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 Meeting
Monterey Park City Hall Council Chambers
320 West Newmark Avenue, Monterey Park, CA 91754

Wednesday, September 17, 2025
6:00 PM

Mission Statement
The mission of the City of Monterey Park is to provide excellent service, foster growth and opportunity, and create a joyous and collaborative environment.

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 at www.montereypark.ca.gov/agendas.

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 an/each 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 by completing an online form at www.montereypark.ca.gov/writtencomm.

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.

Live Translation:
Meetings will be translated (transcribed or audio) to the language you select. Instructions are provided below.

即時翻譯：
會議將被翻譯（筆譯或音譯）至您選擇的語言。操作說明如下

Traducción en vivo:
Las reuniones se traducirán (por escrito o por audio) al idioma que seleccione. Las instrucciones se encuentran a continuación.

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Scan QR Code or Go To: 掃描二維碼或前往: Escanee el código QR o visite: https://attend.wordly.ai/join/ERPR-7201	Choose Langauage, Click "Attend" 選擇語言 點擊"Attend"(出席) Seleccione el idioma y haga clic en "Attend"	Read Captions on Device Use Headset for Audio 在設備上閱讀筆譯使用耳機收聽口譯 Lea los subtítulos en su dispositivo y use audífonos para el audio

1. **Call to Order**
   Mayor
2. **Flag Salute**
   The Monterey Park Police Explorers
3. **Roll Call**
   Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Elizabeth Yang
4. **Agenda Revisions and Additions**
5. **Public Communications**

6. Staff Communications

7. Presentation

8. Old Business

9. Consent Calendar

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.

10. Public Hearing

10.B. Determination of whether a public nuisance exists at 795 W. Garvey and consideration of potential abatement order pursuant to Monterey Municipal Park § 4.30.110

It is recommended that the City Council consider:

1. Open the public hearing;
2. Receive all written and verbal testimony to determine whether a public nuisance exists at 795 W. Garvey;
3. Render decision on whether a public nuisance exists at 795 W. Garvey via minute order;
4. If a public nuisance is found to exist, approve and issue order to abate public nuisance at 795 W. Garvey.
5. Taking such additional, related, action that may be desirable.

11. New Business

12. City Communications (City Council) / Future Agenda Items

13. Closed Session (if Required; City Attorney to Announce)

14. Adjournment

City Council Staff Report

Date: September 17, 2025
Agenda Item Number: 10.B.

To: The Honorable Mayor and City Council

From: Joaquin Vazquez, Deputy City Attorney

Subject: Determination of whether a public nuisance exists at 795 W. Garvey and consideration of potential abatement order pursuant to Monterey Municipal Park § 4.30.110

Recommendation:
It is recommended that the City Council consider:

1. Open the public hearing;
2. Receive all written and verbal testimony to determine whether a public nuisance exists at 795 W. Garvey;
3. Render decision on whether a public nuisance exists at 795 W. Garvey via minute order;
4. If a public nuisance is found to exist, approve and issue order to abate public nuisance at 795 W. Garvey.
5. Taking such additional, related, action that may be desirable.

Executive Summary:
Pursuant to Monterey Park Municipal Code ("MPMC") § 4.30.110, the City Manager has appointed the City Council to act as the administrative hearing officer over a public hearing to determine, based upon the evidence presented, whether a public nuisance exists real property located at 795 W. Garvey Avenue (the "Property"). The City asserts that the Property remaining has been in a state of partial construction since 2017 – which itself is a public nuisance – and is creating additional public nuisances, including without limitation, blight, attractive nuisance, illicit water runoff, graffiti, trash and debris, and overgrown vegetation – all violations of the MPMC. If it finds one or more public nuisances exist on the Property, the City Council may then issue an order of abatement authorizing City personnel to abate the nuisance(s) at the Property owners' cost, pursuant to MPMC § 4.30.150.

Background:
Hearing Procedure:

The City Council will conduct this administrative hearing to determine whether any public

nuisance(s) exist, or have existed, on the Property pursuant to MPMC § 4.30.110. Findings of violations of the MPMC must be based on preponderance of the evidence (more likely true than not).

The hearing will commence with a presentation on behalf of the City regarding alleged public nuisances in violation of the MPMC. This may also include exhibits and witness testimony. There are no formal rules of evidence. The City Council may utilize reasonable standards for accepting evidence, including what evidence to accept and consider, as well as how much weight to give any such evidence.

The Property Owners (as defined below) were duly notified in writing of this hearing and may present a defense, which may also include exhibits and sworn testimony. Both sides may cross-examine any witnesses who provide testimony at the hearing. The City Council, sitting as the administrative hearing officer, may also inquire of any party or witness as part of its fact-finding process.

The Mayor is the presiding officer over the hearing, through whom any legal or procedural rulings may be issued with legal advice from the City Attorney as requested or needed.

If findings of public nuisance(s) in violation of the MPMC are made, the City Council may then issue an order of abatement of any public nuisance found to remain with the Property. A "proposed order" to this effect will be provided at the hearing for the City Council's consideration.

Factual Background:

The Property was purchased by the Chan family in 2007, lead by brothers Edward and Howard Chan (the "Property Owners") who have been and remain the responsible parties for its development. Around May 2013, the Property Owners filed an application with the City for design review ("Design Review") requesting City approval of a new one-story 5,200 square foot commercial building for retail business. The application underwent several revisions before being approved two years later in May 2015. In September 2015, the Property Owners submitted their building permit application to the City which also required several revisions and another two years before finally being approved in July 2017. The Property Owners did not submit a demolition permit application for the then-existing gas station at the Property until December 2017.

Construction began in 2018, with various delays experienced over the next two years. These delays are attributable to, among other things, plan changes, contractor turnover, and at least eight corrections to construction after inspections by the City's Building Division. By all accounts, Edward and Howard Chan, who have no known experience with commercial construction, were and continue to act as the general contractor for this project.

The exterior of the structure and basic framing of the interior was completed in or about 2020; construction has effectively stalled ever since. There is no landscaping. A chain link fence with an opaque tarp still surrounds the parcel, and the parking lot remains an unfinished dirt pad with open trenches. The interior still has exposed walls; there is no HVAC system installed; and water, electricity and sewer have not been connected. It is estimated construction is approximately 80% completed.

