MINUTES
MONTEREY PARK CITY COUNCIL
SUCCESSOR AGENCY (SA)
HOUSING SUCCESSOR AGENCY (HSA)
SPECIAL MEETING
AUGUST 8, 2012

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, August 8, 2012 at 7:00 p.m.

The minutes include items considered by the City Council acting on behalf of the Successor Agency and the Housing Successor Agency of the former Monterey Park Redevelopment Agency, which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" Housing Successor Agency will include the notation of "HSA" next to the Agenda Item Number.

CALL TO ORDER:
Mayor Ing called the meeting to order at 7:00 p.m.

FLAG SALUTE:
The Monterey Park Fire Explorers led the flag salute.

ROLL CALL:
City Clerk Barron called the roll:
Council Members Present: Lau, Wong, Real Sebastian, Ing
Council Members Absent: None

ALSO PRESENT: City Manager Talbot, City Attorney Hensley, City Treasurer Leon, Police Chief Smith, Director of Community Development Basham, Director of Public Works Saykali, Director of Human Resources Cody, Fire Chief Birrell, Financial Services Manager Yaung, Interim City Librarian Arvizu, Acting Economic Development Consultant Ramirez

1. AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTION

City Clerk Barron clarified that there is a correction to both the HSA and City Council June 20, 2012 minutes. He informed the council that corrections will be made and filed on Item No. 6 to add Mayor Ing's vote.

2. PRESENTATION: STRATEGIC PLAN UPDATE

City Manager Talbot presented the staff report summarizing the city's strategic objectives and goals. He informed the council: (1) the city will be recognizing city volunteers with a picnic at Barnes Park on September 15, 2012; (2) the Financial Rate Study and Water Rate Study final draft report has been completed and will be presented to the council; (3) staff continues to conduct meetings to ensure financial stability and employee future benefits; (4) the city will be completing the installation of the wayfinding signs with new trash cans and sidewalk benches to be placed at all bus stops throughout the city; (5) Police Chief Smith held the city's first parking meeting on July 24, 2012 to address parking concerns with residents along Garvey and Hellman

Avenue; and (6) the Planning Commission will be submitting a development agreement for the Market Place to council with a implemented goal date set by 11/01/2012.

Action Taken: Received and Filed.

(SA) CONSENT CALENDAR CONSISTS OF ITEM 3 to 5

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 acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency approved and adopted Item Nos. 3 - 5, and reading resolutions and ordinances by title only and waiving further reading thereof.

Motion: Moved by Council Member Lau and seconded by Council Member Wong, motion carried by the following vote:

Ayes:	Council Members:	Lau, Wong, Real Sebastian, Ing
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

3. (SA) RESOLUTIONS, DEMANDS, PROGRESS PAYMENTS AND INTERFUND TRANSFERS

It is required that the City Council (acting on behalf of the Successor Agency) approve all disbursements.

Action Taken: The City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency approved and adopted **Resolution No., SA-15** on Consent Calendar.

Resolution No. SA-15, entitled:
A RESOLUTION OF THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA) ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED 8TH DAY OF **AUGUST 2012 TOTALING $515,469.75** AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

4. (SA) MINUTES

Approval of Minutes from the regular meeting of June 20, 2012, the Successor Agency to the former Monterey Park Redevelopment Agency.

Action Taken: The City Council approved the minutes from the Successor Agency to the former Monterey Park Redevelopment Agency regular meeting of June 20, 2012 on Consent Calendar.

5. (SA) ATLANTIC TIMES SQUARE PROJECT AMENDED TOLLING AGREEMENT

Atlantic Times Square II, LLC and the former Redevelopment Agency entered into a tolling agreement in 2010 (amended in 2011) relating to the ongoing enforcement action by the Department of Labor Standards Enforcement ("DLSE"). Atlantic Times Square asked that the tolling agreement be updated to reflect the change in parties, i.e., the dissolution of the Redevelopment Agency and the Successor Agency's assumption of all obligations and liabilities. The draft tolling agreement does not alter any legal position of either party; it simply reflects the changes imposed by AB 1X 26.

