

**MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY (MPFA)
HOUSING AUTHORITY (MPHA)
GEOLOGIC HAZARD ABATEMENT DISTRICT (GHAD)
SUCCESSOR AGENCY (SA)
REGULAR MEETING
JUNE 7, 2023**

The City Council, the Financing Authority (MPFA), the Housing Authority (MPHA), the Geologic Hazard Abatement District (GHAD), and the Successor Agency (SA) 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, June 7, 2023 at 6:30 p.m.

CALL TO ORDER:

Mayor Sanchez called the meeting to order at 6:35 p.m.

FLAG SALUTE:

The Fire Explorers called the flag salute.

ROLL CALL:

Deputy City Clerk Cindy Trang called the roll:

Council Members Present: Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong,
Yvonne Yiu

Council Members Absent: None

ALSO PRESENT:, City Manager Ron Bow, City Attorney Karl Berger, City Treasurer Amy Lee, Assistant City Manager Inez Alvarez, Police Chief Scott Wiese, Fire Chief Matthew Hallock, City Librarian Diana Garcia, Director of Public Works Shawn Igoe, Director of Recreation and Community Services Robert Aguirre, Director of Finance Martha Garcia, Community Development Director Jessica Serrano, Director of Human Resources and Risk Manager Christine Tomikawa, Public Works Manager Chris Reyes, Senior Librarian Kristin Olivarez, Finance Manager Laura Borjon, Senior Planner Beth Chow, Principal Management Analyst Andrew Lee, Deputy City Clerk Cindy Trang, Assistant Deputy City Clerk Helena Cho

VIRTUALLY PRESENT: None

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

City Manager Bow pulled Item No. 3B for consideration at a future City Council meeting. Mayor Sanchez reported out of the 5:30 pm Special Meeting, the retirement of City Manager Bow and the appointment of Inez Alvarez as Interim City Manager effective July 7, 2023.

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.

PUBLIC COMMUNICATIONS

- Sarkis Antonian spoke on the country's use of natural gas.
- Bill Lam talked about public transportation needs in Monterey Park, specifically on Monterey Pass Road and provided documentation on his comments.
- Jesus Hernandez, City Electrician and Chapter President of Service Employees International Union (SEIU) Local 721, communicated about the current labor negotiations with the City and requested that the City match the union's numbers.
- Deputy City Clerk Trang read, received, and filed two (2) written communications from Christopher Herrera and Lina Nguyen both SEIU city employees who requested the support of the City Council of the SEIU labor contract negotiations.

STAFF COMMUNICATIONS

- Library: City Librarian Garcia and Senior Librarian Olivarez provided an update on the various summer events at the library and Langley Senior Center. They also spoke briefly about the city's website redesign.

1. NEW BUSINESS

1-A. GEORGE ELDER MEMORIAL DAY

The Monterey Park Police Department is celebrating the day of June 9th, as George Elder Memorial Day. This day is celebrated annually and honors Officer George Elder. Officer George Elder was only twenty-nine years old when he was shot and killed in the line of duty. Officer George Elder was in an exchange of gunfire while attempting to apprehend suspects who had just robbed a grocery store in Monterey Park. George Elder was transported to the hospital where he was pronounced dead. Three suspects were eventually convicted of first-degree murder. Officer George Elder was survived by his wife and three children. We are enlisting your support in the form of a resolution to honor Officer George Elder who was murdered protecting the residents of Monterey Park.

Action Taken: The City Council adopted Resolution No. 2023-R44 declaring the day of June 9th to be George Elder Memorial Day in the City of Monterey Park.

Motion: Moved by Council Member Lo and seconded by Council Member Ngo, motion carried by the following vote:

Ayes:	Council Members:	Lo, Yiu, Ngo, Wong, Sanchez
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None
Recusal:	Council Members:	None

Resolution No. 2023-R44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA DECLARING JUNE 9TH, 2023 GEORGE ELDER MEMORIAL DAY IN MONTEREY PARK

2. OLD BUSINESS

None.

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

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.

Action Taken: The City Council approved and adopted Agenda Item Nos. 3A, 3D, 3E, 3G, and 3I on Consent Calendar, excluding Item Nos. 3C, 3F, and 3H which were pulled for discussion, separate motion, reading resolutions and ordinances by the title only and waiving further reading thereof. City Manager Bow pulled Agenda Item No. 3B which was continued to a future City Council meeting. Council Member Lo reported a conflict of interest on Agenda Item No. 3H as his real property is within 500 feet of one of the project sites.

