MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
OCTOBER 7, 2020

The City Council of the City of Monterey Park held a Regular Teleconference Meeting via Zoom on Wednesday, October 7, 2020 at 6:30 p.m. The regular meeting was conducted pursuant to Section 3 of Executive Order No. N-29-20 issued on March 17, 2020. Accordingly, Council Members were provided a meeting login number and conference call number and were not physically present at Council Chambers.

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.

PUBLIC PARTICIPATION

In accordance with Executive Order No. N-29-20 and guidance from the California Department of Public Health on gatherings, remote public participation was allowed in the following ways:

Via Email
Public comment were accepted up to 24 hours before the meeting via email to mpclerk@montereypark.ca.gov and, when feasible, read into the record during public comment. Written communications are 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: 948 8244 8635 then press pound (#). When prompted to enter participation ID number 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. Participants are encouraged to join the meeting 15 minutes before the start of the meeting. You may speak up to 5 minutes on Agenda item. 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.

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 Chan called the meeting to order at 6:31 p.m.

FLAG SALUTE:
Mayor Chan

ROLL CALL:
City Clerk Vincent Chang called the roll:
Council Members Present: Peter Chan, Hans Liang, Henry Lo, Fred Sornoso, Yvonne Yiu
Council Members Absent: None

ALSO PRESENT: City Manager Ron Bow, City Attorney Karl Berger, City Treasurer Joseph Leon, Assistant City Manager Inez Alvarez, Fire Chief Matt Hallock, Police Chief Kelly Gordon, Director of Management Services Martha Garcia, Interim Director of Public Works Frank Lopez, Interim Director of Human Resources Danielle Tellez, City Librarian Diana Garcia, Economics Development Manager Joseph Torres, Recreation and Community Services Manager Robert Aguirre, Senior Management Analyst Hank Lu, Deputy City Clerk Cindy Trang, Assistant Deputy City Clerk Helena Cho

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

City Attorney Berger announced that there was a correction made to the Resolution for Agenda Item No. 5B. He reported that there was a typographical error and the correction was distributed to the City Council and made available at the City Clerk's Office and will be identified during the agenda item.

PUBLIC COMMUNICATIONS

Public Speaker Disclaimer: Meetings are held virtually and the information listed for the speakers may or may not reflect the correct spelling of their respective name.

- Matt Hallock, Fire Chief, announced that the City will participate in the Great Shakeout scheduled for October 15, 2020 at 10:15 a.m. He informed the public that there is a disaster preparedness guide available on the City's website.

- Vincent Chang, City Clerk, reminded the public that November 3, 2020 is Election Day and informed the community that there various facilities that make it easy to vote. He informed the public that there are three Official Ballot Drop Box locations in the City: East Los Angeles College, Sierra Vista Park, and Monterey Park City Hall. There are also five Vote Centers: Brightwood Elementary School, East Los Angeles College, Hillcrest Elementary School, Langley Senior Center, and Union Church. He encouraged everyone to get their votes in and stated that they can contact the City Clerk's Office for more information.

- James Padgett expressed that he was shocked when he received his water/trash bill. He explained the fees/charges listed on his bill and stated that his bill has more than doubled. He urged the City Council to hold a public hearing to find revenue from other sources.

1. PRESENTATION

None.

2. OLD BUSINESS

None.

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

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 and the City Council, acting on behalf of the Successor Agency, approved and adopted Items Nos. 3A, 3B, 3C, 3D, 3E and 3G on Consent Calendar, excluding Items Nos. 3F and 3H 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 Sornoso and seconded by Council Member Lo motion carried by the following vote:

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

3A. MINUTES

Approve the Minutes for the Special and Regular meetings of August 5, 2020 and August 19, 2020.

Action Taken: The City Council approved the minutes for the Special and Regular meetings of August 5, 2020 and August 19, 2020 on Consent Calendar.

3B. WAIVE FURTHER READING AND ADOPT AN OMNIBUS ORDINANCE AMENDING VARIOUS CHAPTERS AND SECTIONS OF THE MONTEREY PARK MUNICIPAL CODE

The first reading and introduction of the Ordinance took placed at the September 16, 2020 City Council meeting. The original staff report (from September 16, 2020) is attached to the staff report for reference. Second reading and adoption of this Ordinance is recommended; it will take effect in 30 days.

