

CITY OF MONTEREY PARK

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



City Council
Peter Chan
Hans Liang
Henry Lo
Yvonne Yiu

City Clerk
Vincent D. Chang

City Treasurer
Joseph Leon

May 3, 2022

Karrie On
Center Int'l Investments
501 W. Garvey Avenue, #207
Monterey Park, CA 91754

SENT VIA US MAIL

RE: Notice of Default to CII; Opportunity to Cure

Dear Ms. On:

As you are aware, the City of Monterey Park ("City") and Center Int'l. Investments ("Developer") entered into a Development Agreement dated July 7, 2021 and identified by City as DA-21-01 (the "DA"). The DA was recorded with the Los Angeles County Recorder's Office as Instrument No. 20211285226 on August 30, 2021.

Section 19 of the DA states that

"Developer agrees to indemnify and hold City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from City's approval of Project No. DA-21-01, this Agreement, and all procedures with approving this Agreement (collectively, "Discretionary Approvals"). Should City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the Discretionary Approvals, Developer agrees to defend City (at City's request and with counsel satisfactory to City) and will indemnify City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this Section "City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees."

On April 7, 2022, the City Attorney's office sent a demand letter for \$15,818.05 to reimburse City for defense costs associated with the Writ Action. The deadline for payment was May 2, 2022. City has not received payment.

This is a notice of default for failure to pay the City's defense costs (and failure to defend the City under the terms of the DA). CII may cure its default by paying this amount via cashier's check or wire transfer not later than May 6, 2022.

Otherwise, the City will commence termination of the DA in accordance with applicable law including, without limitation, Monterey Park Municipal Code (“MPMC”) Chapter 21.44. This letter may also be considered City’s annual review of the DA per MPMC § 21.44.050.

Note that the City is examining additional evidence of default that may be separate grounds for termination. Consequently, CII should not consider this letter to contain the entire basis for a potential termination of the DA.

Payments may be made directly to Martha Garcia, Director of Management Services. She may be contacted at (626) 307-1349 or magarcia@montereypark.ca.gov.

Sincerely,

A handwritten signature in blue ink that reads "Steve Sizemore". The signature is written in a cursive, flowing style.

Steven Sizemore, Interim City Planner

MP Clerk

From: M Lai <minglai0930@hotmail.com>
Sent: Thursday, April 28, 2022 11:44 PM
To: MP Clerk
Subject: Public comment to May 4, 2022 City Council Regular Meeting

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL]

Below is my comment to the 5/4/2022 City Council Regular Meeting.

I had the pleasure to write to the City Council for its April 6 meeting on the parking issue at Fremont Ave near Monterey Pass Road and the legal loophole with respect to Municipal Code 10.48.045 exposed as a result. Today, cars are still parked on that section of Fremont Ave apparently waiting for repair and in violation of such code. As admitted by Sgt Peter Young of the Monterey Park PD before, the parking of those cars even spills over to W Newmark Ave on the other side of Monterey Pass Road.

A couple days ago I stumbled on a news article "Porsches and Ferraris No Longer Hog Parking Spots In LA Neighborhood, After I-Team Report" (<https://www.nbclosangeles.com/investigations/porsches-ferraris-parking-hogs-violations-los-angeles/2874644/>) by NBC Los Angeles. It says that many parking spots on Fountain Ave in the Silverlake neighborhood were taken by Porsches and Ferraris waiting to be repaired by an auto shop. "It's a violation of LA's Municipal code for car repair shops to park or store customers cars on city streets while they're waiting to be serviced." After residents reported the issue to NBC4 I-Team, L A City Attorney Mike Feuer finally took action. If the City of Monterey Park does not know how to write an enforceable code and/or enforce the code, I think you guys can consult Mr Feuer.

Ming Lai
 Monterey Park resident



Porsches, Ferraris No Longer Hog Parking Spots In LA – NBC Los Angeles

Porsches and Ferraris No Longer Hog Parking Spots In LA Neighborhood, After I-Team Report It's a violation of LA's Municipal code for car repair shops to park or store customers cars on city ...

www.nbclosangeles.com

MPCLerk

From: Jason Rogers <jrisover@gmail.com>
Sent: Tuesday, May 3, 2022 4:49 PM
To: MPCLerk
Subject: Subject: Item 2A - Appoint in District 3

[EXTERNAL EMAIL]

Dear Monterey Park City Council,

I have been a resident of Monterey Park for 3 years. It is important that all residents in the city have representation on the City Council. That is why I am urging you to appoint someone to District 3, as well as call for an election in November so residents get a chance to decide. However, leaving the seat empty until then will disenfranchise residents in District 3 for over 5 months.

