

**MINUTES
MONTEREY PARK CITY COUNCIL
FINANCING AUTHORITY
SUCCESSOR AGENCY (SA)
AUGUST 18, 2021**

The City Council and the Financing Authority of the City of Monterey Park held a Regular Teleconference Meeting via Zoom on Wednesday, August 18, 2021 at 6:30 p.m. The regular meeting was conducted pursuant to Section 3 of Executive Order No. N-29-20 issued on March 17, 2020. Accordingly, Council Members were provided a meeting login number and conference call number and were not physically present at Council Chambers.

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

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 was allowed in the following ways:

Via Email

Public comment were accepted up to 24 hours before the meeting via email to mpclerk@montereypark.ca.gov and forwarded to the City Council. Written communications WILL NOT BE READ; they will, however, be filed as part of the City’s administrative record.

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.

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

CALL TO ORDER:

Mayor Yiu called the meeting to order at 6:30 p.m.

FLAG SALUTE:

Mayor Yiu led the Flag Salute.

ROLL CALL:

City Clerk Vincent Chang called the roll:

Council Members Present: Peter Chan, Hans Liang, Henry Lo, Fred Sornoso,
Yvonne Yiu

Council Members Absent: None

ALSO PRESENT: City Manager Ron Bow, City Attorney Karl Berger, City Treasurer Joseph Leon, Assistant City Manager Inez Alvarez, Fire Chief Matt Hallock, Police Chief Kelly Gordon, City Librarian Diana Garcia, Director of Human Resources & Risk Management Christine Tomikawa, Director of Management Services Martha Garcia, Director of Public Works Frank Lopez, Director of Recreation & Community Services Robert Aguirre, Economic Development Manager Joseph Torres, Acting City Planner Jon Turner, Community Communications Coordinator Randy Ishino, Deputy City Clerk Cindy Trang, Assistant Deputy City Clerk Helena Cho

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

City Attorney Berger recommended considering combining Agenda Item Nos. 4A and 5A together. He proposed to open the public hearing for Agenda Item 4B and continue the public hearing to September 15, 2021.

City Manager Bow requested Agenda Item No. 2A be moved to the September 1, 2021 regular City Council meeting.

PUBLIC COMMUNICATIONS

Public Speaker Disclaimer: Meetings are held virtually and the information listed for the speakers may or may not reflect the correct spelling of their respective name.

- Diana Garcia, City Librarian, reminded the community that the Bruggemeyer Library is open to the public from Tuesdays – Saturday from 1:00 – 5:00 p.m. for all services. Appointments can be made on the city's website.
- Matt Hallock, Fire Chief, provided updates regarding Covid-19 testing and vaccination. He announced that the free weekly Covid-19 testing at Barnes Park will be extended until the end of September every Saturdays, from 9:00 a.m. – 3:00 p.m. He reported that Los Angeles County Department of Public Health will be offering free Covid-19 vaccination on August 21, 2021 at Barnes Park from 9:00 a.m. – 4:00 p.m.

- Vincent Chang, City Clerk, spoke about the provision regarding written communication to be filed with the administrative records and not read during city council meetings. He stated that this provision would be a disservice to the community. He urged the City Council to reconsider the negative consequences this may have.
- Maxwell Jen, Board Certified Physician and Medical Director at SCMG Medical Group, stated that they will be offering a free Covid-19 testing site located at the Langley Senior Center from Wednesday – Sunday, between 10:00 a.m. – 4:30 p.m. beginning Sunday, August 22, 2021.
- Cindy Trang, Deputy City Clerk, announced that the City Clerk’s Office will be hosting a series of virtual informational meeting via Zoom regarding the redistricting 2021 process. The next meeting will be on Monday, August 30, 2021 at 6:30 p.m. She encouraged the public to join the City Clerk’s office and learn about the redistricting process.

1. PRESENTATION

None.