Action Taken: The City Council waived second reading and adopted Ordinance No. 2190 on Consent Calendar.

Ordinance No. 2190, entitled:
AN OMNIBUS ORDINANCE AMENDING AND REPEALING VARIOUS CHAPTERS AND SECTIONS OF THE MONTEREY PARK MUNICIPAL CODE AS SPECIFIED

3C. WAIVE FURTHER READING AND ADOPT AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE ("MPMC") §§ 4.10.080 AND 21.04.475, AND CHAPTERS 21.32 AND 4.30 TO REGULATE HOMEOWNERS' ASSOCIATIONS WITHIN THE CITY

This Ordinance was introduced and received first reading at the September 16, 2020 City Council meeting. The original staff report (from September 16, 2020) is attached to the staff report for reference. Second reading and adoption of this Ordinance is recommended. If adopted, the Ordinance will take effect in 30 days.

Action Taken: The City Council waived second reading and adopted Ordinance No. 2191 on Consent Calendar.

Ordinance No. 2191, entitled:
AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE §§ 4.10.080 & 21.04.475, AND CHAPTERS 21.32 AND 4.30 TO REGULATE HOMEOWNERS ASSOCIATIONS WITHIN THE CITY

3D. WAIVE FUTHER READING AND ADOPT AN ORDINANCE ADDING A NEW CHAPTER 21.50 ENTITLED "ACCESSORY DWELLING UNITS" TO THE MONTEREY PARK MUNICIPAL CODE PURSUANT TO GOVERNMENT CODE §§ 65852.2 AND 65852.22

The Ordinance was introduced and received first reading at the September 16, 2020 City Council meeting. The original staff report (from September 16, 2020) is attached to the staff report for reference. Second reading and adoption of this Ordinance is recommended. If adopted, the Ordinance will take effect in 30 days.

Action Taken: The City Council waived second reading and adopted Ordinance No. 2192 on Consent Calendar.

Ordinance No. 2192, entitled:
AN ORDINANCE ADDING A NEW CHAPTER 21.50 ENTITLED "ACCESSORY DWELLING UNITS" TO THE MONTEREY PARK MUNICIPAL CODE PURSUANT TO GOVERNMENT CODE §§ 65852.2 AND 65852.22

3E. WAIVE FUTHER READING AND ADOPT AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE ("MPMC") CHAPTER 21.44 REGULATING DEVELOPMENT AGREEMENTS AND CODIFYING THE BUSINESS RECOVERY DEVELOPMENT AGREEMENT ZONE ("BRDZ") INTO MPMC CHAPTER 21.45

The introduction and first reading of the Ordinance took place at the September 16, 2020 City Council meeting. The original staff report (from September 16, 2020) is attached to the staff report for reference. Second reading and adoption of this Ordinance is recommended; it will take effect in 30 days.

Action Taken: The City Council waived second reading and adopted Ordinance No. 2193 on Consent Calendar.

Ordinance No. 2193, entitled:
AN ORDINANCE AMENDING CHAPTER 21.44 REGULATING DEVELOPMENT AGREEMENTS AND CODIFYING THE BUSINESS RECOVERY DEVELOPMENT AGREEMENT ZONE ("BRDZ") ESTABLISHED BY ORDINANCE NOS. 2184 AND 2185 INTO CHAPTER 21.45 OF THE MONTEREY PARK MUNICIPAL CODE

3F. 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 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. 12203 declaring the month of October as Breast Cancer Awareness Month.

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

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

Resolution No. 12203, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA DECLARING THE MONTH OF OCTOBER AS BREAST CANCER AWARENESS MONTH

3G. TREE MEMORIAL PROGRAM RECOMMENDATION FOR 2020

Nominations for the Tree Memorial Award were advertised and accepted during the month of February 2020. The Recreation and Community Services Department received three nomination applications; two for David Kwok, and one for Takeshi Yabiku.

