

**CITY COUNCIL OF MONTEREY PARK
AND THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY
OF THE FORMER REDEVELOPMENT AGENCY
AGENDA**

REGULAR CITY COUNCIL MEETING

**Wednesday
June 16, 2021
6:30 p.m.**

EXECUTIVE ORDER NO. N-29-20

These meetings will be conducted pursuant to Section 3 of Executive Order No. N-29-20 issued by Governor Newsom on March 17, 2020.

Accordingly, Councilmembers will be provided with a meeting login number and conference call number; they will not be physically present at Council Chambers.

Pursuant to the Governor's order, the public may provide public comment utilizing the methods set forth below.

Note that City Hall is currently closed to the public. You will not be admitted to City Hall.

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.

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 the City's website at <http://www.montereypark.ca.gov/AgendaCenter/City-Council-17>.

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>.

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

PUBLIC PARTICIPATION

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

Via Email

Public comment will be accepted up to 24 hours before the meeting via email to mpclerk@montereypark.ca.gov and, when feasible, read into the record during public comment. Written communications are limited to not more than 50 words.

Via Telephone

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling **(888) 788-0099 or (877) 853-5247** and entering Zoom Meeting ID: **289 222 5995** then press pound (#). When prompted to enter participation ID number press pound (#) again. If participants would like to make a public comment they will enter **“*9”** then the Clerk’s office will be notified, and you will be in the rotation to make a public comment. Press **“*6”** to unmute yourself when called upon to speak. Participants are encouraged to join the meeting 15 minutes before the start of the meeting. You may speak up to 5 minutes on Agenda item. Speakers will not be allowed to combine time. The Mayor and City Council may change the amount of time allowed for speakers. As part of the virtual meeting protocols, anonymous persons will not be allowed to provide public comment.

Important Disclaimer

When a participant calls in to join the meeting, their name and/or phone number will be visible to all participants. Note that all public meetings will be recorded.

CALL TO ORDER Mayor at 6:30 p.m.
FLAG SALUTE Mayor
ROLL CALL Peter Chan, Hans Liang, Henry Lo, Fred Sornoso, Yvonne Yiu

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS:

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.

[1.] PRESENTATION – None.

[2.] OLD BUSINESS – None.

[3.] CONSENT CALENDAR ITEMS NOS. 3A-3I

| | | | | |
|------------------|-----|----|---------|--------|
| MOTION BY: LIANG | | | | |
| SECONDED BY: YIU | | | | |
| COUNCIL MEMBERS | AYE | NO | ABSTAIN | ABSENT |
| CHAN | X | | | |
| LIANG | X | | | |
| SORNOSO | X | | | |
| LO | X | | | |
| YIU | X | | | |

APPROVED/ADOPTED ON CONSENT CALENDAR ITEM NOS. 3A, 3C, 3D, 3E, 3F & 3H, AND EXCEPT FOR ITEM NOS. 3B, 3G & 3I WHICH WERE PULLED

3-A. MINUTES

It is recommended that the City Council (and the City Council acting on behalf of the Successor Agency) consider:

- (1) Approving the minutes from the regular and special meetings of May 5, 2021; and
- (2) Taking such additional, related, action that may be desirable.

APPROVED ON CONSENT CALENDAR

3-B. RESOLUTION OF CITY COUNCIL AND RESOLUTION OF HOUSING AUTHORITY BOARD OF DIRECTORS EACH AUTHORIZING THE EXECUTION AND DELIVERY OF A JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE CITY AND HOUSING AUTHORITY

It is recommended that the City Council and the Housing Authority Board of Directors consider:

- (1) Adopting the City Council Resolution authorizing the Mayor execute and deliver a Joint Exercise of Powers Agreement, in a form approved by the City Attorney, by and between the City and Housing Authority;
- (2) Adopting the Housing Authority Resolution authorizing the Chairperson execute and deliver a Joint Exercise of Powers Agreement, in a form approved by the General Counsel, by and between the City and Housing Authority; and
- (3) Taking such additional, related, action that may be desirable.

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|----------------------|-----|----|---------|--------|
| MOTION BY: LO | | | | |
| SECONDED BY: SORNOSO | | | | |
| COUNCIL MEMBERS | AYE | NO | ABSTAIN | ABSENT |
| CHAN | X | | | |
| LIANG | X | | | |
| SORNOSO | X | | | |
| LO | X | | | |
| YIU | X | | | |

APPROVED RECOMMENDATIONS

CITY COUNCIL RESOLUTION NO. 12250 ADOPTED
HOUSING AUTHORITY RESOLUTION NO. MPFA-1 ADOPTED

3-C. MONTHLY INVESTMENT REPORT – MAY 2021

It is recommended that the City Council consider:

- (1) Receiving and filing the monthly investment report; and
- (2) Taking such additional, related, action that may be desirable.

