

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

**REGULAR MEETING
Monterey Park City Hall Council Chambers
320 West Newmark Avenue, Monterey Park, Ca 91754**

**WEDNESDAY
NOVEMBER 21, 2012
7:00 PM**

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.**

Staff reports, writings, or other materials related to an item on this Agenda, which are distributed to the City Council/Agency Board less than 72 hours before this scheduled meeting shall be available for public inspection in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours. Such staff reports, writings, or other materials are also on the City's website subject to staff's ability to post the materials before the meeting. The City's website is located at <http://ci.monterey-park.ca.us/home/index.asp>. Copies of staff reports and/or written documents pertaining to any item on the Agenda are on file in the Office of the City Clerk and are available for public inspection during regular business hours.

PUBLIC COMMENTS ON AGENDA ITEMS

Any member of the public wishing to address the City Council regarding any item on this Agenda will need to fill out a speaker card and then please return it to the City Clerk prior to the announcement of the Agenda Item.

Speakers are afforded five (5) minutes per individual on each published agenda item. The Public will be allowed consolidation with another speaker's time not to exceed two (2) minutes for each speaker wishing to forego his or her opportunity. However in the interest of ensuring that all members of the Public have an equal opportunity to participate, a single speaker cannot speak for more than ten (10) minutes on the individual Agenda item. In the event that there are a large number of speakers on a particular agenda item, the Council may in the interest of being able to timely conduct business reduce the amount of time allotted to each speaker and/or limit the total amount time allowed for speakers to address the agenda item. At the conclusion of that period of time, the speaker will be asked to please conclude their remarks so that the next speaker may begin their comments.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call City Hall, (626) 307-1359. Please notify the City Clerk's Office twenty-four hours prior to the meeting so that reasonable arrangements can be made to ensure availability of audio equipment for the hearing impaired. Council Chambers are wheelchair accessible.

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

CALL TO ORDER

Mayor

FLAG SALUTE

The Monterey Park Police Explorers

ROLL CALL

Mitchell Ing, David Lau, Teresa Real Sebastian, and Anthony Wong

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

CONSENT CALENDAR ORAL AND WRITTEN COMMUNICATIONS

Any individual wishing to address the Council under Oral and Written Communications needs to complete a Speaker Card provided by the City Clerk and then please return it the City Clerk prior to the City Council taking up this item.

The City Clerk will call members of the public that have submitted speaker cards. The City Clerk will call the public in the same order that the speaker cards are received except that the Clerk may group and present the speaker cards by first calling all persons in favor of an issue and all persons opposed, and finally those with neutral comments.

Items on the Consent Calendar are considered to be routine, ongoing business and will be enacted by one motion. There is no separate discussion on consent items unless a Council Member/Agency Member or citizen so requests, in which event the item is removed from the Consent Calendar and considered separately. Individuals wishing to address the City Council/Agency on any item must first complete a speaker card provided by the City Clerk and must return it to the City Clerk prior to the Council's/Agency's consideration of the Consent Calendar. The City Clerk will not accept cards after the item has been taken up. Time limit for individual comments is five minutes.

Consent Calendar – Approval By Minute Motion

SUCCESSOR AGENCY CONSENT CALENDAR ITEMS 1-2

1. SUCCESSOR AGENCY RESOLUTIONS, DEMANDS, PROGRESS PAYMENTS AND INTERFUND TRANSFERS

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

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

- (1) approve payment of warrants and adopt Resolution No. _____ of the Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated **November 21, 2012 totaling \$5,992.90** and specifying the funds out of which the same are to be paid; and
- (2) take such additional, related, action that may be desirable.

2. SUCCESSOR AGENCY INVESTMENT REPORT AS OF OCTOBER 2012

In accordance with the City's Investment Policy, a monthly investment report is presented to the City Council disclosing types of investments, dates of maturities, amounts of deposits, rates of interest, and for securities with a maturity of more than 12 months, current market values.

Recommendations: It is recommended that the City Council

- (1) Receive and file the investment report as of October 2012; and
- (2) take such additional, related, action that may be desirable.

SUCCESSOR AGENCY NEW BUSINESS ITEM 3

3. ADOPT RESOLUTION NO. ____ APPROVING THE AMENDED THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) AND ADMINISTRATIVE BUDGET FOR JANUARY - DECEMBER 2013

On October 11, 2012, the California Department of Finance issued its findings upon review of the third ROPS and staff is requesting approval to amend the Resolution with the changes.

Recommendations: It is recommended that the City Council acting on behalf of the Successor Agency

- (1) Adopt Resolution No. ____ approving the Amended Third Recognized Obligation Payment Schedule for the period between January-June 2013;
- (2) Approve the Amended Successor Agency Administrative Budget for January-June 2013;
- (3) Approve the Amended Successor Agency Administrative Budget for July-December 2012;
- (4) Direct staff to post and transmit the amended ROPS and administrative budget to the appropriate public agencies; and
- (5) take such additional, related, action that may be desirable.

HOUSING SUCCESSOR AGENCY CONSENT CALENDAR ITEM 4

4. HOUSING SUCCESSOR AGENCY RESOLUTIONS, DEMANDS, PROGRESS PAYMENTS AND INTERFUND TRANSFERS

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

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

- (1) approve payment of warrants and adopt Resolution No. _____ of the Housing Successor Agency to the former Monterey Park Redevelopment Agency allowing certain claims and demands per warrant register dated **November 21, 2012 totaling \$11,048.30** and specifying the funds out of which the same are to be paid; and
- (2) take such additional, related, action that may be desirable.

PRESENTATION: None.

CITY OF MONTEREY PARK CONSENT CALENDAR ITEMS 5-11

5. RESOLUTIONS, DEMANDS, PROGRESS PAYMENTS AND INTERFUND TRANSFERS

It is required that the City Council approve all disbursements.

Recommendations: It is recommended that the City Council

- (1) Approve payment of warrants and adopt Resolution No. _____ allowing certain claims and demands per Warrant Register dated **November 21, 2012 Totaling \$546,287.87** and specifying the funds out of which the same are to be paid; and
- (2) take such additional, related, action that may be desirable.

6. INVESTMENT REPORT AS OF OCTOBER 2012

In accordance with the City's Investment Policy, a monthly investment report is presented to the City Council disclosing types of investments, dates of maturities, amounts of deposits, rates of interest, and for securities with a maturity of more than 12 months, current market values.

Recommendations: It is recommended that the City Council

- (1) Receive and file the investment report as of October 2012; and
- (2) take such additional, related, action that may be desirable.

7. ELECTION FOR SAN GABRIEL BASIN WATER QUALITY AUTHORITY

According to the bylaws of the San Gabriel Basin Water Quality Authority, a city with prescriptive water pumping rights, of which Monterey Park falls under, may nominate and elect a representative to the Water Quality Authority Board. Based on population figures, the City of Monterey Park is entitled to cast (6) votes, each city has one vote per 10,000 residents, or majority thereof. All votes cast must be for only one candidate.

Recommendations: It is recommended that the City Council

- (1) Adopt Resolution No. _____ of the Monterey Park City Council, casting its votes for Council Member Luis Ayala from the City of Alhambra, to represent Cities with prescriptive pumping rights on the Board of the San Gabriel Basin Water Quality Authority;
- (2) Direct City Clerk to send a copy of the Resolution to the Central Basin Water Quality Authority no later than 12:00 pm December 18, 2012 via certified mail, UPS, FedEx with a signature required or hand delivered; and
- (3) take such additional, related, action that may be desirable.

8. PLAY DAYS CARNIVAL CONTRACT

The Recreation and Community Services Department is requesting that the City accept a proposal for a new three year contract with J.A. Blash Enterprises/Shamrock Shows to provide entertainment and amusement devices for the annual Play Day Festival held in May.

Recommendations: It is recommended that the City Council

- (1) Authorize the City Manager to execute an agreement, in a form approved by the City Attorney, with J. A. Blash Enterprises/Shamrock Shows/North American Amusements Inc., for three years;
- (2) Authorize the revenue generated from the agreement to be budgeted for the Play Days Parade, Play Days entertainment, and for the ancillary costs to Play Days; and
- (3) take such additional, related, action that may be desirable.

9. CITY PROSECUTOR CONTRACT RENEWAL

The law firm of Dapeer, Rosenblitt & Litvak has been providing City Prosecutor services for the City since the early 1990's. Currently, the firm is performing under a City executed contract dated June 4, 2008 at the hourly rate of \$150. The firm is asking for the contract to be renewed at the hourly rate of \$160.

Recommendations: It is recommended that the City Council

- (1) Authorize the City Manager to execute the agreement, in a form approved by the City Attorney, to continue City Prosecutorial Services with Dapeer, Rosenblitt, & Litvak; and
- (2) take such additional, related, action that may be desirable.

10. EMERGENCY OPERATIONS CENTER (EOC) - AWARD OF CONTRACT

The project involves excavation and grading of the site located at 329 W. Newmark Avenue, as well as construction of a reinforced concrete building foundation, installation of pre-fabricated modular building; connection of all utilities; construction of concrete pavement, walkways, masonry block perimeter wall, planter walls, covered entryway, access ramp, sidewalk and curb & gutter; and installation of landscaping and irrigation.

Recommendations: It is recommended that the City Council

- (1) award the contract for construction of the Emergency Operations Center to the lowest bidder, Accelerated Modular Concepts Inc. of Victorville in the amount of \$443,282;
- (2) Authorize the City Manager to execute a standard public works agreement in a form approved by the City Attorney, and
- (3) take such additional, related, action that may be desirable.

11. APPROPRIATION AND PURCHASE OF A MID-SIZE PICK-UP TRUCK FOR THE WATER DIVISION

Staff is requesting replacement of the Water Division Vehicle that was totaled in a collision on June 21, 2012. This vehicle is used as a daily service truck and stand-by vehicle for the Delta Plant.

Recommendations: It is recommended that the City Council

- (1) Authorize the City Manager to purchase a replacement vehicle;
- (2) Appropriate monies from the Water Fund, in an amount not to exceed \$40,000 per Monterey Park Municipal Code § 3.20.050(14); and
- (3) take such additional, related, action that may be desirable.

ORAL AND WRITTEN COMMUNICATIONS

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PUBLIC HEARING

12. ADOPT RESOLUTION NO. _____ CONFIRMING THE 2012 ANNUAL REPORT AND THE LEVY OF ASSESSMENTS FOR BUSINESS IMPROVEMENT DISTRICT NO. 1 FOR PROGRAM YEAR 2013

Based on its October 2, 2012 Annual Meeting, the Business Improvement District Advisory Committee requested Council to set a public hearing date to consider the 2013 levy of Assessment Fees for the Business Improvement District No. 1. The law provides an opportunity for all potential assesses to protest the proposed renewal of or change to the assessments.

Recommendations: It is recommended that the City Council

- (1) Open public hearing, hear staff, hear audience, close public hearing;
- (2) Adopt Resolution No. _____ Levying Assessments for Business Improvement District No. 1 for Program Year 2013 in accordance with Government Code §36624; and
- (3) take such addition, related, action that may be desirable.

UNFINISHED BUSINESS

None.

NEW BUSINESS

13. CONSIDERATION AND POSSIBLE ACTION TO PLACE AN INITIATIVE ON THE BALLOT FOR THE PREVIOUSLY CALLED MARCH 5, 2013 MUNICIPAL ELECTION TO AMEND THE CITY'S UTILITY USER TAX ("UUT") REGULATIONS (MONTEREY PARK MUNICIPAL CODE CHAPTER 3.38) TO UPDATE THE LANGUAGE WITH REGARD TO MAINTAINING THE CITY'S REVENUES FROM THE UUT TAX BASED UPON TECHNOLOGICAL CHANGES IN COMMUNICATIONS METHODS

The City's existing utility user tax ("UUT"), which covers telephone, electricity, and gas services, was adopted in 1983 and modified several times since then. The existing telephone UUT, applicable only to commercial and industrial service users, generates approximately \$1.1 million annually. A large portion of this revenue is at risk due to outdated language in the telephone tax and changes in federal law.

Recommendations: It is recommended that the City Council

- (1) Adopt Resolution No. _____ placing an initiative on the ballot amending utility user tax regulations;
- (2) Consider adopting Resolution No. _____ directing the City Attorney to prepare an impartial analysis for the ballot initiatives; and
- (3) Determine whether the Council will appoint itself or members thereof to draft the arguments and rebuttal arguments in favor of the tax measure.
- (4) take such addition, related, action that may be desirable.

14. CITY COUNCIL TERM LIMITS

On October 17, 2012, the City Council requested that the City Manager and City Attorney prepare appropriate documents for placing an initiative on the ballot regarding term limits. Government Code § 36502(b) allows voters to impose term limits for serving on the City Council.

Recommendations: If the City Council wishes to place this matter on the March 5, 2013 ballot, it is recommended that the City Council

- (1) consider the wording of the draft initiative and make appropriate changes;
- (2) adopt Resolution No. _____ placing an initiative on the ballot; and
- (3) take such addition, related, action that may be desirable.

COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS

Council communications and committee reports from Council Representatives of specific organizations

CLOSED SESSION

None.

ADJOURN

CONSENT CALENDAR ORAL AND WRITTEN COMMUNICATIONS

Staff Report City of Monterey Park

November 21, 2012

To: Paul Talbot, City Manager

From: Annie Yaung, CPFO, Financial Services Manager

Subject: Warrant Register for Successor Agency to the Former Community
Redevelopment Agency of November 21, 2012

The claims and demands on the attached warrant register have been duly audited. I certify that the said claims and demands are accurate, are proper charges against the City of Monterey Park, Acting as the Successor Agency to the Former Community Redevelopment Agency (SA). I also certify that there are monies available for the payments thereof. Please note that amounts being paid by the SA funds in this warrant register represented expenditures incurred, which are pending for approval by the Oversight Board.

Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered 107-111 (SA).

Fiscal Impact

Disbursements from all SA funds total \$5,992.90.

Recommendation

Adopt SA Resolutions approving payment of warrants.

By: _____

Annie Yaung, CPFO
Financial Services Manager

Approval: _____

Paul Talbot
City Manager

RESOLUTION NO. SA-_____

**A RESOLUTION OF THE
SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY (SA)
ALLOWING CERTAIN CLAIMS AND DEMANDS
PER WARRANT REGISTER DATED 21ST DAY OF NOVEMBER 2012
TOTALING \$5,992.90 AND SPECIFYING THE FUNDS OUT
OF WHICH THE SAME ARE TO BE PAID**

THE SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY
DOSE RESOLVE AS FOLLOWS:

SECTION 1. That the following claims and demands have been audited and that the same
are hereby allowed from various funds in the following amounts:

Atlantic/Garvey Projects	\$ 188.47
Merged Project Projects	5,804.43
Total	<u>\$ 5,992.90</u>

PASSED, APPROVED AND ADOPTED THE 21ST DAY OF NOVEMBER 2012.

Mitchell Ing
City of Monterey Park,
California

ATTEST:

David M. Barron, CMC, City Clerk
City of Monterey Park,
California

Resolution No. SA-_____
Page 2

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY)
OF CITY OF MONTEREY PARK)

I hereby certify that this resolution was duly adopted by the
Successor Agency to the Former Community Redevelopment Agency,
at a regular meeting held on the 21st day of November 2012 by the following vote.

AYES:
NOES:
ABSTAIN:
ABSENT:

David M. Barron, CMC, City Clerk
City of Monterey Park,
California

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

4

PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
AT&T	0860-801-1203-32050	14.80	INTERNET/PHONE SERVICE		107	14.80
PITNEY BOWES POSTAGE BY PHONE	0860-801-1201-32200	7.00	POSTAGE		108	7.00
TOTAL FOR PREPAID WARRANTS						21.80

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

5

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
KNIGHT COMMUNICATIONS INC	0860-801-1203-38400	166.67	SYSTEM MANAGEMENT SERVICE	70000	109	
	0870-801-1203-38400	166.67	SYSTEM MANAGEMENT SERVICE	70000	109	
						333.34
LA CORP CENTER OWNERS ASSO	0870-801-1203-31100	2,565.00	11/12 ASSO. DUES-CORP.CENTER	70314	110	
						2,565.00
PAUL, PLEVIN, SULLIVAN & CONNAUGHTON	0870-801-1203-31600	3,072.76	LEGAL-ATLANTIC TIMES SQUARE		111	
						3,072.76
	TOTAL FOR PRINTED WARRANTS					5,971.10

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

6

TOTAL FOR PREPAID WARRANTS	21.80
TOTAL FOR PRINTED WARRANTS	5,971.10
TOTAL WARRANTS	5,992.90
TOTAL VOID CHECKS	0
TOTAL PREPAID CHECKS	2
TOTAL CHECKS PRINTED	3
TOTAL CHECKS ISSUED	5

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012
FUND SUMMARY

7

FUND	DESCRIPTION	PREPAID	PRINTED	TOTAL
0860	ATLANTIC/GARVEY CAP PROJECTS	21.80	166.67	188.47
0870	MERGED CAPITAL PROJECTS	0.00	5,804.43	5,804.43
	TOTAL	21.80	5,971.10	5,992.90

Staff Report City of Monterey Park

DATE: November 21, 2012
TO: Paul Talbot, City Manager
FROM: Annie Yaung, Financial Services Manager
SUBJECT: Successor Agency Monthly Investment Report – October 2012

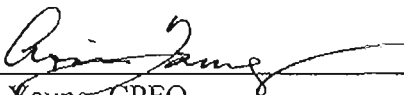
DISCUSSION

As of October 31, 2012 invested funds for the City of Monterey Park is as follows:

• Acting as the SA to the Former Redevelopment Agency	\$ 1,382,390.35
• Acting as the SA for 2002 Bonds	5,598,785.60
• Acting as the Housing SA	5,593,904.71
• Acting as the SA (RORF)	<u>1,591,915.14</u>
	<u>\$ 14,166,995.80</u>

RECOMMENDATION

Receive and file the monthly investment report.

By: 
Annie Yaung, CPFO
Financial Services Manager

Approved: 
Paul Talbot
City Manager

Staff Report *The Successor Agency to the Former Monterey Park Redevelopment Agency*

DATE: November 21, 2012

TO: MAYOR ING AND MONTEREY PARK CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY TO THE FORMER REDEVELOPMENT AGENCY

FROM: DONNA M. RAMIREZ, ACTING ECONOMIC DEVELOPMENT SPECIALIST

SUBJECT: RESOLUTION APPROVING THE AMENDED THIRD RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET FOR JANUARY-DECEMBER 2013

SUMMARY

Staff requests that the City Council, acting on behalf of the successor agency for the former Monterey Park Redevelopment Agency, consider amending the Third Recognized Obligation Payment Schedule (ROPS) and administrative budget for the period covering January-June 2013 and administrative budget covering July-December 2012 to comply with certain changes requested by the State Department of Finance (DOF).

BACKGROUND

As you will recall, ABx1 26 and AB 1484, the dissolution legislation, requires all successor agencies to formulate Recognized Obligation Payment Schedules under which the SA would make payments for eligible obligations of the former redevelopment agency. The Recognized Obligation Payment Schedules shall be reviewed and approved by the Oversight Board and subsequently by DOF.

The SA, on February 15, 2012, approved the First ROPS for the period of January-June 2012 and the Second ROPS for the period of July-December 2012. The SA approved the Third ROPS for the period of January-June 2013 on July 18, 2012. All of the ROPS have been approved by the Oversight Board and forwarded to the appropriate agencies, including DOF. On May 25, 2012, DOF raised one issue regarding the first two ROPS concerning repayments to the Low and Moderate Income Housing Fund, which was resolved after AB 1484 clarified that such funds could be included on the ROPS. DOF did not object to any other items.

On October 11, 2012, DOF issued its findings upon review of the Third ROPS. DOF objected to the following items (the total dollar amount of the obligation in parenthesis):

- Item No. 2 – Chet Yoshizaki Consultant Services for Successor Agency (\$60,000)
- Item No. 3 – Jenkins & Hugin Successor Agency Attorney Services (\$60,000)
- Item No. 4 – Costs Associated with Oversight Board Attorney Services (\$155,000)
- Item No. 15 – Pension Override to the City of Monterey Park's Retirement Fund (\$31,574,607)
- Item No. 22 – Maintenance Fees for Successor Agency Properties to be Sold (\$558,000)
- Item No. 23 – RSG Financial Consultant Services for Successor Agency (\$15,000)
- Item No. 25 – Compliance Monitoring of Existing Affordable Housing Units (\$558,000)
- Item No. 26 – Legal Fees to Support Actions to Enforce Affordable Housing Regulations (\$558,000)
- Item No. 27 – Operating Costs of Affordable Housing Units (\$372,000)

Regarding Items 2, 3, 4, 22, and 23, DOF claimed that the costs should be paid for out of the Successor Agency's administrative budget rather than ROPS tax increment. DOF objected to Item No. 15 because "this line item relates to a joint resolution between the City and the Agency adopted on March 14, 2011," which DOF claims was invalidated by the dissolution legislation. DOF objected to Items 25 through 27 as obligations of the City, as the Housing Successor Agency. None of the items objected to by DOF in its October 11 letter were identified by DOF as a concern in the prior two ROPS.

DISCUSSION

As a result of the DOF determination the following changes are proposed in the draft Amended Third ROPS and administrative budget for January-June 2013 and administrative budget for July-December 2012:

ITEM NO.	DESCRIPTION	STATUS
1	Successor Agency Administrative Cost	Modified and Expanded but retains Maximum allowable funding
2	Contract for Successor Agency Consulting Services	Deleted. Added to Administrative Budget
3	Contract for Successor Agency Attorney Services	Deleted. Added to Administrative Budget

4	Oversight Board Attorney Services	Deleted
23	Contract for Fiscal Consulting Services for SA	Deleted. Added to Administrative Budget
25	Affordable Housing Compliance Monitoring	Deleted. Not SA Responsibility
26	Affordable Housing Legal fees	Deleted. Not SA Responsibility
27	Affordable Housing Administration	Deleted. Not SA Responsibility

The Successor Agency is permitted an administrative budget of \$250,000. While this amount may be augmented with other revenues received by the Successor Agency (i.e. rents, revenues from property sales, etc.), there are no such revenues available for use during this 6 month period. Based on these limitations, staff is proposing a revised administrative budget with reduced amounts for certain line items. Any administrative costs incurred by the Successor Agency exceeding \$250,000 must be paid from another source, such as the City's General Fund.

Regarding Items No. 15 and 23, these two items are being appealed through the Meet and Confer process established between DOF and Successor Agencies to hear arguments for qualification as an enforceable obligation and reinserted into the ROPS. On October 17, 2012, the Successor Agency requested to meet and confer with DOF. The scheduled date of the Meet and Confer appointment in Sacramento is November 19, 2012. Staff recommends that the items remain on the ROPS pending a final determination from DOF, with a notation that that they are pending.

FISCAL IMPACT

Pursuant to the recommended changes, the City (as the Housing Successor Agency) will be responsible for Items Nos. 25 – 27, related to affordable housing monitoring and compliance. These costs were estimated on the ROPS as approximately \$96,000 per year. Other costs totaling \$15,900 have been deleted from the Successor Agency Administrative Budget, which will be paid by the City after November 9, 2012. Further, in the event that the Successor Agency administrative costs exceed \$250,000, any excess may need to be paid out of the City's General Fund.

RECOMMENDATION

It is recommended that the City Council (acting on behalf of the Successor Agency) (1) approve a resolution approving the Amended Third Recognized Obligation Payment Schedule for the period between January-June 2013; (2) approve the Amended Successor Agency Administrative Budget for January-June 2013; (3) approve the Amended Successor Agency Administrative Budget for July-December 2012; and (4) direct staff to post and transmit the amended ROPS and administrative budget to the appropriate public agencies.


Donna Ramirez
Acting Economic Development Specialist

Approved 
Paul Talbot
City Manager

ATTACHMENTS

- 1) Amended Third Recognized Obligation Payment Schedule for January-June 2013
(including revised administrative budget)
- 2) Resolution Amending the Recognized Obligation Payment Schedule and Administrative Budget for July-December 2012 and January –June 2013.

SUMMARY OF RECOGNIZED OBLIGATION PAYMENT SCHEDULE
 Filed for the January 1, 2013 to June 30, 2013 Period

Revision: 1

Name of Successor Agency: Monterey Park Successor Agency

	Total Outstanding Debt or Obligation
Outstanding Debt or Obligation	\$ 116,249,864
Current Period Outstanding Debt or Obligation	Six-Month Total
A Available Revenues Other Than Anticipated RPTTF Funding	75,000
B Anticipated Enforceable Obligations Funded with RPTTF	1,611,697
C Anticipated Administrative Allowance Funded with RPTTF	125,000
D Total RPTTF Funded (B + C = D)	1,736,697
Total Current Period Outstanding Debt or Obligation (A + B + C = E) <i>Should be same amount as ROPS form six-month total</i>	\$ 1,811,697
E Enter Total Six-Month Anticipated RPTTF Funding (Obtain from county auditor-controller)	1,968,997
F Variance (E - D = F) <i>Maximum RPTTF Allowable should not exceed Total Anticipated RPTTF Funding</i>	\$ 232,300
Prior Period (January 1, 2012 through June 30, 2012) Estimated vs. Actual Payments (as required in HSC section 34186 (s))	
G Enter Estimated Obligations Funded by RPTTF <i>(Should be the lesser of Finance's approved RPTTF amount including admin allowance or the actual amount distributed)</i>	1,902,164
H Enter Actual Obligations Paid with RPTTF	1,685,078
I Enter Actual Administrative Expenses Paid with RPTTF	104,167
J Adjustment to Redevelopment Obligation Retirement Fund (G - (H + I) = J)	222,919
K Adjustment to RPTTF	\$ 1,513,778

Certification of Oversight Board Chairman:
 Pursuant to Section 34177(m) of the Health and Safety code,
 I hereby certify that the above is a true and accurate Recognized
 Obligation Payment Schedule for the above named agency

Name	Title
Signature	Date

January 1, 2013 through June 30, 2013

January 1, 2012 through June 30, 2012														
Item #	Project Name / Other Obligation	Contract/Agreement Description/Type	Contract/Agreement Termination Date	Payee	Description/Project Scope	Project Area	Total Outstanding	Unpaid/Outstanding	Unpaid/Outstanding	Unpaid/Outstanding	Unpaid/Outstanding	Unpaid/Outstanding	Unpaid/Outstanding	Unpaid/Outstanding
							\$	\$	\$	\$	\$	\$	\$	\$
1	Successor Agency Administration Costs	N/A	7/1/2014	Successor Agency	Successor Agency Administration Costs - labor and materials	AR	5,075,000	250,000	-	-	-	175,000	-	175,000
2	Contract for Successor Agency Consulting Services (2012-2013)	5/1/2012	At completion of contract	Johnson & Hoopes	Consulting services for Successor Agency	AR	-	-	-	-	-	-	-	-
3	Contract for Successor Agency Advisory Services - DELETED	N/A	At termination of contract	Johnson & Hoopes LLP	Successor Agency Advisory Services	AR	-	-	-	-	-	-	-	-
4	Overnight Board Advisory Services - DELETED	N/A	5/1/2016	Overnight Board Consultant	Costs associated with Overnight Board Meetings	AR	-	-	-	-	-	-	-	-
5	1950 Tax Allocation Bond	10/1/1950	3/1/2028	BNY Western Trust Company	Bond issued to fund non-major projects	Merged Project Area	11,855,007	138,821	-	-	-	512,000	-	512,000
6	2000 Tax Allocation Bond	5/1/2000	9/1/2028	Green Bank of California	Bond issued to fund non-major projects	Merged Project Area	26,940,000	1,668,890	-	-	-	452,000	-	452,000
7	Treasury Fees for 1950 Bonds	10/1/1950	3/1/2028	BNY Western Trust Company	Fees for Treasury of Bond Issuance	Merged Project Area	76,000	2,250	-	-	-	2,250	-	2,250
8	Treasury Fees for 2000 Bonds	5/1/2000	9/1/2028	Green Bank of California	Fees for Treasury of Bond Issuance	Merged Project Area	76,559	2,740	-	-	-	2,740	-	2,740
9	2002 Bond Arbitrage Reserve Report	10/1/1996	3/1/2028	BLX Group	Bond Arbitrage Reserve Report	Merged Project Area	70,000	2,000	-	-	-	2,000	-	2,000
10	2002 Bond Arbitrage Reserve Report	5/1/2002	9/1/2028	BLX Group	Bond Arbitrage Reserve Report	Merged Project Area	70,000	2,000	-	-	-	2,000	-	2,000
11	1996 Bond Covenants - Finance Committee	10/1/1996	3/1/2028	Finance Committee	Performance of Maturity Requirements outlined in Official Statements of Tax Allocation Bonds	Merged Project Area	80,000	5,000	-	-	-	5,000	-	5,000
12	2002 Bond Covenants - Finance Committee	5/1/2002	9/1/2028	Finance Committee	Performance of Maturity Requirements outlined in Official Statements of Tax Allocation Bonds	Merged Project Area	80,000	5,000	-	-	-	5,000	-	5,000
13	1996 Bond Covenants - Finance Committee	10/1/1996	3/1/2028	Bond Disclosure Counsel	Performance of Maturity Requirements outlined in Official Statements of Tax Allocation Bonds	Merged Project Area	80,000	5,000	-	-	-	5,000	-	5,000
14	2002 Bond Covenants - Finance Committee	5/1/2002	9/1/2028	Bond Disclosure Counsel	Performance of Maturity Requirements outlined in Official Statements of Tax Allocation Bonds	Merged Project Area	80,000	5,000	-	-	-	5,000	-	5,000
15	Madison Ordinance in City's Revenue Fund - 1950/2000	1948 & 1952	At completion of contract	City of Monterey Park	Madison Ordinance in City's Revenue Fund - 1950/2000	AR	31,371,007	990,000	-	-	-	990,000	-	990,000
16	Los Angeles County Agreement	6/20/87, 10/1/93, 7/1/95	7/1/2004	County of Los Angeles	Repayment of debt of the county through property taxes	AR	30,701,300	-	-	-	-	-	-	-
17	Overnight Disposition Agreement - Alameda County	1/21/2009	At completion of contract	Alameda County	Overnight Disposition Agreement - Alameda County	Merged Project Area	-	-	-	-	-	-	-	-
18	Alameda County Agreement	7/1/2010	At completion of contract	Alameda County	Alameda County Agreement	Merged Project Area	15,000	15,000	-	-	-	-	-	-
19	City Staff for Administration of Building Projects	N/A	6/30/2015	City Employees	City Staff overseeing building projects	AR	750,000	60,000	-	-	-	30,000	-	30,000
20	Agency Legal Services in Building Projects	N/A	6/30/2015	Various Law Firms	Agency legal services building projects	AR	60,000	0	-	-	-	60,000	-	60,000
21	Property Acquisition Services	N/A	6/30/2015	Various	Costs associated with the acquisition of Agency Property	AR	100,000	30,000	-	-	-	30,000	-	30,000
22	Contract for CCR Fee For Concrete Canal Project	5/1/2014	At completion of contract	Various	Maintenance fees for Agency Property with 1/2 in 1/2	Merged Project Area	568,000	30,000	-	-	-	18,000	-	18,000
23	Contract for Fiscal Consulting Services for Successor Agency - DELETED	1/1/2012	At completion of contract	Johnson & Hoopes LLP	Professional fees associated with the administration of the Successor Agency	AR	-	-	-	-	-	-	-	-
24	Contract for Successor Agency Audit Services	N/A	At completion of contract	Johnson & Hoopes LLP	Successor Agency Audit Services	AR	15,000	15,000	-	-	-	-	-	-
25	Adopted Financing Commitment Agreement - DELETED	N/A	6/30/2014	Various	Commitment agreement financing alternative housing unit	AR	-	-	-	-	-	-	-	-
26	Alameda County Housing Loan - DELETED	N/A	7/1/2014	Johnson & Hoopes LLP	Housing Loan for Alameda County	AR	-	-	-	-	-	-	-	-
27	Alameda County Housing Loan - DELETED	N/A	7/1/2014	Housing Successor Agency	Alameda County Housing Loan	AR	-	-	-	-	-	-	-	-
28	Housing Fund Requirement for SERAP Loan	5/1/2014	6/30/2015	Housing Successor Agency	Housing Fund Requirement for SERAP Loan	AR	1,000,000	-	-	-	-	-	-	-
29	Requirement for Housing Loan (Housing)	1991	6/30/2015	Housing Successor Agency	Housing Fund Requirement for Housing Loan	AR	1,000,000	-	-	-	-	-	-	-

RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS III) - Notes (Optional)

January 1, 2013 through June 30, 2013

Item #	Notes/Comments
-	A total of \$215,875.85 will be paid to affected taxing entities during the ROPS II (July - December 2012) time period.
-	In general, items with no specific contract date such as Administrative Costs were labeled N/A under Contract Execution Date.
15	Pension Override . The Successor Agency and City would like DOF and County of Los Angeles confirmation in writing that future Pension Override funds will be sent directly to the City and not to the Successor Agency. If this is true, then this line item would be removed from future ROPS.
16	The former Redevelopment Agency/Successor Agency owes the County of Los Angeles approximately \$37 million in deferred tax increment revenue pass throughs payments. However, the repayment schedule calls for the repayment to start in Fiscal Year 2013-14.
28	SERAF Loans are now considered enforceable obligations under AB 1484. Repayment will not begin until FY 2013-14.
26	Under AB 1484, loans owed the former Housing Fund are enforceable obligations. This obligation relates to \$1.2 million of deferred housing set aside contributions. Repayment does not begin until FY 2013-14.