2. OLD BUSINESS

2A. DISSOLUTION OF THE PERSONNEL BOARD AND EXTENDING TERMS OF APPOINTED OFFICIALS

Beginning in 2013, the City Council undertook a series of actions to make the City’s commissions, boards and committees more efficient (collectively, the “commissions”). Among other things, the City Council significantly reduced the number of commissions and also clarified their responsibilities. Monterey Park Municipal Code (“MPMC”) Chapter 2.82 was adopted in 2013 to facilitate the creation of commissions – when the City Council found such action desirable – and also establish uniformity as to membership, terms, and procedures. Most recently, the City Council adopted Ordinance No. 2209 in June 2021 to clarify the terms of persons serving on commissions and the number of commissioners needed to form a quorum.

In 2020, the COVID-19 emergency provided an opportunity for City staff to further evaluate efficiencies. The message championed by the City Council – as exemplified by the 2020 Monterey Park Business Recovery Program – was to “cut through the red tape” and make things easier for businesses, and residents, to obtain City services.

A review of the various commissions suggests that the City may reduce resource expenditures – both staff and money – by further consolidating, revising, and dissolving certain commissions. The City Council may always create ad hoc commissions or establish new standing commissions when the need arises.

Maintaining a multitude of standing commissions, however, requires the City to prepare agenda packets; pay for noticing; pay for staffing at commission meetings; recruit for persons to fill vacancies; utilize meeting rooms that could be used for other community events; and engage in other, similar, administrative activities.

Certainly, several commissions are necessary for the ongoing functions of municipal government. The Planning Commission and Library Board, as examples, serve central functions for the City. At least one commission can be dissolved as there are more efficient ways to address matters related to City personnel.

The Personnel Board's responsibility is different than other City commissions and boards. The role for the Personnel Board volunteers is not to provide community input but to evaluate and interpret federal law, state law and City policies and procedures. Since the Personnel Board was established, California law and federal law have changed to provide more personnel processing options and established laws to protect the employee's rights. Staff's recommendation to dissolve the Personnel Board is based on employee rights based in the law, efficiencies of Human Resources processes and procedures that are duplicated with the Personnel Board and confidential personnel issues that are not protected when matters are brought before the Personnel Board. The draft ordinance, if adopted, would dissolve the personnel board. All bargaining units (i.e., the unions) and current Board members were consulted regarding the dissolution and expressed no objection.

Recommendation: The City Council consider: (1) introducing and waiving first reading of an ordinance amending the Monterey Park Municipal Code to dissolve the personnel board and extended the terms of appointed officials on any remaining commissions; (2) if desirable, extending the terms of appointed officials on any remaining commissions; and (3) taking such additional, related, action that may be desirable.

Action Taken: By consensus, the City Council continued this agenda item to the September 1, 2021 regular City Council meeting.

Draft Ordinance, entitled:

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE § 2.08.070; CHAPTERS 2.28 AND 2.36 TO DISSOLVE THE PERSONNEL BOARD

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

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 and the City Council, acting on behalf of the Successor Agency, approved and adopted Agenda Item Nos. 3A, 3D, 3E, 3F, and 3G on Consent Calendar, excluding Agenda Items Nos. 3B and 3C which were

pulled for discussion and separate motion, reading resolutions and ordinances by the title only and waiving further reading thereof.

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

Ayes: Council Members: Chan, Liang, Sornoso, Lo, Yiu
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3A. MINUTES

Approve the minutes from the July 7, 2021, City Council meeting.

Action Taken: The City Council (and the City Council acting on behalf of the Successor Agency) and the Financing Board of Directors approved the minutes from the regular meeting of July 7, 2021 on Consent Calendar.

3B. MONTHLY INVESTMENT REPORT – JULY 2021

As of July 31, 2021 invested funds for the City of Monterey Park is \$89,486,569.03.

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

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

Ayes: Council Members: Chan, Liang, Sornoso, Lo, Yiu
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3C. RECEIVE AND FILE ADMINISTRATIVE USE PERMIT NO. 21-02

On August 4, 2021, the City Planner approved AUP-21-02 in accordance with Monterey Park Municipal Code (“MPMC”) § 21.32.200. The AUP authorizes a drive-through as an accessory use to the previously approved Raising Cane’s project (CU-19-13). This process was authorized as part of the 2020 Monterey Park Business Recovery Program to help facilitate economic recovery. AUP-21-02 allows a slight reduction in setback requirements and vehicle control in order to accommodate the drive-through as part of CU-19-13.