Motion: Moved by Council Member Lo and seconded by Council Member Ngo, motion carried by the following vote:

Ayes:	Council Members:	Lo, Yiu, Ngo, Wong, Sanchez
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None
Recusal:	Council Members:	Lo (Item No. 3H)

3-A. MINUTES

Approve the minutes from the regular meeting of April 19, 2023.

Action Taken: The City Council approved the minutes from the regular meeting of April 19, 2023, on Consent Calendar.

3-B. AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH THE NATELSON GROUP CONSULTING FIRM TO ASSIST THE CITY IN UPDATING ITS 2010 ECONOMIC DEVELOPMENT STRATEGIC PLAN AND TO CARRY OVER ARPA FUNDS OF \$81,620 FROM FY2022-23 TO FY2023-24 TO FUND THE PROJECT

It is requested that the City Council authorize the City Manager to engage a consulting firm to assist the City in updating its 2010 Economic Development Strategic Plan. Monterey Park's economic landscape has rapidly evolved over the past decade and accelerated even more with the onset of the COVID-19 pandemic. Therefore, updating the City's Strategic Plan is crucial to ensure the City's continued economic growth, competitiveness, and resilience. The Natelson Dale Group was identified as having the knowledge, skills, and most favorable pricing structure to provide the City with an updated Plan that aligns with the City Council's current economic goals and positions Monterey Park for long-term growth and success.

Public Communications:

- Alexander Fung, Dora Leung, Tomas Wong and Billy Yeung, members of the city's Economic Development Advisory Committee (EDAC) submitted written communications requesting that the City Council provide an opportunity for EDAC to review proposals.

Recommendation: The City Council consider (1) Authorizing the City Manager to enter into a professional services agreement, in the amount of \$81,620, with The Natelson Dale Group, Inc., in a form approved by the City Attorney, to assist the City in updating its 2010 Economic Development Strategic Plan; and (2) Taking such additional, related action that may be desirable.

Action Taken: This item was pulled by City Manager Bow for consideration at a future City Council meeting.

3-C. TREE SPECIES SELECTIONS FOR ONGOING SIDEWALK IMPROVEMENTS

As part of the City exercising due diligence regarding continued sidewalk improvements along residential sidewalks and business corridors in the public right of way, nuisance trees causing infrastructure damage will be removed and replaced with less intrusive, functionally suitable, and aesthetically pleasing trees.

Staff has completed its analysis of tree species that will serve immediate needs and any subsequent required applications of removal and replacement. Formal presentations have been made to the Environmental Commission and to Business District representatives within the past 60 days. These presentations yielded positive input, interest and anticipation for the project to begin.

Public Communications:

- Deputy City Clerk Trang read, received, and filed a written communication from Andrew Yip who voiced his concern of the lack of San Gabriel Valley native trees on the tree species list.

Action Taken: The City Council approved the tree species listed in Exhibit A to the staff report be included in all applicable Public Works sidewalk hazard removal and replacement projects.

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

Ayes:	Council Members:	Lo, Yiu, Ngo, Wong, Sanchez
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None
Recusal:	Council Members:	None

3-D. EDISON TRAILS PARK PLAYGROUND REPLACEMENT PROJECT – AWARD OF CONTRACT

Per Resolution No. 2022-R32, the Public Works Director solicited bids for the Edison Trails Park Playground Replacement Project, Capital Improvement Project No. 95017. The public bid opening for this project was held on May 11, 2023. One bid was received from R.E. Schultz Construction, Inc. Staff recommends that the City Council authorize the City Manager to execute a Public Works contract with R.E. Schultz Construction, Inc for the Edison Trails Park Playground Replacement Project in the amount of \$207,272, plus 10% contingency.

CEQA (California Environmental Quality Act):

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The Project results in minor alterations to existing public facilities involving no significant expansion of the existing use. The Project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality.

Action Taken: The City Council authorized the City Manager to execute a public works contract, in a form approved by the City Attorney, with R.E. Schultz Construction, Inc in the amount of \$207,272 for Edison Trails Park Playground Replacement Project, Specification No. 2023-003; and authorized the Director of Public Works to approve change orders and contingency up to \$20,727 or 10% of the contract amount, on Consent Calendar.

3-E. CIP 96039 SIDEWALK REPAIR PROJECT– AWARD OF CONTRACT

Per Resolution No. 2022-R32, the Public Works Director solicited bids for the Sidewalk Repair Project CIP No. 96039. The public bid opening for this project was held on May 11, 2023. Four bids were received from: CT&T Concrete Paving, Inc; Kalban, Inc; Onyx Paving Company, Inc; and Stance Construction Company. Staff recommends that City Council authorize the City Manager to execute a Public Works contract with CT&T Concrete Paving, Inc for this project in the amount of \$1,571,233 plus 10% contingency.