Passage to Health and Safety Code section 34185 (a)
 PRIOR PERIODS ESTIMATED OBLIGATIONS vs. ACTUAL PAYMENTS
 RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 1)
 January 1, 2012 through June 30, 2012

Project/Program	Project Name - Other Obligation	Funder	Description/Project Scope	Project Area	Lump		Recur Process		Recur Periodic		Actual Obligation		RPT 12		Other	
					Estimated	Actual	Estimated	Actual	Estimated	Actual	Estimated	Actual	Estimated	Actual	Estimated	Actual
1	Successor Agency Agreement/Agreement	San Joaquin Agency	Successor Agency Agreement/Agreement	AS							128,087	104,187				
2	Contract for Successor Agency Consulting Services	Contract for Successor Agency Consulting Services	Contract for Successor Agency Consulting Services	AS									20,000	34,000		
3	Contract for Successor Agency Consulting Services	Contract for Successor Agency Consulting Services	Contract for Successor Agency Consulting Services	AS									18,000	30,000		
4	Contract for Successor Agency Consulting Services	Contract for Successor Agency Consulting Services	Contract for Successor Agency Consulting Services	AS									18,000	30,000		
5	1913 Tax Allocation Bond	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									161,170	561,170		
6	1917 Tax Allocation Bond	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									107,000	407,000		
7	Trustee Bank for 1920 Bonds	BNY Mortgage Trust	Trust for Trustee of Bond Issuance	Merged Project Area									1,000			
8	Trustee Bank for 1920 Bonds	BNY Mortgage Trust	Trust for Trustee of Bond Issuance	Merged Project Area									1,740			
9	1920 Bond Anticipation Revenue Refund	BNA Group	Bond Anticipation Revenue Refund	Merged Project Area									2,000	2,250		
10	2002 Bond Anticipation Revenue Refund	BNA Group	Bond Anticipation Revenue Refund	Merged Project Area									2,000			
11	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
12	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
13	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
14	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
15	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
16	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
17	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
18	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
19	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
20	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
21	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
22	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
23	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
24	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
25	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
26	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
27	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
28	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
29	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
30	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
31	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
32	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			
33	1920 Bond Anticipation Revenue Refund	BNY Mortgage Trust	Bonds issued to fund housing projects	Merged Project Area									1,000			

ATTACHMENT "1"

Rev: 1

City of Monterey Park
Success Agency Administrative Costs - 2012-2013

Object	ROPS Item #	Name	ROPS II 1/2 Year SA Total	ROPS III 1/2 Year SA Total	City SA Budget
Successor Agency (Activity 1203)					
11200/		Salaries & Benefits			
		Donna Ramirez (50%)	20,000	20,000	40,000
		Annie Yaung (20%)	17,747	17,747	35,494
		Shirley Tung (10%)	4,400	4,400	8,800
		Paul Talbot (20%)	20,771	20,771	41,542
11300 / 12...		P.T. Clerk - Salaries & Benefits	7,000	7,000	14,000
11500		Separation Benefits / OPEB	0	0	0
21250		Office Paper	0	0	0
21350		Toners & Imaging Units	0	0	0
32050		Telephone	0	0	0
32200		Postage / Messenger Service	200	200	400
33200		Oversight Board Meetings -SA	0	0	0
34050		Legal Noticing	200	200	400
37500		Office Copy Machine Rental & Support Services	1,000	1,000	2,000
37600		Building Rental			0
38400		Website-Network, IT Support	0	0	0
39250		Printing & Duplicating, Check Stocks	0	0	0
39400		SA Education/Training/ Meeting	0	0	0
31600		Atlantic Times Square DIR Litigation Costs - Paul Plevins LLP (Appeal)		0	0
Sub-Total (Original Admin Budget)			71,318	71,318	142,636
31600	3	Attorney Services - Jenkins & Hugin, LLP	35,000	35,000	70,000
31600	4	Oversight Board Attorney Services	0	0	0
31950	2	Consulting Services - Chester Yoshizaki	15,000	15,000	30,000
31950	23	Consulting Services for SA - Rosenow Spevacek Group, Inc.	3,682	3,682	7,364
Sub-Total (Per DOF Letter)			53,682	53,682	107,364
Administration Budget - Total			125,000	125,000	250,000

Successor Agency Contact Information

Name of Successor Agency: Monterey Park Successor Agency
County: Los Angeles

Primary Contact Name: Donna Ramirez, Acting Econ Spec.
Primary Contact Title: 320 West Newmark Avenue, Monterey
Address: Park, CA 91754
Contact Phone Number: 626-307-1385
Contact E-Mail Address: dramirez@montereypark.ca.gov

Secondary Contact Name: Annie Yaung
Secondary Contact Title: Financial Services Manager
Secondary Contact Phone Number: 626-307-1349
Secondary Contact E-Mail Address: ayaung@montereypark.ca.gov

Revision 1 (11-21-12)

RESOLUTION NO. ____

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE MONTEREY PARK REDEVELOPMENT AGENCY AMENDING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE AND ADMINISTRATIVE BUDGET FOR JANUARY THROUGH JUNE 2013 AND ADMINISTRATIVE BUDGET FOR JULY THROUGH DECEMBER 2012 PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177

The City Council for the City of Monterey Park acting on behalf of the Successor Agency to the Monterey Park Redevelopment Agency ("Successor Agency") does resolve as follows:

Section 1. The City Council finds and declares that:

- A. On February 15, 2012, the Successor Agency adopted an Initial Recognized Obligation Schedule covering February 1, 2012 through June 30, 2012 and a Recognized Obligation Schedule for the period from July 1, 2012 through December 31, 2012, which describe the dates and amounts of scheduled payments for each enforceable obligation of the Successor Agency for the identified time period and identify the funding source to pay each obligation;
- B. Pursuant to Health & Safety Code § 34180, on May 4, 2012, the Oversight Board for the Successor Agency ("Oversight Board") approved an Initial Recognized Obligation Payment Schedule for the period from February 1, 2012 through June 30, 2012 and a Recognized Obligation Payment Schedule for the period from July 1, 2012 through December 31, 2012, and submitted the Recognized Obligation Payment Schedules to the Department of Finance ("DOF") and State Controller;
- C. On May 16, 2012, DOF notified the Successor Agency that one line item on the Recognized Obligation Payment Schedules would not be approved: the deferred payments paid by the Redevelopment Agency to the low and moderate income housing set aside fund ("LMI Fund"), included as line 17 on the January – June ROPS 2012 and line 19 on the July – December ROPS 2012 approved by the Oversight Board. Upon deletion of the one line item, DOF indicated that no further clarification on the ROPS was necessary and approved the ROPS;
- D. On June 15, 2012, the Oversight Board ratified the 2012 ROPS as approved by DOF;
- E. On July 18, 2012, the Successor Agency adopted a Recognized Obligation Payment Schedule and administrative budget for the period from January 1, 2013 through June 30, 2013 (the "Third ROPS");
- F. On August 17, 2012, the Oversight Board approved the Third ROPS, and submitted the Third ROPS to the DOF and State Controller;
- H. On October 11, 2012, DOF issued a letter of determination on the Third ROPS, objecting to certain items as either (i) obligations that should be included in the

Successor Agency's administrative budget; (ii) obligations that should be performed and funded by the City of Monterey Park, as the Housing Successor Agency; or (iii) an obligation arising from an agreement between the Successor Agency and City invalidated by AB x1 26;

- I. On October 17, 2012; the Successor Agency requested a meet and confer with DOF to further discuss two disputed items on the Third ROPS: Item No. 15, regarding payments due to the City's retirement fund established by voter initiative, and Item No. 22, concerning property maintenance fees for properties to be sold by the Successor Agency. These items remain on the Third ROPS pending resolution by the Successor Agency and DOF; and
- J. The Successor Agency desires to amend the Third ROPS and administrative budget for January through June 2013, and the administrative budget for July through December 2012, consistent with DOF's determination of the remaining items that are not in dispute between the parties.

Section 2. *Amended Recognized Obligation Payment Schedule and Administrative Budget for January through June 2013.* The Successor Agency hereby amends the Recognized Obligation Payment Schedule for the period from January 1, 2013 through June 30, 2013, attached as Exhibit A to this Resolution, and Successor Agency Administrative Budget for the period from January 1, 2013 through June 30, 2013, attached as Exhibit B to this Resolution.

Section 3. *Amended Administrative Budget for July through December 2012.* The Successor Agency hereby amends the Successor Agency Administrative Budget for the period from July 1, 2012 through December 31, 2012, attached as Exhibit B to this Resolution.

Section 4. *Authorization.* The officers and staff of the Successor Agency are hereby authorized and directed, jointly and severally, to do any and all things which they may deem necessary or advisable to effectuate this Resolution, including but not limited to posting the ROPS and administrative budget on the Successor Agency's website and submitting the ROPS and administrative budget to the county administrative officer, county-auditor-controller, DOF, and State Controller's Office in the manner required by Health & Safety Code Section 34177.

Section 5. *Amendment.* The ROPS and administrative budget may be amended from time to time at any public meeting of the Successor Agency upon subsequent approval by the Oversight Board.

Section 6. *Environmental Determination.* This Resolution is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 2100, et seq., "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures to implement government funding mechanisms; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Resolution does not constitute a "project" that requires environmental review (see specifically 14 CCR § 15378(b)(4-5)).

Section 7. *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the Successor Agency and applicable law. The findings and determinations constitute the independent findings and determinations of the Successor Agency in all respects and are fully and completely supported by substantial evidence in the record as a whole.

Section 8. *Summaries of Information.* All summaries of information in the findings, which precede this Section, are based on the substantial evidence in the record including, without limitation, verbal and documentary evidence submitted to the Successor Agency. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

Section 9. The City Clerk is directed to certify the adoption of this Resolution; record this Resolution in the book of the Successor Agency's original resolutions; and make a minute of the adoption of the Resolution in the Successor Agency's records and the minutes of this meeting.

Section 10. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED, APPROVED, AND ADOPTED this 21st day of November, 2012.

Mitchell Ing, Mayor

ATTEST:

David Barron
City Clerk

I HEREBY CERTIFY that the above and foregoing ordinance was duly passed and adopted by the Successor Agency to the Monterey Park Redevelopment Agency at its regular meeting held on the 21st day of November, by the following vote, to wit:

AYES;
NOES;
ABSENT:

Staff Report City of Monterey Park

November 21, 2012

To: Paul Talbot, City Manager

From: Annie Yaung, CPFO, Financial Services Manager

Subject: Warrant Register for Housing Successor Agency to the Former
Community Redevelopment Agency of November 21, 2012

The claims and demands on the attached warrant register have been duly audited. I certify that the said claims and demands are accurate, are proper charges against the City of Monterey Park, Acting as the Housing Successor Agency to the Former Community Redevelopment Agency (Housing SA). I also certify that there are monies available for the payments thereof. Please note that amounts being paid by the Housing SA funds in this warrant register represented expenditures incurred, which are pending for approval by the Oversight Board.

Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered 52-54 (Housing SA).

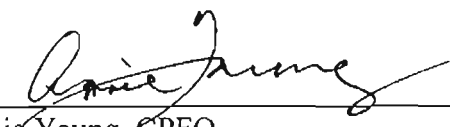
Fiscal Impact

Disbursements from the Housing Successor Agency fund total \$11,048.30.

Recommendation

Adopt the Housing Successor Agency Resolution approving payment of warrants.

By: _____


Annie Yaung, CPFO
Financial Services Manager

Approval: _____


Paul Talbot
City Manager

RESOLUTION NO. HOUSING SA-_____

**A RESOLUTION OF THE
HOUSING SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY
ALLOWING CERTAIN CLAIMS AND DEMANDS
PER WARRANT REGISTER DATED 21ST DAY OF NOVEMBER 2012
TOTALING \$11,048.30 AND SPECIFYING THE FUNDS OUT
OF WHICH THE SAME ARE TO BE PAID**

THE HOUSING SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY
DOSE RESOLVE AS FOLLOWS:

SECTION 1. That the following claims and demands have been audited and that the same
are hereby allowed from various funds in the following amounts:

Housing Successor Agency	\$ 11,048.30
Total	<u>\$ 11,048.30</u>

PASSED, APPROVED AND ADOPTED THE 21ST DAY OF NOVEMBER 2012.

Mitchell Ing
City of Monterey Park,
California

ATTEST:

David M. Barron, CMC, City Clerk
City of Monterey Park,
California

Resolution No. SA-_____
Page 2

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
HOUSING SUCCESSOR AGENCY TO THE FORMER COMMUNITY REDEVELOPMENT AGENCY)
OF CITY OF MONTEREY PARK)

I hereby certify that this resolution was duly adopted by the
Housing Successor Agency to the Former Community Redevelopment Agency,
at a regular meeting held on the 21st day of November 2012 by the following vote.

AYES:
NOES:
ABSTAIN:
ABSENT:

David M. Barron, CMC, City Clerk
City of Monterey Park,
California

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

4

PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
SOUTHERN CALIFORNIA EDISON CO.	0880-701-0880-05451	95.32	ELECTRICITY-325 E.POMONA		52	
	0880-701-0880-05451	5.32	ELECTRICITY-371 E.POMONA		52	
						100.64
	TOTAL FOR PREPAID WARRANTS					100.64

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

5

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
FOUR SEASONS CONSTRUCTION	0880-701-0880-05451	196.35	COMM REHAB-325 E.POMONA		53	
	0880-701-0880-05454	39.00	COMM REHAB-321 E.POMONA		53	
	0880-701-0880-05455	52.65	COMM REHAB-534 CHANDLER		53	
						288.00
JWA URBAN CONSULTANTS INC	0880-801-1204-31950	6,620.41	CONSULTING SERVICES	70408	54	
	0880-801-1204-31950	4,039.25	CONSULTING SERVICES	70408	54	
						10,659.66
	TOTAL FOR PRINTED WARRANTS					10,947.66

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

6

TOTAL FOR PREPAID WARRANTS	100.64
TOTAL FOR PRINTED WARRANTS	10,947.66
TOTAL WARRANTS	11,048.30
TOTAL VOID CHECKS	0
TOTAL PREPAID CHECKS	1
TOTAL CHECKS PRINTED	2
TOTAL CHECKS ISSUED	3

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012
FUND SUMMARY

7

FUND	DESCRIPTION	PREPAID	PRINTED	TOTAL
0880	CITY/HOUSING SUCCESSOR AGENCY	100.64	10,947.66	11,048.30
	TOTAL	100.64	10,947.66	11,048.30

Staff Report City of Monterey Park

November 21, 2012

To: Paul Talbot, City Manager

From: Annie Yaung, CPFO, Financial Services Manager

Subject: Warrant Register for the City of Monterey Park of November 21, 2012

The claims and demands on the attached warrant register have been duly audited. I certify that the said claims and demands are accurate, are proper charges against the City of Monterey Park. I also certify that there are monies available for the payments thereof.

Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered 290174-290411.

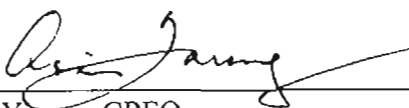
Fiscal Impact

Disbursements from all funds total \$546,287.87.

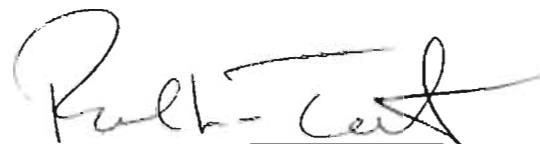
Recommendation

Adopt City Resolutions approving payment of warrants.

By: _____


Annie Yaung, CPFO
Financial Services Manager

Approval: _____


Paul Talbot
City Manager

RESOLUTION NO.
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS
PER WARRANT REGISTER DATED 21ST DAY OF NOVEMBER 2012
TOTALING \$546,287.87 AND SPECIFYING THE FUNDS OUT
OF WHICH THE SAME ARE TO BE PAID

THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DOES RESOLVE:

SECTION 1. That the following claims and demands have been audited and that the same are hereby allowed from various funds in the following amounts:

General Fund	\$ 135,453.87
State Gas Tax Fund	1,059.52
Refuse Fund	16,536.09
City Shop Fund	35,941.29
General Liability Fund	46,015.48
Technology Internal Service Fund	1,941.50
Public Safety Impact Fee	702.27
Special Deposits Fund	10,907.00
Business Improvement Area #1	1,878.45
Workers Comp. Fund	6,666.67
Water Fund	53,104.20
Water Treatment Fund	17,166.19
OPA Proposition A	15,956.41
Measure R Fund	613.75
Library Tax Fund	1,104.09
POST	367.52
Home Housing Program	20,317.85
Recreation Fund	26,751.16
Asset Forfeiture	21,729.27
Cal Library Literacy Svc Grant	90.40
Air Quality Improvement Fund	60.00
Prop C	4,671.71
CDBG Fund	6,850.59
Maintenance District 93-1	172.99
Used Oil Recycling Block Grant	1,342.50
SAFETEA-LU Grant	3,925.84
Maintenance Grant (075)	1,300.00
MTA Grant (Montebello)	8,198.44
MTA (TEA21 Special Grant)	92,248.04
ELAC Instructional Serv Prog	38.01
EEC Block Grant	2,029.50
Target Grant (2010)	362.43
Sustainable Comm Planning	10,784.84
 TOTAL	 <u>\$ 546,287.87</u>

PASSED, APPROVED AND ADOPTED THE 21ST DAY OF NOVEMBER 2012.

Mitchell Ing
City of Monterey Park, California

ATTEST

David M. Barron, CMC, City Clerk
City of Monterey Park, California

RESOLUTION NO. 11220

Page 2

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY COUNCIL OF THE)
CITY OF MONTEREY PARK)

I hereby certify that the foregoing Resolution was adopted by the City Council of the City of Monterey Park at a regular meeting held on the 21st day of November 2012 by the following vote of the Council:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSTAINED:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:

David M. Barron, CMC, City Clerk
City of Monterey Park, California

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

4

PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
AMC CARD PROCESSING SERVICES INC	0075-450-0075-08370	725.00	EMPLOYEE SVCS PROGRAM(TRUST)		290174	725.00
AT & T	0010-801-3113-32050	35.35	10/12 PHONE SERVICE		290175	35.35
AT & T MOBILITY (DBA)	0071-801-3201-39460	154.80	FIRE-EOC SATELLITE PHONE		290176	154.80
AT&T	0010-801-3201-32050	925.34	INTERNET/PHONE SERVICE		290177	6,359.33
	0010-801-6502-32050	139.72	INTERNET/PHONE SERVICE		290177	
	0010-801-6517-32050	55.32	INTERNET/PHONE SERVICE		290177	
	0010-801-1301-32050	14.84	INTERNET/PHONE SERVICE		290177	
	0010-801-3112-32050	4,081.62	INTERNET/PHONE SERVICE		290177	
	0010-801-3113-32050	14.63	INTERNET/PHONE SERVICE		290177	
	0010-801-3114-41100	16.00	INTERNET/PHONE SERVICE		290177	
	0010-801-4209-32050	245.57	INTERNET/PHONE SERVICE		290177	
	0092-801-4220-32050	198.10	INTERNET/PHONE SERVICE		290177	
	0092-801-4222-32050	668.19	INTERNET/PHONE SERVICE		290177	
	0022-801-4206-32050	296.10	INTERNET/PHONE SERVICE		290191	571.02
	0109-801-6511-32050	66.47	INTERNET/PHONE SERVICE		290191	
	0010-801-6001-32050	193.09	INTERNET/PHONE SERVICE		290191	
	0010-801-1801-32050	15.36	INTERNET/PHONE SERVICE		290191	
CHARTER COMMUNICATIONS	0010-801-3201-32050	557.33	INTERNET/CABLE SERVICE		290192	557.33
	0010-801-6502-32050	39.40	INTERNET/CABLE SERVICE	70228	290178	159.30
	0010-801-6502-32050	40.25	INTERNET/CABLE SERVICE	70227	290178	
	0010-801-6502-32050	39.40	INTERNET/CABLE SERVICE	70228	290178	
	0010-801-6502-32050	40.25	INTERNET/CABLE SERVICE	70227	290178	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

5

PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
CHARTER COMMUNICATIONS	0010-801-6003-38400	89.60	INTERNET/CABLE SERVICE		290193	89.60
DAN COSTLEY	0075-450-0075-08915	350.00	CLEAN-UP DAY SUPPLIES (TRUST)		290179	350.00
DIAZ-RDC CONSTRUCTION, INC	0152-801-2206-38650	11,700.00	HOUSING REHAB-162 E.GRAVES	70355	290180	11,700.00
DIVERSIFIED RISK INSURANCE	0075-450-0075-08350	252.04	SPECIAL EVENT INSURANCE (TRUST)		290181	252.04
E C CONSTRUCTION CO.	0109-801-5003-91750	15,845.03	ELAC TRANSIT CENTER	70335	290194	120,217.35
	0347-801-5003-91750	92,248.04	ELAC TRANSIT CENTER	70335	290194	
	0345-801-5003-91750	8,198.44	ELAC TRANSIT CENTER	70335	290194	
	0342-801-5003-91750	3,925.84	ELAC TRANSIT CENTER	70335	290194	
THE GALE GROUP	0131-801-6006-40000	218.83	BOOK(S) 1		290195	437.42
	0131-801-6006-40000	218.59	BOOK(S) 1		290195	
TROY GRANT	0075-450-0075-08420	800.00	EXPLORERS SUPPLIES (TRUST)		290196	800.00
LIEBERT CASSIDY WHITMORE	0010-801-1801-39400	175.00	GROUP TRAINING		290182	175.00
MERCI	0169-801-2201-41250	1,250.00	COMMUNITY PROGRAM	70414	290197	1,250.00
MONTEREY PARK PETTY CASH	0010-801-3205-21200	65.23	PETTY CASH-OFFICE SUPPLIES		290183	183.98
	0092-801-4210-23050	21.75	PETTY CASH-SUPPLIES		290183	
	0010-801-6508-31990	53.82	PETTY CASH-SUPPLIES		290183	
	0152-801-2206-31850	16.00	PETTY CASH-RECORDING		290183	
	0010-801-3210-22750	27.18	PETTY CASH-SUPPLIES		290183	
	0165-801-4201-11700	60.00	PETTY CASH-PARKING		290198	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

6

PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
MONTEREY PARK PETTY CASH	0010-801-1201-39400	12.33	PETTY CASH-MILEAGE		290198	
	0092-801-4222-31950	8.57	PETTY CASH-REFRESHMENTS		290198	
	0010-801-1403-39400	21.09	PETTY CASH-MILEAGE		290198	
	0022-801-4202-24100	39.42	PETTY CASH-REFRESHMENTS		290198	
	0092-801-4221-23700	60.80	PETTY CASH-REFRESHMENTS		290198	
	0010-801-1403-21350	3.29	PETTY CASH-SUPPLIES		290198	
						205.50
ON TRAC	0010-801-1701-32200	11.76	COURIER SERVICES		290199	
						11.76
PACIFIC TELEMAGEMENT SERVICES	0010-801-6502-32050	228.00	PHONE SERVICE		290200	
	0010-801-6502-32050	228.00	PHONE SERVICE		290200	
						456.00
PITNEY BOWES POSTAGE BY PHONE	0010-801-1301-32200	2.75	POSTAGE		290201	
	0010-801-1403-32200	242.90	POSTAGE		290201	
	0010-801-1406-32200	171.35	POSTAGE		290201	
	0010-801-1407-32200	8.10	POSTAGE		290201	
	0010-801-1701-32200	109.40	POSTAGE		290201	
	0010-801-1702-32200	142.35	POSTAGE		290201	
	0010-801-1703-32200	27.95	POSTAGE		290201	
	0010-801-1801-32200	93.39	POSTAGE		290201	
	0010-801-1802-32200	65.00	POSTAGE		290201	
	0010-801-3101-32200	52.70	POSTAGE		290201	
	0010-801-3102-32200	17.24	POSTAGE		290201	
	0010-801-3104-32200	20.30	POSTAGE		290201	
	0010-801-3111-32200	606.85	POSTAGE		290201	
	0010-801-3113-32200	43.35	POSTAGE		290201	
	0010-801-3114-32200	135.65	POSTAGE		290201	
	0010-801-3120-32200	79.67	POSTAGE		290201	
	0010-801-3201-32200	25.61	POSTAGE		290201	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

7

PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
PITNEY BOWES POSTAGE BY PHONE	0010-801-3205-32200	72.41	POSTAGE		290201	
	0010-801-3210-32200	21.00	POSTAGE		290201	
	0010-801-3220-32200	18.44	POSTAGE		290201	
	0010-801-4209-32200	6.30	POSTAGE		290201	
	0010-801-6001-32200	99.35	POSTAGE		290201	
	0010-801-6502-32200	102.80	POSTAGE		290201	
	0043-801-1201-32200	52.93	POSTAGE		290201	
	0043-801-4212-32200	215.66	POSTAGE		290201	
	0060-801-4211-32200	1.80	POSTAGE		290201	
	0075-450-0075-09230	95.15	POSTAGE		290201	
	0077-801-1111-31950	0.45	POSTAGE		290201	
	0092-801-1201-32200	221.71	POSTAGE		290201	
	0092-801-4221-32200	47.25	POSTAGE		290201	
	0092-801-4223-32200	1.80	POSTAGE		290201	
						2,801.61
REGAL ENTERTAINMENT GROUP	0075-450-0075-08370	700.00	EMPLOYEE SVCS PROGRAM(TRUST)		290184	
	0010-801-1801-32200	8.00	EMPLOYEE SVCS PROGRAM		290184	
						708.00
REYES ATHLETICS	0010-801-6502-22310	313.20	RECREATION-STAFF T SHIRTS		290185	
						313.20
	0075-450-0075-08915	761.25	CLEAN-UP DAY T-SHIRT(TRUST)		290202	
						761.25
ROBERT ELGUEZABAL AND	0062-801-5101-35650	25,000.00	CLAIM SETTLEMENT		290186	
						25,000.00
TERESA REAL SEBASTIAN	0010-801-1101-33200	61.00	REIMBURSE PARKING		290187	
						61.00
SOPHIE NIU	0062-801-5101-35650	3,574.70	CLAIM SETTLEMENT		290188	
						3,574.70
SOUTHERN CALIFORNIA EDISON CO.	0152-701-0152-05451	64.89	ELECTRICITY-325 E.POMONA		290203	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

8

PREPAID WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
SOUTHERN CALIFORNIA EDISON CO.	0152-701-0152-05453	70.68	ELECTRICITY-341 E.POMONA		290203	
	0152-701-0152-05452	83.28	ELECTRICITY-371 E.POMONA		290203	
						218.85
SPRINT CORPORATION	0160-801-3115-38400	1,065.47	POLICE DATA SERVICE	70217	290189	
						1,065.47
UNITED STATES POST OFFICE	0092-801-4221-32200	10,000.00	POSTAGE-WATER BILLS		290204	
						10,000.00
VERIZON WIRELESS	0092-801-4222-32050	190.05	WIRELESS DATA SERVICE		290190	
						190.05
	0010-801-3220-32050	227.50	WIRELESS DATA SERVICE		290205	
	0349-801-3201-39400	38.01	WIRELESS DATA SERVICE		290205	
	0010-801-3210-32050	173.65	WIRELESS DATA SERVICE		290205	
	0010-801-3210-32050	36.67	WIRELESS DATA SERVICE		290205	
						475.83
TOTAL FOR PREPAID WARRANTS						189,860.74