Please appoint a qualified candidate to District 3. Thank you.

Sincerely,
Jason Rogers

MPCLerk

From: Edith Gonzalez <ms.edith.gonzalez@gmail.com>
Sent: Tuesday, May 3, 2022 9:42 PM
To: MPCLerk; Lo, Henry; Chan, Peter; Liang, Hans; Yiu, Yvonne
Subject: District 3 Needs a Voice Now

[EXTERNAL EMAIL]

Greetings Mayor Lo and Councilmembers Chan, Liang & Yiu,

My name is Edith Gonzalez and I would like to encourage you to fill the vacancy in MPK City Council District 3 by appointment. I am convinced that filling the position immediately by appointment is the best option for the residents of Monterey Park. Here are my reasons:

Leaving the position vacant leaves the residents of District 3 without a voice in they city on important items discussed and voted on.

Having only four councilmembers can also slow down the work of the council, especially in the case of split votes on any issues that pertain to the city and residents of District 3.

And lastly, having a special election to fill the position will be too costly for residents of Monterey Park and pushing the election to November will leave residents of District 3 without a council member for several months.

I encourage you to please fill the vacancy in the city council by appointment and help the residents of District 3 have a voice in the city.

Thank you for your time and your consideration.

Sincerely,

Edith Gonzalez
Resident of Monterey Park

MP Clerk

From: Andy Fung <barvhart@gmail.com>
Sent: Saturday, April 30, 2022 9:02 PM
To: MPClerk; Lo, Henry; Chan, Peter; Liang, Hans; Yiu, Yvonne
Subject: District 3 Needs a Voice Now

[EXTERNAL EMAIL]

Greetings Mayor Lo and Councilmembers Chan, Liang & Yiu,

My name is Andy Fung and I would like to encourage you to fill the vacancy in MPK City Council District 3 by appointment. I am convinced that filling the position immediately by appointment is the best option for the residents of Monterey Park. Here are my reasons:

Leaving the position vacant leaves the residents of District 3 without a voice in their city on important items discussed and voted on.

Having only four councilmembers can also slow down the work of the council, especially in the case of split votes on any issues that pertain to the city and residents of District 3.

And lastly, having a special election to fill the position will be too costly for residents of Monterey Park and pushing the election to November will leave residents of District 3 without a council member for several months.

I encourage you to please fill the vacancy in the city council by appointment and help the residents of District 3 have a voice in the city.

Thank you for your time and your consideration.

Sincerely,
Andy Fung

MPClerk

From: Andrew Yip <andrew@activesgv.org>
Sent: Friday, April 29, 2022 7:43 PM
To: MPClerk; Lo, Henry; Chan, Peter; Liang, Hans; Yiu, Yvonne
Subject: District 3 Needs a Voice Now

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL]

Greetings Mayor Lo and Councilmembers Chan, Liang & Yiu,

My name is Andrew Yip and I would like to encourage you to fill the vacancy in MPK City Council District 3 by appointment. I am convinced that filling the position immediately by appointment is the best option for the residents of Monterey Park. Here are my reasons:

Leaving the position vacant leaves the residents of District 3 without a voice in they city on important items discussed and voted on.

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And lastly, having a special election to fill the position will be too costly for residents of Monterey Park and pushing the election to November will leave residents of District 3 without a council member for several months.

I encourage you to please fill the vacancy in the city council by appointment and help the residents of District 3 have a voice in the city.

Thank you for your time and your consideration.

Sincerely,

Andrew Yip

MPClerk

From: Je-Show Yang <jeshowy@gmail.com>
Sent: Friday, April 29, 2022 7:28 PM
To: MPClerk; +hlo@montereypark.ca.gov; +pchan@montereypark.ca.gov;
+hliang@montereypark.ca.gov; +yyiu@montereypark.ca.gov
Subject: District 3 Needs a Voice Now

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL EMAIL]

Greetings Mayor Lo and Councilmembers Chan, Liang & Yiu,

My name is Je-Show Yang and I would like to encourage you to fill the vacancy in MPK City Council District 3 by appointment. I am convinced that filling the position immediately by appointment is the best option for the residents of Monterey Park. Here are my reasons:

Leaving the position vacant leaves the residents of District 3 without a voice in their city on important items discussed and voted on.

