

**CITY COUNCIL OF MONTEREY PARK
THE CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY OF THE FORMER
REDEVELOPMENT AGENCY, THE HOUSING AUTHORITY, THE MONTEREY PARK FINANCING
AUTHORITY AND THE MONTEREY PARK GEOLOGIC HAZARD ABATEMENT DISTRICT
AGENDA**

**REGULAR CITY COUNCIL MEETING
MONTEREY PARK CITY HALL COUNCIL CHAMBERS
320 W. NEWMARK AVENUE, MONTEREY PARK, CA 91754**

**Wednesday
May 17, 2023
6:30 p.m.**

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.

LAND ACKNOWLEDGMENT

We would like to acknowledge that the land we inhabit today was once known as
Tovangaar, the home of the Gabrieleño-Tongva people. We show our respect to the
Gabrieleño-Tongva people, as well as all Indigenous people, past, present, and future,
and honor their labor as original caretakers of this land. We commit to uplifting the
Gabrieleño-Tongva people, invite you to acknowledge the history, and join us in caring
for this land.

GENERAL INFORMATION

Documents related to an Agenda item are available to the public in the City Clerk's Office located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at <http://www.montereypark.ca.gov/AgendaCenter/City-Council-17>.

The public may watch the meeting live on the city's cable channel MPKTV (AT&T U-verse, channel 99 or Charter Communications, channel 182) or by visiting the city's website at <http://www.montereypark.ca.gov/133/City-Council-Meeting-Videos>.

PUBLIC PARTICIPATION

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Mayor and City Council may change the amount of time allowed for speakers. Written Communication will be accepted up to 24 hours before the meeting via email to mpclerk@montereypark.ca.gov.

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call City Hall at (626) 307-1359 for reasonable accommodation at least 24 hours before a meeting. Council Chambers are wheelchair accessible.

CALL TO ORDER	Mayor
FLAG SALUTE	The Monterey Park Police Explorers
ROLL CALL	Henry Lo, Vinh Ngo, Jose Sanchez, Thomas Wong, Yvonne Yiu

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS:

While all comments are welcome, the Brown Act does not allow the City Council to take action on any item not on the agenda. The Council may briefly respond to comments after Public Communications is closed. Persons may, in addition to any other matter within the City Council's subject-matter jurisdiction, comment on Agenda Items at this time. If you provide public comment on a specific Agenda item at this time, however, you cannot later provide comments at the time the Agenda Item is considered.

STAFF COMMUNICATIONS:

- Public Works
- Recreation and Community Services

[1.] PRESENTATION

1-A. MONTEREY PARK COMMUNITY HEALING FUND UPDATE

[2.] OLD BUSINESS – None.

[3.] CONSENT CALENDAR ITEM NOS. 3A-3L

All items under the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion. Specific items may be removed from the Consent Calendar at the request of any member of the City Council for separate consideration.

3-A. MONTHLY INVESTMENT REPORT – APRIL 2023

It is recommended that the City Council consider:

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

3-B. AUDITING SERVICES AGREEMENT

It is recommended that the City Council consider:

- (1) Allowing the City Manager to enter into an agreement in a form to be approved by the City Attorney with The Pun Group, LLP for an amount not to exceed \$238,000 for auditing services; and
- (2) Taking such additional, related, action that may be desirable.

3-C. EXTENSION OF COMMISSIONER'S TERM

It is recommended that the City Council consider:

- (1) Approving the extension of Victoria Chavez-Calderon's term to the Community Participation Commission; and
- (2) Taking such additional, related, action that may be desirable.

3-D. EXTENDING A LOCAL EMERGENCY FOR THE GOODVIEWS ABATEMENT PROJECT (“GAP”)

It is recommended that the City Council consider:

- (1) Extending the local emergency for the GAP pursuant to Section 3 of Resolution No. 2022-R101 (adopted December 21, 2022) to July 1, 2023; and
- (2) Taking such additional, related, action that may be desirable.