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

9

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
A & J PORTABLE RESTROOM INC	0075-450-0075-08915	2,900.00	FARMERS MARKETRESTROOM (TRUST)	70075	290206	2,900.00
A V BINGO	0075-450-0075-08550	276.89	LANGLEY BINGO GAME (TRUST)		290207	276.89
DANIEL ABARCA	0092-801-4220-39400	90.00	CERTIFICATE RENEWAL		290208	90.00
MARIO ABASOLO	0010-801-3101-22670	25.00	POLICE 5-K RUN		290209	25.00
ACTION SALES (DBA)	0010-801-3210-24300	500.84	FIRE CULINARY SUPPLIES	70162	290210	500.84
ADVANCE PEST TERMITE CONTROL	0010-801-3210-22750	44.00	PEST CONTROL	70163	290211	254.00
	0010-801-3210-22750	33.00	PEST CONTROL	70163	290211	
	0010-801-3210-22750	39.00	PEST CONTROL	70163	290211	
	0010-801-3113-38100	39.00	PEST CONTROL	70202	290211	
	0010-801-3113-38100	39.00	PEST CONTROL	70202	290211	
	0010-801-3104-31950	60.00	PEST CONTROL		290211	
AECOM TECHNICAL SERVICES, INC	0420-801-5002-96022	529.50	CLIMATE ACTION PLAN		290212	2,029.50
	0420-801-5002-96022	1,500.00	CLIMATE ACTION PLAN		290212	
AETNA HEALTHCARE OF CALIF.	0010-701-0010-07960	49.64	REFUND AMBULANCE FEE		290213	49.64
AFFILIATED SYSTEMS, INC.	0010-801-1801-39550	54.00	FUL SHOTS SWORN PERSONNEL		290214	54.00
AGENCIES TOOL CENTER, INC.	0060-801-4211-24100	375.00	FLEET TOOL	70009	290215	330.89
	0060-801-4211-24100	44.11-	FLEET TOOL-CREDIT	70009	290215	
AIR EXCHANGE, INC	0010-801-3210-38400	335.51	FIRE REPAIR ENGINE 63	70404	290216	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

10

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						335.51
CITY OF ALHAMBRA	0109-801-4201-31960	44.91	CNG FUEL	70015	290217	44.91
AMTECH ELEVATOR SERVICES	0010-801-6001-38100	645.99	ELEVATOR MAINTENANCE		290218	645.99
ANIMAL CARE EQUIPMENT	0010-801-3111-22750	153.64	ANIMAL CONTROL SUPPLIES		290219	153.64
APPLIED TECHNOLOGY GROUP INC	0093-801-4229-23300	1,573.06	WATER COMMUNICATION EQUIP	70359	290220	1,573.06
ARC IMAGING RESOURCE - CALIFORNIA	0092-801-4212-37500	252.37	ENGINEERING PRINTER MAINT.		290221	252.37
ARGIL BLDG. MATERIAL CO.	0010-801-4202-22400	61.99	CONCRETE	70089	290222	307.22
	0010-801-4202-22400	245.23	CONCRETE	70089	290222	
DOLORES ARREDONDO	0159-801-6507-31920	382.20	INSTRUCTOR-RECREATION CLASS		290223	382.20
ASTRO PLUMBING SUPPLY CO (DBA)	0092-801-4210-38100	502.36	PLUMBING SUPPLIES	70096	290224	1,066.20
	0092-801-4210-38100	125.23	PLUMBING SUPPLIES	70096	290224	
	0092-801-4210-38100	24.88-	PLUMBING SUPPLIES-CREDIT	70096	290224	
	0092-801-4210-38100	463.49	PLUMBING SUPPLIES		290224	
ATHENS SERVICES	0344-801-5002-99290	1,300.00	SPECIALTY COMMON AREA MAINT.	70080	290225	1,300.00
AUTOMATIC STOREFRONT SERVICE	0092-801-4210-38100	157.00	DOOR REPAIR		290226	157.00
AWWA	0092-801-4220-39300	3,283.00	WATER MEMBERSHIP	70145	290227	3,283.00
B & K ELECTRIC WHOLESALE	0093-801-4229-23300	362.56	ELECTRICAL SUPPLIES	70141	290228	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

11

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
B & K ELECTRIC WHOLESale	0092-801-4222-23300	358.51	ELECTRICAL SUPPLIES	70141	290228	
	0092-801-4222-23400	243.82	ELECTRICAL SUPPLIES	70141	290228	
	0093-801-4229-23300	485.46	ELECTRICAL SUPPLIES	70141	290228	
	0093-801-4229-23300	677.30	ELECTRICAL SUPPLIES	70141	290228	
	0093-801-4229-23300	4,081.39	ELECTRICAL SUPPLIES	70141	290228	6,209.04
B W GRAPHICS	0010-801-1101-39250	337.13	BUSINESS CARDS		290229	337.13
BATTERY SYSTEMS, INC	0060-801-4211-23500	485.37	FLEET BATTERIES	70012	290230	485.37
JASON BINGHAM	0075-450-0075-08200	500.00	REFUND BOND DEPOSIT (TRUST)		290231	500.00
BISHOP COMPANY	0176-801-6516-24100	172.99	SUPPLIES	70283	290232	172.99
BOB BARKER CO., INC.	0010-801-3113-22600	173.98	POLICE SUPPLIES	70204	290233	173.98
BOB MURRAY AND ASSOCIATES	0010-801-1801-31950	2,224.18	CITY LIBRARIAN RECRUITMENT		290234	2,224.18
BRADY,VORWERCK,RYDER & CASPINO	0062-801-5101-31600	867.43	CLAIM SERVICE-J.BARRAGAN		290235	
	0062-801-5101-31600	3,565.57	CLAIM SERVICE-R.ELGUEZABAL		290235	
	0062-801-5101-31600	228.82	CLAIM SERVICE-S.GHOLAMM		290235	
	0062-801-5101-31600	195.00	CLAIM SERVICE-S.GHOLAMM		290235	
	0062-801-5101-31600	566.31	CLAIM SERVICE-K.KLEIN		290235	5,423.13
BRODART COMPANY	0010-801-6002-40000	5,301.56	LIBRARY BOOKS	70397	290236	5,301.56
CAAD LLC	0092-801-4221-32200	612.60	WATER MAILING SERVICE		290237	612.60
CALIFORNIA POLICE CHIEFS ASSOC	0010-801-3101-39350	40.00	POLICE MEMBERSHIP		290238	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

12

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						40.00
CARE 1ST HEALTH PLAN	0010-701-0010-07960	117.02	REFUND AMBULANCE FEE		290239	117.02
CARL WARREN & COMPANY	0062-801-5101-35600	423.23	LIABILITY CLAIM-K.KLEIN		290240	
	0062-801-5101-35600	47.03	LIABILITY CLAIM-T.VERA-RIGO		290240	
	0062-801-5101-35600	1,010.42	LIABILITY CLAIM-R.ELGUEZABAL		290240	
	0062-801-5101-35600	752.40	LIABILITY CLAIM-M.GARCIA		290240	
	0062-801-5101-35600	462.55	LIABILITY CLAIM-R.MAGDOLENO		290240	2,695.63
VANDALIN CHAN	0010-701-0010-06120	160.00	REFUND BLDG INSPECTION FEE		290241	160.00
CHRISTOPHER A. WILLS MD	0062-801-5101-35650	1,675.00	PROFESSIONAL SERVICES-K.KLEIN		290242	1,675.00
CINTAS CORPORATION	0092-801-4221-22300	38.66	UNIFORMS		290243	
	0092-801-4222-22300	87.46	UNIFORMS		290243	
	0092-801-4223-22300	83.46	UNIFORMS		290243	
	0092-801-4221-22300	38.66	UNIFORMS		290243	
	0092-801-4222-22300	67.92	UNIFORMS		290243	
	0092-801-4223-22300	77.30	UNIFORMS		290243	393.46
CITY OF LA MIRADA	0166-801-4201-31960	3,838.71	VEHICLE LEASE 8-11/12	70409	290244	3,838.71
COBRA FIRE PROTECTION	0010-801-3210-38400	208.35	FIRE EXTINGUISHERS		290245	
	0010-801-3210-38400	123.03	FIRE EXTINGUISHERS		290245	331.38
COME LAND MAINTENANCE COMPANY	0010-801-3113-38250	1,958.33	10/12-JANITORIAL SERVICE	70205	290246	
	0010-801-6517-38250	75.00	9/12-JANITORIAL SERVICE	70287	290246	
	0010-801-6502-38250	605.00	7/12-JANITORIAL SERVICE	70226	290246	
	0010-801-6502-38250	605.00	8/12-JANITORIAL SERVICE	70226	290246	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

13

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
COME LAND MAINTENANCE COMPANY	0010-801-6502-38250	775.00	9/12-JANITORIAL SERVICE	70226	290246	
	0010-801-6502-38250	605.00	10/12-JANITORIAL SERVICE	70226	290246	
	0010-801-6502-38250	400.00	8/12-JANITORIAL SERVICE	70225	290246	
	0010-801-6502-38250	400.00	7/12-JANITORIAL SERVICE	70225	290246	
	0010-801-6502-38250	648.50	9/12-JANITORIAL SERVICE	70225	290246	
	0010-801-6502-38250	548.00	10/12-JANITORIAL SERVICE	70229	290246	
	0060-801-4211-38400	140.00	10/12-JANITORIAL SERVICE		290246	
	0010-801-6502-38250	50.00	7/12-JANITORIAL SERVICE	70297	290246	
	0010-801-6502-38250	50.00	8/12-JANITORIAL SERVICE	70297	290246	
	0010-801-6502-38250	200.00	9/12-JANITORIAL SERVICE	70297	290246	
						7,059.83
COMMUNITY PARTNERS	0159-801-6507-31920	165.75	INSTRUCTOR-RECREATION CLASS		290247	
						165.75
CONTOUR SEATS INC	0075-450-0075-08895	603.13	RECREATION SUPPLIES (TRUST)		290248	
						603.13
CHRISTOPHER CONTRERAS	0010-701-0010-03610	150.00	REFUND WITNESS FEE		290249	
						150.00
COPY QUEST INC	0062-801-5101-35650	111.24	CLAIM EXPENSE-K.KLEIN		290250	
	0062-801-5101-35650	75.83	CLAIM EXPENSE-K.KLEIN		290250	
						187.07
CORVEL ENTERPRISE COMP INC	0080-801-8301-20000	6,666.67	WORKER'S COMP ADMIN FEE	70200	290251	
						6,666.67
COSTCO WHOLESALE	0010-801-1407-39300	110.00	MEMBERSHIP		290252	
						110.00
COUNTY OF LOS ANGELES	0075-450-0075-08400	120.00	SENIOR PET LICENSE (TRUST)		290253	
						120.00
CSMFO	0010-801-1403-39300	220.00	CSMFO MEMBERSHIP		290254	
						220.00
DELL MARKETING LP	0063-850-5002-99055	173.87	POLICE COMPUTER SUPPLIES		290255	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

14

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						173.87
DEMCO INC.	0423-801-6006-22450	362.43	LIBRARY SUPPLIES		290256	362.43
LI ADAM DENG	0010-801-3101-22670	25.00	POLICE 5-K RUN		290257	25.00
DEPARTMENT OF JUSTICE	0010-801-1801-39550	96.00	FINGERPRINT PROCESSING		290258	96.00
JOE DIAZ	0075-450-0075-08200	500.00	REFUND BOND DEPOSIT (TRUST)		290259	500.00
DUKE'S LANDSCAPING INC.	0022-801-4202-31950	349.00	GARDENING SERVICES		290260	349.00
E.R.S. SECURITY ALARM SYSTEMS,	0010-801-6001-38100	135.00	LIBRARY SECURITY SYSTEM		290261	135.00
DEAN N EDDOW	0159-801-6507-31920	651.70	INSTRUCTOR-RECREATION CLASS		290262	651.70
EMPIRE CLEANING SUPPLY	0010-801-6502-22150	109.86	JANITORIAL SUPPLIES	70231	290263	1,467.47
	0010-801-6502-22150	559.10	JANITORIAL SUPPLIES	70231	290263	
	0010-801-4210-22150	560.17	JANITORIAL SUPPLIES	70104	290263	
	0010-801-6517-22150	238.34	JANITORIAL SUPPLIES	70249	290263	
EVCOR COPPER PLUMBING, INC.	0075-450-0075-08200	500.00	REFUND BOND DEPOSIT (TRUST)		290264	500.00
FEDERAL EXPRESS CORP.	0010-801-4212-31500	51.35	DELIVERY SERVICE		290265	201.06
	0010-801-1201-33200	54.77	DELIVERY SERVICE		290265	
	0010-801-1201-33200	71.67	DELIVERY SERVICE		290265	
	0010-801-1201-33200	23.27	DELIVERY SERVICE		290265	
FILEKEEPERS, LLC	0010-801-1802-31950	189.76	STORAGE SERVICE		290266	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

15

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						189.76
FLINT STRATEGIES	0166-801-4201-39300	833.00	CONSULTATION-710 FWY		290267	833.00
CHAI FOSTERLING	0159-801-6507-31920	382.20	INSTRUCTOR-RECREATION CLASS		290268	382.20
FOUR SEASONS CONSTRUCTION	0152-701-0152-05455	12.35	COMM REHAB-534 N.CHANDLER		290269	
	0152-701-0152-05454	351.00	COMM REHAB-321 E.POMONA		290269	
	0152-701-0152-05451	133.65	COMM REHAB-325 E.POMONA		290269	497.00
FRANKIE DOMINGUEZ	0092-801-4220-39400	70.00	CERTIFICATE RENEWAL		290270	70.00
GALLADE CHEMICAL, INC.	0092-801-4222-23300	905.89	CHEMICAL	70368	290271	
	0092-801-4222-23300	452.94	CHEMICAL	70368	290271	1,358.83
GOVCONNECTION INC	0010-801-1403-22750	45.61	COMPUTER SUPPLIES		290272	
	0010-801-3103-22750	51.98	COMPUTER SUPPLIES		290272	97.59
GRAINGER	0093-801-4229-23300	528.04	SUPPLIES	70129	290273	
	0092-801-4210-23050	101.09	SUPPLIES	70078	290273	629.13
GRAND PRIX TIRE & AUTO CENTER	0060-801-4211-38400	50.00	FLEET REPAIR UNIT 057	70022	290274	
	0060-801-4211-38400	50.00	FLEET REPAIR UNIT 037	70022	290274	
	0060-801-4211-38400	50.00	FLEET REPAIR UNIT 996	70022	290274	
	0060-801-4211-38400	60.00	FLEET REPAIR UNIT 039	70022	290274	210.00
GREY HOUSE PUBLISHING	0010-801-6002-40000	148.50	BOOK(S) 1		290275	148.50
JIE GUO	0159-801-6507-31920	234.00	INSTRUCTOR-RECREATION CLASS		290276	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

16

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						234.00
HAROLD'S KEY SHOP, INC.	0010-801-3113-38400	127.46	KEY/LOCK SERVICES		290277	
	0092-801-4222-38100	106.75	KEY/LOCK SERVICES		290277	
	0092-801-4210-23050	658.34	KEY/LOCK SERVICES	70105	290277	
	0010-801-6502-38100	38.06	KEY/LOCK SERVICES	70233	290277	
						930.61
HARRINGTON INDUSTRIAL PLASTICS	0092-801-4222-23300	253.66	PLUMBING SUPPLIES	70137	290278	
						253.66
HD SUPPLY WATERWORKS, LTD.	0092-801-4223-23300	90.67	WATER SUPPLIES	70303	290279	
						90.67
HEALTH NET	0010-701-0010-07960	1,461.57	REFUND AMBULANCE FEE		290280	
						1,461.57
HEALTHFIRST MEDICAL GROUP	0010-801-1801-31900	331.50	PRE-EMPLOYMENT PHYSICALS		290281	
						331.50
HIGHSMITH LLC	0010-801-6001-21250	17.13	LIBRARY-SUPPLIES		290282	
						17.13
HINDERLITER, DE LLAMAS & ASSOC.	0010-801-1403-31400	1,050.00	CONTRACT SERVICES-SALES TAX	70004	290283	
	0010-701-0010-01500	119.59	CONTRACT SERVICES-SALES TAX		290283	
						1,169.59
FUNG HO	0010-701-0010-07960	1,461.61	REFUND AMBULANCE FEE		290284	
						1,461.61
HOGLE-IRELAND INC	0010-450-1701-02530	1,891.65	HOUSING ELEMENT	70245	290285	
						1,891.65
SONJA HOLLADAY	0159-801-6507-31920	4,008.37	INSTRUCTOR-RECREATION CLASS		290286	
	0159-801-6507-31920	2,839.20	INSTRUCTOR-RECREATION CLASS		290286	
						6,847.57
HOME DEPOT CREDIT SERVICES	0010-801-6517-23050	78.08	HARDWARE SUPPLIES	70251	290287	
	0092-801-4210-23050	72.02	HARDWARE SUPPLIES	70085	290287	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

17

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
HOME DEPOT CREDIT SERVICES	0092-801-4210-23050	162.04	HARDWARE SUPPLIES	70085	290287	
	0010-801-6517-23100	22.55	HARDWARE SUPPLIES		290287	334.69
HOWARD'S, INC.	0010-801-5002-88560	2,248.89	FIRE-REFRIGERATORS	70373	290288	2,248.89
MITCHELL INC	0010-801-1101-11100	80.00	MAYOR'S EXPENSES		290289	
	0092-801-1101-11100	60.00	MAYOR'S EXPENSES		290289	
	0043-801-1101-11100	60.00	MAYOR'S EXPENSES		290289	200.00
INTER VALLEY POOL SUPPLY	0010-801-6503-23050	223.84	POOL CHEMICAL	70315	290290	
	0010-801-6503-23050	638.04	POOL CHEMICAL	70315	290290	
	0010-801-6503-23050	240.74	POOL CHEMICAL	70315	290290	1,102.62
IP LEARNING CENTER	0159-801-6507-31920	1,706.25	INSTRUCTOR-RECREATION CLASS		290291	1,706.25
MARK ISHIDA	0159-801-6507-31920	450.20	INSTRUCTOR-RECREATION CLASS		290292	450.20
RANDY ISHINO	0010-801-6508-24150	170.50	REIMBURSE-EMAIL MARKETING SERV		290293	
	0010-801-6508-31950	81.50	REIMBURSE-EMAIL MARKETING SERV		290293	252.00
JAYVEE DANCE CENTER	0159-801-6507-31920	429.25	INSTRUCTOR-RECREATION CLASS		290294	429.25
JIM'S AUTOMOTIVE SERVICE	0060-801-4211-38400	49.95	SMOKE CHECK-UNIT 065	70028	290295	
	0060-801-4211-38400	49.95	SMOKE CHECK-UNIT 874	70028	290295	99.90
GUSTAVO JIMENEZ JR	0136-801-3101-33250	117.66	POST TRAINING		290296	117.66
PATRICIA JOE	0010-801-3111-31950	155.00	REFUND DOG TAG		290297	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012
PRINTED WARRANTS

18

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						155.00
JOHN L. HUNTER & ASSOC., INC.	0043-801-4203-31950	11,277.00	NPDES SERVICES	70332	290298	
	0184-801-4208-31950	617.50	USED OIL PROGRAM	70331	290298	
						11,894.50
HERBERT JOHNSON	0010-801-3101-22670	25.00	POLICE 5-K RUN		290299	
						25.00
JSE EMERGENCY MEDICAL GROUP, INC	0010-801-3220-39400	500.00	FIRE-MEDICAL CONSULTANT	70177	290300	
	0010-801-3220-39400	500.00	FIRE-MEDICAL CONSULTANT	70177	290300	
	0010-801-3220-39400	500.00	FIRE-MEDICAL CONSULTANT	70177	290300	
						1,500.00
JSE ENVIRONMENTAL SERVICES INC	0184-801-4208-31950	725.00	USED OIL GRANT SERVICE		290301	
						725.00
JWA URBAN CONSULTANTS INC	0169-801-2201-31850	3,109.59	CONSULTING SERVICES	70393	290302	
	0152-801-2206-31850	3,512.75	CONSULTING SERVICES	70393	290302	
	0169-801-2201-31850	2,491.00	CONSULTING SERVICES	70393	290302	
	0152-801-2206-31850	4,193.25	CONSULTING SERVICES	70393	290302	
						13,306.59
RICHARD KAGEYAMA	0159-801-6507-31920	279.00	INSTRUCTOR-RECREATION CLASS		290303	
						279.00
GABRIELA KASANJIAN	0159-801-6507-31920	305.60	INSTRUCTOR-RECREATION CLASS		290304	
						305.60
KNIGHT COMMUNICATIONS INC	0010-801-1301-38400	401.75	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0010-801-1404-38400	336.75	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0043-801-1404-38400	333.33	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0092-801-1404-38400	176.83	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0010-801-1701-38400	333.33	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0010-801-1702-38400	333.33	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0010-801-1703-38400	333.33	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0010-801-1801-38400	625.00	SYSTEM MANAGEMENT SERVICE	70000	290305	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

19

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
KNIGHT COMMUNICATIONS INC	0010-801-3115-38400	1,083.33	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0010-801-3201-38400	750.00	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0022-801-4202-38400	375.00	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0092-801-4210-38400	294.58	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0060-801-4211-38400	1,666.67	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0043-801-4212-38400	375.00	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0092-801-4220-38400	1,500.00	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0131-801-6001-38400	666.67	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0010-801-6502-38400	916.67	SYSTEM MANAGEMENT SERVICE	70000	290305	
	0160-801-3115-31700	10,250.00	SYSTEM MANAGEMENT SERVICE	70216	290305	
	0160-801-3115-31700	10,250.00	SYSTEM MANAGEMENT SERVICE	70216	290305	
						31,001.57
KNOWLES-MCNIFF	0010-801-1404-31700	845.83	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0043-801-1404-31700	4,222.17	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0092-801-1404-31700	4,520.83	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0010-801-3115-31700	716.67	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0010-801-3220-31700	250.00	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0092-801-4221-31700	1,184.17	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0093-801-4226-31700	253.75	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0093-801-4227-31700	296.08	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0093-801-4228-31700	253.75	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0093-801-4229-31700	236.83	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0093-801-4231-31700	304.50	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0093-801-4232-31700	253.75	FINANCE SOFTWARE MAINTENANCE	70001	290306	
	0010-801-6001-31700	961.67	FINANCE SOFTWARE MAINTENANCE	70001	290306	
						14,300.00
KUMAR & GERCHICK	0093-801-4226-31600	10.71	SEMOU LEGAL		290307	
	0093-801-4227-31600	10.71	SEMOU LEGAL		290307	
	0093-801-4228-31600	10.71	SEMOU LEGAL		290307	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

20

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
KUMAR & GERCHICK	0093-801-4229-31600	10.71	SEMOU LEGAL		290307	
	0093-801-4230-31600	10.72	SEMOU LEGAL		290307	
	0093-801-4231-31600	10.72	SEMOU LEGAL		290307	
	0093-801-4232-31600	10.72	SEMOU LEGAL		290307	75.00
AI HWA KUNG	0159-801-6507-31920	204.05	INSTRUCTOR-RECREATION CLASS		290308	204.05
LAWN MOWER CORNER/KNG POWER EQUIPME	0060-801-4211-23500	1,103.82	FLEET SUPPLIES	70029	290309	1,103.82
LEAD TECH ENVIRONMENTAL, INC.	0071-801-5004-99714	385.00	LEAD TESTING-329 W.NEWMARK		290310	385.00
LEAGUE OF CALIFORNIA CITIES	0010-801-1101-22670	70.00	CMO TRAINING		290311	70.00
CHIU SANG LEE	0159-801-6507-31920	724.50	INSTRUCTOR-RECREATION CLASS		290312	724.50
LETICIA ACEVES	0010-701-0010-07960	50.00	REFUND AMBULANCE FEE		290313	50.00
LEXISNEXIS RISK & INFORMATION ANAL	0010-801-3104-39100	175.00	POLICE DATABASE SERVICE		290314	175.00
LIEBERT CASSIDY WHITMORE	0010-801-1601-31600	1,590.50	LEGAL-GENERAL		290315	
	0010-801-1601-31600	189.00	LEGAL-P.KIM		290315	
	0010-801-1601-31600	30,979.98	LEGAL-ORCHARD		290315	
	0010-801-1601-31600	1,982.64	LEGAL-PITCHESS MOTIONS		290315	
	0010-801-1601-31600	1,112.25	LEGAL-E.VARGAS		290315	
	0010-801-1601-31600	1,348.00	LEGAL-A.BARRERA		290315	
	0010-801-1601-31600	120.00	LEGAL-J.BURROUGHS		290315	
	0010-801-1601-31600	4,854.00	LEGAL-S.KELLEY		290315	42,176.37
LIFE SAFETY CONSULTING & ENGINEERIN	0010-701-0010-06330	600.00	FIRE PLAN CHECK	70182	290316	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

21

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						600.00
LIFE-ASSIST INC	0010-801-3220-22350	2,294.93	FIRE MEDICAL SUPPLIES	70197	290317	
	0010-801-3220-24200	1,201.71	FIRE MEDICAL SUPPLIES	70197	290317	
	0010-801-3220-22350	138.00	FIRE MEDICAL SUPPLIES	70197	290317	
	0010-801-3220-22350	187.20	FIRE MEDICAL SUPPLIES	70197	290317	
						3,821.84
LITTLEJOHN-REULAND CORP.	0093-801-4229-23300	6,857.16	WATER TANK REPAIR	70394	290318	
						6,857.16
LOGAN SUPPLY CO., INC.	0092-801-4221-23700	54.21	WATER SUPPLIES	70120	290319	
	0092-801-4221-23700	169.65	WATER SUPPLIES	70120	290319	
						223.86
ELEANOR LOPEZ	0010-701-0010-07960	100.00	REFUND AMBULANCE FEE		290320	
						100.00
LU'S LIGHTHOUSE, INC.	0060-801-3210-38400	86.35	FIRE SUPPLIES		290321	
						86.35
LYNN PRAVEY COMPANY	0010-801-3103-22750	124.35	POLICE SUPPLIES		290322	
						124.35
MANNING & KASS, ELLROD, RAMIREZ, TF	0062-801-5101-31600	225.00	CLAIM SERVICES-S.RODRIGUE		290323	
	0062-801-5101-31600	4,384.50	CLAIM SERVICES-Z.XU		290323	
	0062-801-5101-31600	2,800.45	CLAIM SERVICES-Z.XU		290323	
	0062-801-5101-31600	50.00	CLAIM SERVICES-S.RODRIGUE		290323	
						7,459.95
JOSEPH MARTINEZ	0010-801-3101-22670	25.00	POLICE 5-K RUN		290324	
						25.00
MCMASTER-CARR SUPPLY CO.	0092-801-4222-23700	486.08	WATER SUPPLIES	70122	290325	
	0092-801-4222-23700	460.43	WATER SUPPLIES	70122	290325	
	0092-801-4222-24100	109.52	WATER SUPPLIES	70122	290325	
	0092-801-4222-23700	232.39	WATER SUPPLIES	70122	290325	
	0092-801-4222-23400	56.84	WATER SUPPLIES	70122	290325	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

22

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
MCMASTER-CARR SUPPLY CO.	0092-801-4222-23400	87.95	WATER SUPPLIES	70122	290325	
	0092-801-4222-23700	23.18	WATER SUPPLIES	70122	290325	
	0092-801-4222-23050	376.57	WATER SUPPLIES	70122	290325	1,832.96
PING YAN MEI	0010-701-0010-07960	250.75	REFUND AMBULANCE FEE		290326	250.75
MIDWEST TAPE	0010-801-6002-40000	102.95	DVD(S) 5		290327	
	0010-801-6002-40000	24.99	DVD(S) 1		290327	
	0010-801-6002-40000	12.99	DVD(S) 1		290327	140.93
CHRISTOPHER MIRELES	0010-801-3101-22670	25.00	POLICE S-K RUN		290328	25.00
MISSION SUPER HARDWARE	0010-801-6517-23050	21.27	HARDWARE SUPPLIES	70253	290329	
	0010-801-6517-23050	21.24	HARDWARE SUPPLIES	70253	290329	
	0010-801-6517-23050	42.97	HARDWARE SUPPLIES	70253	290329	
	0010-801-3210-22750	82.00	HARDWARE SUPPLIES	70196	290329	
	0010-801-3210-22750	105.67	HARDWARE SUPPLIES	70196	290329	
	0010-801-6517-23050	35.77	HARDWARE SUPPLIES	70253	290329	
	0010-801-6517-23050	57.21	HARDWARE SUPPLIES	70253	290329	
	0010-801-6517-23050	203.18	HARDWARE SUPPLIES	70253	290329	569.31
MOBILE MINI LLC	0075-450-0075-08915	117.49	FARMERS MARKET STORAGE (TRUST)		290330	
	0075-450-0075-08915	117.49	FARMERS MARKET STORAGE (TRUST)		290330	234.98
MONTEREY CAR WASH INC	0060-801-4211-38400	620.00	CAR WASHES	70006	290331	620.00
MR. ROOTER PLUMBING (DBA)	0092-801-4210-38100	464.68	PLUMBING SERVICES	70376	290332	464.68
RICKY MUNDER	0136-801-3101-33250	20.65	POST TRAINING		290333	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