A. Building Permits

On or about September 28, 2022, original building permit no. B15-0906 expired due to a lack of construction activity and failure to request an extension. In or around February 2023, the Property Owners applied for and were issued a new building permit (no. B23-0128). Once again, the Property Owners failed to conduct any cognizable construction before that permit expired on or about August 1, 2023, without any request for extension. In or about January 2024, the Property Owners applied for and were issued their third building permit, which expired 180 days later, again due to a lack of construction activity. In January 2025, the Building Official agreed to allow for an extension of their third building permit, despite it having expired more than six months earlier.

Sometime in 2021, the Property Owners discovered that their sewer system connection to the City's sewer main was constructed lower than where the lateral connection should be, requiring a redesign of the connection using a sump pump to elevate wastewater for proper flow to the sewer lateral. In 2024, the Property Owners finally submitted revised sewer plans to the Public Works department, which was approved in October 2024. There still has been no related sewer work on-site since.

The site also requires a capture system to regulate the rate of stormwater flowing into the public storm drain system to avoid backups and flooding, as part of a low impact development system ("LID") system. Plans for the LID system were first approved by Public Works in 2017 along with the original building plans. The Property Owners, however, continued to seek less expensive designs requiring new plans and approvals, first in 2021 and then again in 2024. Despite the City's expeditious review and return of their third LID redesign, the Property Owners could not get their plans to an acceptable state until January 2025 and did not order the materials for installation of the LID system until early June 2025.

On May 21, 2025, the Property Owners and their putative new "general contractor," Thomas Vong met with City staff to clarify the current status of the Property, what work remained, and a reasonable expectation for completion. The Property Owners agreed with staff that construction should be completed by the end of 2025 and assured the City's representatives that crews would be on-site working in earnest within two weeks (June 3, 2025).

There were no crews and no work conducted on-site until seven weeks later on July 9, 2025, when some additional trenching was performed in preparation of delivery of LID system components the week of July 21. That delivery consisted of a storm water capture cistern and some related components, with remaining pumps and other elements to follow.

The Property Owners' acknowledged back in May 2025 that the significant amount of work required with the structure could and would proceed concurrently with the exterior work, such as the LID system and sewer sump pump connection. However, a little over a week's worth of work, at most, has been performed since the Property Owners promised construction in earnest would begin by June 3, 2025, all of which has been related to the LID system exclusively.

Repeated inquiries by the City requesting credible explanation for the lack of construction remain unanswered. Inspections from the public right-of-way by Code Compliance staff nearly

working over the last 3-4 weeks give every indication that the Property Owners are intentionally working as slowly as possible to feign progress. For example, since the LID cistern was placed the week of July 21, there have been one to two crew members intermittently on-site moving dirt and gravel around with hand shovels supposedly as cistern backfill – work that would normally be done in about a day with the heavy equipment used in early July when prepping the site for the cistern placement. Further, the putative general contractor, Thomas Vong, confirmed those workers do not work for him and acknowledges that he is now acting in a “consultant” capacity. He cannot explain why the Property Owners will not allow him to work in earnest on the project as expected.

The cistern backfill was inspected and approved by the City on September 2, 2025, but there has been no evidence of any further work at the Property since. Based on information and belief, the remaining components to the LID system are available from the supplier for delivery since at least early August. Other than this initial work on the LID system, no other construction has been performed on-site for years and completion is still six months out, assuming full diligence.

The Property being in a state of partial construction for such a prolonged period without meaningful progress amounts to, among other things, a blight and public nuisance in violation of Monterey Park Municipal Code. Violations of the MPMC have persisted since 2017, including: water pooling in the parking lot flooding the interior of the structure; illicit storm water runoff and also wastewater discharge from an uncapped sewer lateral on the Property, all flowing into the public storm drain system; graffiti, broken windows, accumulation of trash and debris, and overgrown vegetation – all of which have been the subject code enforcement efforts.

B. Code Enforcement Efforts

The Code Compliance Division has been engaged in various enforcement efforts regarding violations of the MPMC at the Property since at least December 2017. After stalled construction become obvious, City staff from Building & Safety, Planning, Economic Development and Code Compliance met with the Property Owners on several occasions in late 2022 through early 2023 to offer assistance with getting construction back on track.

On December 22, 2023, after representations by ownership that work would soon begin in earnest never materialized, the City Attorney’s Office served the Property Owners with a formal Notice of Public Nuisance. That Notice, in consultation with the Building Official, provided a six-month compliance deadline of June 20, 2024, to complete construction along with intermediate milestones to ensure timely progress. Compliance with that Notice was limited to the Property Owners identifying a general contractor and obtaining a new building permit. However, no actual construction ever commenced.

In March of 2024, a meeting was held at City Hall with the Property Owners and the Building Official, Planning Department, Engineering, Code Compliance and the City Attorney’s Office to discuss compliance with the City Attorney Notice from December 2023. There they made further representations that work would begin in earnest shortly. While the Property Owners sought to submit revised plans to Public Works for both the LID system and the sewer sump pump connection, they still failed to engage in any work with the structure, for example, under their third building permit issued in early February 2024, resulting in its expiration six months

later as mentioned above.

Repeated communications between the City and ownership regarding the continuing delays in construction persisted without anything happening onsite. To date, the Property has accumulated over $21,000 in unpaid administrative citation fines.

C. Conclusion:

Based on the forgoing any additional evidence presented on September 17, 2025, Staff has no confidence that the Property Owners are capable of completing construction within any reasonable amount of time. In fact, every indication is that the Property Owners are intentionally doing as little as possible to feign progress and intentionally delaying meaningful construction activity.

Accordingly, should the appropriate findings me made regarding public nuisances at the Property, and maintaining it in a perpetual state of partial construction in particular, Staff recommends an order authorizing abatement by City personnel of either completion of construction according the approved building plans or complete demolition and bringing the Property into compliance with the City's vacant lot requirements. A proposed order to this effect will be provided at the hearing.