3-E. ADOPT A RESOLUTION TERMINATING 2023 WINTER STORMS LOCAL EMERGENCY

It is recommended that the City Council consider:

- (1) Adopting a resolution terminating 2023 Winter Storms local emergency; and
- (2) Taking such additional, related, action that may be desirable.

Environmental Assessment:

The Resolution itself and the actions anticipated by the Resolution were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the “CEQA Guidelines”). Based upon that review, this action is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹

3-F. ANNUAL MILITARY EQUIPMENT REPORT PER ASSEMBLY BILL NO. 481

It is recommended that the City Council consider:

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

3-G. AMENDMENT TO AGREEMENT NO. 1967-AC FOR THE UPFITTING/CONVERSION OF POLICE DEPARTMENT VEHICLES

It is recommended that the City Council consider:

- (1) Authorize the City Manager to execute an amendment with West Coast Lights and Sirens, Inc. to Agreement No. 1967-AC, in a form approved by the City Attorney, for the upfitting/conversion of leased police department vehicles.
- (2) Taking such additional, related, action that may be desirable.

3-H. AMENDMENT TO AGREEMENT 2231-AA WITH COLU TECHNOLOGIES FOR THE SOFTWARE LICENSING OF MONTEREY PARK REWARDS SHOP LOCAL APP PROGRAM

It is recommended that the City Council consider:

- (1) Authorizing the City Manager to execute an Amendment to Agreement 2231-AA with Colu Technologies, in a form approved by the City Attorney, for the extension of the software licensing agreement for the Monterey Park Rewards Program, an innovative shop local app incentive program, through December 31, 2023.
- (2) Taking such additional, related, action that may be desirable.

¹ CEQA findings regarding an anticipated imminent emergency are valid (see *CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

3-I. PLAYGROUND PROJECTS AT BELLA VISTA, GARVEY RANCH, HIGHLANDS, AND SEQUOIA PARKS – APPROVE A PURCHASE ORDER FOR SUPERIOR RECREATION PRODUCTS TO PROCURE PLAYGROUND EQUIPMENT IN THE AMOUNT OF \$869,551.32

It is recommended that the City Council consider:

- (1) Approve the designs for the playgrounds located at Bella Vista, Garvey Ranch Park, Highlands, and Sequoia Parks;
- (2) Approve a purchase order for Superior Recreation Products to procure playground equipment in the amount of \$869,551.32; and
- (3) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed projects are categorically exempt from the California Environmental Quality Act (CEQA) requirements pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities).

3-J. CLEAN CALIFORNIA LOCAL GRANT PROGRAM

It is recommended that the City Council consider:

- (1) Adopting a resolution authorizing the City Manager, or designee, to apply for, receive, and appropriate grant funds for the Clean California Local Grant Program; and
- (2) Taking such additional, related, action that may be desirable.

3-K. MEMORANDUM OF AGREEMENT FOR THE COORDINATED INTEGRATED MONITORING PROGRAM AND WATERSHED MANAGEMENT PLAN FOR THE UPPER LOS ANGELES RIVER WATERSHED MANAGEMENT AREA FOR FISCAL YEARS 2024 - 2026

It is recommended that the City Council consider:

- (1) Authorize the City Manager to execute the Memorandum of Agreement, in a form approved by the City Attorney, to cooperatively share costs in the implementation of the Coordinated Integrated Monitoring Program and Watershed Management Plan for the Upper Los Angeles River Watershed Management Area for Fiscal Years 2024 - 2026; and
- (2) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The City reviewed the environmental impacts of the proposed action under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.* “CEQA”) and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, *et seq.*, the “CEQA Guidelines”). The action is categorically exempt from additional environmental review pursuant to CEQA Guidelines §§15262, 15306, 15307, and 15308. The project consists of comprehensive data collection efforts to monitor water quality in downstream receiving waters. The purpose of the project is to determine if possible actions are necessary to protect natural resources and the environment.