23

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						20.65
ALEX NG	0010-701-0010-07960	79.52	REFUND AMBULANCE FEE		290334	79.52
NORMAN'S NURSERY INC	0010-801-6517-23050	1,039.66	PARKS SUPPLIES	70254	290335	1,121.22
	0010-801-6517-23050	81.56	PARKS SUPPLIES	70254	290335	
NORTHROP GRUMMAN	0092-801-4222-24150	170.57	WATER SUPPLIES		290336	170.57
OCE FINANCIAL SERVICES INC.	0060-801-4211-38400	156.66	COPY MACHINE RENTAL	70240	290337	428.94
	0010-801-3210-21300	167.02	COPY MACHINE RENTAL		290337	
	0010-801-3201-21300	105.26	COPY MACHINE RENTAL		290337	
OCE IMAGISTICS INC	0010-801-1408-39250	123.00	COPIER SUPPLIES	70270	290338	1,860.77
	0010-801-1801-38400	123.00	COPIER SUPPLIES	70270	290338	
	0010-801-6502-39250	123.00	COPIER SUPPLIES	70270	290338	
	0060-801-4211-38400	14.62	COPIER SUPPLIES	70041	290338	
	0010-801-1408-39250	192.98	COPIER SUPPLIES	70270	290338	
	0010-801-1801-38400	192.98	COPIER SUPPLIES	70270	290338	
	0010-801-6502-39250	192.98	COPIER SUPPLIES	70270	290338	
	0010-801-1701-37500	297.32	COPIER SUPPLIES	70219	290338	
	0092-801-4212-37500	148.67	COPIER SUPPLIES	70219	290338	
	0010-801-3205-39250	148.67	COPIER SUPPLIES	70219	290338	
	0010-801-1403-22750	234.19	COPIER SUPPLIES		290338	
	0092-801-4222-22750	52.85	COPIER SUPPLIES		290338	
	0010-801-4209-22750	16.51	COPIER SUPPLIES		290338	
OFFICE DEPOT INC.	0010-801-3114-21350	189.55	OFFICE SUPPLIES	70214	290339	
	0010-801-3114-21350	13.99-	OFFICE SUPPLIES-CREDIT	70214	290339	
	0010-801-6502-38250	123.67	OFFICE SUPPLIES	70247	290339	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

24

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
OFFICE DEPOT INC.	0010-801-6502-38250	107.43	OFFICE SUPPLIES	70247	290339	
	0010-801-6502-38250	55.77	OFFICE SUPPLIES	70247	290339	
	0010-801-6502-38250	39.28	OFFICE SUPPLIES	70247	290339	
	0010-801-6502-38250	136.69	OFFICE SUPPLIES	70247	290339	
	0010-801-6502-38250	149.53	OFFICE SUPPLIES	70247	290339	
	0010-801-6502-38250	74.09	OFFICE SUPPLIES	70247	290339	
	0010-801-1701-21350	21.65	OFFICE SUPPLIES	70062	290339	
	0010-801-1702-21350	54.34	OFFICE SUPPLIES	70062	290339	
	0092-801-4210-23050	142.31	OFFICE SUPPLIES		290339	
	0010-801-1101-21350	7.91	OFFICE SUPPLIES		290339	
	0010-801-1101-21350	409.39	OFFICE SUPPLIES		290339	
	0010-801-1802-31950	6.72	OFFICE SUPPLIES		290339	
	0010-801-1801-31950	54.19	OFFICE SUPPLIES		290339	
	0010-801-3201-21250	19.81	OFFICE SUPPLIES	70195	290339	
	0010-801-3210-21250	97.51	OFFICE SUPPLIES	70195	290339	
	0010-801-3210-22750	99.62	OFFICE SUPPLIES	70195	290339	
	0010-801-6505-21350	145.07	OFFICE SUPPLIES	70247	290339	
	0010-801-6505-21350	55.06	OFFICE SUPPLIES	70247	290339	
	0010-801-6505-21350	237.56	OFFICE SUPPLIES	70247	290339	
	0010-801-6505-21350	14.76	OFFICE SUPPLIES	70247	290339	
	0010-801-6505-21350	126.73	OFFICE SUPPLIES	70247	290339	
	0010-801-6502-21350	70.28	OFFICE SUPPLIES	70247	290339	
	0010-801-1802-31950	18.14	OFFICE SUPPLIES		290339	
	0010-801-1802-31950	10.77	OFFICE SUPPLIES		290339	
	0010-801-1801-21350	39.28	OFFICE SUPPLIES		290339	
	0010-801-3114-21350	629.28	OFFICE SUPPLIES	70214	290339	
	0010-801-3114-21350	2.94	OFFICE SUPPLIES	70214	290339	
	0010-801-3104-38400	430.63	OFFICE SUPPLIES		290339	
	0092-801-4222-21350	64.25	OFFICE SUPPLIES	70123	290339	
	0010-801-1406-21250	58.62	OFFICE SUPPLIES		290339	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

25

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
OFFICE DEPOT INC.	0010-801-6517-21350	58.62	OFFICE SUPPLIES		290339	
	0010-801-1801-21250	58.63	OFFICE SUPPLIES		290339	
	0010-801-6004-22450	48.66	OFFICE SUPPLIES		290339	
	0010-801-6001-21250	76.66	OFFICE SUPPLIES		290339	
	0163-801-6005-22750	90.40	OFFICE SUPPLIES		290339	
	0075-450-0075-08270	78.56	OFFICE SUPPLIES		290339	
						4,090.37
OFFICE SOLUTIONS	0010-801-1403-21350	543.97	OFFICE SUPPLIES	70002	290340	
	0010-801-1407-21350	65.38	OFFICE SUPPLIES	70261	290340	
						609.35
NELSON ONG	0159-801-6507-31920	1,058.25	INSTRUCTOR-RECREATION CLASS		290341	
						1,058.25
JEREMY ORATE	0010-801-3101-22670	25.00	POLICE 5-K RUN		290342	
						25.00
PARAMOUNT PAINTING INC (DBA)	0092-801-4210-38100	1,850.00	PAINTING LANGLEY		290343	
						1,850.00
PARKHOUSE TIRE, INC.	0060-801-4211-23500	1,894.32	FLEET TIRES UNIT 009	70044	290344	
						1,894.32
PAYKE GYMNASIAC ACADEMY	0159-801-6507-31920	481.52	INSTRUCTOR-RECREATION CLASS		290345	
						481.52
PBS ENGINEERS, INC.	0010-701-0010-06100	210.00	PLAN CHECK SERVICE	70071	290346	
						210.00
THE PHONE GUY	0063-801-5002-99055	897.64	VOICE/DATA CABLING	70257	290347	
	0063-801-5002-99055	669.99	VOICE/DATA CABLING	70257	290347	
	0063-801-5002-99055	200.00	VOICE/DATA CABLING	70257	290347	
						1,767.63
PIRTEK COMMERCE SOUTH (DBA)	0060-801-4211-38400	260.98	FLEET REPAIR UNIT CT09	70046	290348	
						260.98
PREFERRED ALLIANCE INC	0010-801-1801-31900	87.00	DRIVER TESTING		290349	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

26

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						87.00
PRINT SPOT	0010-801-3120-39250	8.70	POLICE BINDERY		290350	8.70
PROGRESS PRINTERS	0092-801-4221-39250	1,740.00	WATER BILL ENVELOPES	70382	290351	
	0092-801-4221-39250	1,631.25	WATER BILL ENVELOPES	70382	290351	3,371.25
PRUDENTIAL OVERALL SUPPLY	0060-801-4211-22300	32.33	UNIFORMS	70047	290352	
	0060-801-4211-22300	32.33	UNIFORMS	70047	290352	
	0060-801-4211-22150	26.64	SHOP RAGS	70047	290352	
	0010-801-3210-22150	18.64	SHOP RAGS	70047	290352	
	0060-801-4211-22150	26.64	SHOP RAGS	70047	290352	
	0010-801-3210-22150	18.64	SHOP RAGS	70047	290352	155.22
R S D REFRIGERATION	0010-801-4210-38400	146.13	AIR CONDITIONING PARTS	70111	290353	
	0010-801-4210-23700	61.30	AIR CONDITIONING PARTS	70111	290353	
	0010-801-4210-23700	1,412.15	AIR CONDITIONING PARTS	70111	290353	1,619.58
RAINBOW ART	0159-801-6507-31920	113.05	INSTRUCTOR-RECREATION CLASS		290354	113.05
RBF CONSULTING	0440-801-5004-99004	7,703.59	SUSTAINABLE COMMUNITY	70246	290355	
	0440-801-5004-99004	3,081.25	SUSTAINABLE COMMUNITY	70246	290355	10,784.84
RED WING SHOE STORES	0092-801-4223-22300	180.24	SAFETY BOOTS-G.YEE	70155	290356	
	0092-801-4223-22300	196.64	SAFETY BOOTS-D.ABARCA	70155	290356	
	0092-801-4223-22300	152.94	SAFETY BOOTS-S.VILLAREAL	70155	290356	529.82
	0010-801-4209-22300	205.54	SAFETY BOOTS-R.HARRIS	70087	290357	
	0010-801-4209-22300	205.54	SAFETY BOOTS-T.MAYA	70087	290357	411.08

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

27

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
RED WING SHOE STORES	0010-801-4209-22300	181.06	SAFETY BOOTS-M.AGUILAR	70087	290358	181.06
RI-TEC INDUSTRIAL PRODUCTS	0010-801-6517-22100	145.00	PARKS SUPPLIES		290359	145.00
ROSEMEAD OIL PRODUCTS, INC.	0060-801-4211-22250	919.44	MOTOR OIL	70049	290360	919.44
ROYCHEM CHEMICAL SPECIALITIES	0010-801-6517-22150	261.00	CLEANING SUPPLIES	70292	290361	261.00
S & J SUPPLY CO.	0093-801-4226-23300	447.56	WATER SUPPLIES	70153	290362	447.56
S C FUELS (DBA)	0060-801-4211-22250	13,912.75	FUEL 10/12	70050	290363	27,171.44
	0060-801-4211-22250	13,258.69	FUEL 10/12	70050	290363	
GARY SABASTIAN	0075-450-0075-08200	500.00	REFUND BOND DEPOSIT (TRUST)		290364	500.00
SAN GABRIEL VALLEY CITY	0010-801-1201-39300	30.00	CMO TRAINING		290365	30.00
SAN GABRIEL VALLEY WATER CO.	0092-801-4222-36300	57.56	WATER SERVICE		290366	57.56
ISRAEL SANCHEZ	0010-801-3101-22670	25.00	POLICE 5-K RUN		290367	25.00
CITY OF SANTA FE SPRINGS	0010-801-3210-39400	330.00	FIRE TRAINING		290368	330.00
SEA CLEAR POOLS INC	0010-801-6503-38200	557.40	BARNES POOL SERVICE	70298	290369	1,327.09
	0010-801-6503-38200	358.22	BARNES POOL SERVICE	70298	290369	
	0010-801-6503-38200	411.47	BARNES POOL SERVICE		290369	
HAI LIN SHI	0010-701-0010-07960	160.00	REFUND AMBULANCE FEE		290370	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

28

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
						160.00
SHRED-IT LOS ANGELES	0010-801-3114-38400	155.62	SHREDDING SERVICES		290371	
	0010-801-3114-38400	135.54	SHREDDING SERVICES		290371	
						291.16
SIERRA DISPLAY INC	0077-801-1111-31950	1,878.00	BID HOLIDAY DECORATION	70371	290372	
						1,878.00
SNAP-ON INDUSTRIAL, A DIVISION OF J	0060-801-4211-38400	73.28	FLEET TOOLS	70051	290373	
						73.28
SNIDER AND ASSOCIATES	0010-801-1101-39400	2,854.46	STRATEGIC PLANNING RETREAT		290374	
						2,854.46
SOUTHERN CALIFORNIA LIBRARY COOPER	0075-450-0075-08250	10.00	LIBRARY TRAINING (TRUST)		290375	
						10.00
STATE OF CALIFORNIA DMV	0160-801-4211-54050	163.80	POLICE VEHICLE FEES		290376	
						163.80
STEP SAVER INC.	0092-801-4222-23300	129.45	WATER SUPPLIES	70159	290377	
						129.45
REGGIE STEVENS	0159-801-6507-31920	175.00	INSTRUCTOR-RECREATION CLASS		290378	
						175.00
LEANE SUMIMOTO	0159-801-6507-31920	1,071.60	INSTRUCTOR-RECREATION CLASS		290379	
						1,071.60
TERRILL PUBLICATIONS	0159-801-6509-31880	4,238.50	11/12 CASCADES PRINTING	70380	290380	
						4,238.50
ERIC PHAT THAI	0136-801-3101-33250	124.65	POST TRAINING		290381	
						124.65
TITO AUTO TRIM (DBA)	0060-801-4211-38400	120.00	FLEET PARTS UNIT 882	70053	290382	
						120.00
TOM'S CLOTHING & UNIFORMS INC	0010-801-3101-39350	57.74	UNIFORMS-I.SANCHEZ		290383	
	0010-801-3101-22320	55.79	UNIFORMS-M.ABASOLO	70218	290383	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

29

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
TOM'S CLOTHING & UNIFORMS INC	0010-801-3101-22320	13.70	UNIFORMS-F.ACOSTA	70218	290383	
	0010-801-3101-22320	33.02	UNIFORMS-A.DENG	70218	290383	
	0010-801-3101-22320	45.02	UNIFORMS-DUTCHOVER	70218	290383	
	0010-801-3101-22320	169.32	UNIFORMS-J.MARTINEZ	70218	290383	
	0010-801-3101-22320	7.83	UNIFORMS-D.VANDERHEYDEN	70218	290383	
	0010-801-3101-22320	411.89-	UNIFORMS-CREDIT	70218	290383	
	0010-801-3103-22310	109.13	UNIFORMS-V.DELGADO	70218	290383	
	0010-801-3103-22310	240.00	UNIFORMS-V.DELGADO	70218	290383	
	0010-801-3103-22310	259.36	UNIFORMS-V.DELGADO	70218	290383	
	0010-801-3103-22310	46.98	UNIFORMS-W.LEON	70218	290383	
	0010-801-3103-22310	40.13	UNIFORMS-I.SANCHEZ	70218	290383	
	0010-801-3103-22310	24.47	UNIFORMS-J.TAFLINGER	70218	290383	
	0010-801-3103-22310	36.21	UNIFORMS-V.VASQUEZ	70218	290383	
	0010-801-3103-22310	145.34	UNIFORMS-S.WIESE	70218	290383	
	0010-801-3104-22310	54.38	UNIFORMS-J.FRESCAS	70218	290383	
	0010-801-3210-22310	230.55	UNIFORMS-J.WARD	70185	290383	
	0010-801-3210-22310	70.69	UNIFORMS-B.REYES	70185	290383	
	0010-801-3210-22310	38.06	UNIFORMS-C.CACCIATORI	70185	290383	
	0010-801-3210-22310	51.90	UNIFORMS-N.LAKIN	70185	290383	
	0010-801-3210-22310	117.45	UNIFORMS-P.CUBAK	70185	290383	
	0010-801-3210-22310	250.13	UNIFORMS-F.PADILLA	70185	290383	
	0010-801-3210-22310	613.19	UNIFORMS-N.LAKIN	70185	290383	
	0010-801-4209-22310	190.31	UNIFORMS-R.SANDOVAL	70088	290383	
	0010-801-4209-22310	54.38	UNIFORMS-M.AGUILAR	70088	290383	
	0010-801-4209-22310	47.85	UNIFORMS-M.MENCHACA	70088	290383	
	0010-801-3104-22310	287.26	UNIFORMS-M.LOTT	70218	290383	
	0010-801-3104-22310	7.83	UNIFORMS-P.YUNG	70218	290383	
	0010-801-3102-22310	107.66	UNIFORMS-R.JULIAN	70218	290383	
	0010-801-3103-22310	178.35	UNIFORMS-V.CHANG	70218	290383	
	0010-801-3103-22310	246.64	UNIFORMS-R.COTA	70218	290383	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

30

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
TOM'S CLOTHING & UNIFORMS INC	0010-801-3103-22310	48.94	UNIFORMS-P.PALOMINO	70218	290383	
	0010-801-3103-22310	99.78	UNIFORMS-V.VASQUEZ	70218	290383	
	0010-801-3103-22310	63.61	UNIFORMS-I.SANCHEZ	70218	290383	
	0010-801-3114-22310	48.94	UNIFORMS-M.MKRTICHIAN	70218	290383	
	0071-801-3120-22310	162.47	UNIFORMS-J.MARTINDALE	70218	290383	3,842.52
PHILLIP TONG	0092-701-0092-07520	688.58	REFUND WATER METER		290384	688.58
TRANSTECH	0010-801-1703-31950	3,250.00	BUILDING INSPECTOR	70198	290385	3,250.00
DOROTHY TSU	0159-801-6507-31920	89.37	INSTRUCTOR-RECREATION CLASS		290386	89.37
TSUBOI DESIGN	0010-801-1101-39400	1,443.83	STRATEGIC PLANNING RETREAT		290387	1,443.83
BENTLEY TUEY	0010-701-0010-07630	128.00	REFUND RECREATION CLASS		290388	128.00
VETERINARY HEALTHCARE CENTER	0010-801-3111-31550	25.00	K9-SUPPLIES & SERVICE		290389	
	0010-801-3111-31550	25.00	K9-SUPPLIES & SERVICE		290389	
	0010-801-3111-31550	25.00	K9-SUPPLIES & SERVICE		290389	
	0010-801-3111-31550	25.00	K9-SUPPLIES & SERVICE		290389	
	0010-801-3111-31550	25.00	K9-SUPPLIES & SERVICE		290389	
	0010-801-3111-31550	25.00	K9-SUPPLIES & SERVICE		290389	150.00
VISTA PAINT CO.	0092-801-4222-23100	66.08	PAINT SUPPLIES		290390	
	0092-801-4222-23100	242.07	PAINT SUPPLIES		290390	
	0010-801-6517-23100	354.57	PAINT SUPPLIES		290390	662.72
VULCAN MATERIAL CO	0110-801-4202-23600	613.75	ASPHALT	70094	290391	613.75

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

31

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
WAH HUNG INTERNATIONAL MACH. INC.	0075-450-0075-08200	1,000.00	REFUND BOND DEPOSIT (TRUST)		290392	1,000.00
LISA WANG	0010-801-1703-33200	50.00	MEMBERSHIP		290393	50.00
WENDY YUN WANG	0152-701-0152-05400	180.00	REFUND OVERPAYMENT		290394	180.00
XIAODONG WANG	0159-801-6507-31920	4,886.25	INSTRUCTOR-RECREATION CLASS		290395	4,886.25
WARREN DISTRIBUTING, INC.	0060-801-4211-23500	151.59	FLEET PARTS UNIT 898	70054	290396	191.41
	0060-801-4211-23500	57.79	FLEET PARTS UNIT 895	70054	290396	
	0060-801-4211-23500	80.91	FLEET PARTS	70054	290396	
	0060-801-4211-23500	16.15	FLEET PARTS UNIT 993	70054	290396	
	0060-801-4211-23500	84.34	FLEET PARTS UNIT 998	70054	290396	
	0060-801-4211-23500	40.86	FLEET PARTS	70054	290396	
	0060-801-4211-23500	61.84	FLEET PARTS	70054	290396	
	0060-801-4211-23500	207.04-	FLEET PARTS-CREDIT	70054	290396	
	0060-801-4211-23500	55.88-	FLEET PARTS-CREDIT	70054	290396	
	0060-801-4211-23500	26.10-	FLEET PARTS-CREDIT	70054	290396	
	0060-801-4211-23500	13.05-	FLEET PARTS-CREDIT	70054	290396	
WECK LABORATORIES (DBA)	0092-801-4222-31950	480.00	LABORATORY SUPPLIES	70132	290397	2,070.00
	0093-801-4227-31950	480.00	LABORATORY SUPPLIES	70132	290397	
	0092-801-4222-31950	630.00	LABORATORY SUPPLIES	70132	290397	
	0092-801-4222-31950	480.00	LABORATORY SUPPLIES	70132	290397	
WELLS FARGO FINANCIAL LEASING	0010-801-1408-37200	390.22	COPIER RENTAL	70265	290398	390.22
WESTCO SERVICE COMPANY	0010-801-4210-38150	656.38	AIR CONDITIONING REPAIR	70116	290399	
	0010-801-4210-38150	885.00	AIR CONDITIONING REPAIR	70116	290399	

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

32

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
WESTCO SERVICE COMPANY	0010-801-4210-38150	383.23	AIR CONDITIONING REPAIR	70116	290399	
	0010-801-4210-38150	1,862.42	AIR CONDITIONING REPAIR	70116	290399	
	0010-801-4210-38150	537.00	AIR CONDITIONING REPAIR	70116	290399	
						4,324.03
WESTERN WATER WORKS SUPPLY CO.	0092-801-4223-23300	363.77	WATER SUPPLIES	70358	290400	
	0092-801-4223-23300	6,243.12	WATER SUPPLIES	70358	290400	
	0092-801-4223-23350	1,337.30	WATER SUPPLIES	70358	290400	
	0092-801-4223-23350	375.30	WATER SUPPLIES	70358	290400	
						8,319.49
WITTMAN ENTERPRISES	0010-801-3220-31400	5,544.00	AMBULANCE BILLING SERVICES	70190	290401	
						5,544.00
RICKY WONG	0159-801-6507-31920	177.80	INSTRUCTOR-RECREATION CLASS		290402	
						177.80
THOMAS WONG	0159-801-6507-31920	280.80	INSTRUCTOR-RECREATION CLASS		290403	
						280.80
VICTOR WONG	0159-801-6507-31920	860.75	INSTRUCTOR-RECREATION CLASS		290404	
						860.75
WURTH USA INC	0060-801-4211-23500	276.40	FLEET SUPPLIES	70058	290405	
						276.40
DARRYL KEITH YEE	0159-801-6507-31920	91.00	INSTRUCTOR-RECREATION CLASS		290406	
						91.00
SIMON YEN	0159-801-6507-31920	465.00	INSTRUCTOR-RECREATION CLASS		290407	
						465.00
KENNETH YOSHIDA	0092-701-0092-07520	3,353.76	REFUND WATER METER		290408	
	0092-701-0092-07550	1,321.00	REFUND WATER METER		290408	
						4,674.76
KIRA YUNG	0136-801-3101-33250	104.56	POST TRAINING		290409	
						104.56

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

33

PRINTED WARRANTS

VENDOR NAME	ACCOUNT	AMOUNT	DESCRIPTION	P.O.	CHECK #	TOTAL
ZOLL MEDICAL CORPORATION	0010-801-3220-39400	1,223.44	MEDICAL SUPPLIES		290410	1,223.44
ZUMAR INDUSTRIES, INC.	0010-801-4206-23800	366.60	TRAFFIC SIGNS	70084	290411	366.60
TOTAL FOR PRINTED WARRANTS						356,427.13

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012

34

TOTAL FOR PREPAID WARRANTS	189,860.74
TOTAL FOR PRINTED WARRANTS	356,427.13
TOTAL WARRANTS	546,287.87
TOTAL VOID CHECKS	0
TOTAL PREPAID CHECKS	32
TOTAL CHECKS PRINTED	206
TOTAL CHECKS ISSUED	238

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012
FUND SUMMARY

35

FUND	DESCRIPTION	PREPAID	PRINTED	TOTAL
0010	GENERAL FUND	10,353.65	125,100.22	135,453.87
0022	STATE GAS TAX FUND	335.52	724.00	1,059.52
0043	REFUSE FUND	268.59	16,267.50	16,536.09
0060	CITY SHOP FUND	1.80	35,939.49	35,941.29
0062	GENERAL LIABILITY FUND	28,574.70	17,440.78	46,015.48
0063	TECHNOLOGY INTERNAL SERV FUND	0.00	1,941.50	1,941.50
0071	PUBLIC SAFETY IMPACT FEE FUND	154.80	547.47	702.27
0075	SPECIAL DEPOSITS FUND	3,683.44	7,223.56	10,907.00
0077	BUSINESS IMPROVEMENT AREA #1	0.45	1,878.00	1,878.45
0080	WORKERS COMP FUND	0.00	6,666.67	6,666.67
0092	WATER FUND	11,418.22	41,685.98	53,104.20
0093	WATER TREATMENT FUND	0.00	17,166.19	17,166.19
0109	OPA PROPOSITION A	15,911.50	44.91	15,956.41
0110	MEASURE R FUND	0.00	613.75	613.75
0131	LIBRARY TAX FUND	437.42	666.67	1,104.09
0136	POST	0.00	367.52	367.52
0152	HOME HOUSING PROGRAM	11,934.85	8,383.00	20,317.85
0159	RECREATION FUND	0.00	26,751.16	26,751.16
0160	ASSET FORFEITURE	1,065.47	20,663.80	21,729.27
0163	CAL LIBRARY LITERACY SVC GRANT	0.00	90.40	90.40
0165	AIR QUALITY IMPROVEMENT FUND	60.00	0.00	60.00
0166	PROPOSITION C	0.00	4,671.71	4,671.71
0169	CDBG FUND	1,250.00	5,600.59	6,850.59
0176	MAINTENANCE DISTRICT 93-1	0.00	172.99	172.99
0184	USED OIL RECYCLING BLOCK GRANT	0.00	1,342.50	1,342.50
0342	SAFETEA-LU GRANT	3,925.84	0.00	3,925.84
0344	MAINTENANCE GRANT (075)	0.00	1,300.00	1,300.00
0345	MTA GRANT (MONTEBELLO)	8,198.44	0.00	8,198.44

CITY OF MONTEREY PARK
FINAL WARRANT REGISTER
COUNCIL MEETING DATE 11/21/2012
FUND SUMMARY

36

FUND	DESCRIPTION	PREPAID	PRINTED	TOTAL
0347	MTA (TEA21 SPECIAL GRANT)	92,248.04	0.00	92,248.04
0349	ELAC INSTRUCTIONAL SERV PROG	38.01	0.00	38.01
0420	EEC BLOCK GRANT	0.00	2,029.50	2,029.50
0423	TARGET GRANT (2010)	0.00	362.43	362.43
0440	SUSTAINABLE COMM PLANNING	0.00	10,784.84	10,784.84
	TOTAL	189,860.74	356,427.13	546,287.87

Staff Report City of Monterey Park

Consent Calendar
Agenda Item 6

DATE: November 21, 2012
TO: Paul Talbot, City Manager
FROM: Joseph Leon, City Treasurer
SUBJECT: Monthly Investment Report ~ October 2012

In accordance with the City's Investment Policy, a monthly investment report is presented to the City Council showing the types of investments, dates of maturities, amounts of deposits, rates of interest, and the current market values for securities with maturity more than 12 months.

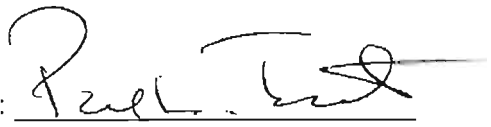
DISCUSSION

As of October 31, 2012 invested funds for the City of Monterey Park is \$61,887,969.23.

RECOMMENDATION

Receive and file the monthly investment report.

By: 
Joseph Leon
City Treasurer

Approved: 
Paul Talbot
City Manager

CITY OF MONTEREY PARK
INVESTMENT REPORT
AS OF OCTOBER 31, 2012

INSTITUTION NAME	PURCHASE DATE	MATURITY DATE	INTEREST RATE	% OF PORTFOLIO	AMOUNT
INVESTMENTS:					
CERTIFICATES OF DEPOSIT ⁽²⁾					
AMERICAN PLUS BANK	01/11/11	01/11/13	0.65%		99,000.00
ASIAN PACIFIC NATIONAL BANK	03/02/11	03/01/13	0.90%		140,000.00
CATHAY BANK	08/14/11	08/14/13	0.80%		100,000.00
CATHAY BANK	10/07/11	10/07/13	0.80%		150,000.00
EAST WEST BANK	11/10/11	11/10/12	1.14%		250,000.00
EVERTRUST BANK	11/10/11	11/09/12	0.94%		100,000.00
EVERTRUST BANK	10/07/11	10/04/13	0.60%		150,000.00
FIRST CHOICE BANK	08/05/11	08/06/13	1.09%		240,000.00
FIRST GENERAL BANK	08/04/11	08/04/13	0.70%		200,000.00
PREFERRED BANK	06/06/11	06/06/13	0.90%		100,000.00
PREFERRED BANK	03/03/11	03/03/13	0.97%		140,000.00
TOMATO BANK, N.A.	03/04/11	03/04/13	1.14%		100,000.00
TOMATO BANK, N.A.	02/04/11	02/04/13	1.14%		140,000.00
U.S. BANK	10/11/10	05/11/13	0.85%		200,000.00
AMERICAN EXP CENTURION BANK	12/01/11	06/10/13	0.95%		240,000.00
BARCLAYS BANK	12/01/11	12/09/13	0.90%		240,000.00
BANK OF CHINA	12/01/11	06/07/13	0.80%		240,000.00
CIT BANK	12/01/11	12/16/13	1.05%		240,000.00
GE CAPITAL RETAIL BANK	12/01/11	09/09/13	1.00%		240,000.00
GOLDMAN SACHS BANK USA	12/01/11	06/07/13	0.85%		240,000.00
SAFRA NATIONAL BANK	12/08/11	12/16/13	0.80%		240,000.00
SALLIE MAE BANK	12/08/11	12/16/13	0.90%		240,000.00
TOTAL CDs (23)				6.51%	<u>4,029,000.00</u>
LOCAL AGENCY INVESTMENT FUND:					
LAIF - CITY					
LAIF - PUBLIC FINANCING AUTHORITY		ON DEMAND	0.330%		41,731,693.70
		ON DEMAND	0.330%		<u>16,127,275.53</u>
TOTAL LAIF				93.49%	<u>57,858,969.23</u>
TOTAL INVESTMENTS				100.00%	<u>\$ 61,887,969.23</u>
BANK BALANCE ⁽¹⁾ :					<u>\$ 1,295,199.23</u>
AVERAGE MATURITY DAYS					17
AVERAGE INTEREST RATE FOR THE MONTH					0.367%

THE CITY'S INVESTMENT HAS SUFFICIENT LIQUIDITY TO MEET THE CITY'S EXPENDITURE REQUIREMENTS FOR THE NEXT 180 DAYS. THE 180-DAY LIQUIDITY DISCLOSURE IS REQUIRED PER GOVERNMENT CODE 53646.

THERE HAVE BEEN NO VARIANCES TO THE INVESTMENT POLICY.

Staff Report City of Monterey Park

Consent Calendar
Agenda Item 7

DATE: November 21, 2012

TO: THE HONORABLE MAYOR AND CITY COUNCIL
FROM: PAUL L. TALBOT, CITY MANAGER
SUBJECT: ELECTION FOR SAN GABRIEL BASIN WATER QUALITY AUTHORITY

According to the bylaws of the San Gabriel Basin Water Quality Authority, a city with prescriptive water pumping rights, of which Monterey Park falls under, may nominate and elect a representative to the Water Quality Authority Board.