CEQA (California Environmental Quality Act):

The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities). The Project results in minor alterations to existing public facilities involving no significant expansion of the existing use. The Project is not anticipated to have any significant impacts with regard to noise, air quality, or water quality.

Action Taken: The City Council authorized the City Manager to execute a public works contract, in a form approved by the City Attorney, with CT&T Concrete Paving, Inc., in the amount of \$1,571,233 for the Capital Improvement Project (CIP) No. 96039 Sidewalk Repair Project, Specification No. 2022-011; and authorized the Director of Public Works to approve change orders and contingency up to \$157,123 or 10% of the contract amount, on Consent Calendar.

3-F. RESOLUTION IDENTIFYING A PUBLIC WORKS STREET MAINTENANCE PROJECT TO BE INCLUDED IN THE FY 2023-24 BUDGET AND FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

Senate Bill 1 (SB1), the Road Repair and Accountability Act of 2017 addresses the significant multi-modal transportation funding shortfall statewide. As of November 2017, portions of SB1 revenues are deposited into a Road Maintenance and Rehabilitation Account (RMRA) and made available to eligible cities and counties, which must comply with RMRA funding requirements as determined by the California Transportation Commission (CTC).

RMRA funds made available for the Local Streets and Roads Funding Program are prioritized for expenditure on basic road maintenance and rehabilitation projects, and on critical safety projects.

The CTC provided a number of example projects and uses for RMRA funding that includes, but are not limited to, the following: Road Maintenance and Rehabilitation, Safety Projects, Railroad Grade Separations, Complete Streets Components (including active transportation purposes, pedestrian and bicycle safety projects, transit facilities, and drainage and stormwater capture projects in conjunction with any other allowable project), and Traffic Control Devices.

Action Taken: The City Council adopted Resolution No. 2023-R45 identifying a street maintenance project to be included in the FY 2023-24 budget and funded with Road Maintenance and Rehabilitation Act (RMRA) funds, in a form approved by the City Attorney.

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

Ayes:	Council Members:	Lo, Yiu, Ngo, Wong, Sanchez
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None
Recusal:	Council Members:	None

Resolution No. 2023-R45

A RESOLUTION IDENTIFYING A STREET MAINTENANCE PROJECT TO BE INCLUDED IN THE FY 2023-24 BUDGET AND FUNDED BY SENATE BILL 1: ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

3-G. PURCHASE OF PARTS AND MATERIALS FOR PIPELINES

The Water Division purchases various pipe supplies and parts to maintain the City's water pipelines. Staff has solicited pricing from local vendors and requests that City Council award contracts to all five companies: Core & Main, LP, S & J Supply Co., Inc., SoCal Compton Pipe Supply, United Water Works and Western Water Works Supply Co. for the purchase of parts and materials. The contracts will have a term of three-years and a combined total not to exceed \$500,000 annually.

Action Taken: The City Council awarded three-year contracts to five vendors: Core & Main, LP, S & J Supply Co., Inc., SoCal Compton Pipe Supply, United Water Works and Western Water Works Supply Co., in a form approved by the City Attorney, for a combined total not to exceed \$500,000, annually, for the purchase of pipe supplies and related parts for the Water Division, on Consent Calendar.

3-H. 2022-23 STREET REHABILITATION AT VARIOUS LOCATIONS PROJECT – AWARD OF CONTRACT

Per Resolution No. 2022-R32, the Public Works Director solicited bids for the 2022-23 Street Rehabilitation at Various Locations project, Capital Improvement Project No. 96031. The public bid opening for the 2022-23 Street Rehabilitation at Various Locations Project was held on March 28, 2023. Three bids were received: All American Asphalt, Excel Paving Company, and Hardy & Harper, Inc.

One of the streets included in the project, New Avenue, is a shared street with the City of Rosemead. The City of Rosemead will be reimbursing the City of Monterey Park for costs associated with their portion of the street. The reimbursement is estimated at \$152,095.05 and includes costs for road improvements and project management.

Staff recommends that the City Council authorize the City Manager to execute a contract with All American Asphalt, the lowest responsible bidder, for the 2022-23 Street Rehabilitation at Various Locations Project in the amount of \$6,865,699 plus 15% contingency.

CEQA (California Environmental Quality Act):

Since the proposed work is a minor alteration to an existing public facility, this project is Class 1 Categorically Exempt pursuant to the California Environmental Quality Act (CEQA).