Action Taken: The City Council received and filed the AUP-21-02.

Motion: Moved by Council Member Sornoso and seconded by Council Member Chan, motion carried by the following vote:

Ayes: Council Members: Chan, Liang, Sornoso, Lo, Yiu
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

3D. OFFICE OF TRAFFIC SAFETY (OTS) STEP GRANT FISCAL YEAR 2021/2022

The City of Monterey Park Police Department was notified of an award of \$114,000.00 Selective Traffic Enforcement Program (STEP) grant from the California Office of Traffic Safety. The police department will utilize the grant to continue its education and enforcement of traffic related laws to reduce injury and fatal traffic collisions.

Action Taken: The City Council received and filed the staff report on Consent Calendar.

3E. AMENDING RECORDS RETENTION SCHEDULE

At its November 2, 2011 meeting, the City Council adopted Resolution No. 11443, approving a Records Retention Schedule for City documents. As set forth in Resolution No. 12106, every odd numbered years staff reviews the retention schedule for purposes of practicability and applicable law.

Action Taken: The City Council adopted Resolution No. 12264 amending the City's Record Retention Schedule for City documents on Consent Calendar.

Resolution No. 12264, entitled:

A RESOLUTION AMENDING THE CITY'S RECORDS RETENTION SCHEDULE FOR CITY DOCUMENTS

3F. CONSIDERATION OF RESOLUTION APPOINTING REPRESENTATIVES TO THE INDEPENDENT CITIES RISK MANAGEMENT AUTHORITY (ICRMA)

The City of Monterey Park is a member of the Independent Cities Risk Management Authority ("ICRMA"), which is a joint powers authority created pursuant to provisions of the Government Code and was formed to provide Liability, Workers' Compensation and Property Insurance as well as other risk management services.

Pursuant to the ICRMA By-laws and Joint Powers Agreement, the City Council may appoint public officials other than electeds to the ICRMA Governing Board; an alternate for the representative may be a department director (or equivalent); and or full-time risk manager.

Action Taken: The City Council adopted Resolution No. 12265 appointing Director of Human Resources and Risk Management, Christine Tomikawa, as the City's primary representative to the ICRMA Governing Board; appointing Director of Management Services Martha Garcia and Chief of Police, Kelly Gordon as alternate representatives.

Resolution No. 12265, entitled:

A RESOLUTION APPOINTING REPRESENTATIVES TO THE GOVERNING BOARD OF THE ICRMA

3G. BUDGET ADJUSTMENT FOR FIRE STATION 62 DEMOLITION & RECONSTRUCTION PROJECT

On May 20, 2020, the City Manager was authorized to execute a standard public works contract utilizing informal bidding procedures in MPMC Chapter 3.100 to select a contractor(s) to perform the demolition and reconstruction of Fire Station 62, utilizing the existing budgeted funds for the project which totaled \$5,556,100, including change orders and contingency as required and within available funds. On July 13, 2020, the City executed a contract with RC Construction Services, Inc. for the Fire Station 62 Demolition & Reconstruction project. The project is currently budgeted in Fire Suppression Development Impact Fee (DIF), General Fund - Capital Improvement Project (CIP) funds, Measure R funds, and Measure M funds.

Due to unforeseen circumstances such as soil conditions and the COVID pandemic and its impact to material sourcing and costs, staff is requesting approval of a budget appropriation of \$120,000 from the General Fund balance to CIP 92002 to cover the remaining expenses for the project. Changes to the storm drain detention system design were necessary due to soil conditions and its ability for infiltration. A much larger storm water detention system became necessary due to slow infiltration and to meet MS4 requirements, which resulted in a much higher cost than the original design anticipated. Other design changes included the replacement of an existing block wall that was failing and the addition of a new fire station alerting system that are necessary improvements but were unexpected. Additionally, costs associated with special inspections and material testing were much higher than anticipated and include soils testing, materials testing, inspection of all welding, and special observations. The proposed appropriation will allow the Fire Station to be completed and certified.