DISCUSSION:

The San Gabriel Basin Water Quality Authority was established by State Legislative action (SB 1679) in 1992 and is charged with the development, financing, and implementation of water treatment programs in the San Gabriel Valley. The seven-member board consists of three appointed members from each of the three municipal water districts, one elected city council person from cities in the San Gabriel Basin with prescriptive pumping rights, and one elected city council person from cities in the San Gabriel Basin without prescriptive pumping rights; and two members representing water producers in the San Gabriel Basin. The term for the board member and alternate representing cities with pumping rights will expire in January 1, 2013.

Based on population figures, the City of Monterey Park is entitled to cast (6) votes, each city has one vote per 10,000 residents, or majority thereof. All votes cast must be for only one candidate. The City Council needs to officially cast its votes by Resolution no later than December 18, 2012 by 12:00 pm. The votes will be officially counted at the regularly scheduled meeting of the Board of Authority on December 19, 2012. There is only one candidate nominated for the position, Luis Ayala from the City of Alhambra.

FISCAL IMPACT:

None.

RECOMMENDATION:

1. Adopt Resolution No. _____ of the Monterey Park City Council, casting its votes for Council Member Luis Ayala from the City of Alhambra to represent Cities with prescriptive pumping rights on the Board of the San Gabriel Basin Water Quality Authority;
2. Direct City Clerk to send a copy of the Resolution to the Central Basin Water Quality Authority no later than 12:00 pm, December 18, 2012 via certified mail, UPS, FedEx with a signature required or hand delivered; and
3. Take such additional, related, action that may be desirable.

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MONTEREY PARK, CALIFORNIA, CASTING ITS VOTES
FOR COUNCIL MEMBER LUIS AYALA TO REPRESENT
CITIES WITH PRESCRIPTIVE PUMPING RIGHTS ON THE
BOARD OF THE SAN GABRIEL BASIN WATER QUALITY
AUTHORITY

Whereas, on September 22, 1992, Senate Bill 1679 was signed into law by Governor Pete Wilson authorizing the creation of the San Gabriel Basin Water Quality Authority; and

Whereas, the Board of the San Gabriel Basin Water Quality Authority is composed of seven members with three appointed members from each of the three municipal water districts, one elected city council person from cities in the San Gabriel Basin with prescriptive pumping rights, one elected city council person from cities in the San Gabriel Basin without prescriptive pumping rights, and two appointed members representing water producers in the San Gabriel Basin; and

Whereas, the City of Monterey Park is one of the cities in the San Gabriel Basin with prescriptive pumping rights;

Whereas, the City of Monterey Park may cast its votes for a representative by Resolution no later than December 18, 2012 at 12:00 pm.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DOES HEREBY RESOLVE, DECLARE, AND DETERMINE AS FOLLOWS:

Section 1 The City Council of the City of Monterey Park casts its full votes for Council Member Luis Ayala as the representative for cities in the San Gabriel Basin with prescriptive pumping rights.

PASSED, APPROVED AND ADOPTED this 21st day of November, 2012

Mitchell Ing, Mayor
City of Monterey Park,
California

Attest:

David M. Barron, City Clerk
City of Monterey Park
California

Resolution No.

Page 2

State of California)
County of Los Angeles) ss.
City of Monterey Park)

I, David M. Barron, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 21st day of November, 2012, by the following vote:

Ayes:

Naes:

Absent:

Abstain:

Dated this 21st day of November 2012

David M. Barron, City Clerk
City of Monterey Park,
California

Staff Report City of Monterey Park

Consent Calendar
Agenda Item 8

DATE: November 21, 2012

TO: Paul Talbot, City Manager

FROM: Dan Costley, Director of Recreation & Community Services

SUBJECT: PLAY DAYS CARNIVAL CONTRACT

The Recreation and Community Services Department is requesting that the City accept a proposal for a new three year contract with J.A. Blash Enterprises / Shamrock Shows to provide entertainment and amusement devices for the annual Play Days Festival held in May.

DISCUSSION:

The City of Monterey Park traditionally celebrates its Birthday the third weekend in May. As part of the festivities, the City contracts with an amusement contractor to provide rides, game booths, and concessions at Barnes Park as part of "Play Days."

For the past fifteen years, the City contracted with J.A. Blash Enterprises to provide the rides, game booths, and concessions for Play Days. At the conclusion of the 2012 contract, the Play Days Committee submitted a Request for Proposal (RFP) to nine companies. J.A. Blash Enterprises was the only respondent. The Play Days committee and staff evaluated the RFP along with the performance of J.A. Blash Enterprises and determined the company provided a safe, clean, high quality operation for the event, with equitable compensation to the City; the contractor pays a percentage of the pre-sale and on site receipts, plus a flat rate for the food wagon, game booths, and additional booths (such as photo booths).

Based on these factors, the committee and staff are recommending a three-year contract for the Play Days Carnival.

It is anticipated that the term of the agreement would be for 2013 (beginning March 1, 2013) through June 30, 2015. The City may terminate the contract with a 90 day written notice before May 1st, 2013.

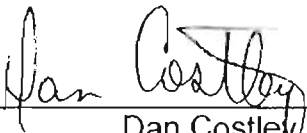
FISCAL IMPACT:

Expected revenue to the Play Days account is \$14,000. Money to be used for Play Days Parade, Play Days entertainment, publicity, and to offset City costs related to Play Days.

RECOMMENDATION:

It is recommended that the City Council (1) authorize the City Manager to execute an agreement, in a form approved by the City Attorney, with J.A. Blash Enterprises / Shamrock Shows / North American Amusements Inc., for three years; (2) authorize the revenue generated from the agreement to be budgeted for the Play Days Parade, Play Days entertainment, and for ancillary costs to Play Days; and (3) to take such additional, related, action that may be desirable.

By: _____



Dan Costley
Director of Recreation &
Community Services

Approved: _____



Paul Talbot
City Manager



October 8, 2012

Robert Aguirre
City of Monterey Park
Support Services Division
320 W. Newmark Ave.
Monterey Park, CA 90280

Dear Mr. Aguirre:

It is our pleasure to submit our proposal for the carnival services to be supplied to the City of Monterey Park for their annual Play Days celebration. Our company has been providing the carnival midway for this annual event to Monterey Park for over 15 years. It has been a very successful business partnership and we look forward to the possibility of continuing that relationship. We have worked out any date conflicts with other events so we are available on the dates listed in the RFP for years 2013, 2014 and 2015.

Shamrock Shows is a multifaceted entertainment company that brings over 60 years of family experience to the mobile amusement industry. We currently provide midway attractions and event management to more than 75 annual events including fairs, festivals, fiestas, community celebrations, church carnivals and corporate events. Like many business operations we have worked hard to survive the difficult economy. We have reorganized our company, improved our operation and see a bright future of growth and financial stability ahead as the economy improves.

We now own a sufficient number of rides, games and attractions so we can offer something different each year for your annual event. We can provide a variety of rides and games that will satisfy all age groups to insure that your event is fun, exciting and full of variety. As we continue to grow we will be able to provide new and exciting equipment each year of the event, which will give your festival a fresh and new look year after year. Our show is known for our brilliant color, bright lights, and innovative layouts.

Shamrock Shows is proud of our excellent safety record. We have not had a serious injury on our midway caused by equipment failure or mechanical breakdown. We take great pride in keeping our equipment in excellent running condition which helps us to maintain our excellent safety record.

Our company leads the way in the mobile amusement industry when it comes to marketing and promotions. We can provide a complete marketing guide to our sponsors to help them maximize their efforts to promote their event. In addition to posters and fliers, we provide a number of other unique promotions to draw your customers to your event and help your patrons save money. We work with Our sponsors in a partnership like manner to assist them in producing an exciting and financially successful event that the community is proud to be part of.

By submitting this proposal Shamrock Shows, hereby agrees to abide to all the requirements set forth in the Request for Proposal. We look forward to your review of our proposal and financial offer, and remain optimistic toward your award choice.

Sincerely,


Joseph A. Blash, III
President/C.E.O.



TABLE OF CONTENTS

BIDDERS CHECKLIST OF ATTACHMENTS

<u>Item</u>	<u>Page</u>
1. Letter of Introduction	
2. Rides & Equipment	2-3
3. Games & Candy Wagons	4
4. Financial Ability And Additional Information	4
5. Employee Training & Experience	5
6. Employee Policies	5
7. Insurance Affidavit	6
8. Letter from Insurance Broker	7
9. Insurance Loss Experience	8-10
10. Marketing & Promotions	11
11. References	12
12. Vendor's References City Form	13
13. Compensation to the City Form	14
14. Signed Proposal City Form	15
15. Read and Ride Promotion Sample	16-18
16. Photographs	Inserted



RIDES AND EQUIPMENT

We will provide you with at least the minimum number of rides (13) required in your RFP. We may provide more as room and schedules allow. We always provide a well rounded mix of attractions designed for all age groups emphasizing rides suitable for adults, family, teenagers and younger children. Rides may be changed or substituted to allow for a different look and to provide variety. New rides and Attractions may be added to the current list as new rides are acquired by Shamrock Shows.

RIDES AND ATTRACTIONS

NAME OF RIDE & SERIAL NO.	OWNER NAME, ADDRESS, PHONE NUMBER	MANUFACTURER AND YEAR MADE	CAPACITY OF RIDE	ADMISSION PRICE OF RIDE	TYPE OF RIDE	CALIFORNIA PERMIT NO.
Century Wheel	Pig Iron Leasing2 Inc. 100% Stock Holders: Joseph & Chantal Blash Shamrock Shows 11101 Calabash Ave. Fontana, CA 92337 (909) 357-7130	Chance 1993	90 – 1800 p/h	5 Tickets	Spectacular	C-17408
Drop Tower		ARM 2004	12 – 480 p/h	5 Tickets	Spectacular	C-18144
Chicago Loop		Rebuilt 2005 Larson 1977	20 – 400 p/h	5 Tickets	Spectacular	C-17781
Himalaya		Wisdom 1999	66 – 1200 p/h	4 Tickets	Spectacular	C-17755
Zipper		Chance 1979	36 - 540 p/h	4 Tickets	Spectacular	C-17076
Yo Yo Swing		Refurbished 2012 Chance 1974	32 – 900 p/h	4 Tickets	Spectacular	C-3838
Sea Dragon		Refurbished 2011 Chance 1984	40 – 920 p/h	4 Tickets	Spectacular	C-8919
Casino		Refurbished 2011 Chance 1989	800 p/h	4 Tickets	Major	C-13985
Tornado		Wisdom 1999	32 – 850 p/h	4 Tickets	Major	C-17657
Gravitron		Refurbished 2011 Wisdom 1989	45 - 1000 p/h	4 Tickets	Major	C-17248
Carousel		San Antonio 1987	20 - 480 p/h	3 Tickets	Major	C-6176
Fun House		Fun Tec 1998 Refurbished 2008	1200 p/h	3 Ticket	Major	N/A
Wacky Worm		SBF 2002	24 – 720 ph	4 Tickets	Family	C-18410
Hydro Racer		Refurbished 2011 Zamperla 2004	24 - 720 p/h	3 Tickets	Major	C-18420
Glass House		Refurbished 2008 Owen 2000	18-270 p/h	3 Tickets	Family	N/A



RIDES AND ATTRACTIONS

NAME OF RIDE & SERIAL NO.	OWNER NAME, ADDRESS, PHONE NUMBER	MANUFACTURER AND YEAR MADE	CAPACITY OF RIDE	ADMISSION PRICE OF RIDE	TYPE OF RIDE	CALIFORNIA PERMIT NO.
Baja Buggies		Refurbished 2011 Zamperla 2006	24 - 720 p/h	3 Tickets	Kiddie	C-18472
Spin the Apples		Refurbished 2011 Sellner 1992	24 - 576 p/h	3 Tickets	Kiddie/Family	C-16061
Raiders		Wisdom 1989	800 p/h	3 Tickets	Kiddie/Family	N/A
Cricket Train		Visa International 2006	24 - 720 p/h	3 Tickets	Kiddie/Family	C-18450
Flying Dinos		Refurbished 2011 Zamperla 1987	12 - 288 p/h	3 Tickets	Kiddie	C11866
Fun Slide		Fredrickson 2006	1200 p/h	3 Ticket	Family	N/A
Go Gator		Refurbished 2011 Wisdom	800 p/h	3 Tickets	Kiddie	C-13528
Bumble Bees		Refurbished 2009 SARW 1987	24 - 720 p/h	3 Ticket	Kiddie	C-7514
Lady Bugs		Refurbished 2011 SPMBL 1975	24 - 576 p/h	3 Ticker	Kiddie	C-03708
Fighter Jets		Refurbished 2012 SARW 1987	24 - 720 p/h	3 Tickets	Kiddie	C-303
Farm Train		Visa International 2006	24-720p/h	3 Tickets	Kiddie/Family	C-18451
Flying Jumbos		Refurbished 2008 SPMBL 1937	24-576 p/h	3 Tickets	Kiddie	C-103709
Helicopters		Refurbished 2008 SPMBL 1981	24 - 576 p/h	3 Tickets	Kiddie	C-3942
4 x 4 Jeeps		Refurbished 2010 SARW 1981	24 - 576 p/h	3 Tickets	Kiddie	C-18037
Umbrella Cars		Refurbished 2011 Hampton 1980	24 - 576 p/h	3 Tickets	Kiddie	C-18981



GAMES AND CANDY WAGONS

Our company has many of its own games and Candy Wagon food concessions available for our fairs and celebrations. A few professional games and food concessions provides brilliance, excitement, color and lighting that adds to the festival's atmosphere.

We will provide approximately ten games and one Candy Wagon food concession for the Monterey Park Play Days event. We may provide more based on the available space and layout. Shamrock Shows provides a large selection of professional games from Simple – “Winner Every Time” games for young children to play as well as many challenging games for Adults and Teens to enjoy.

Game prices range from \$.25 to \$5.00 per game and the prizes are dependent upon the game's degree of difficulty and cost of playing. Most games offer plush toys as prizes. A few games offer framed pictures or inflated toys suitable for a family atmosphere.

Our Candy Wagons offer standard “Carnival Food Items” such as Corn Dogs, Hot Dogs, Cotton Candy, Carmel or Candied Apples, Popcorn, Nachos, Snow Cones, Assorted Candy, Sodas, Coffee and Hot Chocolate. Prices range from \$1.00 to \$5.00.

All games and food concessions comply with OSHA and CALOSHA regulations in reference to Health and Safety issues.

FINANCIAL ABILITY AND ADDITIONAL INFORMATION

Shamrock Shows is available on the dates proposed in the RFP for the City of Monterey Park's annual Play Days celebration for the next three years. We are financially committed to providing a clean, safe carnival for the annual community event. We have never defaulted on a city contract nor are there any outstanding financial obligations due to any city or community event producers.

License and Permits: We will assist with the procurement of city license and permits by providing the necessary information to the city.

Carnival personnel will not be permitted to sleep at the event location. We will transport them in daily in our company vans.

No Smoking or consumption of alcohol will be permitted at the event location by any Shamrock employee.

We will provide an on-site supervisor with the authority to address any issues which may arise.

All carnival personnel will be well groomed and in company uniforms with company identification badges.

All rides and attractions shall be cleaned, and well maintained.

All of our employees are screened for Meaghan's Law to insure we have no sex offenders.



EMPLOYEE TRAINING & EXPERIENCE

Our safety and training program is very extensive and would require us to provide much more information than this RFP allows to explain it in detail. The following is an overview.

It is the responsibility of each employee to read, understand know and abide by all company, state and federal safety regulations. Every employee goes through a strict training program on each piece of equipment before he is allowed to operate it. Each employee is tested on the proper loading, unloading, operation and customer procedures and must pass the test to the satisfaction of his supervisor as set forth by the manufactures and states guidelines.

All rides are inspected when they are set up and again every day before operation. Some rides, depending on the manufacture's recommendations, are additionally inspected during the day to check for secure blocking and other items. Every ride is inspected and licensed by the California Division of Occupational Safety and Health, OSHA and CALOSHA, according to California law in order to obtain their annual California "C" sticker (license) to legally operate in the state. In addition to the state inspections and our own safety program, the rides are periodically inspected by other professional organizations such as insurance company inspectors, local city and county inspectors and professional inspection firms contracted by various fairs and state agencies.

EMPLOYEE POLICIES

- Employee Hiring:** All employees must be legally eligible for employment, and pass drug and background checks. Ride Operators must be at least 18 years old and will be trained with tenured employees and unit managers to assure proper training in safety procedures, ride maintenance and all other aspects of their position. All employees are background checked for sex offenders.
- Appearance:** All employees are required to be clean when the lot opens. They must be showered, clean shaven (or if wearing beards, the beards must be kept clean and trimmed). Hair must be kept clean and trimmed. Long hair must be pulled back into a ponytail or tucked under a show cap while working. All employees are required to wear uniform shirts and clean well cared for pants. Employees are not allowed to smoke while on the midway.
- Drug Testing:** All employees must pass a drug test prior to being hired and we also hold random drug tests during the season. Any employee found under the influence of an illegal substance or alcohol will be suspended until the employee completes a drug and/or alcohol program. Upon completion of the program, the employee will be re-tested on a weekly basis until the company is satisfied the employee will remain drug free and then will be tested on a random basis until management no longer considers it necessary.
- Attitude:** Employees are trained to greet our guests with a smile and to be polite at all times. If a guest has a complaint, employees are trained to locate their manager to settle the complaint and keep the guests happy.
- Training:** Training seminars are held throughout the year covering a variety of subjects such as fall arrest, preventative maintenance, crowd control, counterfeit tickets. Additional subjects are added throughout the year as required. Training on specific ride operations is usually held on a one-to-one basis with the ride foreman or manager.



INSURANCE AFFIDAVIT

North American Amusements, Inc. carries liability insurance in the amount of one million combined single limit per occurrence (\$1,000,000) and five million dollars (\$5,000,000) per aggregate. We will supply an insurance certificate prior to each event naming the City of Monterey Park as Additionally Insured with the endorsements required as specified in the RFP.

Additionally, we carry Auto Liability insurance with limits of one million combined single limits per occurrence (\$1,000,000).

As per California State Statutes, our Worker's Compensation Insurance is up to required standards.

For additional information, you can contact the following for current insurance information:

INSURANCE CONTACTS

Tom Plouffe
First Specialty Insurance
P O Box 16901
West Haven, CT 06516
203-931-7095



Specialty Insurance, Ltd

Thomas A. Plouffe
Michael H. Plouffe
Henry L. Plouffe

PO Box 16901
WEST HAVEN, CT 06516
PHONE 203-931-7095
FAX 203-931-0682

September 24, 2012

To Whom It May Concern;

North American Amusements has retained us as their insurance broker on March 2, 2011. I will address your request for information below:

- 1) No losses in excess of \$25,000
- 2) Carrier is First Specialty Insurance Corporation
- 3) Policy numbers: Primary Policy IRG99726 & IRG99726-01 Excess Policy IRE99727 & IRE99727-01
- 4) Term: 3/2/11 thru 6/2/12 & 6/8/12 thru 6/8/13
- 5) Named Insured's: North American Amusements, Inc. dba Shamrock Shows
- 6) Total number of claims: Four, Total incurred \$37,000

Sincerely;

Thomas A. Plouffe

AMUSEMENT & ENTERTAINMENT SPECIALIST
EMAIL: TPLOUFFE@PEOPLEPC.COM
EMAIL: MICHAEL_H_PLOUFFE@SBGLOBAL.NET
WWW.SPECIALTY-INSURANCE.NET



Loss Run w/o Loss Ratio and Premium

Date Current As 14-Sep-2012

Insured Name: NORTH AMERICAN AMUSEMENTS INC
Company: CO 19 FIRST SPECIALTY INS. COR
Policy Number: 000001RG8872601
Insured State: CA

Policy Edition: 0

Policy Effective Date: 08/08/2012

Policy Expiration Date: 08/08/2013

Policy Cancellation Date:

Claimant	BU/ Claim PD Number	Loss Date	Claim Status	Claim Description	Adjuster	Drivers Name	Total Paid	Total Outstanding	Total Recoveries	Total Incurred
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Policy Edition Totals: 0

Claim Count: 0



Loss Run w/o Loss Ratio and Premium

Data Current As 14-Sep-2012

Insured Name: NORTH AMERICAN AMUSEMENTS,
Company: CO 18 FIRST SPECIALTY INS. COR
Policy Number: 00000IRG9972800
Insured State: CA

Policy Edition: 0

Policy Effective Date: 03/02/2011

Policy Expiration Date: 08/02/2012

Policy Cancellation Date:

Claimant	BU PD	Claim Number	Loss Date	Claim Status	Claim Description	Adjuster	Driver's Name	Total Paid	Total Outstanding	Total Recoveries	Total Incurred
VARDO AMARO	PD	002058377	8/4/11	CLOSED	claim injured finger no oth	SHOCKEY, CAROLYN		8,000.00	0.00	0.00	8,000.00
DREEN MIKLOS	PD	002058421	8/15/11	CLOSED	claim tripped as she exited	SHOCKEY, CAROLYN		0.00	0.00	0.00	0.00
ROOK NUNEZ	PD	002058425	8/10/11	CLOSED	claim got hand caught in B	SHOCKEY, CAROLYN		5,000.00	0.00	0.00	5,000.00
ISBUS MUNGARY	PD	002058998	11/18/11	OPEN	child injured tooth on ride	THORNBRUGH, CHRIST		0.00	15,000.00	0.00	15,000.00
JAKE SULLIVAN	PD	002080146	8/23/11	CLOSED		LYLE, CATHERINE		0.00	0.00	0.00	0.00
LIZABETH LOPEZ	PD	002081555	5/5/12	CLOSED	Claim sprained her ankle	MASON, ROCHELLE		0.00	0.00	0.00	0.00
WESTMINSTER MALL	PD	002081591	4/18/12	CLOSED	Damage to mall property	MASON, ROCHELLE		0.00	0.00	0.00	0.00
DEEM MARTINEZ	PD	002081853	5/5/12	OPEN	Claimant's finger was shu	MASON, ROCHELLE		0.00	0.00	0.00	0.00
ASMIN RANGEL	PD	002082187	5/18/12	CLOSED	Claimant child allegedly o	MASON, ROCHELLE		0.00	0.00	0.00	0.00
JOSE MORALES	PD	002082193	5/28/12	OPEN	Claimant was on a ride a	MASON, ROCHELLE		0.00	8,000.00	0.00	8,000.00
Policy Edition Totals: 0								13,000.00	24,000.00	0.00	37,000.00

Policy Edition Totals: 0

Claim Count: 10



Date: 9/14/12 T.H.E. Insurance User: JWOLFE

Time: 16:25:30 Insured Losses Page: 1

Account: S01038 Shamrock Shows

Policy/ Loss Date/ Amount/ Indemnity

TOP ISO ST Claim No Status Resp Description of Loss Reported Subro Fees L.A.E.

CPP0100190-01 00147119:0001 Incident 22 ***SET UP ERROR - SEE 147897*** 6/11/10 .00 .00
.00

334 CA 0001 6/11/10 .00 .00

CPP0100190-01 00147878:0001 Closed 21 9/07/10 .00 206.00 .00

611 CA 0001 9/16/10 .00 .00

CPP0100190-01 00147897:0001 Closed JY Rosa Lopez Sky Ferris Wheel sustained un 6/10/10
7500.00 899.15 .00

334 CA 0001 known inju ries when ride malfunctioned. 9/16/10 .00 .00

CPP0100190-01 00147897:0002 Closed JY Delsey Lopez Sky Ferris Wheel sustained 6/10/10
7500.00 .00 .00

334 CA 0001 unknown injuries when ride malfunctioned 9/16/10 .00 .00

CPP0100190-01 00147897:0003 Closed JY Mason Lopez Sky Ferris Wheel sustained u 6/10/10
750.00 15.00 .00

334 CA 0001 nknown injury when ride malfunctioned. 9/16/10 .00 .00

CPP0100190-01 00147897:0004 Closed JY Hector Guevarra Sky Ferris Wheel sustain 6/10/10
750.00 15.00 .00

334 CA 0001 ed unknown injury when ride malfunctione 9/16/10 .00 .00



MARKETING AND PROMOTIONS

We work closely with our sponsors to provide them complete support in assisting with the successful marketing of their event. In order to present the carnival as a family value that is a fun and worthwhile attraction. We utilize a variety of special carnival ride promotions in the production of our yearly events. Our complete Marketing Guide provides you with professional print, radio and television advertising tools and human interest articles and information that can be utilized to help promote your event. If we are the company chosen to provide you with our carnival services, we will meet with you and/or the marketing committee at your request to assist in any way we can to help make the event a success. Below we have listed the promotions we will offer for your event.

- **Advance Sale Ride Coupons** – sold 24 for \$15.00. Advance sale is a substantial savings off the on grounds coupon ticket price.
- **Custom Designed Posters** – Actual poster are is 11” x 17” suitable for displaying indoors or out. Your city colors and logo can be used for the poster. Poster can be in English and Spanish if desired. We will provide 100 to 300 (other languages available).
- **Custom Designed Fliers**. Fliers are 5” x 8” and are printed in English on one side and Spanish on the other. 500 to 2,000 (other languages available)
- **Table Tent Toppers** – This item is designed to be used to advertise your advance sale as well as your event. The Topper is 5.5” x 7.25” and folds to make a small tent display. It is used to set on tables at restaurants and business counter tops. It provides event information, advance sale coupon details and a telephone number for more information and to purchase advance sale ride coupons. This promotion, especially when used in restaurants, has been very effective in boosting advance sales.
- **Dollar Day** – All rides are \$1.00 each (One ticket only). This promotion is used on slow mid-week days, such as a Thursday night opening day promotion.
- **Pay One Price** – We offer a Pay One Price wristband to help drive sales during slow times of the day. This promotion is available for your event on Saturday and/or Sunday afternoon.
- **Read and Ride** – This is a great promotion to involve your community schools. It is designed for elementary school age children K-6 grade. All students that participate receive free ride coupons for reading. We work with the local elementary schools to set up this program. It is a wonderful way to involve the community in your event and promote literacy.
- **Teen Day** – We advertise in the local school newspapers. Participants must be 13 to 19 years old. We offer a discount to teens on the POP wristband promotion. This promotion is held between Noon and 5 PM on Saturday or Sunday.



REFERENCES

Following is a partial list of references that you may want to contact. We will be happy to provide additional references if needed.

<u>CITY/EVENT/ORGANIZATION</u>	<u>CONTACT</u>	<u>PHONE</u>
Tustin Tiller Days	David Wilson, Parks and Recreation	714-573-3329
Conejo Valley Days	Frank Akrey	805-402-6071
Simi Valley Days	Gorden Voshall	805-584-0299
Southgate	Lavern Bates	323-564-8233
St. Edwards, Dana Point	Lisa Gipe	714-290-6658
Our Lady of Loretto	Michelle Sarmiento	213-483-5251
St. Louise De Marillac	Ray Elder	626-915-7873
Mary Immaculate	Romelia Preciado	818-899-0278
Norco Valley Fair	Marshall Davison	951-737-2634
San Antonio Church	Dwight Oylear	714-281-0399
Norwalk	Frank Napalitano	562-773-7559



VENDOR'S REFERENCES

This sheet must be completed in full and returned with vendor's proposal.

List and describe fully the last three contracts performed by your firm, which demonstrate your ability to provide carnival service in accordance with the specifications in Section V. Attach additional pages if necessary. The City reserves the right to contact each of the references listed for additional information regarding your firm's qualifications.

Reference NO. 1

Customer Name: Conejo Valley Days

Contact Individual: Frank Akrey

Address: 816 Calle Plan
Camarillo, CA 93012

Phone Number: 805-402-6071

Compensation Terms: % of Rides Sales

Year: 1995 to 2012

Carnival Rides, games and food including vendor booths, electrical generators etc.

Reference NO. 2

Customer Name: Tustin Tiller Days

Contact Individual: David Wilson

Address: 300 Centennial Way
Tustin, CA 92780

Phone Number: 714-573-3329

Compensation Terms: % of Rides Sales

Years: 2012

Carnival Rides, games and food including vendor booths, electrical generators etc.

Reference NO. 3

Customer Name: Simi Valley Days

Contact Individual: Gorden Vosball

Address: P O Box 164
Simi Valley, CA 93062

Phone Number: 805-584-0299

Compensation Terms: % of Rides Sales

Years: 1998-2012

Carnival Rides, games and food including vendor booths, electrical generators etc.



Compensation to the City

This sheet must be completed and returned with vendor's proposal.

	Percentage of Gross	Flat Fee
<u>Ride Ticket Revenue</u>	30% of advance sale ride coupons 25% of on ground ride ticket Sales up to \$40,000 30% of on ground ride ticket Sales over \$40,000	
<u>Game Booths</u>		\$200.00 each
<u>Food Booths</u>		\$250.00 each
<u>Other Attractions</u> <u>Photo Booths,</u> <u>Souvenir Stands, etc.</u>		\$100.00 each



PROPOSAL FORM

Sealed Responses to this Request for Proposal are due at **1:30 PM, Thursday, October 11, 2012**. The undersigned Vendor agrees to provide carnival services at Barnes Park in accordance with the specification. I/We have stated herein the services and fee that I/we will furnish and deliver as specified.

Award shall be based upon the evaluation criteria included this document. Where there is a discrepancy between words and figures, WORDS SHALL GOVERN.

The City of Monterey Park reserves the right to cancel any license agreement in the event that terms under which carnival vendor is contracted are violated.

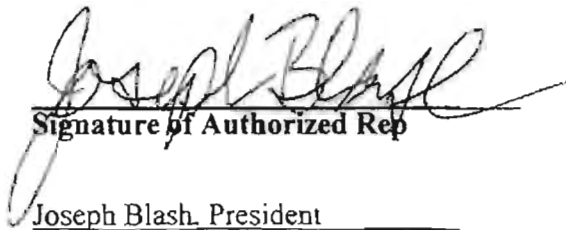
North American Amusements, Inc.
dba Shamrock Shows

Name of Vendor
(Person, Firms, Corp.)