Action Taken: Council Member Lo reported a Conflict of Interest as his real property is located within 500 feet of one of the project sites and left the dais and did not participate in discussion on this item. The City Council (1) authorized the City Manager to execute a public works contract, in a form approved by the City Attorney, with All American Asphalt of Corona, CA in the contract amount of \$6,865,699 for the 2022-23 Street Rehabilitation at Various Locations Project; (2) authorized the Director of Public Works to approve change orders and contingency up to \$1,029,855, or 15% of the contract amount for a total project cost of \$7,895,554; and (3) accepted and appropriated anticipated reimbursement from the City of Rosemead in the amount of \$152,095 for costs related to their portion of work on New Avenue to the Capital Improvement Project No. 96031 budget.

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

Ayes:	Council Members:	Yiu, Ngo, Wong, Sanchez
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None
Recusal:	Council Members:	Lo

3-I. NOTICE OF COMPLETION – VARIOUS CAPITAL IMPROVEMENT PROJECTS

Pursuant to City Council Resolution No. 11701, the Public Works Director is authorized to record a Notice of Completion for Capital Improvement Projects (CIP). The City recently completed CIP 96036 – 2022 Residential Street Rehabilitation Project, CIP 99010 – Emerson Sewer Project, CIP 95027 – Sierra Vista Courts, and CIP 93004 – Citywide Cameras. Upon completion, the work was inspected and approved by the City Engineer. It is recommended that the City Council receive and file the Notice of Completions recorded by the Public Works Director for these projects.

Action Taken: The City Council (1) received and filed the Notice of Completion recorded by the Public Works Director on April 27, 2023 accepting the 2022 Residential Street Rehabilitation Specification No. 2022-008 completed by All American Asphalt, Inc.; (2) received and filed the Notice of Completion recorded by the Public Works Director on April 27, 2023 accepting the Emerson Avenue Sewer System CIPP Lining and Point Repair Improvements Specification No. 2022-007 completed by Sancon Technologies, Inc.; (3) received and filed the Notice of Completion recorded by the Public Works Director on May 3, 2023 accepting the Sierra Vista Court Resurfacing project completed by Trueline Construction and Surfacing Inc.; and (4) received and filed the Notice of Completion recorded by the Public Works Director on May 11, 2023 accepting the Citywide CCTV Camera Specification No. 2022-001 completed by Endeavor Advanced Solutions, on Consent Calendar.

4. PUBLIC HEARING

4-A. ADOPTION OF A RESOLUTION ADDING NEW USER FEES AND CHARGES RELATING TO POTABLE WATER SERVICES INCLUDING, WITHOUT LIMITATION, RECONNECTION FEES FOR PREVIOUSLY DISCONNECTED WATER SERVICE

On March 15, 2023, City staff presented at the Council Meeting a receive and file notification informing Council and the public that the City will resume water shut-offs and late fees pursuant to Monterey Park Municipal Code (“MPMC”) § 14.12.240.

The City is seeking authorization to add new water reconnection charges to appropriately capture and receive actual costs for the reconnection service. The attached Resolution for City Council consideration will be incorporated into the Master Fee Schedule.

Action Taken: The City Council opened the public hearing at 7:32 p.m. to receive public testimony, closed the public hearing at 7:44 p.m. with no registered speakers; and adopted Resolution No. 2023-R46 to add new user fees and charges regarding potable water service including, without limitation, reconnection fees.

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

Ayes:	Council Members:	Lo, Wong, Yiu, Ngo, Sanchez
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None
Recusal:	Council Members:	None

Resolution No. 2023-R46

A RESOLUTION ADOPTING NEW USER FEES AND CHARGES TO COVER INCURRED COSTS PERTAINING TO WATER SERVICES

4-B. THE CITY IS REQUIRED TO CONDUCT A PUBLIC HEARING TO CONSIDER ASSESSMENTS FOR THE CITYWIDE MAINTENANCE DISTRICT NO. 93-1 FOR FISCAL YEAR 2023-24 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 30 years and must be renewed for 2023-24 in order for the City to continue collecting assessments. The City started the process to renew its Citywide Maintenance District No. 93-1 for the 2023-24 fiscal year at its April 5, 2023 meeting. At that time, the City Council approved the Engineer's Report; adopted the Resolution of Intention (Resolution No. 2023-R22) and scheduled the required public hearing for June 7, 2023.

The district renewal will follow the City Council's action at the conclusion of the June 7th public hearing.