Action Taken: The City Council authorized the City Manager to execute the amended Tolling Agreement on behalf of the Successor Agency and present it to the Oversight Board for approval on August 17, 2012 on Consent Calendar.

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

(HSA) CONSENT CALENDAR CONSISTS OF ITEM 6

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 acting on behalf of the Housing Successor Agency of the former Monterey Park Redevelopment Agency approved and adopted Item No. 6 and reading resolutions and ordinances by title only and waiving further reading thereof.

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

Ayes:	Council Members:	Lau, Wong, Real Sebastian, Ing
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

6. (HSA) MINUTES

Approval of Minutes from the regular meeting June 20, 2012 of the Housing Successor Agency to the former Monterey Park Redevelopment Agency Meeting.

Action Taken: The City Council approved the minutes from the Housing Successor Agency to the former Monterey Park Redevelopment Agency regular Meeting of June 20, 2012 on Consent Calendar.

This is the end of Housing Successor Agency (HSA) items.

CONSENT CALENDAR CONSISTS OF ITEMS 7 TO 13

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 approved and adopted Item Nos. 7 - 13, except for Item Nos. 12 and 13, which were pulled and reading resolutions and ordinances by title only and waiving further reading thereof.

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

Ayes:	Council Members:	Lau, Wong, Real Sebastian, Ing
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	Wong on Item No. 13

7. RESOLUTIONS, DEMANDS, PROGRESS PAYMENTS AND INTERFUND TRANSFERS

It is required that the City Council approve all disbursements.

Action Taken: The City Council approved payment of warrants and adopted **Resolution No. 11506** allowing certain claims and demands per Warrant Register dated **August 8, 2012 Totaling $2,023,651.23** and specifying the funds out of which the same are to be paid, on Consent Calendar.

Resolution No. 11506, entitled:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED **August 8, 2012 Totaling $2,023,651.23** AND SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

8. ADOPT RESOLUTION NO. 11507 AMENDING RESOLUTION NOS. 8584 AND 9921 IN THEIR ENTIRETY TO ESTABLISH THE MEANS OF MAYORAL ROTATION

On June 27, 2012, a Special Council Meeting was held in which the City Council appointed the Mayor and the Mayor Pro Tem in accordance with City Council policy established by Resolution Nos. 8584 and 9921. This Resolution will amend Resolution nos. 8584 and 9921 in their entirety to clarify the means of mayoral rotation for future reorganizations.

Action Taken: The City Council adopted **Resolution No.11507** amending Resolution Nos. 8584 and 9921 in their entirety to establish the means of mayoral rotation on Consent Calendar.

Resolution No. 11507, entitled:
A RESOLUTION AMENDING RESOLUTION NOS. 8584 AND 9921 IN THEIR ENTIRETY TO ESTABLISH THE MEANS OF MAYORAL ROTATION.

9. MINUTES

Approval of Minutes from the City Council Regular Meetings of May 16, 2012, June 6, 2012,and June 20, 2012 and the Special Meetings of June 11, 2012 (adjourned special budget meeting), June 14, 2012, June 20, 2012, June 25, 2012 (adjourned special meeting), June 27, 2012, July 16, 2012 and July 18, 2012.

Action Taken: The City Council approved the minutes from the City Council Regular Meetings of May 16, 2012, June 6, 2012, and June 20, 2012, and the Special Meetings of June 11, 2012 (adjourned special budget meeting), June 14, 2012, June 20, 2012, June 25, 2012 (adjourned special meeting), June 27, 2012, July 16, 2012 and July 18, 2012 on Consent Calendar.

10. ANNUAL RETIREMENT LEVY -- ADOPT RESOLUTION NO. 11508 IDENTIFYING THE AMOUNT OF TAX REVENUE REQUIRED TO FULFILL THE VOTER'S INTENT IN FUNDING THE CITY'S RETIREMENT SYSTEM DURING FISCAL YEAR 2012-2013 AND AUTHORIZING THE LEVY OF APPROPRIATE TAXES

The City is annually required to establish a tax rate to generate the retirement property tax based on the assessed valuation established by the County Assessor's Office. Monterey Park's assessed valuation subject to the retirement levy for 2012-13 is approximately $4.6 billion. The projected retirement tax revenue is approximately $5.1 million for 2012-13. The revenue and monies from the General Fund transfer will be sufficient to fund the projected retirement costs of $6.4 million for 2012-13. The City is required to submit a Resolution establishing the 2012-13 Retirement Tax Rate to the County before the end of August.