RECEIVED AND FILED ON CONSENT CALENDAR

3-D. RECOMMENDATIONS FOR ADOPTION OF FISCAL YEAR 2021-2022 ANNUAL BUDGET

It is recommended that the City Council consider:

- (1) Adopting by Resolution the City’s and Successor Agency’s Fiscal Year 2021-2022 Annual Budget as presented on May 26, 2020, City Manager’s recommended budget incorporated with the Council’s directions; and
- (2) Taking such additional, related, action that may be desirable.

APPROVED/ADOPTED ON CONSENT CALENDAR, RESOLUTION NO. 12251 / SA-181 ADOPTED

3-E. A RESOLUTION OF THE MONTEREY PARK CITY COUNCIL AUTHORIZING THE CITY MANAGER TO PROVIDE WRITTEN NOTICE OF INTENT TO WITHDRAW MEMBERSHIP FROM THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA)

It is recommended that the City Council consider:

- (1) Adopting the attached Resolution authorizing the City Manager to notify the Independent Cities Risk Management Authority (ICRMA) of the City’s intent to withdraw from the JPA on or before July 1, 2022; and
- (2) Taking such additional, related, action that may be desirable.

APPROVED/ADOPTED ON CONSENT CALENDAR, RESOLUTION NO. 12252 ADOPTED

3-F. HDL COREN & CONE MASTER SERVICES AGREEMENT AMENDMENT FOR PROPERTY TAX CONSULTING SERVICES

It is recommended that the City Council consider:

- (1) Authorizing the City Manager to execute an Amendment in a form approved by the City Attorney to a master service agreement with HdL Coren & Cone, for Property Tax Consulting Services for an amount of \$125,000 for a term of five years; and
- (2) Taking such additional, related, action that may be desirable.

APPROVED ON CONSENT CALENDAR

3-G. AGREEMENT FOR WATER, WASTEWATER, AND SOLID WASTE RATE STUDIES

It is recommended that the City Council consider:

- (1) Allowing the City Manager to enter into an agreement in a form to be approved by the City Attorney with HF&H Consultants, LLC for \$145,595 from the Enterprise Fund for Water, Wastewater, and Solid Waste Rate Studies;
- (2) Taking such additional, related, action that may be desirable.

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|---------------------------|------------|-----------|----------------|---------------|
| MOTION BY: CHAN | | | | |
| SECONDED BY: LIANG | | | | |
| COUNCIL MEMBERS | AYE | NO | ABSTAIN | ABSENT |
| CHAN | X | | | |
| LIANG | X | | | |
| SORNOSO | X | | | |
| LO | X | | | |
| YIU | X | | | |

APPROVED RECOMMENDATION

3-H. TOWING CONTRACT EXTENSION

It is recommended that the City Council consider:

- (1) Extending the towing contracts between the City of Monterey Park, Freeway Towing, and Navarro’s Towing through July 31, 2024 and authorize the City Manager to execute agreements, in a form approved by the City Attorney, with Navarro’s Towing, and Freeway Towing; and
- (2) Taking such additional, related, action that may be desirable.

APPROVED ON CONSENT CALENDAR

3-I. RESOLUTION AUTHORIZING THE CITY MANAGER TO CONTRACT WITHOUT THE NEED FOR BIDDING PURSUANT TO PUBLIC CONTRACTS CODE § 22050 TO CONSTRUCT HILLSIDE STABILIZATION AT 1688 WEST GARVEY AVENUE

It is recommended that the City Council consider:

- (1) Adopting Resolution No. ____ declaring an emergency and authorizing contracting without formal bidding pursuant to Public Contracts Code § 22050;
- (2) Authorizing the City Manager to execute a standard public works contract, in a form approved with the City Attorney, in accordance with Resolution No. ____ and after utilizing informal bidding procedures in MPMC Chapter 3.100 to select a contractor to perform the hillside stabilization and rehabilitation project – identified as “Plan B” within the Settlement Agreement with Center Int’l Investment, Inc. (“CII”) – for property at 1688 West Garvey Avenue;
- (3) Authorizing the City Attorney to take all legal actions required to ensure CII’s payment of all costs associated with the City’s performance of Plan B in accordance with the Settlement Agreement including, without limitation, foreclosing on securities guaranteeing the Plan B project, if required; and
- (4) Taking such additional, related, action that may be desirable.

California Environmental Quality Act (CEQA):

The environmental assessment set forth in the Resolution certifying the *Final Environmental Impact Report 1688 West Garvey Avenue Project* (State Clearinghouse No. 2020070419), adopted June 16, 2021, is incorporated by reference. Further, the City Council’s actions are exempt from additional CEQA review as they are being made to protect public and private property and necessary to maintain services essential to the public, health and welfare (see *Ca/Beach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529: CEQA findings regarding an anticipated imminent emergency are valid).