CEQA (California Environmental Quality Act):

The proposed action is exempt from review under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000, *et seq.*; "CEQA") and CEQA Guidelines (Cal. Code Regs. tit. 14, §§ 15000, *et seq.*) because it establishes, modifies, structures, restructures, and approves rates and charges for meeting operating expenses; purchasing supplies, equipment, and materials; meeting financial requirements; and obtaining funds for capital projects needed to maintain service within existing service areas. The proposed action, therefore, is categorically exempt from further CEQA review under CEQA Guidelines § 15273.

Action Taken: The City Council opened the public hearing at 7:47 p.m. to receive documentary and testimonial evidence; and closed the public hearing at 7:48 p.m. with no registered speakers and adopted Resolution No. 2023-R47 authorizing the Levy and Collection of Assessments for Fiscal Year 2023-24 in Citywide Maintenance District No. 93-1 pursuant to Streets and Highways Code § 22587.

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

Ayes:	Council Members:	Lo, Wong, Yiu, Ngo, Sanchez
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None
Recusal:	Council Members:	None

Resolution No. 2023-R47

A RESOLUTION AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR FISCAL YEAR 2023-24 IN CITYWIDE MAINTENANCE DISTRICT NO. 93-1 PURSUANT TO STREETS AND HIGHWAYS CODE § 22587

RECESSED AND RECONVENED

The City Council recessed at 7:49 p.m. and reconvened with all council members present at 7:57 p.m.

4-C. A CONTINUED PUBLIC HEARING TO CONSIDER INTRODUCTION AND FIRST READING OF ZONING CODE AMENDMENT NO. 23-01(ZCA-23-01), AN ORDINANCE AMENDING THE MONTEREY PARK MUNICIPAL CODE, CHAPTER 21.18, ENTITLED “AFFORDABLE HOUSING INCENTIVES – DENSITY BONUS” TO IMPLEMENT THE MONTEREY PARK HOUSING ELEMENT

On May 17, 2023, the City Council by a unanimous vote, continued the item to June 7, 2022.

In March of 2022, the City Council categorized an update of the Density Bonus Ordinance as a moderate priority. On November 2, 2022, City Council asked Staff to bring forward an update to the Density Bonus Ordinance in coordination with the Inclusionary Housing Ordinance. On November 16, 2022, the City Council amended and adopted the 2021-2029 Housing Element that included Program 14: Affordable Housing Development Incentives, which identified an objective to consider updating the City’s Density Ordinance.

BOARD/COMMISSION REVIEW:

The Planning Commission, at its April 25, 2023 meeting reviewed this ordinance. With a unanimous vote, the Commission recommended to Council to adopt the draft Ordinance amending regulations related to Density Bonus under ZCA-23-01.

CEQA (California Environmental Quality Act):

The proposed Ordinance is exempt from additional environmental review under the California Environmental Quality Act (“California Public Resources Code §§ 21000, *et seq.*, “CEQA”) and its implementing guidelines (14 California Code of Regulations §§ 15000, *et seq.*; “CEQA Guidelines”) for the following reasons: (1) it will not result in a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines § 15060(c)(2)); (2) there is no possibility that the Ordinance itself may have a significant effect on the environment (CEQA Guidelines § 15061(b)(3)); and (3) the Ordinance, by itself, does not constitute a “project” as defined in the CEQA Guidelines (CEQA Guidelines § 15378). The Ordinance is for general policies and procedure-making; any project governed by the proposed Ordinance would receive a separate environmental evaluation and review. It can be seen with certainty that there is no possibility that the Ordinance may have a significant effect on the environment. The notice of exemption prepared for this project is contained in Attachment 3 of the staff report.

Action Taken: The City Council opened the continued public hearing at 7:57 p.m. to receive documentary and testimonial evidence; closed the public hearing at 8:12 p.m. with no registered speakers and introduced and waived first reading of an Ordinance amending Chapter 21.18 (Affordable Housing Incentives – Density Bonus) to Monterey Park Municipal Code Title 21 (Zoning) to implement the Monterey Park Housing Element.

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

Ayes:	Council Members:	Lo, Wong, Yiu, Ngo, Sanchez
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None
Recusal:	Council Members:	None

Ordinance, First Reading

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE CHAPTER 21.18 GOVERNING AFFORDABLE HOUSING INCENTIVES AND DENSITY BONUS

4-D. A CONTINUED PUBLIC HEARING TO CONSIDER INTRODUCTION AND FIRST READING OF ZONING CODE AMENDMENT NO. 22-01 (ZCA-22-01), AN ORDINANCE ADDING THE MONTEREY PARK MUNICIPAL CODE, CHAPTER 21.19, ENTITLED "INCLUSIONARY HOUSING" TO IMPLEMENT THE MONTEREY PARK HOUSING ELEMENT

On May 17, 2023, the City Council by a unanimous vote, continued the item to June 7, 2022.