Action Taken: The City Council authorized the City Manager to appropriate an additional \$120,000 from the General Fund balance for the Fire Station 62 Demolition & Reconstruction project on Consent Calendar.

4. PUBLIC HEARING

4A. CONTINUATION OF PUBLIC HEARING REGARDING THE MONTEREY PARK GEOLOGIC HAZARD ABATEMENT DISTRICT (“MPK GHAD”)

This item was heard in conjunction with Agenda Item No. 5A with a single motion taken.

Action Taken: The City Council continued the public hearing noticed for August 18, 2021 to September 15, 2021.

4B. CONTINUATION OF PUBLIC HEARING REGARDING MODIFYING PRECISE PLAN (PP-14-02) CONDITIONS OF APPROVAL FOR A HOTEL LOCATED AT 555 N. ATLANTIC BOULEVARD

The Applicant seeks to modify its Precise Plan (“PP-14-02”) for the Courtyard at Marriott hotel. Specifically, the application seeks to amend Conditions of Approval Nos. 37 and No. 39 of Planning Commission Resolution No. 06-15. At this time, staff is requesting that the item be continued to a future date. The item will be readvertised with the appropriate public notice at such time a future public hearing is scheduled.

Action Taken: The City Council opened the public hearing at 7:01 p.m. and continued the public hearing noticed for August 18, 2021 to September 15, 2021.

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

Ayes: Council Members: Chan, Liang, Sornoso, Lo, Yiu
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

4C. RESOLUTION MODIFYING CONDITIONAL USE PERMIT (CU-19-13) AS TO BUSINESS HOURS FOR OPERATING A RETAIL EATING ESTABLISHMENT LOCATED AT 1970 SOUTH ATLANTIC BOULEVARD

The Applicant seeks to modify the conditional use permit (“CU-19-13”) approved on May 12, 2020, for the operation of a new retail eating establishment with a drive-through. Specifically, the modification seeks to amend Condition of Approval No. 11 of Resolution No. 12194 to change the hours of operation from Monday through Sunday 9:00 a.m. to 10:00 p.m. to Monday through Sunday 9:00 a.m. to 1:00 a.m. There are no other changes proposed with this request.

CEQA (California Environmental Quality Act):

The Environmental Assessment set forth in Section 2 of Resolution No. 12194 is incorporated by reference. The proposed modification does not affect that Environmental Assessment.

Public Speakers:

- David Waite, Law Firm of Cox, Castle & Nicholson and representing Raising Cane, briefly remarked about the hours of operation and was available for questions.
- Kristen Roberts, on behalf of Raising Cane's (applicant), was available for questions.

Discussion: City Attorney Berger reported that a supplemental staff report adding a proposed new draft resolution amending the environmental assessment was posted on the City's website and distributed to the City Council.

Action Taken: The City Council (1) opened the public hearing at 7:04 p.m.; (2) received documentary and testimonial evidence; (3) closed the public hearing at 7:12 p.m.; and (4) adopted the supplemental Resolution No. 12266 to modify Resolution No. 12194 as to business hours.

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

Ayes: Council Members: Chan, Liang, Sornoso, Lo, Yiu
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12266, entitled:

A RESOLUTION MODIFYING CONDITIONAL USE PERMIT (CU-19-13) AS TO BUSINESS HOURS FOR OPERATING A RETAIL EATING ESTABLISHMENT WITH A DRIVE-THROUGH LOCATED AT 1970 SOUTH ATLANTIC BOULEVARD

5. NEW BUSINESS

5A. MONTEREY PARK GEOLOGIC HAZARD ABATEMENT DISTRICT ("MPK GHAD")

Formation of the MPK GHAD will help ensure that the hillside improvements required for the Good Views development project are constructed, maintained, and repaired at the cost of property owners located within the MPK GHAD jurisdiction.

