

**MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
REGULAR MEETING
APRIL 20, 2016**

The City Council 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, April 20, 2016 at 7:00 p.m.

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.

CALL TO ORDER:

Mayor Chan called the meeting to order at 7:00 p.m.

FLAG SALUTE:

The Monterey Park Police Explorers led the flag salute.

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Hans Liang, Stephen Lam, Teresa Real Sebastian, Peter Chan, Mitchell Ing

Council Members Absent: None.

ALSO PRESENT: City Manager Paul Talbot, Assistant City Attorney Karl Berger, City Treasurer Joseph Leon, Public Works Director/Assistant City Manager Ron Bow, Fire Chief Scott Haberle, Police Captain Eugene Harris, Director of Management Services Chu Thai, Director of Human Resources Tom Cody, Recreation and Community Services Director Dan Costley, Community and Economic Development Director Michael Huntley, City Librarian Norma Arvizu, Controller Annie Yaung, Assistant City Engineer Rey Alfonso, Water Manager Frank Heldman, Support Services Manager Tim Shay, Deputy City Clerk Cindy Trang

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

City Manager Talbot reported a typographical error on Item No. 6C that Council is approving the March 16, 2016 meeting not March 2, 2016 and there are typographical errors on Item No. 6F.

ORAL AND WRITTEN COMMUNICATIONS

- Theresa Amador extended an invitation to council and residents to the Cinco de Mayo celebration on Sunday, May 1, 2016 and the library gala event on May 19, 2016 held at Luminarias at 6:00 p.m.

MISSION STATEMENT

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

- Alejandro Guzman, representative for the East Los Angeles College, spoke of the new facilities on the campus and invited the council and residents to attend their Ribbon Cutting Ceremony and Cinco de Mayo celebration on May 5, 2016 with festivities starting at 11:00 am.

1. **PRESENTATION**

None

2. **SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA)**

NEW BUSINESS

2A. WARRANT REGISTER FOR SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY OF APRIL 20, 2016

It is required that the City Council (acting on behalf of the Successor Agency) approve all disbursements. Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered 317.

Action Taken: The City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency approved payment of warrants and adopted Resolution No. SA-118 of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated April 20, 2016 totaling \$350.00 and specifying the funds out of which the same are to be paid.

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

Ayes:	Council Members:	Liang, Lam, Real Sebastian, Ing, Chan
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

Resolution No. SA-118, entitled:

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 20TH DAY OF APRIL 2016 TOTALING \$350.00 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

2B. SUCCESSOR AGENCY MONTHLY INVESTMENT REPORT – MARCH 2016

As of March 31, 2016 invested funds for the Successor Agency of the City of Monterey Park is as follows:

• Successor Agency (SA) Checking	98,465.04
• Successor Agency (SA) RORF	<u>127,557.00</u>

\$ 226,022.04

Total

Action Taken: The City Council, acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, received and filed the monthly investment report for March 2016.

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

Ayes: Council Members: Liang, Lam, Real Sebastian, Ing, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

2C. SUCCESSOR AGENCY (SA) MINUTES

Approve the minutes from the regular and special meeting of March 16, 2016.

Action Taken: The City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency approved the minutes from the special and regular meeting of March 16, 2016.

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

Ayes: Council Members: Liang, Lam, Real Sebastian, Ing, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

This is the end of Successor Agency (SA) items.

3. CITY OF MONTEREY PARK CONSENT CALENDAR

None.

4. PUBLIC HEARING

4A. APPEAL OF PLANNING COMMISSION RESOLUTION NO. 04-16, ADOPTED ON FEBRUARY 9, 2016, APPROVING CONDITIONAL USE PERMIT (CU-15-09) ALLOWING FOR A WIRELESS TELECOMMUNICATION FACILITY – 417 NORTH GARFIELD AVENUE

The applicant, Jerry Ambrose of Eukon Group, on behalf of AT&T, is requesting a continuance of the public hearing regarding Conditional Use Permit (CU-15-09) to

allow for additional time to address the items raised by the City Council at the April 6, 2016 meeting.