List of Public Nuisances Observed on the Property (without limitation):

1. MPMC § 4.30.050(c) – permitting property to remain in a state of partial construction
2. MPMC § 4.30.050(g) – graffiti remaining for more than 24 hours
3. MPMC § 4.30.050(h) – damaged, broken or dilapidated fencing
4. MPMC § 4.30.050(j)(3) – overgrown vegetation constituting unsightly appearance
5. MPMC § 4.30.050(k) – maintaining building and/or grounds so as to become unsightly
6. MPMC § 4.30.050(l) – accumulation of trash, junk and debris
7. MPMC § 6.30.030(a) – unpermitted runoff into storm drain system

Potential City Witnesses (without limitation):

1. Rey Lozano, Code Enforcement Supervisor
2. Lizbeth Rodriguez, Code Enforcement Officer
3. Dennis Tarango, Building Official
4. Ziad Mazboudi, City Engineer
5. Beth Chow, Planning Manager
6. Timothy Campen, Assistant City Attorney

City Exhibits (without limitation):

1. Google aerial photo of Property
2. Photographs of construction progress at Property
3. City Attorney Notice of Public Nuisance dated May 3, 2023
4. City Attorney Notice of Public Nuisance dated December 22, 2023
5. Notice of Public Nuisance and Intent to Abate with City Personnel dated August 29, 2025

Strategic Plan Goal:
N/A

Fiscal Impact:
N/A

Attachments:
1. Exhibit 1 - Aerial Photo of 795 W. Garvey
2. Exhibit 2 - Photos of 795 W. Garvey
3. Exhibit 3 - 795 W. Garvey - City Attorney Notice (05-03-2023)
4. Exhibit 4 - City Attorney Notice (12-22-2023)
5. Exhbit 5 - 795 W. Garvey - Revised Notice of Intent to Abate to Edward Chan (8-29-25)

ATTACHMENT 1
Exhibit 1 - Aerial Photo of 795 W. Garvey


99 Ranch Market
795
780
N Atlantic Blvd
N Chandler Ave
N Chandler Ave
Garvey Ave
Garvey Ave
Garvey Ave
Garvey Ave
Daikokuya Monterey Park
Ramen
Mandarin Noodle House
Temporarily closed
Diamond Bakery
Deerfield Plaza
[green colored plaza]
Shopping mall
Oakshire Construction
Layers
Google Maps

ATTACHMENT 2
Exhibit 2 - Photos of 795 W. Garvey

Jul 23, 2025 at 12:49:40 PM
795 W Garvey Ave
Monterey Park CA 91754

Aug 20, 2025 at 11:59:02 AM
795 W Garvey Ave
Monterey Park CA 91754

Aug 20, 2025 at 11:59:22 AM
795 W Garvey Ave
Monterey Park CA 91754

Aug 20, 2025 at 11:59:25 AM
795 W Garvey Ave
Monterey Park CA 91754

NOTICE
THIS AREA IS UNDER
24 HOUR
VIDEO
SURVEILLANCE


Aug 20, 2025 at 11:59:36 AM
795 W Garvey Ave
Monterey Park CA 91754

Aug 26, 2025 at 11:21:33 AM
795 W Garvey Ave
Monterey Park CA 91754

Aug 26, 2025 at 11:21:45 AM
795 W Garvey Ave
Monterey Park CA 91754


THIS AREA IS UNDER
24 HOUR
VIDEO
SURVEILLANCE
Sep 2, 2025 at 8:32:33 AM
795 W Garvey Ave
Monterey Park CA 91754

Sep 2, 2025 at 8:33:03 AM
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Monterey Park CA 91754

Sep 2, 2025 at 8:33:20 AM
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Monterey Park CA 91754

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CA,Monterey Park,Wilmar,W Garvey Ave
795 W Garvey Ave

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CA,Monterey Park,Wilmar,W Garvey Ave
795 W Garvey Ave

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795 W Garvey Ave


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795 W Garvey Ave

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795 W Garvey Ave

Jun 3, 2025 at 1:16:25 PM
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Monterey Park CA 91754

Jun 23, 2025 at 2:59:45 PM
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Jun 23, 2025 at 3:01:37 PM
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Jun 23, 2025 at 3:02:20 PM
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Jun 23, 2025 at 3:04:00 PM
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Jun 23, 2025 at 3:04:18 PM
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Jul 23, 2025 at 12:41:59 PM
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Jul 23, 2025 at 12:50:26 PM
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Monterey Park CA 91754

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795 W Garvey Ave

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795 W Garvey Ave

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795 W Garvey Ave

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Monterey Park CA 91754

Apr 15, 2025 at 8:24:44 AM
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Monterey Park CA 91754



Apr 15, 2025 at 8:25:08 AM
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Monterey Park CA 91754

Apr 15, 2025 at 8:25:41 AM
795 W Garvey Ave
Monterey Park CA 91754

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Monterey Park CA 91754



Apr 15, 2025 at 8:26:56 AM
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Monterey Park CA 91754



Apr 15, 2025 at 8:27:04 AM
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Monterey Park CA 91754

Apr 15, 2025 at 8:27:19 AM
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Monterey Park CA 91754


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795 W Garvey Ave


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795 W Garvey Ave

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795 W Garvey Ave
Monterey Park CA 91754
United States

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Monterey Park CA 91754
United States

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Monterey Park CA 91754
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Monterey Park CA 91754
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Monterey Park CA 91754
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Monterey Park CA 91754
United States

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Monterey Park CA 91754
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Feb 1, 2024 at 12:17:39 PM
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Monterey Park CA 91754
United States

Feb 1, 2024 at 12:18:15 PM
795 W Garvey Ave
Monterey Park CA 91754
United States



Feb 1, 2024 at 12:18:30 PM
771 W Garvey Ave
Monterey Park CA 91754
United States

Feb 1, 2024 at 12:18:39 PM
771 W Garvey Ave
Monterey Park CA 91754
United States

Feb 1, 2024 at 12:19:23 PM
771 W Garvey Ave
Monterey Park CA 91754
United States

Feb 1, 2024 at 12:20:04 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Apr 24, 2024 at 12:21:19 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Apr 24, 2024 at 12:21:24 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Apr 24, 2024 at 12:23:44 PM
771 W Garvey Ave
Monterey Park CA 91754
United States

Apr 24, 2024 at 12:23:47 PM
771 W Garvey Ave
Monterey Park CA 91754
United States