Subsequently, the Tree Memorial Program Committee consisting of three Community Participation Commissioners and two Recreation and Parks Commissioners met to review the nominations of Mr. David Kwok and Mr. Takeshi Yabiku and discuss their consideration for a Tree Memorial based on the criteria established in Resolution Nos. 10485 and 11484 (Attachment A to the staff report).

The Committee reviewed each nominee application. After reviewing the information provided on the nomination application for Mr. David Kwok (Attachment B to the staff report), the committee voted unanimously to recommend City Council approve to honor Mr. Kwok with a Tree Memorial for his service and positive impact on the Monterey Park Community.

As for the nomination application for Takeshi Yabiku (Attachment C to the staff report), the Committee is recommending City Council approve Mr. Yabiku be honored for his military service and for the ultimate sacrifice of his life for the defense of our country. Suggestions provided by the Committee included placing Mr. Yabiku's name on the Veterans War Memorial Monument in front of City Hall, which parallels the recognition of other community members military service or have City staff explore other options to honor Mr. Yabiku as well as other deceased Monterey Park veterans.

Action Taken: The City Council approved to honor Mr. David Kwok with a memorial tree and approved to honor Mr. Takeshi Yabiku on the Veterans War Memorial Monument on Consent Calendar.

3H. EMERGENCY REPAIRS OF WATER MAIN AND ROADWAY ON VERDE VISTA DRIVE

On Sunday September 27, 2020 Public Works staff received a report of a City water main break at approximately 7:30 AM. Staff responded and found a significant amount of water flowing up from under the roadway, later estimated at over 700,000 gallons. Additionally, the roadway appeared to begin buckling and sinking as the large amount of water caused the soil to be unearthed and consequently undermining the roadway. Attached to the staff report is the City Manager's administrative declaration of emergency.

CEQA (California Environmental Quality Act):

The emergency and extended repairs are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15269 (emergency repair to this public facility is necessary to maintain service essential to the public, health and welfare) and § 15301 (Existing Facilities). The extended repairs would result in minor alterations to existing public facilities involving no significant expansion of the existing use. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. There are adequate utilities and public services to serve the project.

Action Taken: The City Council (1) adopted Resolution No. 12204 upon 4/5ths vote declaring an emergency authorizing contracting without the need for bidding pursuant to Public Contracts Code §§ 20168 and 22050; (2) authorized the City Manager or designee, to (2a) execute a public works contract between the City of Monterey Park and a qualified contractor(s), for roadway and asphalt repairs on Verde Vista Drive, in a form approved by the City Attorney; and (2b) appropriated funds from the Water Capital accounts from the current fiscal year budget to cover the cost of these repairs; and (3) authorized the Interim Director of Public Works to approve change orders and contingency as appropriate up to 15% of the contract amount for this project.

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

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

Resolution No. 12204, entitled:
A RESOLUTION ADOPTED PURSUANT TO PUBLIC CONTRACTS CODE § 20168 FINDING THAT AN EMERGENCY EXISTS WITHIN THE CITY AND AUTHORIZING CONTRACTING WITHOUT THE NEED FOR BIDDING PURSUANT TO § 22050 AND MONTEREY PARK MUNICIPAL CODE (“MPMC”) CHAPTER 2.52 AND FINDING THAT THE PROJECT IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS AN EMERGENCY REPAIR

4. PUBLIC HEARING

None.

5. NEW BUSINESS

5A. PENSION OBLIGATION BOND UPDATE

On September 2, 2020 the City Council retained UFI Financial Solutions as municipal advisor, Ramirez & Co., Inc. to serve as Senior Managing Underwriter, Stifel to serve as Co-Managing Underwriter, Stradling Yocca Carlson & Rauth to serve as Bond and Disclosure Counsel, Bartel and Associates to serve as consulting actuary, and HdL Companies to serve as property tax consultant in connection with the proposed issuance of Pension Obligation Bonds (the "POBs"). Based on the June 2020 CalPERS valuation reports, the City's UAL as of June 30, 2019 is $43,319,901 and $65,327,608 for the miscellaneous and safety plans respectively for a total of $108,647,509.