CEQA (California Environmental Quality Act):

Formation of the proposed MPK GHAD was reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*; the “CEQA Guidelines”). Forming the MPK GHAD is exempt from further environmental review because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. This action, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303, 15304(e); 15305; and 15311. Further, forming the MPK GHAD is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because this Resolution is for establishing a new public entity. It can be seen with certainty that there is no possibility that formation of the MPK GHAD may have a significant effect on the environment. Individual projects considered by the MPK GHAD will each be separately subject to an environmental assessment. Finally, forming the MPK GHAD is exempt from further review pursuant to CEQA Guidelines § 15269(a) because forming the MPK GHAD is an action taken 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 in conjunction with Agenda Item No. 4A.

Action Taken: The City Council adopted Resolution No. 12267 initiating formation of the Monterey Park Geologic Hazard Abatement District (“MPK GHAD”) and scheduling a public hearing regarding such formation; and continued the public hearing noticed for August 18, 2021 to September 15, 2021 in accordance with the draft Resolution.

Motion: Moved by Council Member Liang and seconded by Council Member Sornoso to approve Item Nos. 4A and 5A. Motion carried by the following vote:

Ayes: Council Members: Chan, Liang, Sornoso, Lo, Yiu
Noes: Council Members: None
Absent: Council Members: None
Abstain: Council Members: None

Resolution No. 12267, entitled:

A RESOLUTION INITIATING FORMATION OF THE MONTEREY PARK GEOLOGICAL HAZARD ABATEMENT DISTRICT (MPK GHAD) AND SETTING A PUBLIC HEARING TO CONSIDER OBJECTIONS TO FORMATION OF THE MPK GHAD

6. CITY COMMUNICATIONS (CITY COUNCIL)

Council Member Liang had nothing to report.

Council Member Sornoso reminded the community that Friday, August 20, 2021, is Night at Dodger Stadium. He announced that on Saturdays he will be volunteering at the Monterey Park Historical Museum. He stated he is looking forward to the upcoming police activities and the conference at Santa Barbara.

Council Member Chan reported at the San Gabriel Valley Council of Governments Transportation Committee meeting he met with the new Los Angeles County Metropolitan Transportation Authority Chief Executive Officer Stephanie Wiggins. He reported that at the San Gabriel Valley Metro Service Council had an agenda item regarding First Last Mile which provides funding for the first and last miles to the stations. He directed staff to look into the First Last Mile to apply for funding. He spoke about Assembly Bill 43 which would give local governments more flexibility to set speed limits and requested staff to look into whether the City Council should support or oppose the bill. He requested staff to post updates on the Housing Element and the Redistricting meetings. He said he had a meeting with the Japanese Counsel General at city hall along with Mayor Yiu.

Mayor Pro Tem Lo reported that on August 5, 2021, he attended the installation dinner for the Los Angeles County Division of the League of California Cities. He said that on August 6, 2021, he attended the Chinese-American Elected Officials Network Installation Gala and he congratulated Council Member Peter Chan for a successful term as President of the organization. He complimented the communities of Monterey Park for having a Covid-19 vaccination rate above 85%. He stated he looks forward to attending Night at Dodger Stadium. He wished Council Member Sornoso a happy birthday.

Mayor Yiu reported she had a meeting with Akira Muto, Japanese Consul General, and discussed suggestions for partnership. She said she attended Monterey Park Hospital Dinner Celebration of Front Line Workers Recognition. She stated she attended the City of Arcadia Concert and Movie Night.

Public Speaker:

Isabel Wu, representing the Monterey Park Chamber of Commerce, invited the City Council and community to an event hosted by the Greater Chamber of Commerce on Saturday, September 18, 2021, from 6-10 at Tang Gong restaurant.

7. FUTURE AGENDA ITEMS

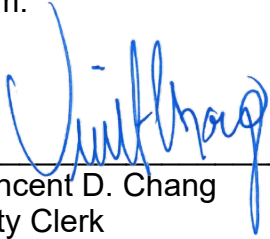
None.

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

None.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned at 7:53 p.m.



Vincent D. Chang
City Clerk

September 15, 2021 at the Regular City Council Meeting