THIS ITEM WAS HEARD JOINTLY WITH ITEM NO. 4A
MOTION WAS TAKEN WITH ITEM NO. 4A – RESOLUTION NO. 12255 ADOPTED

[4.] PUBLIC HEARING

4-A. CONSIDER ADOPTION OF THE 1688 WEST GARVEY AVENUE PROJECT SPECIFIC ENVIRONMENTAL IMPACT REPORT (EIR) AND EIR FINDINGS; A ZONE CHANGE (ZC-21-01) FROM R-3 (HIGH DENSITY RESIDENTIAL) TO 1688 WEST GARVEY AVENUE SPECIFIC PLAN (SP-21-01) TO CREATE DESIGN GUIDELINES AND A MASTER LANDSCAPE PLAN FOR 16 SINGLE FAMILY RESIDENCES; A VESTING TENTATIVE MAP (VTM-21-01) FOR A 18-LOT SUBDIVISION FOR RESIDENTIAL AND OPEN SPACE PURPOSES; AND A DEVELOPMENT AGREEMENT (DA-21-01)

It is recommended that the City Council consider:

- (1) Adopting a Resolution certifying the Final Environmental Impact Report ("FEIR") and associated findings (Exhibit A);
- (2) Introducing and waiving first reading of an Ordinance implementing a Zone Change (ZC-21-01) from zone R-3 (High Density Residential) to 1688 West Garvey Avenue Specific Plan (SP-21-01) (Exhibit B);
- (3) Adopting a Resolution approving Vesting Tentative Map (VTM) No. 21-01 for the subdivision of the project site into 16 residential lots, a private access road lot, and open space lot (Exhibit C);
- (4) Introducing and waiving first reading of an Ordinance approving the Development Agreement (DA-21-01) for the proposed property (Exhibit D);
- (5) Taking such additional, related, action that may be desirable.

California Environmental Quality Act (CEQA):

The City reviewed the Project's environmental impacts under the California Environmental Quality Act (Pub. Res. Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Reg. §§ 15000-15387; the "CEQA Guidelines"). A draft environmental impact report (DEIR) was prepared pursuant to CEQA Guidelines §15151. The DEIR demonstrated that the Project would not have a significant effect on the environment with the implementation of mitigation measures. On July 22, 2020, the City circulated a Notice of Preparation (NOP) with an Initial Study for review and comment by the public, responsible agencies, and reviewing agencies. The 30-day review period for the NOP ended on August 22, 2020. CEQA requires that the City provide the public and agencies the opportunity to review and comment on a Draft EIR. The City released this Draft EIR for a 45-day period for review and comment from March 11, 2021 to April 26, 2021. Noticing and CEQA compliance were provided in accordance with the CEQA Guidelines. The Draft EIR was distributed to public agencies and other parties, including all interested parties that requested notice and copies of the Draft EIR. A number of agency and public comments were received during public review and response to comments are provided in the Final EIR (attached to Exhibit A).

The FEIR includes a discussion and analysis of the following project alternatives:

- Alternative 1: No Project Alternative
- Alternative 2: Multi-Family Development Alternative
- Alternative 3: Alternative Retaining Wall Design
- Alternative 4: Reduced Density Alternative

Pursuant to CEQA Guidelines §15091, "no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects..." The draft Resolution certifying the FEIR includes the findings required by CEQA Guidelines §15091.

THIS ITEM WAS HEARD JOINTLY WITH ITEM NO. 3I

| MOTION BY: CHAN | | | | |
|--------------------|-----|----|---------|--------|
| SECONDED BY: LIANG | | | | |
| COUNCIL MEMBERS | AYE | NO | ABSTAIN | ABSENT |
| CHAN | X | | | |
| LIANG | X | | | |
| SORNOSO | X | | | |
| LO | | X | | |
| YIU | | X | | |

PUBLIC HEARING HELD
APPROVED RECOMMENDATIONS
FEIR RESOLUTION NO. 12253 ADOPTED
VTM RESOLUTION NO. 12254 ADOPTED

ZONE CHANGE ORDINANCE – 1ST READING
DA-21-01 ORDINANCE – 1ST READING

| MOTION BY: CHAN | | | | |
|--------------------|-----|----|---------|--------|
| SECONDED BY: LIANG | | | | |
| COUNCIL MEMBERS | AYE | NO | ABSTAIN | ABSENT |
| CHAN | X | | | |
| LIANG | X | | | |
| SORNOSO | X | | | |
| LO | X | | | |
| YIU | X | | | |

APPROVED RECOMMENDATIONS FOR ITEM 3I
RESOLUTION NO. 12255 ADOPTED

| MOTION BY: LIANG | | | | |
|-------------------|-----|----|---------|--------|
| SECONDED BY: CHAN | | | | |
| COUNCIL MEMBERS | AYE | NO | ABSTAIN | ABSENT |
| CHAN | X | | | |
| LIANG | X | | | |
| SORNOSO | X | | | |
| LO | X | | | |
| YIU | X | | | |

APPROVED RETAINING WALL AESTHETIC
TREATMENT OPTION 3 – QUARRY FINISH (ACID
ETCH/SANDBLAST) AND OPTION 4 – LANDSCAPE
FINISH (VINES PLANTED)

[5.] NEW BUSINESS – None.

[6.] CITY COMMUNICATIONS (CITY COUNCIL)

[7.] FUTURE AGENDA ITEMS

[8.] CLOSED SESSION (IF REQUIRED; CITY ATTORNEY TO ANNOUNCE)

ADJOURNED – 9:43 P.M.