Program 15 of the Monterey Park Housing Element provides that the City Council will consider an inclusionary housing ordinance. The ordinance was originally presented to Council at its November 2, 2022 meeting, however the City Council recommended that a land dedication option be included in the ordinance, and referred the matter back to the Planning Commission for review.

The Ordinance (Attachment 1, to the staff report) would encourage the production of affordable units in new housing developments. This is accomplished by several methods, or a combination of methods: (1) require actual construction of affordable units; (2) payment of an in-lieu fee to the City that commensurate with the cost of a the "affordability gap" between the market and affordable rate for the new unit or the construction of off-site affordable units within the City; (3) construction of affordable units at an off-site location within the City, and/or (4) dedication of land for the purpose of constructing affordable units within the City.

BOARD/COMMISSION REVIEW:

The Planning Commission, at its April 25, 2023 meeting reviewed this ordinance, and recommended approval of the ordinance to the City Council, with a minor change. The Commission recommended that a change be made to the ordinance so that in cases where a fractional unit is required of the developer, the process would require rounding up to the next whole number for units to be provided on-site or the in-lieu fees be paid. A redline version of the ordinance has been provided to demonstrate the language change recommended by the Commission (Attachment 1, to the staff report).

CEQA (California Environmental Quality Act):

Pursuant to the California Environmental Quality Act (Public Resources Code § 21000, *et seq.*; "CEQA") and its implementing regulations (14 Cal. Code of Regs. § 15000, *et seq.*; the "CEQA Guidelines"), the proposed Ordinance and Resolution (ZCA 22-01) are exempt from further CEQA review for the following reasons: (1) they will not result in a direct or reasonably foreseeable indirect physical change in the environment (CEQA Guidelines § 15060(c)(2)); (2) there is no possibility that the Ordinance may have a significant effect on the environment because any potential, future, housing projects would undergo separate environmental review (CEQA Guidelines § 15061(b)(3)); and (3) the Ordinance and Resolution, by themselves, do not constitute a "project" as defined in the CEQA Guidelines because they involve a policy action that is legislative implementing affordable

housing policy and affects prospective future housing development to comply with Housing Element Program 15 (CEQA Guidelines § 15378). The notice of exemption prepared for this project is contained in Attachment 4 to the staff report.

Public Comments:

- Ken Lee, Vice President of Pacific Plaza Premier Development Group, provided his viewpoint on the Inclusionary Housing Ordinance and Affordable Housing Trust Fund and applauded the city for taking a proactive measure on housing needs.
- Linda Tang voiced her support of the Inclusionary Housing Ordinance and raised concerns on the current proposed ordinance. She stated that she would like the city to focus on low, very low and extremely low-income housing, have a 55-year deed restricted affordability, and the creation of an Affordable Housing Land Trust. She also submitted a written communication that addressed the same support and concerns.

Recommendation: The City Council consider (1) Opening the continued public hearing and taking testimonial and documentary evidence; (2) After closing the public hearing and considering the evidence submitted during that public hearing to introduce and waive first reading of Ordinance No. _____ adding Chapter 21.19 (Inclusionary Housing) to the Monterey Park Municipal Code to implement the Monterey Park Housing Element; and (3) Taking such additional, related, action that may be desirable.

Action Taken: The City Council opened the continued public hearing at 8:12 p.m. and continued the public hearing to August 16, 2023 City Council meeting. The City Council requested staff to look into the following items: incentivizing lower income limits; enforcement oversight, implementation and specifics on how enforcement will be conducted, including cost for enforcement; examine how other cities are overseeing and enforcing their Inclusionary Housing; provide the option of paying an in lieu fee for fractional units of .5 or less versus whole fees or providing unit(s); various thresholds of affordable housing units depending on the development size; allow review of the ordinance in 1-2 years by City Council; clearly define “Community Benefit”; allowable uses of the Affordable Housing Trust; and conduct an economic analysis of existing studies.