Action Taken: The City Council adopted **Resolution No. 11508** identifying the amount of tax revenue required to fulfill the voter's intent in funding the City's Retirement System during Fiscal Year 2012-2013 and authorizing the levy of appropriate taxes on Consent Calendar.

Resolution No. 11508, entitled:
A RESOLUTION IDENTIFYING THE AMOUNT OF TAX REVENUE REQUIRED TO FULFILL THE VOTERS' INTENT IN FUNDING THE CITY'S RETIREMENT SYSTEM DURING FISCAL YEAR 2012-2013 AND AUTHORIZING THE LEVY OF APPROPRIATE TAXES

11. CONTINUATION OF CONSIDERATION FOR ORDINANCE ADOPTIONS AT THE NEXT REGULAR COUNCIL MEETING OF AUGUST 15, 2012

ORDINANCE NO. _____ AMENDING ORDINANCE NO. 2091 BANNING SMOKING IN OUTDOOR PUBLIC AREAS

ORDINANCE NO. _____ TO RESCIND ORDINANCE NO. 2090 REGARDING THE TOWNE CENTER DEVELOPMENT AGREEMENT BETWEEN THE CITY AND MAGNUS SUNHILL GROUP, LLC

Public Speakers:

- Betty Chu spoke of her concerns regarding comments and actions taken by the council regarding the proposed ordinances. She also expressed her concerns regarding the Towne Center Marketplace project.

- John Gee waived his right to speak.

Action Taken: The City Council scheduled the second reading and potential adoption for the Ordinances at the August 15, 2012 regular meeting. Received and Filed on Consent Calendar.

12. APPOINTMENT TO PLANNING COMMISSION, SEAT 1

Pursuant to Monterey Park Municipal Code § 2.64.010, Council Member David T. Lau nominated Tommy Tseng to the Planning Commission. If appointed by the City Council, Mr. Tseng would assume Seat No. 1 on the Commission. The Commission's responsibilities are listed in Monterey Park Municipal Code § 2.64.030.

This item was pulled for separate discussion.

Action Taken: The City Council appointed Tommy Tseng to Seat 1 on the Planning Commission.

Motion: Moved by Council Member Lau and seconded by Council Member Wong, motion failed by the following vote:

Ayes:	Council Members:	Lau, Wong
Noes:	Council Members:	Real Sebastian, Ing
Absent:	Council Members:	None
Abstain:	Council Members:	None

13. APPROVAL OF CONTRACT WITH WORLD JOURNAL LA, LLC, AS A CO-PRODUCER OF THE MONTEREY PARK 2013 LUNAR NEW YEAR FESTIVAL

The City's 15th Annual Lunar New will be held in 2013. The event will be located on East Garvey Avenue between Garfield and Nicholson Avenues. Staff is recommending entering into an agreement with World Journal LA, LLC to be a co-producer, along with the Business Improvement District Advisory Committee and the City of Monterey Park. Several meetings were held with World Journal, the Business Improvement District Advisory Committee and City staff to discuss the Lunar New Year Concept and the duties for each co-producer.

This item was pulled for separate discussion.

Public Speaker:

- Stephen Lam, President of the Business Improvement District Advisory Committee (BIDAC) informed the council that BIDAC supports staff's recommendation to renew the contract with World Journal LA, LLC as a co-producer in hosting the City of Monterey Park's 2013 Lunar New Year festival. He thanked Donna Ramirez, Robert Aguirre, and City Manager Talbot for their assistance.
- Michael Schlegel spoke of his attendance and enjoyment of last year's Lunar New Year festivities however expressed that many of the announcements were published only in Chinese. He recommended that the vendors advertise also in English to appeal to the general public.

Discussion: Council Member Wong abstained from discussion and recused himself from the dais due to a potential conflict of interest, as he has a business within the Business Improvement District.

Action Taken: The City Council authorized the City Manager to execute a contract, in a form approved by the City Attorney, with World Journal LA, LLC for co-production of the 2013 Lunar New Year Festival.