May 23, 2024 at 9:32:24 AM
795 W Garvey Ave
Monterey Park CA 91754
United States



May 23, 2024 at 9:32:54 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

May 23, 2024 at 9:33:24 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

May 23, 2024 at 9:33:36 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

Oct 3, 2023 at 3:34:23 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Oct 3, 2023 at 3:34:35 PM
795 W Garvey Ave
Monterey Park CA 91754
United States



Oct 3, 2023 at 3:34:54 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Oct 3, 2023 at 3:35:58 PM
795 W Garvey Ave
Monterey Park CA 91754
United States


Oct 17, 2023 at 11:03:53 AM
795 W Garvey Ave
Monterey Park CA 91754
United States


SHIN-SEN-GUMI
ATLANTIC PLAZA
SHOPPING CENTER
Oct 17, 2023 at 11:04:19 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

Oct 17, 2023 at 11:04:31 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

Electronics Event Drop Off
ROSEMEAD HIGH SCHOOL
OCT
(9am - 3pm)
7 - 8
Service Charge for Major Appliances, Including Cooling Units & Microwaves.

Oct 17, 2023 at 11:05:38 AM
771 W Garvey Ave
Monterey Park CA 91754
United States

Dec 19, 2023 at 11:46:33 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

Dec 19, 2023 at 11:47:09 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

Dec 19, 2023 at 11:47:17 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

Dec 19, 2023 at 11:49:11 AM
795 W Garvey Ave
Monterey Park CA 91754
United States



Network:Oct 30, 2023 at 1:47:58 PM PDT
Local:Oct 30, 2023 at 1:47:58 PM PDT
N 34° 3' 45.979", W 118° 8' 1.007"
795 W Garvey Ave
Monterey Park CA 91754
United States

Network:Oct 30, 2023 at 1:47:58 PM PDT
Local:Oct 30, 2023 at 1:47:58 PM PDT
N 34° 3' 45.979", W 118° 8' 1.007"
795 W Garvey Ave
Monterey Park CA 91754
United States

Network:Oct 30, 2023 at 1:53:27 PM PDT
Local:Oct 30, 2023 at 1:53:27 PM PDT
N 34° 3' 45.949", W 118° 8' 2.754"
795 W Garvey Ave
Monterey Park CA 91754
United States

Network:Nov 21, 2023 at 10:03:17 AM PST
Local:Nov 21, 2023 at 10:03:17 AM PST
N 34° 3' 45.204", W 118° 8' 1.793"
795 W Garvey Ave
Monterey Park CA 91754
United States

Network:Nov 21, 2023 at 10:03:31 AM PST
Local:Nov 21, 2023 at 10:03:31 AM PST
N 34° 3' 45.432", W 118° 8' 1.930"
795 W Garvey Ave
Monterey Park CA 91754
United States

May 11, 2023 at 4:35:27 PM
795 W Garvey Ave
Monterey Park CA 91754
United States


Mar 29, 2023 at 4:36:37 PM

Apr 19, 2023 at 2:41:46 PM
771 W Garvey Ave
Monterey Park CA 91754
United States

May 8, 2023 at 12:22:40 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

May 1, 2023 at 1:18:21 PM
771 W Garvey Ave
Monterey Park CA 91754
United States

Mar 29, 2023 at 4:36:40 PM

Mar 29, 2023 at 4:37:56 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

May 8, 2023 at 12:23:53 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Apr 6, 2023 at 1:28:10 PM
111 N Atlantic Blvd
Monterey Park CA 91754
United States

Mar 29, 2023 at 4:35:32 PM
795 W Garvey Ave
Monterey Park CA 91754
United States



Feb 22, 2023 at 3:54:36 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

May 11, 2023 at 4:36:23 PM
795 W Garvey Ave
Monterey Park CA 91754
United States


Mar 30, 2023 at 11:18:39 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

Mar 29, 2023 at 4:35:40 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Mar 30, 2023 at 11:18:23 AM
795 W Garvey Ave
Monterey Park CA 91754
United States


Mar 30, 2023 at 2:26:44 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

May 11, 2023 at 4:35:42 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Apr 20, 2023 at 3:45:57 PM
111 N Atlantic Blvd
Monterey Park CA 91754
United States


Apr 19, 2023 at 2:42:13 PM
771 W Garvey Ave
Monterey Park CA 91754
United States

May 3, 2023 at 2:40:11 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

burke
BURKE, WILLIAMS & SORENSEN, LLP
501 West Broadway - Suite 1600
San Diego, California 92101-8474
voice 619.814.5800 - fax 619.814.6799
www.bwslaw.com

Direct No.: 619.814.5810
Our File No.: 08877-0005
tcampen@bwslaw.com

May 3, 2023

VIA U.S.P.S. AND CERTIFIED MAIL
AND POSTING ON PROPERTY
VIA EMAIL: Edchan930@gmail.com
and c8howardchan@gmail.com

Raymond and Cindy Chan Trust, et al.
P.O. Box 861056
Los Angeles, CA 90086

Re: NOTICE OF PUBLIC NUISANCE
795 N. Garvey Ave.
APN: 5256-003-034

Dear Mr. and Mrs. Chan:

I am the Assistant City Attorney for the City of Monterey Park ("City"). It is the responsibility of the City Attorney's Office to enforce the Monterey Park Municipal Code ("MPMC") by all reasonable means available.

Continuing inspections from the public right-of-way have revealed that your property located at 795 N. Garvey Ave., Monterey Park, CA 91754, AIN 5256-003-034, ("Property") is being maintained in violation of the MPMC. Specifically, as the owner of the Property you have by all accounts abandoned this commercial construction project, resulting in the accumulation, the pooling and runoff of rainwater, junk and debris on your Property that is not just a blight to the neighborhood, but creates an attractive nuisance and may harbor pests and vermin. This is a violation of MPMC 6.30.030.[1] Other violations are listed below.

Please be advised that such conditions constitute a nuisance under the MPMC and may subject your Property to abatement and/or result in the commencement of legal proceedings.

[1] The entire MPMC, including all sections referenced in this Notice, are available online at https://library.qcode.us/lib/monterey_park_ca/pub/municipal_code.