It is also desirable to authorize the City Manager to execute a tolling agreement with AT&T to avoid any argument that the CUP would be "deemed approved" under applicable federal and state regulations governing wireless facilities. The so-called federal and state "shot clocks" require the City to take action within certain time frames to either approve or deny a wireless facility application. If the City fails to act, applicable law can deem the application "approved." The attached draft tolling agreement would help ensure that the City and AT&T will have breathing room to continue considering the wireless facility application without worrying about federally and state imposed timelines. Staff understands that AT&T is working diligently on a proposal for the City Council and hopes to present it at the first meeting in May.

Public Speaker:

- Todd Nakashika spoke in opposition of the cell tower project.

Action Taken: The City Council (1) reopened the public hearing at 7:17 p.m., took testimonial and approved the requested continuance for Conditional Use Permit (CUP-15-09) to the hearing of May 4, 2016; and (2) authorized the City Manager to execute a tolling agreement in a form approved by the City Attorney (and substantially in the form set forth in the attached draft agreement).

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

Ayes:	Council Members:	Liang, Lam, Real Sebastian, Ing, Chan
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

4B. PUBLIC HEARING TO CONSIDER UPDATING THE CITY'S DEVELOPMENT IMPACT FEES (DIF) AND RELATED SECTIONS OF THE MONTEREY PARK MUNICIPAL CODE

This matter is a continuation of the public hearing regarding development impact fees that was first opened on April 6, 2016. Staff is bringing various impact fees forward on a department-by-department basis, and the meeting today will discuss parks, library, community activity and sports facilities. The Development Impact Fee Calculation and Nexus Report calculated the maximum amount of development impact fees ("DIFs") that could be imposed.

To authorize the imposition of these DIFs requires that the Monterey Park Municipal Code ("MPMC") be amended by the draft ordinance. If adopted, the ordinance would establish these new DIFs and establish requirements procedures for their imposition upon development projects.

The resolution establishing the new DIFs schedule, if adopted, would become effective 60 days after the draft ordinance becomes effective, i.e., 90 days after second reading (the ordinance requires 30 days to become effective, the DIFs would become effective 60 days after that time).

Public Speaker:

- City Clerk Chang read into the record a written communication from the Building Industry Association of Southern California in opposition of the proposed Development Impact Fee.

Action Taken: The City Council (1) reopened the continued Public Hearing of the proposed Development Impact Fee Calculation and Nexus Report at 7:20 p.m., and continued the Public Hearing to May 4, 2016; (2) continued the introduction and waiving of the first reading of the ordinance amending the MPMC to add new development impact fees and establish standards for imposing such fees; and (3) continued the adoption of a Resolution establishing impact fee schedules.

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

Ayes: Council Members: Liang, Lam, Real Sebastian, Ing, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Proposed Resolution, entitled:

A RESOLUTION ADOPTING DEVELOPMENT IMPACT FEES FOR IN ACCORDANCE WITH CHAPTER 3.110 OF THE MONTEREY PARK MUNICIPAL CODE

Proposed Ordinance, entitled:

AN ORDINANCE ADDING A NEW CHAPTER 3.110, ENTITLED "DEVELOPMENT IMPACT FEES" TO TITLE 3 OF THE MONTEREY PARK MUNICIPAL CODE FOR THE PURPOSE OF IMPOSING FEES ON APPLICANTS SEEKING TO CONSTRUCT DEVELOPMENT PROJECTS

5. **OLD BUSINESS**

None.

6. **NEW BUSINESS**

6A. **WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF APRIL 20, 2016**

It is required that the City Council approve all disbursements. Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered 308710-308905 and e-Payables numbered 000250-000264.

Action Taken: The City Council approved payment of warrants and adopted Resolution No. 11831 allowing certain claims and demands per Warrant Register dated April 20, 2016 totaling \$1,257,674.00 and specifying the funds out of which the same are to be paid.

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

Ayes: Council Members: Liang, Lam, Real Sebastian, Ing, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 11831, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED THE 20TH DAY OF APRIL TOTALING \$1,257,674.00 AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

6B. MONTHLY INVESTMENT REPORT – MARCH 2016

As of March 31, 2016 invested funds for the City of Monterey Park is \$80,534,317.75.

Action Taken: The City Council received and filed the monthly investment report for March 2016.