Motion: Moved by Council Member Lau and seconded by Vice Mayor Real Sebastian, motion passed by the following vote:

Ayes:	Council Members:	Lau, Real Sebastian, Ing
Noes:	Council Members:	None
Absent:	Council Members:	Wong
Abstain:	Council Members:	None

14. ORAL AND WRITTEN COMMUNICATIONS

- Betty Chu spoke of the recent employee MOU approvals and thanked the police unions for their contribution and negotiation. She expressed her disappointment of the negotiations with the firefighters union and recommended that the firefighters group receive no less favorable treatment than the other employee groups.
- John Gee expressed his concerns and recommendations of the city's residential inspection process.
- Nancy Arcuri requested that the City Manager inform the residents of the recent approved police negotiations. She also thanked the City Manager for the recent browning - out of Station 61's fire engine as a temporary cost saving measure of $67,000.00 per month.
- Rita Miller requested that the city hall restrooms be opened to the public during city wide events. She informed the public that the Fire Department is offering a Fire Safety class for seniors on Thursday, August 30, 2012 from 2:00 p.m. – 3:00 p.m. at

the Bruggemeyer Library Friends room and may call (626) 307-1251 or the Fire Department Prevention Office at (626) 307-1308 to attend the free classes.

- Sarkis Antonian spoke of the recent teacher lay-offs at Alhambra Unified School District and Garvey Unified School District. He also expressed his concern of the newly appointed School Board President's pension and salary plans.

PUBLIC HEARING (Open public hearing, hear staff, hear audience, close public hearing)

15. WEED ABATEMENT CHARGE LIST RESOLUTION NO. 11509 CONFIRMING THE ITEMIZED WEED ABATEMENT CHARGE LIST OF WEED ABATEMENT COSTS AND DIRECTING THE LOS ANGELES COUNTY AGRICULTURAL COMMISSIONER TO COLLECT THESE COSTS THROUGH PROPERTY TAX BILLINGS

At the regular Council meeting on February 1, 2012, the City Council adopted Resolution No. 11465 declaring that weeds growing upon and in front of certain properties in the City are a public nuisance and its intention to provide for the abatement thereof. At the regular Council Meeting on February 15, 2012, the City Council held a protest hearing and subsequently approved the weed abatement declaration list as posted by the County.

Mayor Ing opened the public hearing at 8:38 p.m. and closed the public hearing at 8:39 p.m. as there were no speakers registered.

Discussion: Council Member Wong abstained from discussion and recused himself from the dais due to a potential conflict of interest as he owns property listed on the charge list.

Action Taken: The City Council adopted **Resolution No. 11509** confirming the itemized weed abatement charge list of weed abatement costs and directing the Los Angeles County Agricultural Commissioner to collect these costs through property tax billings.

Resolution No. 11509, entitled:
A RESOLUTION CONFIRMING THE ITEMIZED WEED ABATEMENT CHARGE LIST OF WEED ABATEMENT COSTS AND DIRECTING THE LOS ANGELES COUNTY AGRICULTURAL COMMISSIONER TO COLLECT THESE COSTS THROUGH PROPERTY TAX BILLINGS

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

Ayes:	Council Members:	Lau, Real Sebastian, Ing
Noes:	Council Members:	None
Absent:	Council Members:	Wong
Abstain:	Council Members:	None

UNFINISHED BUSINESS
None.

NEW BUSINESS

16. FISCAL YEAR 2012-2013 ANNUAL BUDGET:

ADOPTION OF RESOLUTION NO. 11510, ADOPTION OF RESOLUTION NO. SA-16 OF THE SUCCESSOR AGENCY TO THE FORMER MONTEREY PARK REDEVELOPMENT AGENCY, AND ADOPTION OF RESOLUTION NO. HSA-8 OF THE HOUSING SUCCESSOR AGENCY TO THE FORMER MONTEREY PARK REDEVELOPMENT AGENCY ADOPTING THE FISCAL YEAR 2012-2013 FINAL OPERATING BUDGET FOR THE CITY OF MONTEREY PARK, THE SUCCESSOR AGENCY, AND HOUSING SUCCESSOR AGENCY AND ADOPTING THE FISCAL YEAR 2012-2013 CAPITAL IMPROVEMENT BUDGET

With a balanced General Fund budget, City staff will implement various programs and projects that significantly improve services to the citizens and the community. These efforts are consistent with the City Mission Statement and the City Council's priorities and policy direction.