Los Angeles – Inland Empire – Marin County – Oakland – Orange County – Palm Desert – San Diego – San Francisco – Silicon Valley – Ventura County

GLASSWERKS LOS ANGELES Low-E Side

May 11, 2023 at 4:37:21 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

May 11, 2023 at 4:37:21 PM
795 W Garvey Ave
Monterey Park CA 91754
United States


Mar 29, 2023 at 4:36:57 PM
795 W Garvey Ave
Monterey Park CA 91754
United States
FOR LEASE
626
MPWD
MPWD
MPWD

Apr 13, 2023 at 11:41:20 AM
771 W Garvey Ave
Monterey Park CA 91754
United States

May 3, 2023 at 2:39:22 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Feb 23, 2023 at 10:13:16 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

May 11, 2023 at 4:36:29 PM
795 W Garvey Ave
Monterey Park CA 91754
United States


Apr 12, 2023 at 3:55:58 PM
771 W Garvey Ave
Monterey Park CA 91754
United States


FOR LEASE
626-714-7535
May 3, 2023 at 2:39:33 PM
795 W Garvey Ave
Monterey Park CA 91754
United States


Feb 22, 2023 at 3:54:45 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Feb 22, 2023 at 3:52:36 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Apr 26, 2023 at 10:30:48 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

Apr 26, 2023 at 10:34:46 AM
771 W Garvey Ave
Monterey Park CA 91754
United States

Apr 27, 2023 at 12:00:43 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Apr 27, 2023 at 12:01:03 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

Apr 27, 2023 at 12:02:28 PM
795 W Garvey Ave
Monterey Park CA 91754
United States

May 2, 2023 at 9:51:20 AM
771 W Garvey Ave
Monterey Park CA 91754
United States

May 2, 2023 at 9:55:17 AM
795 W Garvey Ave
Monterey Park CA 91754
United States

Network:Oct 29, 2020 at 10:02:09 AM PDT
Local:Oct 29, 2020 at 10:02:09 AM PDT
N 34° 3' 45.161", W 118° 8' 1.209"
795 W Garvey Ave
Monterey Park CA 91754
United States

Network:Oct 29, 2020 at 10:02:09 AM PDT
Local:Oct 29, 2020 at 10:02:09 AM PDT
N 34° 3' 45.161", W 118° 8' 1.209"
795 W Garvey Ave
Monterey Park CA 91754
United States

Network:Oct 28, 2020 at 12:59:26 PM PDT
Local:Oct 28, 2020 at 12:59:26 PM PDT
N 34° 3' 45.254", W 118° 8' 2.677"
795 W Garvey Ave
Monterey Park CA 91754
United States

ATTACHMENT 3
Exhibit 3 - 795 W. Garvey
City Attorney Notice (05-03-2023)

BURKE, WILLIAMS & SORENSEN, LLP
501 West Broadway - Suite 1600
San Diego, California 92101-8474
voice 619.814.5800 - fax 619.814.6799
www.bwslaw.com

Direct No.: 619.814.5810
Our File No.: 08877-0005
tcampen@bwslaw.com

May 3, 2023

VIA U.S.P.S. AND CERTIFIED MAIL
AND POSTING ON PROPERTY
VIA EMAIL: Edchan930@gmail.com
and c8howardchan@gmail.com

Raymond and Cindy Chan Trust, et al.
P.O. Box 861056
Los Angeles, CA 90086

Re: NOTICE OF PUBLIC NUISANCE
795 N. Garvey Ave.
APN: 5256-003-034

Dear Mr. and Mrs. Chan:

I am the Assistant City Attorney for the City of Monterey Park ("City"). It is the responsibility of the City Attorney's Office to enforce the Monterey Park Municipal Code ("MPMC") by all reasonable means available.

Continuing inspections from the public right-of-way have revealed that your property located at 795 N. Garvey Ave., Monterey Park, CA 91754, AIN 5256-003-034, ("Property") is being maintained in violation of the MPMC. Specifically, as the owner of the Property you have by all accounts abandoned this commercial construction project, resulting in the accumulation, the pooling and runoff of rainwater, junk and debris on your Property that is not just a blight to the neighborhood, but creates an attractive nuisance and may harbor pests and vermin. This is a violation of MPMC 6.30.030.[1] Other violations are listed below.

Please be advised that such conditions constitute a nuisance under the MPMC and may subject your Property to abatement and/or result in the commencement of legal proceedings.

[1] The entire MPMC, including all sections referenced in this Notice, are available online at https://library.qcode.us/lib/monterey_park_ca/pub/municipal_code.

Several prior notices of violation from the City's Code Compliance Division have been mailed to your attention at your address listed above. The failure to show any progress towards addressing these issues has resulted in at least 16 administrative citations beginning on February 23, 2022, and total over $12,000 in fines.[2] Daily inspections of your property from the public right-of-way have shown a failure to comply with the Corrective Actions provided to you in each of those Citations. Accordingly, you are receiving the following Notice and Advisals:

NOTICE OF PUBLIC NUISANCE

Violation #1: MPMC 6.30.030 – Illicit Discharge from your property onto the public right-of-way and into the storm water collection system.

Violation #2: MPMC 4.30.050(a)(4) and (5) – Attractive Nuisance and Detriment to Neighboring Properties. Specifically, construction on your unfinished commercial property has been dormant for well over a year, which has attracted graffiti, vandalism, probable break-ins, and is a general blight to the surrounding commercial district.

Violation #3: MPMC 4.30.050(i)(4) – Broken Windows.

Violation #4: MPMC 4.30.050(g) – Graffiti.

Violation #5: MPMC 4.30.050(h) – Dilapidated fencing around property.

Violation #6: MPMC 4.30.050(l) – Accumulation of trash and litter on the property.

Violation #7: MPMC 4.30.050(w) – Stagnant water after rains.

CORRECTIVE ACTIONS

Corrective Action for Violation #1: Immediately

1. Immediately implement and maintain double stacked gravel/sandbag barriers in accordance to the submitted Erosion Control Plan.

2. Remove and properly dispose of all gravel and sediment from the street and storm drain.

[2] An accounting of all unpaid fines through April 20, 2023 is attached to this Notice.