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

Ayes: Council Members: Liang, Lam, Real Sebastian, Ing, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

6C. CITY COUNCIL MINUTES

Approve the minutes from the special Centennial meeting of March 9, 2016 and the regular and special meeting of March 16, 2016.

Action Taken: The City Council approved the minutes from the special Centennial meeting of March 9, 2016, and the regular and special meeting of March 16, 2016.

Motion: Moved by Council Member Real Sebastian and Seconded by Mayor Pro Tem Ing, motion carried by the following vote:

Ayes: Council Members: Liang, Lam, Real Sebastian, Ing, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

6D. THE CITY IS REQUIRED TO RENEW THE ASSESSMENT DISTRICT FOR FISCAL YEAR 2016-17 AND SCHEDULE A PUBLIC HEARING PURSUANT TO STREETS AND HIGHWAYS CODE §§ 22500, ET SEQ.

In 1993 the City formed a citywide benefit assessment district to finance the operation and maintenance of public street lighting and landscaping. The district was renewed each of the past 23 years and must be renewed for 2016-17 in order for the City to continue the collection of assessments. To begin the district renewal, staff recommends a public hearing be held on June 1, 2016. Scheduling the public hearing is a required process and it does not automatically renew the district. The district renewal will follow the City Council's action at the conclusion of the June 1st public hearing.

Action Taken: The City Council adopted Resolution No. 11829 declaring the City Council's intent to levy and collect assessments for Fiscal Year 2016-17 in Citywide Maintenance District No. 93-1 pursuant to Streets and Highways Code §§ 22500, et seq. and setting a time and place for a public hearing.

Motion: Moved by Council Member Real Sebastian and seconded by Council Member Lam, motion carried by the following vote:

Ayes: Council Members: Liang, Lam, Real Sebastian, Ing, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 11832, entitled:

RESOLUTION DECLARING THE CITY COUNCIL'S INTENT TO LEVY AND COLLECT ASSESSMENTS FOR FISCAL YEAR 2016-17 IN CITYWIDE MAINTENANCE DISTRICT NO. 93-1 PURSUANT TO STREETS AND HIGHWAYS CODE § 22587 AND SETTING A TIME AND PLACE FOR A PUBLIC HEARING.

6E. AUDITING SERVICES AGREEMENT – AWARD OF CONTRACT

The audit contract with Pun & McGeedy, LLP will expire in June 2016. Staff sent out Request for Proposals to twelve auditing firms. Four firms submitted proposals. Proposed prices for the first year ranged from \$43,425 to \$57,790. Following the proposal evaluation, White Nelson Diehl Evans LLP, which is also the lowest bidder, is considered to have an excellent ability to perform the City auditing services.

Action Taken: The City Council (1) awarded a three-year contract with the option of extending for two additional 2-year periods for the City's auditing services to the lowest bidder, White Nelson Diehl Evans LLP, a certified public accounting and consulting firm; and (2) authorized the City Manager to execute the auditing services contract in a form approved by the City Attorney.

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

Ayes:	Council Members:	Liang, Lam, Real Sebastian, Ing, Chan
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

RECESSED AND RECONVENED

The City Council recessed at 8:50 p.m. and reconvened with all council members present at 9:00 p.m.

6F. CENTRALIZED GROUNDWATER TREATMENT SYSTEM – APPROVE RELEASE OF RFP TO QUALIFIED TEAMS

In response to the Request for Qualification (RFQ) for the design and construction of a Centralized Groundwater Treatment System for Delta Water Plant, three teams submitted Statement of Qualifications (SOQs). Based upon review of the SOQs, it appears that all three teams are qualified to complete the project. The next step is the release of the Request for Proposal (RFP) to the design-build teams that are qualified to continue to participate in the selection process.

Public Speaker:

- Joe Reichenberger spoke in support of the project and said he had experience in working with the three teams.

Action Taken: The City Council (1) did not accept the three statements of qualifications for design-build of the Centralized Groundwater Treatment system and found the teams qualified to receive the Request for Proposal (RFP); and (2) authorized the release of the RFP to the qualified teams.