3-L. RECEIVE AND FILE STAFF REPORT SUMMARIZING THE STATUS OF EMERGENCY REPAIRS OF THE MONTEREY PASS ROAD WATER LINE

It is recommended that the City Council consider:

- (1) Receive and File the staff report summarizing the status of emergency repairs of the Monterey Pass Road water line; and
- (2) Taking such additional, related, action that may be desirable.

[4.] PUBLIC HEARING

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

It is recommended that the City Council consider:

- (1) Continuing the public hearing to the June 7, 2023 City Council meeting; and
- (2) Taking such additional, related, action that may be desirable.

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

It is recommended that the City Council consider:

- (1) Continuing the public hearing to the June 7, 2023 City Council meeting; and
- (2) Taking such additional, related, action that may be desirable.

[5.] NEW BUSINESS

5-A. ONE-YEAR TIME EXTENSION FOR THE FOLLOWING PROJECTS: 1) TENTATIVE MAP NO. 71473 (TM-17-01) - SWC ORANGE AVENUE/PEPPER STREET (ASSESSOR'S PARCEL NO. (APN 5276-008-045) AND 2) TENTATIVE MAP NO. 73741 (TM-18-01) AND CONDITIONAL USE PERMIT (CUP-18-01) – 130-206 S. CHANDLER AVENUE (APNS 5257-004-019, 020, 021)

It is recommended that the City Council consider:

- (1) Adopting a resolution approving a Time Extension for Tentative Map No. 71473 (TM-17-01);
- (2) Adopting a resolution approving a Time Extension for Tentative Map No. 73741 (TM-18-01) and Conditional Use Permit (CUP-18-01); and
- (3) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

Tentative Map No. 71473 (TM-17-01) - SWC Orange Avenue/Pepper Street

On June 26, 2018, the City Council adopted Resolution No. 10-18. Section 3 of that Resolution determined the Project was categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects). No additional environmental review is necessary.

Tentative Map No. 73741 (TM-18-01) and Conditional Use Permit (CUP-18-01);

The Project is consistent with the Mitigated Negative Declaration and Mitigation Monitoring Program adopted by City Council in February 5, 2020 under Resolution No. 12135 and March 4, 2020 under Ordinance No. 2167. No additional environmental review is necessary.

5-B. DONATION OF MURAL AT GEORGE ELDER PARK FOR AAPI HERITAGE MONTH

It is recommended that the City Council consider:

- (1) Accepting the donation of a mural submitted by the Los Angeles Rams and artist D.J. Javier for George Elder Park in celebration of AAPI Heritage Month; and
- (2) Taking such additional, related, action that may be desirable.

5-C. NATIONAL GUN VIOLENCE AWARENESS DAY AND WEAR ORANGE WEEKEND

It is recommended that the City Council consider:

- (1) Adopting a Resolution Declaring June 2, 2023, to be National Gun Violence Awareness Day in the City of Monterey Park and June 3rd and 4th as Wear Orange Weekend; and
- (2) Taking such additional, related, action that may be desirable.

[6.] CITY COMMUNICATIONS (CITY COUNCIL)

6-A. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK CONDEMNING THE MILITARY JUNTA OF MYANMAR (BURMA) FOR THE OPPRESSION OF CIVILIANS WITH EXCESSIVE VIOLENCE AND STANDING FIRMLY WITH THE PEOPLE OF BURMA IN THEIR PURSUIT FOR A FAIR, JUST, AND SUSTAINABLE DEMOCRATIC SOVEREIGN GOVERNMENT (REQUESTED BY MAYOR PRO TEM WONG)

It is recommended that the City Council consider:

- (1) Adopting a resolution condemning the military junta of Myanmar (Burma) for the oppression of civilians with excessive violence and standing firmly with the people of Burma in their pursuit for a fair, just, and sustainable democratic sovereign government; and
- (2) Taking such additional, related, action that may be desirable.

6-B. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK RECOGNIZING THE MONTH OF JUNE 2023 AS LGBTQ PRIDE MONTH

It is recommended that the City Council consider:

- (1) Adopting a resolution recognizing the month of June 2023 as LGBTQ Pride Month; and
- (2) Taking such additional, related, action that may be desirable.