Traditionally, issuing POBs requires a trip to court for a judicial validation. However, based on a legal review by the City's bond counsel the validation process completed by the City in 2004 allows for the issuance of "additional bonds". As a result, the City is not required to validate the proposed issuance of additional POBs.

The ability to move forward without a new validation has several positive impacts including the following:

- The legal fees of $25,000 and court costs of approximately $5,000 which would have been incurred for the validation are no longer required;
- The financing timeline can be accelerated by 3-4 months; and
- While we will not know the interest rate or actual savings until bonds are sold, assuming a POB interest rate of 3.5% versus the CalPERS discount rate of 7%, each month the financing can be accelerated saves $343,511. A three (3) month acceleration of the schedule could save the City an additional $1,030,533.

The next phase of the financing is the preparation of legal and bond financing documents. Based on the schedule below, staff and the financing team are estimating document completion and presentation to the City Council in the month of December with the bond closing occurring in late December or early January 2021.

Public Speakers:

- Michael Mejia, Senior Managing Underwriter from Ramirez Co., was present and available for questions.

- Michael Busch, Chief Executive and Strategy Officer of Urban Futures Inc., was present and available for questions.

Action Taken: By consensus, the City Council received and filed the report.

5B. CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION APPROVING THE FINE SCHEDULE FOR VIOLATIONS OF THE MONTEREY PARK MUNICIPAL CODE

If adopted, the draft Resolution would establish a fine schedule that sets fine amounts less than $1000 for some violations. For Monterey Park Municipal Code ("MPMC") sections not listed within the schedule, the default $1000 fine could be imposed for a misdemeanor violation. For infraction violations, the MPMC establishes a default fine schedule of $100/$200/$500.[1]

Updating the fine schedule will allow the MPPD and MPFD to issue misdemeanor or infraction citations with uniform penalties.

CEQA (California Environmental Quality Act):

Adoption of this 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 Resolution may have a significant effect on the environment.

Action Taken: The City Council adopted Resolution No. 12205 establishing fines for misdemeanor and infraction violations of the Monterey Park Municipal Code as amended to correct a typographical error on page 4 to Exhibit A, Item No. 3, the numerical representation should reflect $2,500.

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

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

Resolution No. 12205, entitled:
A RESOLUTION ADOPTING A FINE SCHEDULE PURSUANT TO GOVERNMENT CODE § 36900 AND MONTEREY PARK MUNICIPAL CODE § 4.10.020

[1] This is slightly higher for violations of the building code and other safety regulations.

5C. ADOPTION OF ORDINANCES AMENDING THE MONTEREY PARK MUNICIPAL CODE TO REGULATE SPECIAL EVENT PERMITS WITHIN THE CITY

A review of the existing regulations in the Monterey Park Municipal Code ("MPMC") show that the process for approving special events is antiquated. It is crucial – particularly in the current circumstances – that the public and the City's officials are clearly informed regarding how to conduct special events; ensure that such events do not unduly interfere with the normal flow of vehicle and pedestrian traffic; protect public health, safety, and property; and promote the public's right to engage in constitutionally protected activities.

Action Taken: The City Council adopted an Urgency Ordinance No. 2194 upon 4/5ths vote regulating special event permits within the City and waived first reading and introduced an Ordinance regulating special event permits within the City.

Urgency Ordinance No. 2194, entitled:
AN URGENCY ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE CHAPTER 9.57 IN ITS ENTIRETY AND REPEALING SECTION 9.51.030 TO REGULATE SPECIAL EVENTS WITHIN THE CITY

Ordinance, 1st Reading, entitled:
AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE CHAPTER 9.57 IN ITS ENTIRETY AND REPEALING SECTION 9.51.030 TO REGULATE SPECIAL EVENTS WITHIN THE CITY

5D. THE GREATER MONTEREY PARK CHAMBER OF COMMERCE LEASE AGREEMENT OF EL ENCANTO – UPDATE

Last week, the City Manager's office discovered that, among other things, the corporate status of the Greater Monterey Park Chamber of Commerce (Chamber) was suspended by the State of California. Additional investigation into the matter resulted in the City Attorney's office sending the attached letter (dated September 23, 2020) to the Chamber. After a Special Meeting held on September 24, 2020, the City Council authorized the City Attorney to initiate litigation against the Chamber.