3. Remove all abandoned gravel bags from the street and any other public property.

4. Remove all concrete waste and sediment surrounding the construction site.

5. Either remove the east gravel entrance ramp or properly stabilize the entrance.

6. Install piping from the roof drain to the sidewalk to prevent erosion of the soil.

7. Ensure full compliance with your construction project SWPPP.

Corrective Action for Violation #2–7: Immediately

1. Secure and maintain property to avoid being an attractive nuisance for criminal actions and not appear to be an abandoned construction project resulting in blight to the surrounding area.

2. Repair all broken windows.

3. Remove all graffiti from all surfaces.

4. Repair fencing and coverings around property to keep out unauthorized persons and appear well maintained.

5. Ensure no trash and debris is permitted to accumulate on the Property.

6. Grade and engineer property such that water does not pool or accumulate, and properly absorbs into the soil without undue delay.

Please Be Advised that under the Monterey Park Municipal Code, these conditions are a public nuisance, and as the owner of the property, you are responsible for eliminating them. The City has provided ample notice and opportunity for you to abate these nuisances and will continue to issue administrative citations, up to daily, until these nuisances are abated.

Please Be Further Advised that this Notice does necessarily include an exhaustive list of violations on your Property and that further enforcement actions may be taken as circumstances warrant.

Please Be Further Advised that the City reserves the right to seek additional means of enforcement, including without limitation, through civil lawsuit and/or receivership, abating the nuisance with City personnel, criminal prosecution, and any other option available under the MPMC. Be further advised that the City has the right to pursue its costs for abating your

property, including attorney fees, and if not paid, may result in a lien and subsequent foreclosure on your Property.

As always, the City seeks and prefers voluntary compliance whenever possible. Again, this construction project appears inexplicably abandoned and has fallen into disrepair and blight, when it seems mostly complete. The Corrective Actions provide a clear path to avoid further enforcement efforts by the City. A showing of good faith efforts to achieve compliance may result in the City staying the issuing of further citation.

It should also be noted that finishing the project and having a tenant occupy it would eliminated the blight, attractive nuisance, and maintenance issues that currently plague the Property. It is my understanding you have an intended tenant with 7 Leaves Café, who has offered to finish the construction. This may be a good option for you if you lack the ability, willingness, or financial resources to bring your Property into compliance with the MPMC.

If you have any questions as to what is required from the City to complete this project, I can provide you with a helpful outline of outstanding conditions to be addressed that are in addition to the Corrective Actions listed above.

We sincerely hope you take advantage of this opportunity. Please do not hesitate to contact Code Enforcement Officer Rey Lozano with any questions at 626-307-1316 or at rlozano@montereypark.ca.gov. If you are represented by an attorney in this matter, please have that person contact me at tcampen@bwslaw.com or 619-814-6799.

Your anticipated cooperation is greatly appreciated.

Sincerely,

BURKE, WILLIAMS & SORENSEN, LLP

Timothy E. Campen

TEC:meh
Enclosure
cc: Jessica Estrella, Fire Marshall

CITY OF MONTEREY PARK
FIRE DEPARTMENT
CODE COMPLIANCE DIVISION
320 WEST NEWMARK AVENUE
MONTEREY PARK, CA 91754
E-MAIL: CODECOMPLIANCE@MONTEREYPARK.CA.GOV

BILL TO:

CHAN RAYMOND AND CINDY TRUST ET AL CHAN FAMILY TRUST
PO BOX 861056
LOS ANGELES, CA 90086

INVOICE DATE: April 20, 2023
ACCOUNT NO.: 320222
CITATION NO.: 230037

Date	Description	Amount Due
February 23, 2023	Administrative Citation 1st - Illicit Discharge	$100.00
March 22, 2023	Administrative Citation 2nd - Illicit Discharge	$200.00
March 27, 2023	Administrative Citation 3rd - MPMC 6.30.030 Illicit Discharges and Connections	$500.00
March 28, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$500.00
March 29, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$500.00
March 30, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$500.00
April 5, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections *	$1000.00
April 6, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$1000.00
April 10, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$1000.00
April 11, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$1000.00
April 12, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$1000.00
April 13, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$1000.00
April 17, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$1000.00
April 18, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$1000.00
April 19, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$1000.00
April 20, 2023	Administrative Citation 4th or Subsequent - MPMC 6.30.030 Illicit Discharges and Connections	$1000.00
	Total Fees Due:	**$12,300.00**

Location: 795 W GARVEY AVE

A 10% penalty will be charged if the payment is not received within 30 days of the date of this invoice.

Description: Code Enforcement Administrative Citation
Property Address: 795 W GARVEY AVE

Please return this portion with your payment
Make checks payable to: **City of Monterey Park**

CE CASE No.	Account No.	Payment Due Date	Total Amount Due
23-0117	**320222**	**May 20, 2023**	**$12,300.00**

Mail To:
CITY OF MONTEREY PARK
ATTENTION: CODE ENFORCEMENT DIVISION
320 W. NEWMARK AVENUE
MONTEREY PARK, CA 91754

For Office Use Only:

- ☐ CUSTOMER
- ☐ FIRE DEPARTMENT
- ☐ FINANCE DEPARTMENT

ATTACHMENT 4
Exhibit 4 - 795 W. Garvey
City Attorney Notice - (12-22-2023)

BURKE, WILLIAMS & SORENSEN, LLP
501 West Broadway - Suite 1600
San Diego, California 92101-8474
voice 619.814.5800 - fax 619.814.6799
www.bwslaw.com

Direct No.: 619.814.5810
Our File No.: 08877-0005
tcampen@bwslaw.com

December 22, 2023

VIA U.S.P.S. AND CERTIFIED MAIL AND EMAIL:

Raymond and Cindy Chan Trust, et al.
Attn: Ed Chan and Howard Chan
P.O. Box 861056
Los Angeles, CA 90086
Edchan930@gmail.com
c8howardchan@gmail.com

Re: NOTICE OF PUBLIC NUISANCE, CORRECTIVE ACTIONS, AND ENFORCEMENT
795 N. Garvey Ave.
APN: 5256-003-034

Dear Mr. Chan and Mr. Chan:

As I believe you know, this office serves as the City Attorney's Office for the City of Monterey Park ("City"), and I am its Assistant City Attorney. It is the responsibility of the City Attorney's Office to enforce the Monterey Park Municipal Code ("MPMC") by all reasonable means available. This is a follow-up to prior Notices issued by this office and the City's Code Compliance Division informing you of continuing violations of the MPMC on your property located at 795 N. Garvey Ave., Monterey Park, CA 91754, AIN 5256-003-034, ("Property").