[7.] FUTURE AGENDA ITEMS

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

ADJOURN



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3A

TO: The Honorable Mayor and City Council
FROM: Amy Lee, City Treasurer
SUBJECT: Monthly Investment Report – April 2023

RECOMMENDATION:

It is recommended that the City Council consider:

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

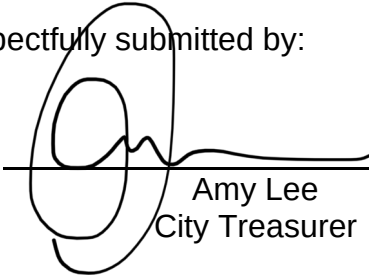
EXECUTIVE SUMMARY:

As of April 30, 2023 invested funds for the City of Monterey Park is \$82,252,355.16

BACKGROUND:

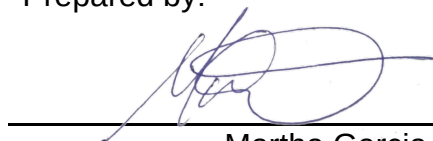
In accordance with the City's Investment Policy, a monthly investment report is presented to the City Council showing the types of investments, dates and maturities, amounts of deposits, rates of interest, and the current market values for securities with maturity more than 12 months. The attached monthly investment report includes a summary investment report for the LA County Pooled Investment Fund, which displays the composition by type for the entire pooled investment fund.

Respectfully submitted by:



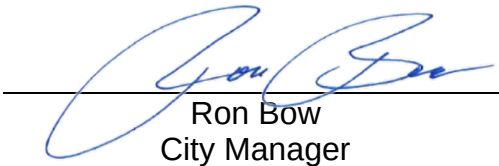
Amy Lee
City Treasurer

Prepared by:



Martha Garcia
Finance Director

Approved by:



Ron Bow
City Manager

ATTACHMENT:

1. Monthly Investment Report

ATTACHMENT 1

Monthly Investment Report

**CITY OF MONTEREY PARK
INVESTMENT REPORT
APRIL 30, 2023**

INVESTMENTS PORTFOLIO PROFILE:

TOTAL BALANCE AT 03/31/2023 **\$ 82,252,355.16**

INVESTMENT COMPOSITION

(1) **LA COUNTY POOLED INVESTMENT FUND** ON DEMAND 3.430% **\$ 43,502,153.03**
(See Schedule A for LA County Pool Composition)