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

Ayes:	Council Members:	Liang, Lam, Real Sebastian, Ing, Chan
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

6G. ORDINANCE TO ALLOW PIGGYBACK PURCHASING

The City's purchasing regulations (Chapter 3.20 of the Monterey Park Municipal Code) establish the procedures for procuring supplies, equipment, and services to ensure the City is obtaining the lowest possible pricing. The regulations are also intended to provide fair and transparent application of the purchasing rules. During recent reviews of the City's current purchasing regulations, the Council requested that the MPMC be amended to specifically include "Piggyback Purchases" (which are purchases made from contracts negotiated by another governmental agency which has no relationship to the City).

If adopted, the attached ordinance would amend MPMC § 3.20.050, which sets forth the exemptions to bidding, as follows:

"3.20.050 Exceptions to bidding.

Purchases of goods, supplies and equipment shall ~~must~~ be by bid ~~procedure~~ pursuant to Section 3.20.040 except:

- (1) In case of an emergency as determined by the city manager or, in his ~~the city manager's~~ absence, ~~the~~ a department head and purchasing agent; provided, that they shall ~~must~~ advise the city manager of such emergency purchase as soon as practicable;
- (2) When the commodity can be obtained from only one vendor;
- (3) When the city has a contract with another governmental unit to purchase a particular item on a cooperative basis;
- (4) When the city council finds that negotiation shall ~~best serves~~ the city due to the nature of the goods, supplies, or equipment.
- (5) When the city council, or (if the value of goods or services is below \$25,000) the city manager, identifies a cooperative competitive bidding procedure utilized within the last 24 months prepared by and processed through another local, state, or federal governmental agency upon which the city can "piggy-back." After such a finding, the city may then utilize the scope of work and prices garnered from such a competitive bidding procedure in its own contract."

Action Taken: The City Council (1) introduced and waived the first reading of an ordinance that would add a new line in the Monterey Park Municipal Code ("MPMC") § 3.020.050 entitled "Piggyback Purchasing"; and (2) scheduled second reading and possible adoption for May 4, 2016.

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

Ayes: Council Members: Liang, Lam, Real Sebastian, Chan
Noes: Council Members: Ing
Absent: Council Members: None
Abstain: Council Members: None

Ordinance First Reading, entitled:
AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE § 3.20.050
TO INCLUDE "PIGGYBACK PURCHASING" AS AN ALLOWABLE EXCEPTION
TO BIDDING

6H. ELECTRIC VEHICLE CHARGING STATION AT CITY HALL

The South Coast Air Quality Management District is offering public agencies the installation of electric vehicle (EV) charging stations at their facilities to promote the use of electric vehicles. The EV charging system is at no cost to the City.

Action Taken: The City Council adopted a resolution to waive bidding requirements and authorized the City Manager to execute an agreement to host an electric vehicle charging station at City Hall, in a form approved by the City Attorney.

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

Ayes: Council Members: Liang, Lam, Real Sebastian, Ing, Chan
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 11833, entitled:
A RESOLUTION AWARDDING A CONTRACT FOR THE DC FAST CHARGER
PURSUANT TO GOVERNMENT CODE S 830.6 AND AUTHORIZING THE CITY
MANAGER TO EXECUTE A CONTRACT WITH NRG EV SERVICES LLC
WITHOUT THE NEED FOR CALIFORNIA PUBLIC CONTRACT CODE BIDDING
AS OTHERWISE REQUIRED BY THE MONTEREY PARK MUNICIPAL CODE

6I. SISTER CITIES COMMISSION

Since its inception in 1998, when the commission was created in Resolution No. 10281, the Sister Cities Commission has been composed of three members from each of the official Sister Cities, one of which is the Association President. When a new City was added (Yeongdeungpo-Gu Seoul, South Korea) the size of the commission was expanded to include the three new Commissioners as listed in Resolution 10549. This Commission has operated differently than the other Commissions with a set of By-laws developed specific for this Commission; when

this Commission was formed, it was specifically noted that the Commission is not subject to regulation set forth under the Monterey Park Municipal Code 2.82, though most of the subjects are covered in the By-laws. Under the new selection method, each Council Member would choose a member, as is done with the other commissions, and each Sister City Association would choose one member from their Association; if a new Sister City were to be formed and accepted, that Association would be allowed to choose a Commissioner. This new procedure would allow for participation by Friendship City representatives or other interested community members, if they are chosen by a City Council member.

