampton LLP, objecting to the Adoption of Necessity for the Acquisition of Certain Real Property; (2) Sean P. O'Connor, Sheppard, Mullin, Richter & Hampton LLP on behalf of Karrie On, Director of CII, who completed the Request to be Heard on Resolution of Necessity for the Acquisition of Certain Real Property form; (3) Alan A. Sozio, Burke, Williams, & Sorensen, LLP, submitted a letter in response to the Objection to Adoption of Resolution of Necessity file by CII.

Action Taken: The City Council opened the public hearing at 7:59 p.m. to receive and file this report; closed the public hearing at 9:16 p.m.; After considering the report and any other relevant evidence from the entire administrative record, adopted Resolution No. 2022-R80, authorized the City attorney, or designee, to commence an eminent domain action for acquiring real property located at Assessor Parcel No. 5254-002-031 (requires an affirmative TWO-THIRDS (2/3) vote of the City Council).

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

Ayes:	Council Members:	Yiu, Chan, Liang, Lo
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

Resolution No. 2022-R80:

A RESOLUTION FINDING AND DETERMINING THAT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY REQUIRE THE ACQUISITION OF CERTAIN PROPERTY FOR PUBLIC PURPOSES RELATED TO THE GOODVIEWS ABATEMENT PROJECT ("GAP")

5. NEW BUSINESS – None.

6. CITY COMMUNICATIONS (CITY COUNCIL)

Council Member Yiu attended the Fall Education Summit in Lake Arrowhead last week. She described her experience from the one-day event on Emergency Operation Centers.

Council Member Chan reported his attendance on the League of California City's Conference and Asian Pacific Islanders (API) Elected Officials Summit.

Council Member Liang attended the Monterey Park Police Department's Youth Service Golf Tournament to say farewell to former Police Chief Kelly Gordon. He also commended the Police Department regarding the chase pursuit that took place in Monterey Park.

Mayor Lo talked about his attendance to Asian Youth Center (AYC) 33rd Gala dinner to recognize unsung heroes and recognized Monterey Park resident Daisy Ma.

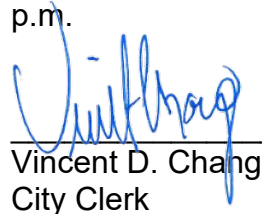
7. FUTURE AGENDA ITEMS

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

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 9:26 p.m.



Vincent D. Chang
City Clerk

Approved on November 16, 2022 at the Regular City Council Meeting