Ongoing inspections from the public right-of-way have revealed that by all accounts, you have effectively abandoned this commercial construction project. This has left your prominently placed location at one of the busiest intersections in the City a continuing blight to community. Recurring violations such as graffiti, unsecured and dilapidated fencing, broken windows, accumulation of trash and debris, and excess rainwater carrying soil and debris from your unfinished development into the public storm water system. Other violations are listed below.

Please be advised that such conditions constitute a nuisance under the MPMC and are subject to abatement, including through legal proceedings.

City staff from Planning, Building and Safety, Public Works and Community Development have met with you on many occasions to provide assistance and accommodations towards finishing the construction. It is my understanding that a

potential tenant even offered to take over the project to get it completed, but you declined. Repeated warnings from City code enforcement officers have been consistently met with excuses, delays, and half-hearted attempts at progress, at best. You have amassed over $20,000 in administrative citation fines for non-compliance of your property, none of which have been paid and are now heading to collections. Still, the property has remained in virtually the same unfinished state of construction for nearly two years.

Because all other efforts by the City to encourage and facilitate completion of this project have proven ineffective, the City Attorney's Office, on its own authority, has taken control of the enforcement efforts regarding the Property as stated below. On behalf of the ownership of the Property, your are being advised as follows:

NOTICE OF PUBLIC NUISANCE

Please Be Advised that the following violations have been observed on your Property, amounting to a public nuisance:[1]

Violation #1: MPMC 4.30.050(a)(4) and (5) – Attractive Nuisance and Detriment to Neighboring Properties. Specifically, construction on your unfinished commercial property has been effective dormant for nearly two years, which has attracted graffiti, vandalism, and break-ins, and is a general blight to the community.

Violation #2: MPMC 6.30.030 – Illicit Discharge from your property onto the public right-of-way and into the storm water collection system.

Violation #3: MPMC 4.30.050(i)(4) – Broken Windows.

Violation #4: MPMC 4.30.050(g) – Graffiti.

Violation #5: MPMC 4.30.050(h) – Dilapidated fencing around property.

Violation #6: MPMC 4.30.050(l) – Accumulation of trash and litter on the property.

Violation #7: MPMC 4.30.050(d) – Failure to secure and maintain against public access all doorways, windows, and other openings into vacant or abandoned buildings or structures.

Violation #8: MPMC 4.30.050(w) – Stagnant water after rains.

[1] The entire MPMC, including all sections referenced in this Notice, is accessible online at https://library.qcode.us/lib/monterey_park_ca/pub/municipal_code.

CORRECTIVE ACTIONS

Immediately:

1. Activate expired building permit *before* any further construction on the Property.
2. Refrain from any other construction activities on the Property until such work is under the direction of a licensed general contractor.
3. Repair fencing and coverings around perimeter of Property to secure access from unauthorized persons, remove any graffiti, repair any broken windows and keep Property well maintained. (Not considered construction activity.)
4. Ensure full compliance with your project SWPPP and BMP's.

By January 19, 2024:

5. Inform this office in writing of the name, license number and contact information of your licensed general contractor for this project.

By March 20, 2024:

6. Complete entire sewer system, as inspected and approved by City.
7. Complete on-site drainage system (parking lot), as inspected and approved by City.
8. Fully repair roof to prevent any leaking, as inspected and approved by City.

By May 22, 2024:

9. Complete parking lot grading, installation of all electrical elements, paving, striping and install all lighting, as inspected and approved by the City.
10. Complete all off-sight improvements, as inspected and approved by the City.
11. Complete all interior improvements, including insulation, drywall, repair of any water damage, as inspected and approved by City.

By June 20, 2024:

12. Complete all construction (except tenant improvements), and receive final approval from the City.

Please Be Further Advised that under the Monterey Park Municipal Code, these conditions are a public nuisance, and the owner of the Property is responsible for preventing and eliminating them. The City, in its sole discretion, may provide extensions to the Corrective Actions deadlines herein for delays not reasonably anticipated or not reasonably within your control. All inspections and reviews by the City will be conducted expeditiously.

Please Be Further Advised that this Notice does necessarily include an exhaustive list of violations on your Property and that further enforcement actions may be taken as circumstances warrant. The Corrective Actions and deadlines herein may be altered and amended by the City as it deems appropriate under the circumstances.

Please Be Further Advised that your construction permit for this project has expired and must be re-activated *before* continuing with any activities on the Property subject to that permit. Continuing with any construction activities without an active permit is a violation of the California Building Code and the MPMC. While you will be required to pay the permit fee, the Building Official has agreed to allow you to proceed with your existing plans and not have to bring them and your Property compliant with the 2022 Building Codes.

Please Be Further Advised that you are not permitted to act a *de facto* owner-builder regarding construction on the Property. Construction on commercial properties require a licensed general contractor per the California Building Code. Any construction performed without a general contractor or without an active permit is subject to removal by the City and at your expense. You are strongly encouraged to retain the most competent licensed professionals you can for bringing your Property into compliance in a timely manner. Delays or other noncompliance, even if caused by your contractors, will be attributed to you.

Please Be Further Advised that all communications with the City regarding construction on the Property, particularly with the Building and Safety Division and the Public Works Department, must be conducted exclusively through your general contractor or its authorized agents.

Please Be Further Advised that to ensure the Property is brought into full compliance within a reasonable time, City Attorney's Office, on its own authority and with the City Council's assent, is initiating legal proceedings against the Property and its owner in the Los Angeles County Superior Court. This will consist of, without limitation, a civil complaint alleging the public nuisances described herein and seeking to abate these public nuisances through receivership and/or injunctive relief. This legal action is expected to be filed at the beginning of the New Year, and will proceed concurrently with the Corrective Actions herein.

Please Be Further Advised that any receiver appointed by the court would be granted possession of the Property for the purpose of completing construction and otherwise abating any and all nuisances thereon. The owner of the Property would then be ordered to compensate the receiver and the City *in full* for all their respective costs of abatement, including attorney fees. Failure to pay would result in the court ordering the public sale of the property, with the proceeds compensating the receiver in full, then the City in full, and then to any other recorded interests in the Property, including secured loans.