Having only four councilmembers can also slow down the work of the council, especially in the case of split votes on any issues that pertain to the city and residents of District 3.

And lastly, having a special election to fill the position will be too costly for residents of Monterey Park and pushing the election to November will leave residents of District 3 without a council member for several months.

I encourage you to please fill the vacancy in the city council by appointment and help the residents of District 3 have a voice in the city.

Thank you for your time and your consideration.

Sincerely,
Je-Show Yang

4A

MP Clerk

From: Alison Martinez <AGMartinez@sheppardmullin.com>
Sent: Tuesday, May 3, 2022 7:06 PM
To: Karl Berger
Cc: MPClerk; Alfred Fraijo Jr.; Paul Seeley
Subject: May 4, 2022 City Council Agenda Item 4-A: MPK GHAD Assessment
Attachments: Continuation of GHAD Assessment Item 4-A.pdf

[EXTERNAL EMAIL]

Dear Mr. Berger,

We understand that staff will be recommending continuation of the MPK GHAD Assessment agenda item at tomorrow night's MPK GHAD Board/City Council meeting. Please see the attached letter which expresses CII's support for the continuance to December 21, 2022 and its continued opposition to the proposed assessment.

Best,
Alison Martinez

Alison G. Martinez
+1 213-455-7706 | direct
AGMartinez@sheppardmullin.com | [Bio](#)

SheppardMullin

333 South Hope Street, 43rd Floor
Los Angeles, CA 90071-1422
+1 213-620-1780 | main
www.sheppardmullin.com | [LinkedIn](#) | [Twitter](#)

Attention: This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

May 3, 2022

File Number: 53XR-298818

VIA ELECTRONIC MAIL

Karl Berger, Esq.
City Attorney
320 West Newmark Ave.
Monterey Park, CA 91754
E-Mail: kberger@hensleylawgroup.com

Re: MPK GHAD Assessment
(May 4, 2022 MPK GHAD Board/City Council Agenda Item 4-A)

Dear Karl:

Center Int'l Investments, Inc. ("CII") understands that at the next Monterey Park Geologic Hazard Abatement District ("MPK GHAD") Board of Directors/City Council of Monterey Park meeting on May 4, 2022 staff will recommend that the MPK GHAD Board of Directors continue Item 4-A regarding the proposed assessment for MPK GHAD, which was previously continued on November 3, 2021 and again on January 19, 2022. We further understand that staff will propose continuation of this item to December 21, 2022. As you recall, CII previously submitted a ballot opposing the proposed assessment, but withdrew its ballot following the MPK GHAD Board's November 3, 2021 decision to continue the item. On January 19, 2022, CII sent you a letter expressing its continued opposition to the proposed assessment.

At this time, CII supports continuing Item 4-A to December 21, 2022, but remains opposed to the current proposed assessment and reserves the right to resubmit its ballot opposing the assessment, a copy of which is attached hereto.

Sincerely,

Paul L. Seeley

Paul L. Seeley
for SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

SMRH:4878-7478-3006.1

cc: Alfred Fraijo

the owner or a tenant that is billed directly by the District; 4) a statement that you are protesting the assessment; and 5) your printed name, date, and original signature.

Only one protest per property will be counted. If you own multiple properties affected by the proposed adjustments, you should submit separate protests for each affected parcel, as the protest threshold is based upon a majority of the total number of parcels. Once opened, protests are disclosable public records.

OFFICIAL BALLOT ENCLOSED

Protest Form: Property owners or an authorized representative may complete this form and deliver it to the MPK GHAD c/o the City of Monterey Park, 320 W. Newmark Ave., Monterey Park, CA 91754. This ballot must be received before the close of the District public hearing set for November 3, 2021 at 6:30 p.m.

Assessor's Parcel Number (~~5054-002-001~~)

Parcel Address: *1688 W. Garvey Ave
Monterey Park, Ca 91754*

I Protest the proposed GHAD Assessment

I am Owner Tenant

Print Name: *Willis Do*

Sign Name: *[Signature]*