11101 Calabash Ave
Address

Fontana, CA 92337
Address

714-962-5441
Telephone Number


Signature of Authorized Rep

Joseph Blash, President
Name and Title

October 8, 2012
Date

714-962-0738
Fax Number

:



CITY OF MONTEREY PARK

ANNUAL PLAY DAYS

May 17–20, 2012

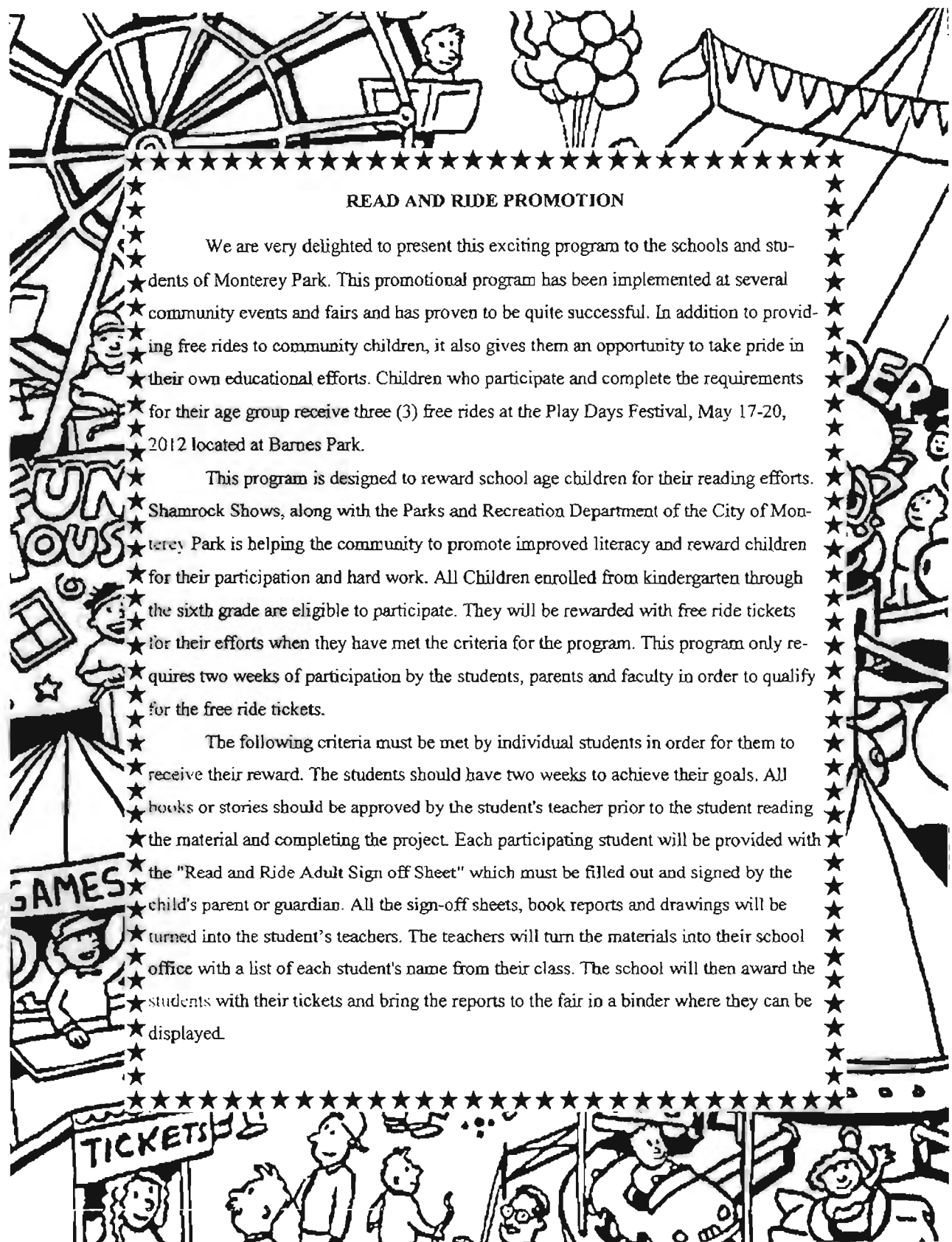
READ AND RIDE PROGRAM

READING IS A LIFETIME OF FUN

Monterey Park
Parks and Recreation
320 W. Newmark Ave
Monterey Park, CA 91754

FOR INFORMATION CALL

626-307-1390

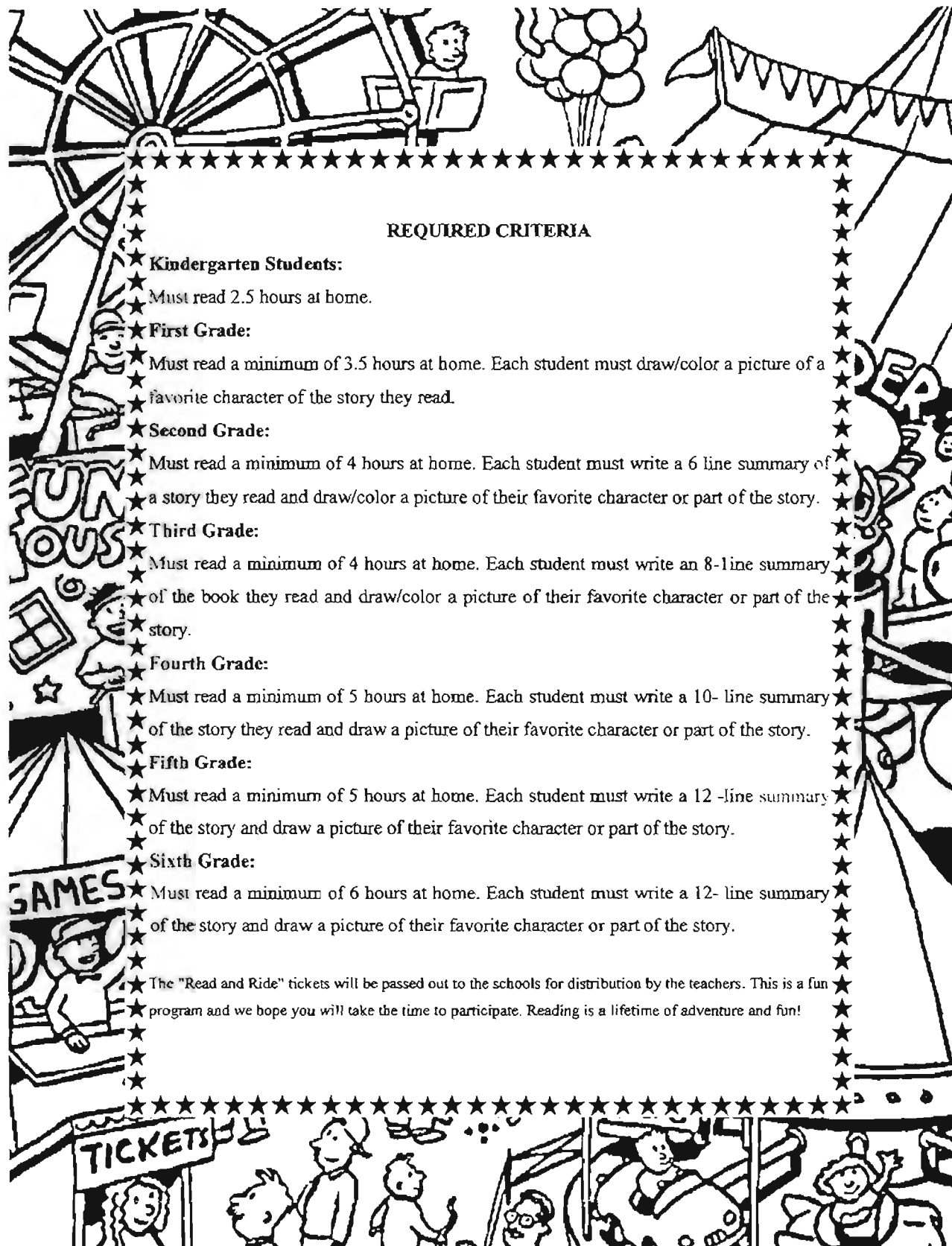


READ AND RIDE PROMOTION

We are very delighted to present this exciting program to the schools and students of Monterey Park. This promotional program has been implemented at several community events and fairs and has proven to be quite successful. In addition to providing free rides to community children, it also gives them an opportunity to take pride in their own educational efforts. Children who participate and complete the requirements for their age group receive three (3) free rides at the Play Days Festival, May 17-20, 2012 located at Barnes Park.

This program is designed to reward school age children for their reading efforts. Shamrock Shows, along with the Parks and Recreation Department of the City of Monterey Park is helping the community to promote improved literacy and reward children for their participation and hard work. All Children enrolled from kindergarten through the sixth grade are eligible to participate. They will be rewarded with free ride tickets for their efforts when they have met the criteria for the program. This program only requires two weeks of participation by the students, parents and faculty in order to qualify for the free ride tickets.

The following criteria must be met by individual students in order for them to receive their reward. The students should have two weeks to achieve their goals. All books or stories should be approved by the student's teacher prior to the student reading the material and completing the project. Each participating student will be provided with the "Read and Ride Adult Sign off Sheet" which must be filled out and signed by the child's parent or guardian. All the sign-off sheets, book reports and drawings will be turned into the student's teachers. The teachers will turn the materials into their school office with a list of each student's name from their class. The school will then award the students with their tickets and bring the reports to the fair in a binder where they can be displayed.



REQUIRED CRITERIA

Kindergarten Students:

Must read 2.5 hours at home.

First Grade:

Must read a minimum of 3.5 hours at home. Each student must draw/color a picture of a favorite character of the story they read.

Second Grade:

Must read a minimum of 4 hours at home. Each student must write a 6 line summary of a story they read and draw/color a picture of their favorite character or part of the story.

Third Grade:

Must read a minimum of 4 hours at home. Each student must write an 8-line summary of the book they read and draw/color a picture of their favorite character or part of the story.

Fourth Grade:

Must read a minimum of 5 hours at home. Each student must write a 10- line summary of the story they read and draw a picture of their favorite character or part of the story.

Fifth Grade:

Must read a minimum of 5 hours at home. Each student must write a 12 -line summary of the story and draw a picture of their favorite character or part of the story.

Sixth Grade:

Must read a minimum of 6 hours at home. Each student must write a 12- line summary of the story and draw a picture of their favorite character or part of the story.

The "Read and Ride" tickets will be passed out to the schools for distribution by the teachers. This is a fun program and we hope you will take the time to participate. Reading is a lifetime of adventure and fun!

Staff Report City of Monterey Park

DATE: November 21, 2012

TO: Paul Talbot, City Manager

FROM: Jim Basham, Director of Community Development

SUBJECT: **CONSENT CALENDAR: AUTHORIZE THE CITY MANAGER TO EXECUTE A CONTRACT WITH DAPEER, ROSENBLITT & LITVAK, LLP AS ITS CITY PROSECUTOR**

DISCUSSION

The law firm of Dapeer, Rosenblitt & Litvak has been providing City Prosecutor services for the City of Monterey Park since the early 1990's. Currently the firm is performing under a City executed contract dated June 4, 2008 at the hourly rate of \$150 and is asking that the contract be renewed at the hourly rate of \$160. The firm's current hour rate for new clients is \$185

The firm has a very long standing positive relationship with the City and Code Enforcement staff. The firm has been responsive and accountable when called upon to provide code enforcement prosecutorial services for over 20 past. The firm is currently assisted Code Enforcement staff with six new prosecution cases regarding on-going property maintenance violations, noncompliance with the vacant lot landscape provisions and. In the past, the firm has been very effective in securing "summary probations" for code violations such as property maintenance and illegal building construction.

FISCAL IMPACT

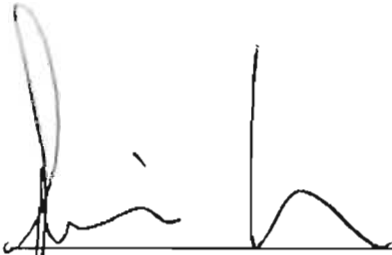
The contract renewal will increase the total expenses for City Prosecutor by \$10 per hour at an average of approximately 20 hours per month or an additional \$2,400 annually.

RECOMMENDATION:

Authorized the City Manager to execute the agreement for the continued City Prosecutorial Services with the firm Dapeer, Rosenblitt & Litvak at the rate of \$160 per hour.

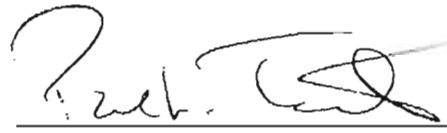
Dapeer, Rosenblitt & Litvak
November 21, 2012
Page No. 2

By:



Jim Basham
Community Development Director

Approved:



Paul Talbot
City Manager

/JB

Attachment: Contract

AGREEMENT BETWEEN THE CITY OF MONTEREY PARK
AND DAPEER, ROSENBLIT & LITVAK, LLP

This Agreement is made and entered into ____day of ____, 2012, by and between the City of Monterey Park, 320 W. Newmark Avenue, Monterey Park, California 91754, hereinafter referred to as "City", and Dapeer, Rosenblit & Litvak, LLP, a California limited liability partnership, hereinafter referred to as "Attorneys".

WITNESSETH

Whereas, City desires to continue engaging Attorneys to enforce its municipal code and has and does appoint Attorneys as its City Prosecutors; and,

Whereas, the principal members of Attorneys are attorneys duly licensed under the laws of the State of California and experienced in providing code enforcement services:

Now, therefore, the parties hereto agree as follows:

1. Description of Work. City engages Attorneys to serve as code enforcement attorneys and as its City Prosecutor. Attorneys shall investigate and prosecute violations of City's municipal code and may, upon direction from City, utilize all available remedies in connection therewith. The services shall include reviewing police or other City reports and requests for criminal prosecution or other action, making determinations on whether to file a criminal complaints, preparing and serving complaints, representing City at court hearings interviewing witnesses, performing necessary legal research in connection with prosecution, recommending changes and amendments to the Monterey Park Municipal Code to facilitate enforcement and advising department directors and law enforcement personnel on criminal procedures. Attorneys shall use their independent judgment in determining whether to initiate criminal prosecution, which judgment shall be in accordance with all applicable law and the highest ethical requirements of a prosecuting attorney.

2. Data Furnished Attorneys. All information, data, reports, records and maps as are existing and in the possession of City, and necessary for carrying out the work shall be furnished to Attorneys without charge by City, and City shall cooperate in every reasonable way in the carrying out of the work without delay.

3. Term. This Agreement shall be effective as of May 7, 2012 and shall be and remain in full force and effect unless terminated pursuant to Paragraph Eight (8) herein.

4. Personnel.

A) Attorneys represent that they employ, or will employ at their own expense, all personnel required to perform the services required under this Agreement. Such personnel shall not be employees of, or have any contractual relationship with the City.

B) All the services required hereunder will be performed by Attorneys, and all personnel engaged in the work shall be fully qualified and shall be authorized or permitted under state and local law to perform such services.

5. Commencement and Completion of Work. The execution of the Agreement by the parties hereto does not constitute an authorization to proceed. The services of Attorneys in connection with any prosecution or other action are to commence only when the City Manager, or his designee, shall have assigned matters to Attorneys. Attorneys shall have no claim for compensation for services on any work upon which the City does not assign to attorneys.

6. City Representative. Attorneys shall work closely and cooperate fully with the City and its designated representatives. The designated representative shall be the City Manager or his authorized designee.

7. Compensation and Costs. City shall pay to Attorneys for services performed by Attorneys hereunder, within thirty (30) days following receipt from Attorneys and approval by the City or original invoices therefor, as follows:

HOURLY RATE SERVICES

- General code enforcement/criminal services (including preparation of compliance letters, office conferences, obtaining warrants, preparation of documents and court appearances relating to actual or potential criminal prosecution): \$160.00 per hour;
- Drafting/review of amendments to the municipal code: \$200.00 per hour;
- Administrative proceedings before the Planning Commission, City Council, or other appointed hearing officer: \$200.00 per hour;
- Civil litigation services and court appeals: \$225.00 per hour.

City shall reimburse Attorneys for the following costs:

- Attorney service charges, as incurred, for service of arraignment notices and subpoenas, procurement of documents from courts and other entities, document certification fees, and for other customary services.
- Any court reporter fees, as incurred, for the procurement of a transcript of a court proceeding.
- Any fees or charges, as incurred, to prepare, duplicate or enlarge exhibits for any proceeding.
- \$15.00 for each use of commercial database providers (including Infotek, Dataquick or Courthouse Data) for investigational or background purposes in a matter. This charge is exclusive of any attorney time in reviewing this information (to be billed hourly), or other charges to Attorneys by said information providers (which shall also be billed to the City).
- Copier charges – 20 cents a page; Faxes – 25 cents a page.
- Postage – As incurred.
- Any extraordinary costs with prior City approval.

8. Termination for Convenience. The City Council may terminate this Agreement at any time without cause by giving 30 days written notice to Attorneys of such termination and specifying the effective date thereof. In this event, all finished or unfinished documents and other materials shall, at the option of City, become its property. If this Agreement is terminated by City as provided in this Section 8, Attorneys will be paid for all services rendered by Attorneys prior to the date of termination. Attorneys may terminate this Agreement at any time without cause by giving 90 days written notice to City of such termination and specifying the effective date thereof.

9. Transfer of Files. In the event of termination, City and Attorneys shall cooperate in the orderly transfer of pending matters and cases to another attorney as designated by City.

10. Contract Changes. No change in the character, extent, or duration of Attorneys' services shall be made except upon approval by the Manager or City Council and execution of a supplemental agreement in writing between City and Attorneys. The supplemental agreement shall set forth the changes of work, the extensions of time and the adjustments of the fee to be paid by City to Attorneys, if any.

11. Responsible Attorneys. Responsible individuals for Attorneys' performance under this Agreement shall be Steven H. Rosenblit, Kenneth B. Dapeer, William Litvak and James Eckart.

12. Insurance. Attorneys shall file and maintain on file with City at all times during the term of this Agreement, a copy of or certificate evidencing that Attorneys obtained automobile liability insurance covering all automobiles utilized by attorneys and each of its employees in providing the services hereunder in an amount of not less than \$300,000.00 aggregate limit. The liability insurance required hereunder, shall be written by qualified companies listed A or better in the Best's Insurance Guide and authorized to do business in the State of California. All required certificates shall be filed with and approved by the City Attorney. In addition, Attorneys shall procure and maintain in force a legal malpractice (errors and omissions) policy in an amount of not less than \$1,000,000.00 per claim and worker's compensation insurance in accordance with Section 3700 of the Labor Code.

13. Independent Contractor. Attorneys shall be independent contractors and shall not incur, nor have the power to incur any debt, obligation or liability whatever for or against City.

14. Interests of Attorneys. Attorneys affirm that they presently have no interest and shall not have any interest, direct or indirect, which would conflict in any manner with the performance of the services contemplated by this Agreement. No person having such interest shall be employed by or associated with Attorneys.

15. Compliance with State Law. Attorneys shall comply with all state, and local laws and ordinances applicable to the work and shall perform the work in a manner which accords with the highest level of professional care, and ethical responsibility as required by applicable professional standards and rules of conduct.

16. Findings Confidential. All of the reports, information, data, or other documents prepared or assembled by the Attorneys under this Agreement are confidential and Attorneys agree that they shall not be made available to any individual or organization without the prior written approval of City.

17. Copyright. No report or other document produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the Attorneys, and all such documents maybe used in any manner by the City without providing additional compensation to Attorneys.

18. Assignability. Attorneys shall not assign any interest in this Agreement, and shall not transfer any interest in the same without the prior written consent of City. Claims for money due or to become due to Attorneys from City under this Agreement may be assigned to a bank, trust company or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to City.

19. Notice. Any notice or notices required or permitted to be given pursuant to this contract may be personally served on the other party by the party giving such notice, or may be served by certified mail, return receipt requested, to the following addresses:

Dapeer, Rosenblit & Litvak, LLP
Post Office Box 2067
Huntington Park, CA 90255-3099

City of Monterey Park
320 W. Newmark Avenue
Monterey Park, CA 91754

20. Oral Modification. This Agreement supercedes all prior proposals, Agreements and understanding between the parties and may not be changed or terminated orally, and no change, termination, or attempted waiver of any of the provisions hereof shall be binding, unless in writing and signed by the party against whom the same is sought to be enforced.

21. Indemnification. In the event that Attorneys are named as a defendant in a lawsuit, claim or other proceeding based upon their status as the City's prosecutors or special counsel, provided that such claim did not result from the gross negligence or recklessness of Attorneys, the City shall indemnify and hold Attorneys harmless, including attorneys fees and costs.

22. Recitals. The Recitals set forth above are made a part hereof.

In Witness Whereof, said parties have executed this Agreement the date first hereinabove written.

CITY OF MONTEREY PARK

By: _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM

:_____
CITY ATTORNEY

DAPEER, ROSENBLIT & LITVAK, LLP

By: _____
Kenneth B. Dapeer

STAFF REPORT

City of Monterey Park

DATE: November 21, 2012

TO: PAUL TALBOT, CITY MANAGER

FROM: JAMES BIRRELL, FIRE CHIEF 

SUBJECT: EMERGENCY OPERATIONS CENTER - AWARD OF CONTRACT

The Engineering Division has completed the bidding process for the Emergency Operations Center (EOC) project and is recommending the award of contract to Accelerated Modular Concepts Inc in the amount of \$443,282.00.

DISCUSSION:

The EOC project involves excavation and grading of the site at 329 W. Newmark Avenue; construction of a reinforced concrete building foundation; installation of pre-fabricated modular building; connection of all utilities; construction of concrete pavement, walkways, masonry block perimeter wall, planter walls, covered entryway, access ramp, sidewalk and curb & gutter; and installation of landscaping and irrigation. The new EOC building will provide the necessary space and design features to allow City staff to carry out a unified and coordinated response to any major natural disasters or planned civic events.

On November 8, 2012, staff received a total of seven bids. A summary of the bids is as follows:

RANK	BIDDER	BID AMOUNT
1	ACCELERATED MODULAR CONCEPTS INC.	\$443,282.00
2	E. AVICO INC.	\$528,420.60
3	WESTERN GROUP INC.	\$535,200.00
4	G2K CONSTRUCTION INC.	\$584,500.00
5	OCEANSTATE DEVELOPMENT INC.	\$623,620.00
6	UNIQUE PERFORMANCE CONSTRUCTION	\$624,350.00
7	DASH CONSTRUCTION COMPANY INC.	\$696,401.00

The bid submitted by Accelerated Modular Concepts Inc. is the lowest responsive bid from a responsible bidder. The contractor's license was verified with the Contractors State License Board to be current, active and in good standing. Staff also checked the contractor's references and received very positive feedback. Accelerated Modular Concepts Inc. has recently constructed modular buildings for both public and private customers in the cities of Brea, Sylmar, Van Nuys and Bakersfield.

CEQA (California Environmental Quality Act):

CEQA requirements have been satisfied by the filing of a Notice of Exemption with the Los Angeles County Registrar Recorder on October 15, 2011. The filing was not contested and thusly approved by default.

FISCAL IMPACT:

The project will be funded with Federal Emergency Operations Center Grant funds and City Public Safety Impact funds. Adding a 10% contingency for unforeseen construction changes, the estimated total project cost is \$490,000. However, Staff is currently negotiating with the contractor to reduce the scope and cost of the project as necessary.

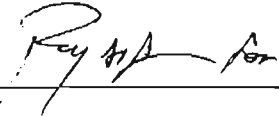
RECOMMENDATION:

It is recommended that the City Council award the contract for construction of the Emergency Operations Center to the lowest bidder, Accelerated Modular Concepts, Inc. of Victorville, in the amount of \$443,282.00 and authorize the City Manager to execute a standard public works agreement in a form approved by the City Attorney

By: 
James Birrell
Fire Chief

Approved: 
Paul Talbot
City Manager

Public Works Department:

By: 
Elias Saykali
Director of Public Works/City Engineer

ATTACHMENTS: Low Bidder Results

**City of Monterey Park
California**

PROPOSAL FOR

EMERGENCY OPERATIONS CENTER

SPECIFICATION NO. 811

The undersigned, as bidder, declares that he or she has carefully examined the location of the proposed work, the proposed form of agreement, and the plans and specifications herein referred to. He or she proposes and agrees that, if this proposal is accepted, he or she will contract with the City of Monterey Park to provide all equipment, materials and labor to the satisfaction, and under the supervision of, the City Engineer at the following prices.

It is understood that the time within which the above-mentioned work must be completed by the undersigned is fixed at **60 working days working days starting from the day after the issuance of the Notice to Proceed.**

Construction of Emergency Operations Center at 329 W. Newmark Avenue

(Items 1 to 13)

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
1.	160	C.Y.	Excavation and grading, complete and in-place, as shown in plans for the sum of:

Seventeen Thousand Twenty Four

Words, per Cubic Yard

Figures

Total (Figures) \$ 17,024

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
2.	1	L.S.	Construct reinforced concrete building foundation per plan, complete and in-place, the sum of:

Nineteen Thousand Nine Hundred Fourteen

Words, per Lump Sump

Figures

Total (Figures) \$ 19,914

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
3.	1	L.S.	Furnish and install 36' x 60' prefabricated commercial modular building per plan, complete and in-place, the sum of:

Two Hundred Forty Five thousand eight hundred sixty seven
 Words, per Lump Sum Figures

Total (Figures) \$ 245,867

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
4.	2100	S.F.	Construct 4"-thick concrete pavement per plan, complete and in-place complete, the sum of:

FIVE
Twenty Two Thousand Nine Hundred Sixty

Words, per Square Foot Figures

Total (Figures) \$ 25,960

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
5.	76	L.F.	Construct 18"-high CMU planter wall per plan, complete and in-place, the sum of:

Nine Thousand Nine Hundred forty eight

Words, per Linear Foot Figures

Total (Figures) \$ 9,948

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
6.	1	L.S.	Furnish and install pre-fabricated ADA-compliant steel ramp per plan, complete and in-place complete, the sum of:

Twenty Three Thousand Five Hundred Twenty

Words, per Ton

Figures

Total (Figures) \$ 23,520

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
7.	15	L.F.	Remove existing P.C.C. driveway, construct curb and gutter to match existing, backfill approach and level per plan, complete and in-place, the sum of:

Four Thousand Nine Hundred Twenty Eight

Words, per Linear Foot

Figures

Total (Figures) \$ 4,928

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
8.	1	L.S.	Construct P.C.C. deck, steps and wood porch cover to match EOC building material, finish and color per rendering, complete and in-place, per plans for the sum of:

Seven Thousand Four Hundred Forty Eight

Words, per Lump Sump

Figures

Total (Figures) \$ 7,448

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
9.	1	L.S.	Construct drainage system per plan, complete and in-place, the sum of:

Five Thousand Two Hundred Sixty Four

Words, per Lump Sum

Figures

Total (Figures) \$ 5,264

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
10.	1	L.S.	Install and connect all utilities to EOC building per plan, complete and in place for the sum of:

Fifty Five Thousand Seven Hundred Eighty Eight

Words, per Lump Sum

Figures

Total (Figures) \$ 55,788

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
11.	60	L.F.	Construct 6"-wide P.C.C. mow strip, complete and in-place, the sum of:

N/A

Words, per Lump Sum

Figures

Total (Figures) \$ N/A

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
12.	1	L.S.	Furnish and install automatic irrigation system and landscape planting in front of EOC building, complete and in-place, the sum of:

Six Thousand Eight Hundred Seventy Six

Words, per Lump Sump

Figures

Total (Figures) \$ 6,876

<u>Item No.</u>	<u>Quantity</u>	<u>Unit</u>	<u>Description</u>
13.	170	L.F.	Construct 6'-high C.M.U. perimeter wall, 8" x 16" split face colored block and grout, 2" C.M.U. square cap, per plan and detail on the north and west sides of property and around emergency generator, complete and in place for the sum of:

Twenty Thousand Seven Hundred Forty Six

Words, per Linear Foot

Figures

Total (Figures) \$ 20,746

TOTAL BASE BID PRICE (Items #1 through #13)

Four Hundred Forty ^{THREE} Thousand Two Hundred Eighty Two  \$443,282

WORDS

FIGURES

IN CASE OF DISCREPANCY BETWEEN WORDS AND FIGURES, THE WORDS SHALL PREVAIL.

Accompanying this bid is \$ 10% ("cash," "cashier's check," or "bidder's bond"-- underline one), in an amount equal to at least ten percent (10%) of the total bid.

If awarded the contract, the undersigned agrees that should he or she fail to execute the required contract, and file the necessary bonds and insurance certificates within ten (10) days (excluding Saturdays, Sundays and legal holidays) after the City Engineer has mailed notice of the award of contract to him or her, the proceeds of the security accompanying this bid shall become the property of the City of Monterey Park. This bid and the acceptance hereof may then, at the City's option, be considered null and void.

If an individual, so state; if a partnership, state the firm name and give the names of all individual partners, limited and general; if a corporation, state the names of the president, secretary, treasurer and manager, if any.

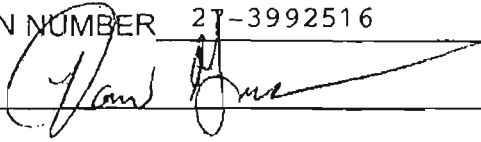
NAME OF CONTRACTING FIRM Accelerated Modular Concepts, Inc.

ADDRESS 14252 St. Andrews Dr. #7
Victorville, Ca. 92395

TELEPHONE (760) 617-4889 FAX (760) 951-1112

STATE LICENSE NO. 700563 EXPIRATION DATE 11/20/2012

FEDERAL TAX IDENTIFICATION NUMBER 27-3992516

SIGNATURE OF BIDDER (S) 

DATE 11/7/12

Staff Report City of Monterey Park

DATE: Nov. 21, 2012

TO: PAUL TALBOT, CITY MANAGER

FROM: ELIAS SAYKALI, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER

SUBJECT: APPROPRIATION AND PURCHASE OF A MIDSIZE PICK-UP TRUCK

BACKGROUND:

Staff is seeking authorization from the City Council for the appropriation and purchase of a midsize pick-up truck.

DISCUSSION:

On June 21, 2012 Water Division Vehicle #005, a 2007 Ford F-150 truck, was involved in a collision and damaged beyond repair. Unit #005 was assigned to the Delta Plant and was used as a daily service truck and stand-by vehicle. The loss of this vehicle has diminished the Production Staff's ability to independently travel between the treatment plants, wells and reservoirs for which they are responsible. Staff has been using a 1995 sedan as a temporary stopgap measure, but a sedan is impractical for carrying tools and traveling over the dirt roads and grass that lead to wells and other water locations.