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Adopting a resolution to change the method in which Commissioners are chosen to be members of the Sister Cities Commission, with Council members selecting one commissioner each, and each of the Sister City Associations choosing a commissioner, for a total of ten members; and
- (2) Taking such additional, related, action that may be necessary.

Action Taken: The City Council tabled this item to a future City Council meeting.

6J. APPOINTMENT OF COMMISSION, BOARD AND COMMITTEE MEMBERS FOR A ONE-YEAR TERM BEGINNING MAY 1, 2016 AND ENDING APRIL 30, 2017

In 2013, the City Council added Chapter 2.82 to the Monterey Park Municipal Code ("MPMC") restricting the establishment of the Commissions, Boards and Committees, collectively "Commissions," and redefining the appointment procedures. In accordance with the MPMC, each council member appoints his/her respective representatives(s) to the 9 commissions to serve a one year term beginning on May 1st and ending April 30th. Commissioners may serve not more than eight consecutive one year terms on the same commission.

Action Taken: The City Council appointed the following Commission/Board/Committee members as listed in Attachment 1 to the staff and/or made the appointments for a one-year term beginning May 1, 2016 and ending April 30, 2017 as amended to add the following: Council Member Ing: Agnes Arakawa on the Commission on Aging, Beryl Shieh on the Commission on Aging, Guey Lin Jeng (Gene) on the Business Improvement District Advisory Committee, Julie Pang-Cortez on the Community Participation Commission, Julia Villagran on the Community Participation Commission, Joseph Reichenberger on the Design Review Board, Dominic A. Lombardo on the Economic Development Advisory Commission, Jessica Ramos on the Environmental Commission, Larry Sullivan on the Planning Commission, Paul Duke Lee on the recreation and Parks Commission, and Steve Klein on the Traffic Commission; Council Member Lam: Attorney Fong on the Community Participation Commission and reappoint Lincoln Lee on the Planning Commission.

7. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Council Member Liang reported that he attended the Center for Asians United for Self-Empowerment banquet, installation banquet for the Southern California Chinese American Lawyers Association, Independent Cities Association meeting, the Cherry Blossom event, the World Journal's 40 Year Anniversary, Burmese Water Festival, and the Ribbon Cutting Ceremony for Mark Keppel's culinary kitchen.

Council Member Lam reported that he attended the Cherry Blossom event, the World Journal's 40 Year Anniversary at their headquarters located in Monterey Park, and presented a certificate on behalf of Council and the City, Mark Keppel's Culinary Kitchen Ribbon Cutting Ceremony, and several community dinners over the last couple of weekends including the Cambodian Chinese New Year dinner at Capital Seafood.

Council Member Real Sebastian reported she attended the Southern California Association of Governments Transportation meeting, the San Gabriel Council of Governments Transportation meeting, and the Centennial meeting. She was also present at the Cherry Blossom event and both her husband and she attended the Monterey Park Library's Laura Scudder program series to celebrate the Centennial. She announced that the library is putting together a book of recipes for a Centennial Cookbook, and to contact the library for more information. She also reminded residents of the Cinco De Mayo event that is on May 1, 2016.

Mayor Pro Tem Ing reported that he attended the Future Business Leaders of America competition in Ontario this weekend and that Monterey Highlands was the only elementary school that participated. He also stated that on Wednesday, May 25 at 6:30 p.m. he will be installed as Mayor and Council Member Real Sebastian as Mayor Pro Tem.

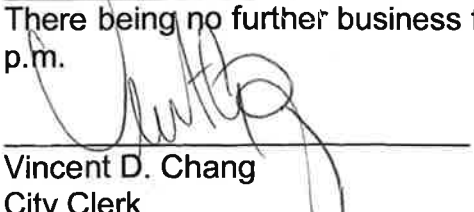
Mayor Peter Chan said he participated in the Centennial Bike Ride. He announced the Spring Cleaning Waste Collection event on Saturday, April 23, 2016 where residents could dispose of large, unwanted items such as furniture. He also announced that the Cancer Society has a function at Barnes Park on Saturday to raise awareness of cancer and their treatments, and that there is a town hall meeting at Hillcrest Elementary on Thursday, April 28, 2016.

8. CLOSED SESSION

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 10:05 p.m.



Vincent D. Chang
City Clerk

Approved on May 18, 2016 at the Regular City Council Meeting