Please Be Further Advised that the City has the right to recoup its costs relating to abatement of your property, including attorney fees. And if not paid, may result in a lien and subsequent foreclosure on your Property, even if a receiver is not appointed by the Court.

Please Be Further Advised that full and timely compliance with the Corrective Actions and deadlines provided herein is your best means of avoiding the adverse consequences of the forthcoming legal action and any other means of enforcement this Office will pursue.

As always, the City seeks and prefers voluntary compliance whenever possible. Further, should you remain in full compliance and timely complete abatement of the Property under the Corrective Actions herein, the City will consider reducing or eliminating the approximately $20,000 in accrued administrative fines.

We sincerely hope you take advantage of this opportunity. Please do not hesitate to contact Code Enforcement Officer Rey Lozano with any questions at 626-307-1316 or at rlozano@montereypark.ca.gov. If you are represented by an attorney in this matter, please have that person contact me directly at tcampen@bwslaw.com or 619-814-6799.

Your anticipated cooperation is greatly appreciated.

Sincerely,

BURKE, WILLIAMS & SORENSEN, LLP

Timothy E. Campen
Assistant City Attorney
City of Monterey Park

TEC:meh

cc: Matthew Hallock, Fire Chief
Jessica Serrano, Director of Community Development
Inez Alvarez, City Manager
Karl H. Berger, City Attorney

ATTACHMENT 5
Exhibit 5 - 795 W. Garvey
Revised Notice of Intent to Abate to Edward Chan
(8-29-25)

CITY OF MONTEREY PARK

320 West Newmark Avenue • Monterey Park • California 91754-2896
www.montereypark.ca.gov

City Council
Vinh T. Ngo
Elizabeth Yang
Henry Lo
Jose Sanchez
Thomas Wong

City Clerk
Maychelle Yee

City Treasurer
Amy Lee

August 29, 2025

BY CERTIFIED MAIL RETURN RECEIPT AND POSTING

Raymond Man-Shu Chan
Raymond Man-Shu Chan,
Trustee of the Chan Family Trust
Raymond Man-Shu Chan,
Trustee of the Chan Family Living Trust
P.O. Box 18522
Anaheim, CA 92817

Cindy Chung Chan
Cindy Chung Chan,
Trustee of the Chan Family Trust
P.O. Box 18522
Anaheim, CA 92817

Howard M. Chan
1485 Kenmore Road
Pasadena, CA 91106

Patricia Yu Chan
1560 Via Del Rey
South Pasadena, CA 91030

Edward M. Chan
Edward M. Chan,
Trustee of the Chan Family Living Trust
1560 Via Del Rey
South Pasadena, CA 91030

Man Fei Chan ("AKA") Man Fei Gold
15457 Eagle Tavern Lane
Centerville, VA 20120

Notice of Public Nuisance Hearing

Be Advised that on September 17, 2025, the City of Monterey Park will conduct a public hearing and determine whether this known and designated as 795 W. Garvey Ave., APN 5256-003-034 (the "Property"), constitutes a public nuisance. If the Property is found to constitute a public nuisance as defined by the Monterey Park Municipal Code ("MPMC")[1], and if the public nuisance is either not promptly abated by the Responsible Person as ordered by the City Council acting as the designated hearing officer or found by the City Council to have been given sufficient prior notice of the public nuisance with ample time to cure, then the City will abate the nuisance. If the City abates the nuisance, the cost of these proceedings, all previous code enforcement efforts concerning this condition of the Property and attempts to gain compliance with the MPMC, and the cleaning, clearing, rehabilitation, repair, or demolition by the City will constitute a special assessment and a Nuisance Abatement Lien upon such land until paid. The City may foreclose on any such lien in order to reimburse the City for these costs.

The alleged violations consist of, without limitation, the following:

- MPMC § 4.30.030(c) – Permitting property to remain in a state of partial construction.
- MPMC § 4.30.030(j)(3) – Creates an unsightly appearance.
- MPMC § 4.30.030(j)(4) – Creates a danger or attractive nuisance to the public.
- MPMC § 4.30.030(k) – Building exteriors, landscaping, grounds, driveways, parking lots, planters, sidewalks, or walkways which are maintained in such condition so as to become defective, unsightly, cracked or no longer viable.
- MPMC § 6.30.030(a) – To allow, contribute to, or otherwise assist in discharge of non-stormwater runoff from private or public property to or through the MS4.
- MPMC § 6.30.050(d)(1) – Runoff, sediment and construction debris cannot leave the site and enter the MS4.
- MPMC § 6.30.050(d)(5) – Excavated soil must be located on the site in a manner that eliminates the possibility of sediments running off-site. Soil piles must be covered until the soil is either used or removed.

Be Further Advised that the date of this hearing for September 17, 2025, replaces any prior Notice of Public Nuisance Hearing you may have received with a different hearing date.

Be Further Advised that the method of abatement available is to immediately and without any delay complete construction and obtain a certificate of occupancy or demolish the existing structure and bring the lot into compliance with MPMC § 4.30.060.

[1] The entire Monterey Park Municipal Code is accessible online at https://ecode360.com/MO4971.

Be Further Advised that construction plans for the currently unfinished project were first approved by the City in or around 2017. Demolition of the prior structure on the Property also occurred in or around 2017. Eight years later, the Property remains in a state of partial construction and blight in addition to the other violations listed above, with no meaningful progress made towards completion over the past four or more years. The owners' established history of failing to comply after being provided over 2½ years of notice by the City to abate these public nuisances by way of finishing construction support the conclusion that providing additional time to the property owners to cure these violations and complete construction in a timely manner would be futile.

Be Further Advised that all persons having any objection to, or interest in, said matters should attend a hearing to be conducted by the City Council, as designated by the City Manager, to be held on **September 17, 2025 at 6:30 p.m.**, at City Council Chambers located at 320 W. Newmark Ave., Monterey Park, CA 91754, when their testimony and evidence will be heard and given due consideration.

You may reach me regarding any questions regarding this Notice at jvazquez@bwslaw.com or by phone at 951-801-6635.

Karl H. Berger, City Attorney

by: Joaquin Vazquez
Deputy City Attorney

cc: Inez Alvarez, City Manager