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

Ayes:	Council Members:	Lo, Wong, Yiu, Ngo, Sanchez
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None
Recusal:	Council Members:	None

4-E. A PUBLIC HEARING TO CONSIDER THE FOLLOWING: 1) ZONING CODE AMENDMENT (ZCA-23-03) TO ADOPT THE MARKET PLACE SPECIFIC PLAN (SP-23-01); 2) ZONE CHANGE (ZA-23-01) TO RE-ZONE PROPERTIES FROM THE REGIONAL SPECIALTY CENTER (R-S) ZONE WITH THE PLANNED DEVELOPMENT OVERLAY (P-D) ZONE TO THE MARKET PLACE SPECIFIC PLAN (MPSP) ZONE; AND 3) DEVELOPMENT AGREEMENT (DA-23-01) TO AMEND IN ITS ENTIRETY A DEVELOPMENT AGREEMENT BETWEEN MONTEREY PARK RETAIL PARTNERS, LLC AND THE CITY OF MONTEREY PARK FOR PROPERTIES COLLECTIVELY OPERATING AS THE MONTEREY PARK MARKET PLACE, LOCATED AT 2000-5500 MARKET PLACE DRIVE, ALSO IDENTIFIED BY ASSESSOR'S PARCEL NUMBERS 5275-003-024, 025, 027, 029, 030, 031, 037, AND 038

The Monterey Park Market Place development was originally approved through a Precise Plan (PP-12-01) that was intended to redevelop a brownfield site to help stimulate the local economy and create jobs while preserving the environment and public safety of the area. Since the creation and implementation of PP-12-01, Phase 1 is complete, but Phases 2 and 3 remains unbuilt. Phase 2 includes the wrap-around road south of the Leachate Treatment Plant (LTP) and Thermal Destruction Facility (TDF), and Phase 3 is the built-out of the area west of the LTP/TDF.

In recent years, market forces changed the way in which consumers conduct business: a decreased need for traditional brick-and-mortar stores and an increased demand for last mile facilities, warehouses, auto dealerships, and sound stages for the entertainment industry emerged since the beginning of the COVID-19 pandemic. The applicant seeks to create flexibility to allow for land uses that help address the changing landscape of the commercial/service sector by providing a framework through the proposed Market Place Specific Plan ("MPSP") to allow for such uses. No immediate construction or development is proposed at this time.

The Project includes the proposed adoption of the MPSP to address the eventual build-out of the Market Place; it supersedes the existing Precise Plan. The Specific Plan will be identified within the Monterey Park Municipal Code ("MPMC") and the entire Market Place Project site will be re-zoned from the Regional Specialty Center with Planned Development Overlay, to the MPSP. Further, the amended and restated Development agreement between the City and the Applicant will help ensure that the eventual build-out of the Market Place will provide a public benefit to the community.

Most recently, the City Council considered a similar proposal of the site that was not approved at its April 19, 2023 meeting. Following that date, on May 15, 2023, the applicant submitted a new application. That application includes a revised Specific Plan that includes new uses that would be permitted at the site for additional Council consideration.

CEQA (California Environmental Quality Act):

The Project is consistent with the Supplemental Environmental Impact Report ("SEIR") and Statement of Overriding Considerations certified (and adopted) by the City Council on December 19, 2012 via Resolution No. 11548 (State Clearinghouse No. 1999051058). None of the elements set forth in Public Resources Code § 21166 or CEQA Guidelines § 15162 exists. Accordingly, no subsequent or supplemental Environmental Impact Report, Mitigated Negative Declaration or Addendum is required to be prepared before adopting the Project. The Notice of Consistency is attached as Exhibit "B" to the draft Ordinances. Implementation of mitigation measures identified in the SEIR will be monitored as called for in the Mitigation Monitoring and Reporting Program adopted on December 19, 2012.

Public Comments:

- Dale Goldsmith, Partner with Armbruster Goldsmith & Delvac, LLP Law Firm, representing the applicant, Monterey Park Retail Partners, presented a PowerPoint presentation on the changes to the Specific Plan and the Amended and Restated Development Agreement. He stated that the change to the Specific Plan includes the following additional uses: warehouse, last mile facility, auto dealership, and within an enclosed building: motion picture production, television production, video production and sound stages. He spoke about the changes to the Amended and Restated Development Agreement which include payment to the City up to \$1.6 million in public benefit payments that is in addition to increased sales and property tax revenues and construction and long-term jobs for residents. He addressed the traffic concerns raised during the April 19, 2023 City Council meeting. He stated that there will be square footage limitations and Trip Cap to ensure that there will be no trip generation beyond the currently permitted levels, and that the applicant must be Trip Cap compliance to the City's satisfaction prior to the Building Division issuing a permit. He said that the applicant is currently in the final plan check process to re-route the traffic for the Costco gas station with a new entrance from Market Place Drive adjacent to the SR 60 freeway to reduce congestion, improve traffic flows, and enhance safety. In addition, as part of Phase III, the applicant will add a new travel lane that will wrap around the westside of the LTP treatment plan providing for a more direct route to get to the Costco gas station.
- Nancy Arcuri, spoke in favor of the Market Place Specific Plan and zone change.