Therefore, staff is requesting authorization for an appropriation and purchase of a replacement vehicle. This replacement will be a current model year, midsize pick-up Super Cab truck, properly equipped for Delta Treatment Staff. This purchase will not exceed \$40,000 and will include the purchase price and outfitting of the vehicle.

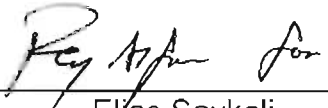
FISCAL IMPACT:

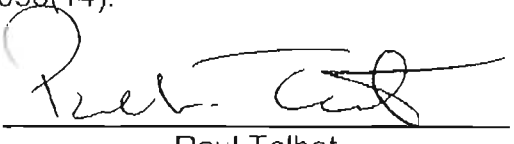
The cost for a replacement vehicle is expected to be approximately \$40,000 and will be appropriated from the Water Fund (0092).

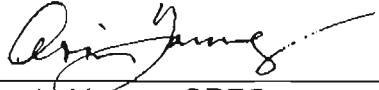
RECOMMENDATION:

It is recommended that the City Council:

Authorize the City Manager to purchase of a replacement midsize vehicle, and authorize an appropriation from the Water Fund in an amount not to exceed \$40,000 per Monterey Park Municipal Code Section § 3.20.050(14).

By: 
Elias Saykali
Director of Public Works

Approved: 
Paul Talbot
City Manager

By: 
Annie Yaung, CPFO
Financial Services Manager

ORAL AND WRITTEN COMMUNICATIONS

Staff Report City of Monterey Park

Public Hearing
Agenda Item 12

DATE: November 21, 2012

TO: PAUL TALBOT, CITY MANAGER

FROM: DONNA M. RAMIREZ, ACTING ECONOMIC DEVELOPMENT SPECIALIST

SUBJECT: PUBLIC HEARING FOR CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA CONFIRMING THE 2012 ANNUAL REPORT AND THE LEVY OF ASSESSMENTS FOR BUSINESS IMPROVEMENT DISTRICT NO. 1 FOR PROGRAM YEAR 2013

On October 17, 2012, the City Council set the date for a public hearing regarding the assessment of businesses within Business Improvement District No. 1. BID Assessment revenues will fund promotional activities and special events to benefit downtown businesses.

This hearing was noticed in the Monterey Park Progress newspaper and every business in the BID was sent a hearing notice in Chinese, English, and Spanish. At the conclusion of this public hearing, the Council can choose to adopt the resolution confirming the levy of assessments for the BID or make adjustments as needed.

DISCUSSION

Based on its October 2, 2012 Annual Meeting, the Business Improvement Business Advisory Committee requested that the City Council set the date for a public hearing to consider the 2013 levy of Assessment Fees for the Business Improvement District No. 1. The public hearing and adoption of the resolution on the renewal of the assessments under consideration are required under Streets and Highways Code §§36600, *et seq.*

With the financial difficulties created since 2009 and the dissolution of redevelopment agencies throughout California, funding from Business Improvement Districts has become increasingly important to communities as a means to improve or maintain the vibrancy of their downtowns or small commercial areas. This economic tool allows businesses to assess themselves to then direct the revenue back into the area to finance a wide range of activities, such as, street furniture, maintenance, holiday lighting, and marketing, to name a few.

The law provides an opportunity for all potential assesses to protest the proposed renewal of or change to the assessments. If written protests are received by the owners of businesses in the proposed area that pay 50% or more of the total amount of the assessments to be levied, the proposed assessment cannot occur. If the protests received do not amount to 50% of the total assessed amount then the Council may adopt the attached resolution confirming the levy of assessments. This will allow the BID to continue to benefit from the promotions and public improvements as proposed in the 2013 Business Improvement District No. 1 budget.

The BIDAC is proposing its 2013 BID programs and budget. The proposed 2013 budget is included in the 2012 Annual Report.

A number of goals for the upcoming 2013 BID Program include, without limitation:

1. Continue to work with the Chamber of Commerce on joint projects for the promotion of business in Monterey Park;
2. Replace missing or damaged holiday decorations for the light poles;
3. Repair and replacement of palm tree lighting
4. Paint the decorative light poles along Garvey Avenue;
5. Provide holiday advertising for the BID area as a destination to shop;
6. Purchase a message board for the Lincoln Avenue Parking lot area;
7. Work with the city and merchants to keep the downtown area looking clean; and
8. Update the City Council on efforts to educate business owners regarding "customer friendliness."

The City Council is required to receive and file the Annual Report. After receiving the report, the City Council will consider and adopt the attached Resolution of Intent to Levy an Annual Assessment for the BID for 2013.

Resolution No. 10943 adopted on December 1, 2004 Public Hearing established an automatic five percent increase of all BID assessment fees every two years. In 2011, the City Council voted to postpone the increase until 2013, at which time it will revisit the option for an increase. The BIDAC is recommending that the City Council increase the assessments for 2013.

The Council may take action on the proposed 2013 budget. The proposed 2013 budget was included in the 2012 BID Annual Report which was part of the October 2, 2012 Business Improvement District Annual Meeting to which all businesses were invited.

Proposed activities and expenditures are as follows:

BID Budget for 2013		
	Annual Year	
Contractual Services	1/01/2013-12/31/2013	Notes
Administration	\$3,000.00	mailings, annual meeting Translation., California membership
Promotions	\$2,000.00	Possible news ads for local businesses during holiday seasons
New Holiday Decorations	\$2,000.00	decorations, additional lights and rope light replacement & Edison
Decoration Installation	\$4,700.00	storage, installation. Removal
Up-lights & trunk lights for trees	\$40,000.00	Lights and electrical contractor for palm trees
Painting light poles	\$15,000.00	Cost to paint the decorative light poles along Garvey Avenue
Porter Service Contract	\$56,700.00	Custodial Contract for BID
Chinese New Year Festival	\$10,000.00	City staff
Palm Tree base replacement	\$20,000.00	Replace grates with alternate material at base of trees

Flowers for planters	\$10,000.00	Purchase of flowers for the planters
Kiosk	\$2,000.00	Message Board area for the downtown
TOTAL	\$165,400.00	
Revenues for 2012: \$58,395		
Revenues estimated for 2013: \$61,315		
Reserves: \$298,986 (less expenses)		

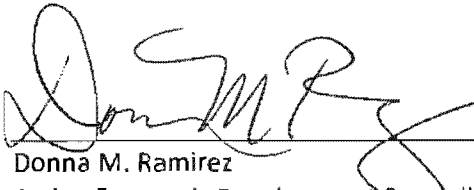
Staff would administer the BID funds consistent with the approved 2013 BID budget and seek recommendations of the Advisory Committee and appropriate City Council approvals to carry out BID activities.

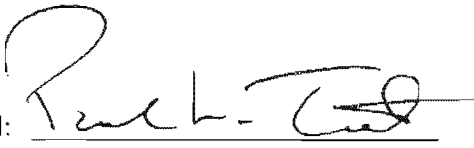
FISCAL IMPACT

The total amount that businesses would be assessed plus interest under the current BID Assessment formula is estimated to be \$61,315 with the 5% increase. The revenues will be specifically and exclusively available to promote business activity within Business Improvement District No. 1. There is no impact on the General Fund.

RECOMMENDATION

1. Open public hearing; receive both written and oral comments; close public hearing.
2. Adopt the resolution confirming the 2012 Annual Report and the levy of assessments for Business Improvement District No. 1 for Program Year 2013.

By: 
Donna M. Ramirez
Acting Economic Development Specialist

Approved: 
Paul Talbot
City Manager

RESOLUTION NO. _____

**A RESOLUTION LEVYING ASSESSMENTS FOR BUSINESS IMPROVEMENT
DISTRICT NO. 1 FOR PROGRAM YEAR 2013 IN ACCORDANCE WITH
GOVERNMENT CODE § 36624.**

The City Council for the City of Monterey Park does resolve as follows:

SECTION 1: *Findings.* The City Council finds as follows:

- A. Cities are authorized under the Property and Business Improvement District Law of 1994 (Streets & Highways Code §§ 36600, *et seq.*) to establish business improvement districts ("BID") within their jurisdictions for the purpose of funding certain services;
- B. Business Improvement Area No. 1 was established by Ordinance No. 1604 on October 10, 1983 and modified by Ordinance No. 1656 on March 10, 1986;
- C. As required by applicable law, the City prepared an Annual Report for Program Year 2012 for Business Improvement Area No. 1 ("Report") and submitted it to the City Council;
- D. Based upon the Report, the City Council proposes to levy increased assessments Business Improvement Area No. 1 for Program Year 2013 as calculated in the Report which is incorporated by reference. A true and correct copy of the Report is available for public review in the City Clerk's office;
- E. On October 17, 2012, the City Council adopted Resolution No. 11527 giving notice of its intent to levy and collect assessments within Business Improvement District No. 1 for Program Year 2013; and
- F. On November 21, 2012, the City Council considered public testimony and documentary evidence during a public hearing regarding the levy of assessments for Business Improvement District No. 1. This Resolution, and its findings, are based upon the entirety of the record considered by the City Council at its November 21st public hearing.

SECTION 2: *Protests.* The dollar value of valid protests required to prevent adoption of the proposed assessments is \$31,270.65. Because the number of valid protests received by the City ☐ does, ☐ does not represent a majority of persons eligible to protest, the City Council ☐ may, ☐ may not adopt the proposed assessments.

SECTION 3: *Approval.* In accordance with the applicable sections of Property and Business Improvement District Law of 1994 (Streets & Highways Code §§ 36600, *et seq.*), the City Council adopts an annual assessment within the BID as set forth in attached Exhibit "A," which is incorporated by reference.

SECTION 4: *Authorization.* The City Manager, or designee, is directed to take such actions that are needed to collect this assessment.

SECTION 5: *Budget.* The BID Annual Budget for 2013, as set forth in the Report, is approved. The City Manager, or designee, is authorized to implement the BID Annual Budget for 2012 as set forth in the Report.

SECTION 6: *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 8: *Effectiveness.* This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of November, 2011.

Mitchell Ing
Mayor

ATTEST:

David Barron, CMC
City Clerk

APPROVED AS TO FORM:

Mark D. Hensley, City Attorney

By:

Karl H. Berger
Assistant City Attorney

State of California)
County of Los Angeles) ss.
City of Monterey Park)

I, David M. Barron, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Resolution No. 11445 was duly and regularly adopted by the City Council of the City of Monterey Park at a meeting held on the 16th day of November, 2011, by the following vote:

Ayes:	Council Members:
Nays:	Council Members:
Absent:	Council Members:
Abstain:	Council Members:

Dated this day of November, 2012-10-30

David M. Barron, CMC, City Clerk
City of Monterey Park, California

Staff Report City of Monterey Park

DATE: November 21, 2012

TO: Honorable Mayor, Mayor pro tem, and City Councilmembers

FROM: Paul Talbot, City Manager
Mark D. Hensley, City Attorney

SUBJECT: Consideration and possible action to (1) place an initiative on the ballot for the previously called March 5, 2013 municipal election to amend the City's utility user tax ("UUT") regulations (Monterey Park Municipal Code Chapter 3.38) to update the language with regard to maintaining the City's revenues from the UUT tax based upon technological changes in communications methods; and (2) take such additional, related, action that may be desirable.

The City's existing utility user tax ("UUT"), which covers telephone, electricity, and gas services, was adopted in 1983 and modified several times since then. The existing telephone UUT, applicable only to commercial and industrial service users, generates approximately \$1.1 million annually.¹ A large portion of this revenue is at risk due to outdated language in the telephone tax and changes in federal law.

Since 1988, communication services changed dramatically. Telecommunications are no longer limited to standard "land line" telephone services. Cellular/wireless telephone calls, which are even among the simpler forms of communication today, now represent a greater portion of the telephone tax revenue than traditional land lines. Another newer technology, Voice Over Internet Protocol, is telephone service that is administered over an Internet line, not a telephone line and is fast becoming one of the most popular means of providing home and office telephone service. Moreover, the telephone companies' billing practices have changed over time and often traditional telephone services are bundled together with other communication services for a flat rate, resulting in additional complications in applying the existing UUT ordinance to modern services.

The City's existing UUT regulations contain outdated definitions of communications services. The Cities of Los Angeles, Long Beach, Sacramento, Palo Alto and the County of Los Angeles have litigated over the application and validity of these types of outdated definitions. Voter approval of the proposed modern communication services tax ordinance would eliminate some of the concerns being litigated by other cities.

Many cities, including Monterey Park, have specifically exempted from the local UUT all

¹In fiscal year 2009-10, \$1.3 million of the General Fund revenue was generated from the telephone tax specifically, and in fiscal year 2011-12, the telephone tax generated \$1.1 million, a decrease of \$200,00.

telephone services that are not subject to the federal excise tax found at 26 U.S.C. § 4251, commonly referred to as the federal exemption. The federal excise tax, first enacted in 1898, imposes a tax on amounts paid for “communications services,” meaning local telephone service, toll telephone service and teletypewriter exchange service.² The application of the federal tax to toll telephone service has become a complex legal issue in recent years due to changes in the telephone companies’ methodology of billing for long distance services. The excise tax definition was last amended by Congress in 1965, when under AT&T’s monopoly long-distance telephone service was charged based on call duration, the distance the call traveled, the time of day and the day of the week.³ Industry practice has changed over the years, where charges for long-distance calls, whether landline or cellular, are now primarily based only on the duration of the call.

As a result of the five Circuit Courts of Appeal (in other jurisdictions not binding in California) holding that the excise tax was being improperly applied to modern long-distance service, the IRS announced in May 2006, that it would stop collecting the federal excise tax on long-distance telephone service. The IRS declared in agreement with the Circuits that long-distance service, as it is billed today (based on call time and not distance), is not taxable “toll telephone service” under 26 U.S.C § 4252(b)(1).⁴

As the courts and the IRS recently clarified, 26 U.S.C. § 4251 should not be applied to bundled and long-distance service. And, in cities with a UUT ordinance that bases the local UUT on only those services taxable under the federal excise tax, the City can no longer collect the local telephone UUT tax on bundled and long-distance service. Failure to fix this outdated reference to 26 U.S.C. § 4251 will result in a tremendous loss of UUT revenue, and creates uncertainty for the service providers that are equally unsure whether to continue collecting the tax.

In an attempt to clarify the scope of its earlier Notice, the IRS announced that its recent decisions do not affect the ability of state and local governments to impose or collect telecommunications taxes under the respective statutes and ordinances of those governments.⁵ While this announcement is helpful in theory, it does not resolve the fact that the language in the local UUT ordinance limits the tax to only those services that are taxed under the federal excise tax. In order to protect the City’s UUT revenue, the City must revise its ordinance to remove the excise tax limitation and update the ordinance to cover more modern telecommunication services and billing practices.

The proposed ordinance would update the existing ordinance to apply the telephone tax to all types of communication services, unless precluded by federal statute. Currently, the federal internet tax moratorium precludes local taxation of Internet services and broadband services providing access to the Internet. The moratorium, which has been most recently extended in 2007, is in effect until 2014.⁶ The proposed ordinance would

² 26 U.S.C. § 4251(a)(1); IR-2006-82, May 25, 2006.

³ See *Reese Brothers, Inc. v. United States* (3rd Cir. 2006) 447 F.3d 229, 233.

⁴ See IRS Notice 2006-50.

⁵ IR-2006-82, May 25, 2006.

⁶ See Internet Tax Freedom Act Amendment Act of 2007.

not apply to digital downloads such as music, games and ringtones.

The proposed initiative includes the following language:

"The tax imposed by this section is at a rate of three percent (3%) of the communication service charges for residential service users and a rate of five and a half percent (5.5%) of the communication service charges for commercial service users."⁷

This is the current tax rate as adopted by Resolution No. 9662 on June 8, 1992. Accordingly, while the proposed initiative cleans up language in the MPMC so that it conforms with applicable law, **the proposed initiative leaves the existing tax rate unchanged.**

California cities have placed similar modern communication services ordinances on the ballot of their general municipal elections, and most of them to date (more than 50) were ultimately approved by the voters.

General Ballot Measure Information

Impartial Analysis

The Council may, but is not required to, direct the city attorney to prepare an impartial analysis of the measure. The analysis must show both the effect of the measure on existing law and its operation. The analysis cannot exceed 500 words and must precede the arguments for and against the measure on the sample ballot.

Ballot Arguments

The following persons may write an argument, not exceeding 300 words, for or against the measure:

1. The City Council;
2. Councilmembers authorized by the City Council;
3. Voters eligible to vote on the measure (i.e., a registered voter in the city);
4. A bona fide citizens' association; or
5. Any combination of voters and associations.

An argument cannot be accepted unless it is accompanied by the name(s) of the person(s) submitting it. If an organization submits an argument, it must include the organization's name and the name of at least one principal officer. Only the first five signatures appearing with an argument will be printed on the sample ballot.

The city clerk must select a reasonable deadline for submitting arguments, taking into account that voters must be allowed to examine the elections material for at least 10

⁷See revised MPMC § 3.38.060(A) set forth in Section 2 of the proposed Initiative.

calendar days before printing.

One argument for the measure and one argument against the measure must be printed on the sample ballot. If there is more than one argument submitted, the city clerk must select from among them. The city clerk must give preference and priority to arguments in the following order:

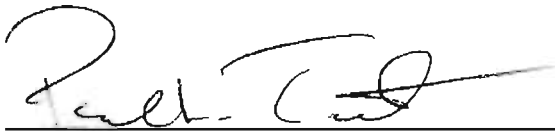
1. The City Council, or Councilmembers authorized by the Council.
2. A bona fide association of citizens.
3. Individual voters eligible to vote on the measure.

The Elections Code allows the City Council to draft ballot arguments as a body or to appoint one or more of its members to draft a ballot argument. If the City Council wishes to authorize one of its members to draft an argument, it may do so by minute order. Please note that public resources, including staff time, cannot be used in opposing or supporting any initiative or referendum once a petition qualifies for the ballot.⁸ Accordingly, the City Council cannot designate a staff member to prepare ballot arguments.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting a resolution placing an initiative on the ballot amending utility user tax regulations;
2. Consider adopting a resolution directing the City Attorney to prepare an impartial analysis for the ballot initiatives; and
3. Determine whether the Council will appoint itself or members thereof to draft the arguments and rebuttal arguments in favor of the tax measure.

By: 
Paul Talbot
City Manager

By: _____
Mark D. Hensley
City Attorney

⁸ Government Code ("GC") § 54964(a); *Vargas v. City of Salinas* (2009) 46 Cal.4th 1, *reh'g. den.*; *Stanson v. Mott* (1976) 17 Cal.3d 206, 213; *League of Women Voters v. Countywide Criminal Justice Coordinating Committee* (1988) 203 Cal.App.3d 529, *rev. den.*

RESOLUTION NO. ____

A RESOLUTION ESTABLISHING REQUIREMENTS FOR BALLOT ARGUMENTS FILED WITH THE CITY CLERK TO BE INCLUDED WITH VOTER INFORMATION FOR THE PREVIOUSLY CALLED MUNICIPAL ELECTION ON MARCH 5, 2013.

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code § 9281, qualified voters may submit arguments for and against the ballot measures, in addition to rebuttal arguments, for the previously called March 5, 2013 election on forms provided by the City Clerk.

SECTION 2: Arguments filed in accordance with this Resolution must comply with the following requirements in accordance with Elections Code §§ 9282, 9283, 9285, and 9286:

- A. Arguments must be in writing and not exceed three hundred (300) words except for rebuttal argument which may not exceed two hundred and fifty (250) words;
- B. Arguments may be submitted by the City Council; any councilmember authorized to submit an argument by the City Council; any individual voter eligible to vote on the measures; any bona fide association of citizens; or any combination of voters and associations;
- C. Arguments must be typewritten in at least a 12 point font;
- D. Arguments may not include underlining, italics, asterisks, or other, similar, type of formatting;
- E. Arguments must be accompanied by the printed name and signature or printed names and signatures of the person or persons submitting it, or, if submitted on behalf of an organization, the name of the organization and the printed name and signature of at least one of its principal officers.
- F. If more than five (5) signatures accompany an argument, only the first five (5) will be printed.
- G. Arguments for or against the ballot measures must be received in the City Clerk's office not later than December 1, 2010. Rebuttal arguments must be received not later than December 13, 2010.

SECTION 3: Pursuant to 42 U.S.C. § 1973aa-1a., the City Clerk will:

- A. Translate all ballot statements into Spanish, Chinese, Japanese, and Vietnamese;
- B. Make translated copies of ballot statements publicly available.

SECTION 4: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 5: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2012.

Mitchell Ing,
Mayor

Approved as to form:

Mark D. Hensley, City Attorney

RESOLUTION NO. ____

A RESOLUTION DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS OF THE BALLOT MEASURE REGARDING UTILITY USER TAXES.

The City Council of the City of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code § 9280, the City Clerk is directed to transmit a copy of the ballot measures regarding solid waste franchises to the City Attorney for an impartial analysis.

SECTION 2: Upon receiving the ballot measure, the City Attorney is directed to prepare an impartial analysis of the measures showing their effect, if any, on existing law and the operation of the measures. Such analysis must not be more than 500 words.

SECTION 3: The City Clerk is directed to have the City Attorney's analysis printed before the arguments for and against the measures. Immediately below the impartial analysis, in not less than 10 point bold type, the City Clerk should have the following language printed: "The above statement is an impartial analysis of Measure A. If you desire a copy of the legislation affected by this measure, please call the City Clerk's office at (626) 307-1359 and a copy will be mailed at no cost to you."

SECTION 4: Pursuant to 42 U.S.C. § 1973aa-1a., the City Clerk will:

- A. Translate all ballot statements into Spanish, Chinese, Japanese and Vietnamese;
- B. Make translated copies of ballot statements publicly available.

SECTION 5: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 6: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of _____, 2012.

Mitchell Ing,
Mayor

Approved as to form:

Mark D. Hensley, City Attorney

**AN INITIATIVE MEASURE AMENDING CHAPTER 3.38 OF THE
MONTEREY PARK MUNICIPAL CODE REGULATING THE CITY'S
UTILITY USERS TAXES.**

The people of the City of Monterey Park do ordain as follows:

SECTION 1: Monterey Park Municipal Code ("MPMC") § 3.38.030 is amended to read as follows:

"3.38.030 Definitions.

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter. Words and phrases not defined by this chapter have the meaning set forth elsewhere in this Code or Government Code.

- A. "Ancillary telecommunication services" means services associated with or incidental to providing, use or enjoyment of telecommunication services, including, without limitation, the following:
1. "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include providing a telephone number. Conference bridging service does not include the telecommunication services used to reach the conference bridge.
 2. "Detailed telecommunication billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.
 3. "Directory assistance" means an ancillary service of providing telephone number information or address information.
 4. "Vertical service" means an ancillary service offered in connection with one or more telecommunication services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.
 5. "Voice mail service" means an ancillary service that enables customers to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.
- B. "Billing address" means the mailing address of the service user where the service supplier submits invoices or bills for payment by the customer.

- C. "Communication services" means telecommunications services and ancillary telecommunication services.
- D. "Electrical corporation," "gas corporation," and "telephone corporation" mean the same as defined in §§218, 222, and 234, respectively of the Public Utilities Code.
- E. "Mobile telecommunications service" means the same as set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. § 124) and the regulations promulgated thereto or any successor statutes or regulations.
- F. "Month" means a calendar month.
- G. "Post-paid telecommunications service" means a telecommunication service obtained by making a payment on a communication-by-communication basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a service number which is not associated with the origination or termination of the telecommunication service.
- H. "Prepaid telecommunication service" means the right to access telecommunication services, which is paid for in advance and which enables the origination of communications using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.
- I. "Private telecommunication service" means a telecommunication service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels. A communications channel is a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points (i.e., the location where the customer either inputs or receives the communications).
- J. "Service supplier" means a person required to collect and remit a tax imposed under the provisions of this chapter.
- K. "Service user" means a person required to pay a tax imposed under the provisions of this chapter.
- L. "Tax administrator" means the city manager, or designee.
- M. "Telecommunications services" means:

1. The transmission, conveyance, or routing of voice, data, audio, or any other information or signals to a point, or between or among points, whatever the technology used, and includes broadband services to the extent federal or state law permits taxation of such broadband services, now or in the future. The term telecommunication services includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether such services are referred to as voice over internet protocol services or are classified by the Federal Communications Commission as enhanced or value added, and includes video or data services that are functionally integrated with telecommunication services.
 2. Telecommunication services include, without limitation, the following services, regardless of the manner or basis on which such services are calculated or billed: ancillary telecommunication services; broadband services (to the extent federal and/or state law permits taxation of such service); mobile telecommunication service; prepaid telecommunication service (to the extent it is practicable for the service supplier to collect the correct tax imposed under this chapter from the service user); post-paid telecommunication service; private telecommunication service; paging service; 800 service or any other toll-free numbers designated by the Federal Communications Commission; and 900 service or any other similar numbers designated by the Federal Communications Commission for services whereby subscribers call in to pre-recorded or live service.
 3. Telecommunication services also include, without limitation, charges for connection, reconnection, termination, movement, or change of telecommunication services; late payment fees; detailed billing; central office and custom calling features (including without limitation call waiting, call forwarding, caller identification and three-way calling); voice mail and other messaging services; directory assistance; access and line charges; universal service charges; regulatory, administrative and other cost recovery charges; local number portability charges; and text.
 4. Telecommunication services do not include digital downloads that are not ancillary telecommunication services, such as video programming, music, ringtones, games, and other similar digital products.”
- N. “Utility tax year” means the fiscal year beginning August 1st and ending July 31st.”

SECTION 2: MPMC § 3.38.060 is amended to read as follows:

“3.38.060 Communication services user tax.

- A. There is a tax imposed upon every person in the city using communication services. The tax imposed by this section is at a rate of three percent (3%) of the communication service charges for residential service users and a rate of five and a half percent (5.5%) of the communication service charges for commercial service users. There is a rebuttable presumption that communication services billed to a billing or service address in the city are used, in whole or in part, within the city's boundaries and such services are taxable under this chapter. If the billing address of the service user is different from the service address, the service address of the service user is used for purposes of imposing the tax.
- B. Mobile telecommunications service is sourced in accordance with the sourcing rules set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. § 116), regulations promulgated thereto, and any successor statute or regulation. The tax administrator may issue and disseminate to communication service providers subject to the tax collection requirements of this chapter sourcing rules for the taxation of other communication services including, without limitation, post-paid communication services, prepaid communication services, and private communication services, provided that such rules are based upon industry custom and common practice that further administrative efficiency and minimize multi-jurisdictional taxation.
- C. To prevent actual multi-jurisdictional taxation of communication services subject to tax under this section, any service user, upon proof to the tax administrator that the service user previously paid the same tax in another state or city on such communication services, is allowed a credit against the tax imposed to the extent of the amount of such tax legally imposed in such other state or city; provided, however, the amount of credit cannot exceed the tax owed to the city under this section.
- D. Except as otherwise provided by applicable federal or state law, if any nontaxable charges are combined with and not separately stated from taxable service charges on the customer bill or invoice of a service supplier, the combined charge is subject to tax unless the service supplier identifies, by reasonable and verifiable standards, the portions of the combined charge that are nontaxable and taxable through the service supplier's books and records kept in the regular course of business and in accordance with generally accepted accounting principles, and not created and maintained for tax purposes. The service supplier has the burden of proving the proper apportionment of taxable and non-taxable charges.
- E. For purposes of imposing a tax or establishing a duty to collect and remit a tax under this section, "substantial nexus" and "minimum contacts" are construed broadly in favor of the imposition, collection and remittance of the tax to the fullest extent permitted by state and federal law and as it may change from time to time by judicial interpretation or by statutory enactment. Any communication service used by a person with a service address in the city, which service is

capable of terminating a call to another person on the general telephone network, is subject to a rebuttable presumption that “substantial nexus/minimum contacts” exist for purposes of imposing a tax, or establishing a duty to collect and remit a tax, under this chapter. A service supplier is deemed to have sufficient activity in the city for tax collection and remittance purposes if its activities include, without limitation, any of the following: a place of business of any nature; solicitation of business in the city by employees, independent contractors, resellers, agents, or other representatives; solicitation of business in the city on a continuous, regular, seasonal or systematic basis by means of advertising that is broadcast or relayed from a transmitter within the city or distributed from a location within the city; or advertises in newspapers or other periodicals printed and published within the city or through materials distributed in the city by means other than the United States mail. Upon request, the city must make available an accurate description of its jurisdictional boundaries based on street addresses or ZIP Plus Four, in electronic format. If a service supplier relies upon such information provided by the city, the city is not responsible for any errors in taxation that may result.”

SECTION 3: MPMC § 3.38.160 is amended to read as follows:

“3.38.160 Refunds.

- A. Whenever the amount of any tax, interest, or penalty has been overpaid or paid more than once or has been erroneously collected or received by the city under this chapter, it may be refunded as provided in this section, provided a claim in writing therefor, stating under penalty of perjury the specific grounds upon which the claim is founded, is filed with the tax administrator within one year of the date of payment. The claim must be on forms furnished by the tax administrator. No refund is paid unless the claimant establishes his or her right thereto by written records showing entitlement thereto. Nothing herein permits the filing of a claim on behalf of a class or group of taxpayers. Where the amount of any individual refund claim is in excess of \$25,000, city council approval is required in addition to approval by the tax administrator.
- B. Notwithstanding the provisions of subsection A of this section, a service supplier may claim a refund or take as credit against taxes collected and remitted the amount overpaid, paid more than once, or erroneously collected or received when it is established that the service user from whom the tax has been collected did not owe the tax; provided, however, that neither a refund nor a credit is allowed unless the amount of the tax so collected has either been refunded to the service user or credited to charges subsequently payable by the service user or the person required to collect and remit. A service supplier that has collected any amount of tax in excess of the amount of tax imposed by this chapter and actually due from a service user may refund such amount to the service user and claim credit for such overpayment against the amount of tax which is due upon any other monthly returns, provided such credit is claimed in a return dated no later than one year from the date of overpayment.