Action Taken: The City Council approved to earmark the $1.8 million received from the sale of a city owned parking lot and placed it in a committed fund for the sole use of Economic Development in the city and not for salaries or benefits of employees or consultants.

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

Ayes:	Council Members:	Lau, Wong, Real Sebastian, Ing
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

Action Taken: The City Council adopted **Resolution No. 11510, SA-16, and HSA-8** of the City Council, the City Council Acting on behalf of the Successor Agency, and the City Council acting on behalf of the Housing Successor Agency adopting the Fiscal Year 2012-2013 Final Operating Budget for the City of Monterey Park, the Successor Agency, and Housing Successor Agency and adopting the Fiscal Year 2012-2013 Capital Improvement Budget.

Motion: Moved by Council Member Wong and seconded by Council Member Lau, motion carried by the following vote:

Ayes:	Council Members:	Lau, Wong, Real Sebastian, Ing
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

17. VACANCY OF CITY COUNCIL POSITION

ADOPT RESOLUTION NO. ______ APPOINTING AN ELIGIBLE ELECTOR TO THE CITY COUNCIL IN ACCORDANCE WITH GOVERNMENT CODE § 36512(B) TO SERVE UNTIL 2013.

On June 11, 2012, the City Clerk's office received a letter of resignation from former Council Member Betty Tom Chu creating a vacancy on the City Council. The term of office for the vacant position ends March 5, 2013. Government Code § 36512 provides that, within 60 days of June 11th, the City Council may appoint an eligible elector to fill the vacancy. The person must be an eligible elector, i.e., a person must be a City resident and be eligible to vote. Persons appointed to office would serve for the remainder of the term (March 5, 2013). Note, that if only three Council Members are present to vote, two affirmative votes for an individual will appoint the person to office.

Public Speakers:

- Nancy Arcuri spoke of her concerns and recommended that the vacant seat be elected by the voters and not appointed by the council.

Proposed Action: That the City Council appoint Larry Sullivan to the City Council in accordance with Government Code § 36512(B) to serve until March 5, 2013.

Motion: Moved by Vice Mayor Real Sebastian and seconded by Mayor Ing, motion failed by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing
Noes:	Council Members:	Lau, Wong
Absent:	Council Members:	None
Abstain:	Council Members:	None

Proposed Action: That the City Council appoint David Barron to the City Council in accordance with Government Code § 36512(B) to serve until March 5, 2013.

Motion: Moved by Mayor Ing and seconded by Vice Mayor Real Sebastian, motion failed by the following vote:

Ayes:	Council Members:	Real Sebastian, Ing
Noes:	Council Members:	Lau, Wong
Absent:	Council Members:	None
Abstain:	Council Members:	None

COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Council Communications and committee reports from Council Representatives of specific organizations (Non Action Item)

Possible cancellation or rescheduling of the September 5, 2012 Council Meeting due to the League of California Cities Conference.

Action Taken: The City Council cancelled the September 5, 2012 Council Meeting.

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

Ayes: Council Members: Lau, Wong, Real Sebastian, Ing
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Discussion and possible action regarding the San Gabriel Valley Council of Governments – issues and the city's participation in the organization. (Requested by Vice Mayor Real Sebastian)

Action Taken: The City Council directed staff to send a letter to the San Gabriel Valley Council of Governments to confirm the City of Monterey Park's continued participation.

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

Ayes: Council Members: Lau, Wong, Real Sebastian, Ing
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Council Member Wong reported his attendance at the League of California Cities meeting.

CLOSED SESSION

None.

ADJOURNMENT

There being no further business for consideration, the meeting adjourned at 10:08 p.m. in memory of Beth Ryan, a city employee and Long Gow, resident and spouse of commissioner Nancy Yee.

David M. Barron, CMC
City Clerk

Approved on September 19, 2012 at the regular City Council Meeting