Discussion: City Attorney Berger announced that the Fair Political Practices Commission (FPPC) made a determination that Mayor Pro Tem Wong is not prohibited from taking part in discussions and decisions on this item related to the discretionary land use approval. City Attorney Berger provided a copy of FPPC's Advice Letter to the Clerk's office.

Action Taken: The City Council opened the public hearing at 9:28 p.m. to take testimonial and documentary evidence; and after closed the public hearing at 9:49 p.m. considered the evidence submitted during the public hearing: (a) introduced and waived first reading of an Ordinance implementing a Zone Change (ZA-23-01) from the Regional Specialty Center (R-S) zone with the Planned Development Overlay (P-D) zone to the Market Place Specific Plan (“MPSP”) zone (Exhibit B, to the staff report); and (b) introduced and waived first reading of an Ordinance approving a Development Agreement (DA-23-01) for the subject property (Exhibit C to the staff report).

Motion: Moved by Council Member Ngo and seconded by Council Member Yiu, motion carried by the following vote:

Ayes:	Council Members:	Lo, Wong, Yiu, Ngo, Sanchez
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None
Recusal:	Council Members:	None

Ordinance, First Reading

AN ORDINANCE AMENDING THE ZONING MAP (ZA-23-01) TO CHANGE THE ZONING FROM REGIONAL SPECIALTY CENTER (R-S) ZONE WITH THE PLANNED DEVELOPMENT OVERLAY (P-D) TO THE MARKET PLACE SPECIFIC PLAN (MPSP) TO ALLOW CONSTRUCTION OF THE FINAL PHASE OF THE MARKET PLACE DEVELOPMENT

Ordinance, First Reading

AN ORDINANCE APPROVING AN AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MONTEREY PARK AND MONTEREY PARK RETAIL PARTNERS, LLC TO FACILITATE THE DEVELOPMENT OF THE MONTEREY PARK MARKET PLACE

5. CITY COMMUNICATIONS (CITY COUNCIL)

Council Member Lo showed his appreciation and gratitude to City Manager Bow for his years of service to the city.

Council Member Yiu echoed Council Member Lo’s sentiment and thanked City Manager Bow for his many years of service and leadership.

Council Member Ngo voiced his appreciation to City Manager Bow for his service to the city as well as the successful succession plan set in place. He mentioned that he attended Supervisor Hilda Solis’s Asian Pacific Islander (API) Heritage Month celebration event; Fire Station’s Pancake Breakfast; a walkthrough at the Bruggemeyer Library for the Asian Americans Advancing Justice’s (AAJC) citizen event; the Mental Health Awareness forum held at the Langley Senior Center; Lai

Lai Ballroom's Last Dance event hosted by Brandon Tsay; the City's Public Work Week event held at the City Yard; United States Tennis Association's (USTA) event hosted by Love Set Match at Elder Park; the City's Memorial Day event; and the unveiling of a mural at Elder Park.

Mayor Pro Tem Wong stated that he attended many of the same events that Council Member Ngo mentioned. He voiced his appreciation to city staff for their hard work and effort in putting together all the city's great events. He reported that he along with fellow Council Members attended the International Council of Shopping Center's (ICSC) event in Las Vegas and met with many developers and businesses to showcase the beauty of what Monterey Park has to offer. He announced that he represented the City at the Los Angeles Economic Development Corporation's (LAEDC) 88 Cities Summit, the Southern California Association of Government's (SCAG) Transportation Committee meeting, and the League of California Cities Los Angeles Division Dinner. He conveyed that the City is working with the Small Business Association (SBA) on providing assistance to local businesses who have been adversely affected by the City's recent mass shooting event. He reported that the City Council held a special meeting on June 6th to appoint Ricky Choi as the new Library Board of Trustees to replaced termed out Trustee Andrew Yam. He communicated his appreciation for City Manager Bow's service to the City.

Mayor Sanchez voiced his appreciation to staff for all the events they put together for the community. He reported his attendance at the City's Memorial Day event; Pride Event hosted by the Alhambra Teachers Association in conjunction with the Boys and Girls Club and the City; and briefly attended the SBA's event assisting local small businesses. He expressed his gratitude to City Manager Bow for his tenured service to the city.

6. FUTURE AGENDA ITEMS

The City Council requested a status report on legislative bills the City Council have taken actions on.

7. CLOSED SESSION (IF REQUIRED; CITY ATTORNEY TO ANNOUNCE) - None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 10:08 p.m.



Maychelle Yee
City Clerk

Approved on September 6, 2023, at the Regular City Council Meeting