- C. Notwithstanding other provisions of this section, whenever a service supplier, pursuant to an order of the California Public Utilities Commission or a court of competent jurisdiction, makes a refund to service users of charges for past utility services, the taxes paid pursuant to this chapter on the amount of such refunded charges must also be refunded to service users by the service supplier, and the service supplier is entitled to claim a credit for such refunded tax against the amount of tax which is due upon the next monthly return. If this chapter is repealed, amounts of any refundable taxes will be borne by the city.
- D. The tax administrator, or the city council where the claim is in excess of \$25,000 and the tax administrator has approved the claim, must act upon the refund claim within forty-five days of the initial receipt of the refund claim. Said decision is the city's final decision. If the tax administrator or city council fails or refuses to act on a refund claim within the forty-five day period, the claim is deemed to have been rejected. The tax administrator will give notice of its decision in a form which substantially complies with that set forth in Government Code § 913.
- E. The filing of a written claim is a prerequisite to any lawsuit. Any action brought against the city pursuant to this chapter is subject to the provisions of Government Code §§ 945.6 and 946."

SECTION 4: MPMC § 3.38.170 is amended to read as follows:

"3.38.170 Exemptions.

The taxes imposed by this chapter do not apply to the city; or any person or service when imposition of the tax upon that person or service would violate a federal or state statute, the Constitution of the United States, or the Constitution of the State of California."

SECTION 5: MPMC § 3.38.180 is amended to read as follows:

"3.38.180 Exemption application.

- A. Any service user that is exempt from the taxes imposed by this chapter must file an application with the tax administrator for an exemption. Any application for an exemption must be upon forms supplied by the tax administrator. Statements made therein must be under oath and subject to the penalties of perjury and state those facts which qualify the applicant for an exemption, and include the names of all utility service providers serving that service user. If deemed exempt by the tax administrator, such service user must give the tax administrator timely written notice of any change in utility service providers so that the tax administrator can properly notify the new utility service provider of the service user's tax exempt status.
- B. Persons must file applications for exemptions at least sixty days before the

commencement date of the respective billing period for which the exemption is to commence.

- C. This section does not apply to a service user that is a state or federal agency or subdivision with a commonly recognized name or a service user of communication services that possesses a federal excise tax exemption certificate for such service.”

SECTION 6: *Amendment or Repeal.* Voter approval is required for any amendment that would increase the rate of any tax levied pursuant to this Initiative as required by California Constitution Article XIII C. Should the provisions of Government Code §§ 53270, *et seq.* or California Constitution Article XIII C be repealed or amended, or interpreted by the courts so that voter approval is not required for enacting this Initiative, then this Initiative will take effect as provided for all other City ordinances and may be amended in the same manner as all other City ordinances.

SECTION 7: *Ratification of Previous Tax.* The People ratify and approve the past collection of the utility users tax pursuant to MPMCC Chapter 3.38 as it existed before the effective date of this Initiative.

SECTION 8: *Interpretation.* This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

SECTION 9: *Severability.* If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, the remainder of the Initiative and the application of such provision to other persons or circumstances will not be affected thereby. We the People indicate our strong desire that: (i) the City Council use its best efforts to sustain and reenact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, and then adopting or reenacting such portion as necessary or desirable to permit the imposition of the taxes stated herein.

SECTION 10: *Construction.* This Initiative must be broadly construed in order to achieve the purposes stated in this Initiative. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Initiative.

SECTION 11: *Enforceability.* Repeal of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Initiative's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Initiative.

SECTION 12: *Validity of Previous Code Sections.* If this entire Initiative or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other city ordinance by this Initiative will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 13: *Effective Date.* This Initiative will enact and impose a general tax. Accordingly, it will be submitted to a general election on March 5, 2013 for voter approval. If a majority of voters vote in favor of this Initiative, it will become valid and binding ten days after the date that the City Council certifies the election results in accordance with Elections Code § 9217.

SECTION 14: The Mayor will sign this Initiative and the City Clerk will attest and certify to the passage and adoption of this Ordinance if a majority of the voters voting in the City's general election on March 5, 2013 approve the proposition asking whether the voters approve this Initiative.

PASSED, APPROVED, AND ADOPTED this ____ day of March, 2013.

MITCHELL ING,
Mayor

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: _____
Karl H. Berger, Assistant City Attorney

RESOLUTION NO. _____

**A RESOLUTION PLACING AN INITIATIVE ON THE PREVIOUSLY
CALLED MARCH 5, 2013 MUNICIPAL ELECTION PURSUANT TO
ELECTIONS CODE § 9222 REGARDING UTILITY USERS TAXES.**

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code §§ 1301 and 10403, the City Council previously called for a general municipal election to be held in the City of Monterey Park on Tuesday, March 5, 2013.

SECTION 2: Pursuant to Elections Code § 9222, the City Council places an ordinance on the ballot for the general municipal election scheduled for Tuesday, March 5, 2013.

SECTION 3: A copy of the ordinance to be considered by the voters is attached as Exhibit "A," and incorporated by reference, and is approved by the City Council through adoption of this Resolution. The ballot measure will be designated as Measure A on the ballot.

SECTION 4: This Resolution is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 2100, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to implement government funding mechanisms; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Resolution does not constitute a "project" that requires environmental review (*see specifically* 14 CCR § 15378(b)(4-5)).

SECTION 5: Pursuant to Elections Code §§ 9222 and 13119 the exact form of the question to be voted on at the election as it should appear on the ballot is as follows:

SHALL THE ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE CHAPTER 3.38 THAT IMPOSES A UTILITY USER TAX BY UPDATING AND REPLACING THE TELEPHONE TAX REGULATIONS WITH MODERN COMMUNICATION SERVICES TAX REGULATIONS BE ADOPTED?	Yes ☐ No ☐
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SECTION 6: In accordance with Government Code § 53724(b), this Resolution must be adopted upon a two-thirds (2/3) vote and will become effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of November, 2012.

Mitchell Ing, Mayor

ATTEST:

David Barron, City Clerk

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: _____
Karl H. Berger,
Assistant City Attorney

**AN INITIATIVE MEASURE AMENDING CHAPTER 3.38 OF THE
MONTEREY PARK MUNICIPAL CODE REGULATING THE CITY'S
UTILITY USERS TAXES.**

The people of the City of Monterey Park do ordain as follows:

SECTION 1: Monterey Park Municipal Code ("MPMC") § 3.38.030 is amended to read as follows:

~~"3.38.030-Definitions."~~ Definitions.

~~For purposes of this chapter, unless otherwise required from the context, certain words and phrases shall be construed as follows:~~

Unless the contrary is stated or clearly appears from the context, the following definitions govern the construction of the words and phrases used in this chapter. Words and phrases not defined by this chapter have the meaning set forth elsewhere in this Code or Government Code.

A. "Ancillary telecommunication services" means services associated with or incidental to providing, use or enjoyment of telecommunication services, including, without limitation, the following:

1. "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call and may include providing a telephone number. Conference bridging service does not include the telecommunication services used to reach the conference bridge.
2. "Detailed telecommunication billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.
3. "Directory assistance" means an ancillary service of providing telephone number information or address information.
4. "Vertical service" means an ancillary service offered in connection with one or more telecommunication services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.
5. "Voice mail service" means an ancillary service that enables customers to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

- B. “Billing address” means the mailing address of the service user where the service supplier submits invoices or bills for payment by the customer.
- C. “Communication services” means telecommunications services and ancillary telecommunication services.
- D. “Electrical corporation,” “gas corporation,” and “telephone corporation” mean the same as defined in ~~Sections §§~~ 218, 222, and 234, respectively of the Public Utilities Code ~~of the state of California, as said sections read as of May 1, 1983.~~
- E. ~~“Gross family income” means income subject to federal and state income taxation, social security payments, pensions, annuities, welfare payments, gifts, inheritances, interest on tax exempt investments, and all other income regardless of source.~~ Mobile telecommunications service” means the same as set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. § 124) and the regulations promulgated thereto or any successor statutes or regulations.
- F. “Month” means a calendar month.
- G. “Post-paid telecommunications service” means a telecommunication service obtained by making a payment on a communication-by-communication basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card, or debit card, or by charge made to a service number which is not associated with the origination or termination of the telecommunication service.
- H. “Prepaid telecommunication service” means the right to access telecommunication services, which is paid for in advance and which enables the origination of communications using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.
- I. “Private telecommunication service” means a telecommunication service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels. A communications channel is a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points (i.e., the location where the customer either inputs or receives the communications).
- J. “Service supplier” means a person required to collect and remit a tax imposed under the provisions of this chapter.

K. “Service user” means a person required to pay a tax imposed under the provisions of this chapter.

L. “Tax administrator” means the city ~~director of management services~~manager, or designee.

M. “Telecommunications services” means:

1. The transmission, conveyance, or routing of voice, data, audio, or any other information or signals to a point, or between or among points, whatever the technology used, and includes broadband services to the extent federal or state law permits taxation of such broadband services, now or in the future. The term telecommunication services includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether such services are referred to as voice over internet protocol services or are classified by the Federal Communications Commission as enhanced or value added, and includes video or data services that are functionally integrated with telecommunication services.
2. Telecommunication services include, without limitation, the following services, regardless of the manner or basis on which such services are calculated or billed: ancillary telecommunication services; broadband services (to the extent federal and/or state law permits taxation of such service); mobile telecommunication service; prepaid telecommunication service (to the extent it is practicable for the service supplier to collect the correct tax imposed under this chapter from the service user); post-paid telecommunication service; private telecommunication service; paging service; 800 service or any other toll-free numbers designated by the Federal Communications Commission; and 900 service or any other similar numbers designated by the Federal Communications Commission for services whereby subscribers call in to pre-recorded or live service.
3. Telecommunication services also include, without limitation, charges for connection, reconnection, termination, movement, or change of telecommunication services; late payment fees; detailed billing; central office and custom calling features (including without limitation call waiting, call forwarding, caller identification and three-way calling); voice mail and other messaging services; directory assistance; access and line charges; universal service charges; regulatory, administrative and other cost recovery charges; local number portability charges; and text.

4. Telecommunication services do not include digital downloads that are not ancillary telecommunication services, such as video programming, music, ringtones, games, and other similar digital products.”

N. “Utility tax year” means the fiscal year beginning August 1st and ending July 31st.”

SECTION 2: MPMC § 3.38.060 is amended to read as follows:

~~“3.38.060-Telephone users~~ Communication services user tax.

~~(a) — There is imposed a tax upon every person in the city, other than a telephone corporation, for using (1) intrastate telephone communication services in the city, (2) interstate telephone communication services in the city, provided that only those interstate telecommunications are taxed which originated or terminated in the city and are charged to a service address within the city, and provided further that a credit is given to any taxpayer upon proof that another state has taxed the same call and (3) mobile or cellular telephone communication when the owner or lessee of the telephone has a billing address in the city. The tax imposed by this section shall be at a rate established by resolution of the city council levied against charges for such services, and shall be paid by the person paying for such services.~~

A. There is a tax imposed upon every person in the city using communication services. The tax imposed by this section is at a rate of three percent (3%) of the communication service charges for residential service users and a rate of five and a half percent (5.5%) of the communication service charges for commercial service users. There is a rebuttable presumption that communication services billed to a billing or service address in the city are used, in whole or in part, within the city’s boundaries and such services are taxable under this chapter. If the billing address of the service user is different from the service address, the service address of the service user is used for purposes of imposing the tax.

~~(b) — The tax levied under this section shall not be imposed on any person for using intrastate telephone communication services to the extent that the amounts paid for such services are exempt from or not subject to the tax imposed under Section 4251 of Title 26 of the United States Code as said section existed on May 1, 1983.~~

B. Mobile telecommunications service is sourced in accordance with the sourcing rules set forth in the Mobile Telecommunications Sourcing Act (4 U.S.C. § 116), regulations promulgated thereto, and any successor statute or regulation. The tax administrator may issue and disseminate to communication service providers subject to the tax collection requirements of this chapter sourcing rules for the taxation of other communication services including, without limitation, post-paid communication services, prepaid communication services, and private communication services, provided that such rules are based upon industry custom and common practice that further administrative efficiency and minimize multi-jurisdictional taxation.

~~(c) — As used in this section, the term “charges” shall not include charges for services paid for by inserting coins in coin-operated telephone except that where such coin-operated telephone service is furnished for a guaranteed amount, the amounts paid under such guarantee plus any fixed monthly or other periodic charge shall be included in the base for computing the amount of tax due.~~

C. To prevent actual multi-jurisdictional taxation of communication services subject to tax under this section, any service user, upon proof to the tax administrator that the service user previously paid the same tax in another state or city on such communication services, is allowed a credit against the tax imposed to the extent of the amount of such tax legally imposed in such other state or city; provided, however, the amount of credit cannot exceed the tax owed to the city under this section.

~~(d) — The words “telephone communication services” shall include all voice and data communications by or through any telephone media, but shall not include land mobile services or maritime mobile services as defined in Section 2.1 of Title 47 of the Code of Federal Regulations as said section existed on May 1, 1983.~~

D. Except as otherwise provided by applicable federal or state law, if any nontaxable charges are combined with and not separately stated from taxable service charges on the customer bill or invoice of a service supplier, the combined charge is subject to tax unless the service supplier identifies, by reasonable and verifiable standards, the portions of the combined charge that are nontaxable and taxable through the service supplier’s books and records kept in the regular course of business and in accordance with generally accepted accounting principles, and not created and maintained for tax purposes. The service supplier has the burden of proving the proper apportionment of taxable and non-taxable charges.

~~(e) — The tax imposed in this section shall be collected from the service user by the person providing the telephone communication services or by the person receiving payment for such services. The amount of tax collected one month shall be remitted to the collector on or before the last day of the following month; or, at the option of the person required to collect and remit the tax, an estimated amount of tax collected, measured by the tax billed in the previous month, shall be remitted to the collector on or before the last day of each month.”~~

E. For purposes of imposing a tax or establishing a duty to collect and remit a tax under this section, “substantial nexus” and “minimum contacts” are construed broadly in favor of the imposition, collection and remittance of the tax to the fullest extent permitted by state and federal law and as it may change from time to time by judicial interpretation or by statutory enactment. Any communication service used by a person with a service address in the city, which service is capable of terminating a call to another person on the general telephone network, is subject to a rebuttable presumption that “substantial nexus/minimum contacts” exist for purposes of imposing a tax, or establishing a duty to collect and remit a tax, under this chapter. A service supplier is deemed to have sufficient activity in the city for tax collection and remittance purposes if its activities include, without limitation, any of the following: a place of business of any nature; solicitation of business in the city by employees, independent contractors, resellers, agents, or

other representatives; solicitation of business in the city on a continuous, regular, seasonal or systematic basis by means of advertising that is broadcast or relayed from a transmitter within the city or distributed from a location within the city; or advertises in newspapers or other periodicals printed and published within the city or through materials distributed in the city by means other than the United States mail. Upon request, the city must make available an accurate description of its jurisdictional boundaries based on street addresses or ZIP Plus Four, in electronic format. If a service supplier relies upon such information provided by the city, the city is not responsible for any errors in taxation that may result.”

SECTION 3: MPMC § 3.38.160 is amended to read as follows:

“3.38.160 Refunds.

A. ~~(a)~~—Whenever the amount of any tax, interest, or penalty has been overpaid or paid more than once or has been erroneously ~~or illegally~~ collected or received by the city under this chapter, it may be refunded as provided in ~~subsections (b), (c) and (d) of~~ this section, provided a claim in writing therefor, stating under penalty of perjury the specific grounds upon which the claim is founded, is filed with the tax administrator within ~~three years~~one year of the date of payment. The claim ~~shall~~must be on forms furnished by the tax administrator. No refund is paid unless the claimant establishes his or her right thereto by written records showing entitlement thereto. Nothing herein permits the filing of a claim on behalf of a class or group of taxpayers. Where the amount of any individual refund claim is in excess of \$25,000, city council approval is required in addition to approval by the tax administrator.

B. ~~(b)~~—Notwithstanding the provisions of subsection ~~(a)~~A of this section, a service supplier may claim a refund or take as credit against taxes collected and remitted the amount overpaid, paid more than once, or erroneously ~~or illegally~~ collected or received when it is established that the service user from whom the tax has been collected did not owe the tax; provided, however, that neither a refund nor a credit ~~shall be~~is allowed unless the amount of the tax so collected has either been refunded to the service user or credited to charges subsequently payable by the service user or the person required to collect and remit. A service supplier that has collected any amount of tax in excess of the amount of tax imposed by this chapter and actually due from a service user may refund such amount to the service user and claim credit for such overpayment against the amount of tax which is due upon any other monthly returns, provided such credit is claimed in a return dated no later than ~~three years~~one year from the date of overpayment.

C.

D. ~~(c)—Any service user may obtain a refund of taxes overpaid, or paid more than once, or erroneously or illegally collected or received by the city, by filing a claim in the manner provided in subsection (a) of this section, but only when the service user having paid the tax to the service supplier establishes to the satisfaction of the tax administrator that the service user has been unable to obtain a refund from the service supplier who collected the tax.~~

E.

F. ~~(d) — No refund shall be paid under the provisions of this section unless the claimant establishes his or her right thereto by written records showing entitlement thereto.~~

G.

~~(e)~~ — Notwithstanding other provisions of this section, whenever a service supplier, pursuant to an order of the California Public Utilities Commission or a court of competent jurisdiction, makes a refund to service users of charges for past utility services, the taxes paid pursuant to this chapter on the amount of such refunded charges ~~shall~~must also be refunded to service users by the service supplier, and the service supplier ~~shall be~~is entitled to claim a credit for such refunded tax against the amount of tax which is due upon the next monthly ~~returns~~return. If this chapter is repealed, amounts of any refundable taxes will be borne by the city.

H.

The tax administrator, or the city council where the claim is in excess of \$25,000 and the tax administrator has approved the claim, must act upon the refund claim within forty-five days of the initial receipt of the refund claim. Said decision is the city's final decision. If the tax administrator or city council fails or refuses to act on a refund claim within the forty-five day period, the claim is deemed to have been rejected. The tax administrator will give notice of its decision in a form which substantially complies with that set forth in Government Code § 913.

I.

The filing of a written claim is a prerequisite to any lawsuit. Any action brought against the city pursuant to this chapter is subject to the provisions of Government Code §§ 945.6 and 946."

SECTION 4: MPMC § 3.38.170 is amended to read as follows:

"3.38.170 Exemptions.

The ~~basis and criteria for exemption from the tax~~taxes imposed by this chapter ~~shall be set by resolution of the city council.~~do not apply to the city; or any person or service when imposition of the tax upon that person or service would violate a federal or state statute, the Constitution of the United States, or the Constitution of the State of California."

SECTION 5: MPMC § 3.38.180 is amended to read as follows:

"3.38.180 Exemption application.

A.

~~(a) — Any application for an exemption as above allowed shall~~Any service user that is exempt from the taxes imposed by this chapter must file an application with the tax administrator for an exemption. Any application for an exemption must be upon forms supplied by the tax administrator. Statements made therein ~~shall~~must be under oath and subject to the penalties of perjury ~~and state those facts which qualify the applicant for an exemption, and include the names of all~~

utility service providers serving that service user. If deemed exempt by the tax administrator, such service user must give the tax administrator timely written notice of any change in utility service providers so that the tax administrator can properly notify the new utility service provider of the service user's tax exempt status.

B.

C. ~~(b)—The tax administrator shall review each application, and if he determines that an exemption is allowable in accordance herewith, he shall effectuate the exemption by transmitting the necessary determination and information to the applicable utility companies within fifteen days after the application is received. Upon receipt thereof, the utility companies shall refrain from billing such exempt user in accordance with this section. If the tax administrator determines that the application is faulty or that the applicant failed to truthfully set forth such facts, he may deny such application by giving written notice to the applicant. The applicant shall thereafter have the right to appeal the tax administrator's decision in accordance with the provisions set forth in Section 3.38.210.~~

D.

E. ~~(c)—An application for an exemption for the initial utility tax year shall be submitted to the tax administrator no later than August 31, 1983. If such application is approved, the exemption shall be effective for the entire initial utility tax year.~~

F.

G. ~~(d)—Persons who do not meet the August 31, 1983, deadline may file applications for exemptions for the remaining portion of the initial tax period at least sixty days prior to the commencement date of the respective utility billing period for which the exemption is to commence. The exemption shall be effective through the remainder of the initial tax period.~~

H.

I. ~~(e)—Applications for exemptions for subsequent years shall be submitted to the tax administrator during the month of May, but not later than May 31st. Exemptions so allowed shall commence from the first billing period following July 31st and shall continue twelve months until the close of the billing period following the subsequent July 31st.~~

J. ~~(f)—Persons who do not meet the May 31st deadline may~~must ~~file applications for exemptions for the remaining portion of the utility tax year at least sixty days prior to~~before ~~the commencement date of the respective utility billing period for which the exemption is to commence. The exemption shall be valid through the remainder of the utility tax year."~~

K. This section does not apply to a service user that is a state or federal agency or subdivision with a commonly recognized name or a service user of communication services that possesses a federal excise tax exemption certificate for such service."

SECTION 6: Amendment or Repeal. Voter approval is required for any amendment that would increase the rate of any tax levied pursuant to this Initiative as required by California Constitution Article XIIC. Should the provisions of Government Code §§ 53270, *et seq.* or

California Constitution Article XIII C be repealed or amended, or interpreted by the courts so that voter approval is not required for enacting this Initiative, then this Initiative will take effect as provided for all other City ordinances and may be amended in the same manner as all other City ordinances.

SECTION 7: *Ratification of Previous Tax.* The People ratify and approve the past collection of the utility users tax pursuant to MPMC Chapter 3.38 as it existed before the effective date of this Initiative.

SECTION 8: *Interpretation.* This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.

SECTION 9: *Severability.* If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, the remainder of the Initiative and the application of such provision to other persons or circumstances will not be affected thereby. We the People indicate our strong desire that: (i) the City Council use its best efforts to sustain and reenact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, and then adopting or reenacting such portion as necessary or desirable to permit the imposition of the taxes stated herein.

SECTION 10: *Construction.* This Initiative must be broadly construed in order to achieve the purposes stated in this Initiative. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Initiative.

SECTION 11: *Enforceability.* Repeal of any provision of the MPMC does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Initiative's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Initiative.

SECTION 12: *Validity of Previous Code Sections.* If this entire Initiative or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the MPMC or other city ordinance by this Initiative will be rendered void and cause such previous MPMC provision or other the city ordinance to remain in full force and effect for all purposes.

SECTION 13: *Effective Date.* This Initiative will enact and impose a general tax. Accordingly, it will be submitted to a general election on March 5, 2013 for voter approval. If a majority of voters vote in favor of this Initiative, it will become valid and binding ten days after the date that the City Council certifies the election results in accordance with Elections Code § 9217.

SECTION 14: The Mayor will sign this Initiative and the City Clerk will attest and certify to the passage and adoption of this Ordinance if a majority of the voters voting in the City's general election on March 5, 2013 approve the proposition asking whether the voters approve this Initiative.

PASSED, APPROVED, AND ADOPTED this ____ day of March, 2013.

MITCHELL ING,
Mayor

APPROVED AS TO FORM:
MARK D. HENSLEY, City Attorney

By: _____
Karl H. Berger, Assistant City Attorney

Staff Report City of Monterey Park

DATE: November 21, 2012

TO: Honorable Mayor, Mayor Pro Tem and City Councilmembers

FROM: Paul Talbot, City Manager
Mark D. Hensley, City Attorney

SUBJECT: City Council term limits

BACKGROUND:

On October 17, 2012, the City Council requested that the City Manager and City Attorney prepare appropriate documents for placing an initiative on the ballot regarding term limits. Government Code § 36502(b) allows voters to impose term limits for serving on the City Council.

OVERVIEW:

Attached for your consideration are a draft resolution and initiative that would place this matter on the March 5, 2013 ballot. If the City Council wishes to place the matter on the ballot, it should specify whether the limits on service should be two or three consecutive terms. It should also consider how long a person would be ineligible for the City Council before being able to again serve (e.g., two or four years).

In researching this matter, staff identified the attached 2011 survey of California cities (prepared by the City of Lompoc) that have term limits. While there are some additional cities that added term limits since 2011 (e.g., voters in the City of Thousand Oaks adopted Measure L on November 6, 2012), the survey is fairly comprehensive.

RECOMMENDED ACTION:

If the City Council wishes to place this matter on the March 5, 2013 ballot, it is recommended that the City Council (1) consider the wording of the draft initiative and make appropriate changes; (2) adopt the resolution placing matter on the ballot; and (3) take such additional, related, action that may be desirable.

EXHIBIT "A"

INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The People of the City of Monterey Park do ordain as follows:

SECTION 1: Title. This initiative measure (this "Initiative") is entitled the "City Council Term Limit Initiative."

SECTION 2: Purpose and Findings. The purpose of this Initiative is to impose term limits upon persons serving on the Monterey Park City Council pursuant to Government Code § 36502(b).

SECTION 3: Amendment of Monterey Park Municipal Code. A new § 2.04.040 is added to the Monterey Park Municipal Code to read as follows:

"§ 2.04.040 Term Limits. Pursuant to Government Code § 36502(b), term limits are imposed upon persons serving on the City Council as follows:

- A. No person may serve more than [TWO OR THREE] consecutive terms as a member of the Monterey Park City Council, whether by election or appointment. Other than as provided by this Section, persons are ineligible to be a member of the City Council more than [TWO OR THREE] consecutive terms.
- B. Any person who is ineligible to be a member of the City Council due to the limitations set forth in this Section, will again become eligible to hold office as a member of the City Council provided not less than [TWO OR FOUR] years have or will have elapsed between the most recent date of such person's previous service as a City Council member and the effective date of such person's most recent election or appointment to such office. After such a [TWO OR FOUR] year absence, a new [TWO OR THREE] consecutive term limit applies.
- C. Any person, who, whether by appointment or election, serves a partial term of office as a member of the City Council for more than two years is deemed, for the purpose of this Section, to have served a full four-year term.
- D. The City Clerk must reject, refuse to accept for filing, and otherwise refuse to process any nominating papers or other equivalent declaration of candidacy as required or authorized by law for persons if they are ineligible to hold office pursuant to this Section.
- E. This Section applies prospectively only, so that any City Councilmember

beginning a term of office on or after the effective date of this Section may serve up to [TWO OR THREE] consecutive terms from and after that date.

- F. Only the voters may amend or repeal this Section at an election duly certified under the Elections Code."

SECTION 4: *Implementation of this Initiative.* Upon the effective date of this Initiative, the City is directed to promptly take appropriate actions needed to implement this Initiative.

SECTION 5: *Miscellaneous.*

- A. This Initiative must be interpreted so as to be consistent with all federal and state laws, rules, and regulations. If any section, sub-section, sentence, clause, phrase, part, or portion of this Initiative is held to be invalid or unconstitutional by a final judgment of a court of competent jurisdiction, such decision does not affect the validity of the remaining portions of this Initiative. The voters declare that this Initiative, and each section, sub-section, sentence, clause, phrase, part, or portion thereof, would have been adopted or passed irrespective of the fact that any one or more sections, sub-sections, sentences, clauses, phrases, part, or portion is found to be invalid. If any provision of this Initiative is held invalid as applied to any person or circumstance, such invalidity does not affect any application of this Initiative that can be given effect without the invalid application.
- B. If any portion of this Initiative is held by a court of competent jurisdiction to be invalid, we the People indicate our strong desire that: (i) the City Council use its best efforts to sustain and reenact that portion, and (ii) the City Council implement this Initiative by taking all steps possible to cure any inadequacies or deficiencies identified by the court in a manner consistent with the express and implied intent of this Initiative, and then adopting or reenacting such portion as necessary or desirable to permit the planning and development of the Project.
- C. This Initiative must be broadly construed in order to achieve the purposes stated in this Initiative. It is the intent of the voters that the provisions of this Initiative be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Initiative.

SECTION 6: *Attestation.* The Mayor will sign this Initiative and the City Clerk will attest and certify to the passage and adoption of this Ordinance if a majority of the voters voting in the City's general election on March 5, 2013 approve the proposition asking whether the voters approve this Initiative.

SECTION 7: *Effective Date.* This Ordinance will impose term limits in accordance with Government Code § 36502(b). Accordingly, it will be submitted to a general election on

March 5, 2013 for voter approval. If a majority of voters vote in favor of this Ordinance, it will become valid and binding on the date that the City Council certifies the election results in accordance with Elections Code § 9217.

PASSED AND ADOPTED this ____ day of _____, 2013.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Mark D. Hensley, City Attorney

RESOLUTION NO. _____

**A RESOLUTION PLACING AN INITIATIVE ON THE PREVIOUSLY
CALLED MARCH 5, 2013 MUNICIPAL ELECTION PURSUANT TO
ELECTIONS CODE § 9222 REGARDING CITY COUNCIL TERM LIMITS.**

The City Council of the city of Monterey Park resolves as follows:

SECTION 1: Pursuant to Elections Code §§ 1301 and 10403, the City Council previously called for a general municipal election to be held in the City of Monterey Park on Tuesday, March 5, 2013.

SECTION 2: Pursuant to Elections Code § 9222, the City Council places an ordinance on the ballot for the general municipal election scheduled for Tuesday, March 5, 2013.

SECTION 3: *Environmental Determination.* This Resolution is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*; "CEQA Guidelines") in that it is not a "project" for purposes of CEQA, as that term is defined by CEQA Guidelines § 15378. Specifically, this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment (CEQA Guidelines § 15378(b)(5)). Further, even if this Resolution was deemed a "project," and therefore subject to CEQA, the Resolution would be exempt as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment (CEQA Guidelines § 15061(b)(3)).

SECTION 4: A copy of the ordinance to be considered by the voters is attached as Exhibit "A," and incorporated by reference, and is approved by the City Council through adoption of this Resolution. The ballot measure will be designated as Measure A on the ballot.

SECTION 5: Pursuant to Elections Code §§ 9222 and 13119 the exact form of the question to be voted on at the election as it should appear on the ballot is as follows:

SHALL THE ORDINANCE ENTITLED THE "CITY COUNCIL TERM LIMIT INITIATIVE" BE ADOPTED?	Yes ☐ No ☐
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SECTION 6: This Resolution will become effective immediately upon adoption.

PASSED AND ADOPTED this ____ day of November, 2012.

Mitchell Ing, Mayor

ATTEST:

David Barron, City Clerk

APPROVED AS TO FORM:

Mark D. Hensley, City Attorney