Since September 24th, the Chamber failed to comply with most of the direction provided by the City Attorney in his September 23rd demand letter. On October 1st, however, the Chamber did provide the City with a copy of its 2015 taxes that were filed with the State of California. A copy is attached to the staff report.

This matter was placed onto the agenda at the City Council's direction on September 24th to discuss "next steps" for both El Encanto and the City's relationship with the Chamber, if any.

Public Speakers:

- Isabel Wu read letters that spoke in support of the Chamber and urged the City Council to consider funding the Chamber.

- Ricardo Sandurelli voiced his support for the Chamber. He proposed that the City Council reconsider working more closely with the Chamber.

- Jojo Berango stated that he is a small business owner and voiced his support of the Greater Monterey Park Chamber of Commerce. He conveyed that the City Council should keep the Chamber.

- Caleb Kwok provided a status update on the Greater Monterey Park Chamber of Commerce. He proposed that the City Council allow the Chamber to continue its operations at El Encanto.

- Dora Leung stated that she is disappointed that the City is considering cutting ties with the Chamber. She stated that the Chamber's corporate status is currently suspended due to an administrative error. She informed the City Council that as of October 7, 2020, the Chamber has submitted the required paperwork needed to get back on track. She asserted that the Chamber has completed numerous projects for the betterment of Monterey Park.

- Qing Wong stated that he is working with Caleb Kwok to update the corporate status for the Chamber. He stated that the Chamber is a great source for businesses to acquire necessary resources.

- Steve Kong spoke about the Taste of Monterey Park an event that the Chamber is working on. He communicated that the Chamber is a good working organization that works for the betterment of Monterey Park.

- City Clerk Chang received, filed, and read into the record two written communications from Jillian Van Leuven and Adele Andrade Stadler. Both written communications were in support of the Greater Monterey Park Chamber of Commerce and urged the City Council to consider funding the Chamber.

Recommendation: That the City Council (1) Receiving and filing this report; (2) If desirable, providing direction to the City Manager and City Attorney regarding the use of El Encanto; (3) If desirable, providing direction to the City Manager and City Attorney regarding future promotion of businesses within the City including, without limitation, the potential creation of a community development corporation; and (4) Taking such additional, related, action that may be desirable.

Action Taken: The City Council received and filed the report; extended the eviction time to 30 days; and directed the City Attorney to dismiss the Lawsuit if the Greater Monterey Park Chamber of Commerce is able to vacate within the 30 days mandate.

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

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

6. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Council Member Liang had nothing to report.

Council Member Lo thanked the Fire Department for fighting the August Complex Fire and the Bobcat Fire. He wished for a safe and speedy return of fire personnel. He informed the community that ActiveSGV will be celebrating their 10th anniversary on October 10, 2020.

Council Member Sornoso congratulated the Fire Department on the new fire station and requested information on the Candy Caravan event to be held on October 29, 2020 by the Recreation & Community Services Department.

Mayor Pro Tem Yiu reported that she has visited various restaurants in the surrounding cities. She encouraged city staff to work with local businesses on various options that maybe available for businesses to reopen outdoors.

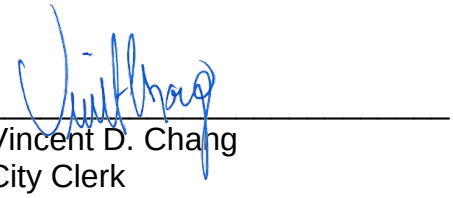
Mayor Chan thanked the Fire Department for fighting the August Complex Fire and the Bobcat Fire. He reported that the Business Recovery Program has allowed 30 restaurants to open with outdoor dining. He encouraged the community to practice social distancing and proper hygiene to protect each other while dining out.

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

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 9:10 p.m.



Vincent D. Chang
City Clerk

Approved on November 4, 2020 at the Regular City Council Meeting