(2) **LOCAL AGENCY INVESTMENT FUND** ON DEMAND 2.870% **\$ 31,395,202.13**

(3) <u>CERTIFICATES OF DEPOSIT</u>	Purchase Date	Maturity Date	Interest Rate	
1 PREFERRED BANK	09/03/22	09/03/23	2.51%	100,000
2 PREFERRED BANK	09/08/22	09/08/23	2.67%	150,000
3 SALLIE MAE BANK	08/11/21	08/12/24	0.70%	245,000
4 TOYOTA FINANCIAL SAVINGS BANK	09/16/21	09/16/24	0.65%	245,000
5 SYNCHRONY BANK	09/17/21	09/17/24	0.65%	245,000
6 UBS BANK USA	09/22/21	09/23/24	0.65%	245,000
7 STATE BANK OF INDIA	10/18/21	10/18/24	0.70%	245,000
8 MEDALLION BANK UTAH	01/28/22	01/28/25	1.25%	245,000
9 PENTAGON FEDERAL UNION	01/31/22	01/31/25	1.25%	245,000
10 BEAL BANK	02/02/22	01/29/25	1.15%	245,000
11 VALLIANCE BANK	03/18/22	03/18/25	1.40%	245,000
12 STATE BANK OF TEXAS	03/25/22	03/25/25	1.45%	245,000
13 FIRST FED SAVINGS & LOAN	03/30/22	03/31/25	2.00%	245,000
14 LAFAYETTE FEDERAL CREDIT UNION	03/30/22	03/31/25	2.20%	245,000
15 ALLY BANK	03/31/22	03/28/24	1.95%	245,000
16 COMENITY CAPITAL BANK	04/14/22	04/14/25	2.55%	245,000
17 AMERICU CREDIT UNION	04/21/22	04/21/25	2.30%	245,000
18 BALBOA THRIFT & LOAN	04/29/22	04/29/25	2.00%	245,000
19 CONNEXUS CREDIT UNION	05/26/22	05/28/24	2.65%	245,000
20 METRO CREDIT UNION	07/13/22	07/12/24	3.20%	245,000
21 FIRST TECHNOLOGY CREDIT UNION	08/05/22	08/05/24	3.25%	245,000
22 AUSTIN TELCO FEDERAL CREDIT UNION	12/16/22	12/16/24	5.00%	245,000
23 GREENWOOD MUNICIPAL FED CREDIT UNIK	01/27/23	01/27/25	4.80%	245,000
24 RAIZ CREDIT UNION	01/27/23	01/27/25	4.75%	245,000
25 WORKERS	01/27/23	01/27/25	4.70%	245,000
26 MANUF & TRADERS TRUST CO	01/31/23	01/31/26	4.25%	245,000
27 ALPINE BANK	01/31/23	01/31/25	4.55%	245,000
28 TECHNOLOGY FCU	02/10/23	02/24/25	5.00%	245,000
29 RED CROWN FCU	02/14/23	02/21/25	4.85%	245,000
30 UFIRST FEDERAL CREDIT UNION	02/15/23	02/25/25	4.85%	245,000
31 SEA COMM FEDERAL CREDIT UNION	02/23/23	03/03/25	4.90%	245,000
<i>Total CDs (31)</i>			2.826%	<u>\$ 7,355,000.00</u>

OTHER INFORMATION:

BANK BALANCE: ⁽¹⁾ **\$ 15,073,282.73**

AVERAGE MATURITY DAYS 58

AVERAGE INTEREST RATE FOR THE MONTH 3.115%

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.

INTEREST EARNINGS FOR 2nd QTR 2022-2023 **\$ 528,767.96**

THERE HAVE BEEN NO VARIANCES TO THE INVESTMENT POLICY.

(1) Bank balance is maintained to cover outstanding warrants, payroll checks and on-going operating costs.

**POOLED SURPLUS AND SPECIFIC PURPOSE INVESTMENTS
AS OF MARCH 31, 2023**

SCHEDULE A

<u>PORTFOLIO PROFILE</u>	<u>Pooled Surplus Investments</u>	<u>Specific Purpose Investments</u>
Inventory Balance at 03/31/23		
At Cost	\$ 51,474,335,378	\$ 305,988,412
At Market	\$ 49,025,209,955	\$ 282,958,534
Repurchase Agreements	\$ -	\$ -
Reverse Repurchase Agreements	\$ -	\$ -
Composition by Security Type:		
Certificates of Deposit	4.18%	0.00%
United States Government and Agency Obligations	67.09%	85.80%
Bankers Acceptances	0.00%	0.00%
Commercial Paper	28.65%	0.00%
Municipal Obligations	0.06%	0.81%
Corporate and Deposit Notes	0.02%	0.00%
Repurchase Agreements	0.00%	0.00%
Asset-Backed	0.00%	0.00%
Other	0.00%	13.39%
1-60 days	34.62%	1.30%
61 days-1 year	26.30%	26.83%
Over 1 year	39.08%	71.87%
Weighted Average Days to Maturity	794	



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3B

TO: The Honorable Mayor and City Council
FROM: Martha Garcia, Director of Finance
SUBJECT: Auditing Services Agreement

RECOMMENDATION:

It is recommended that the City Council consider:

1. Allowing the City Manager to enter into an agreement in a form to be approved by the City Attorney with The Pun Group, LLP for an amount not to exceed \$238,000 for auditing services; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The City of Monterey Park posted a Request for Proposals (RFP) seeking Professional Auditing Services. The RFP was sent out to eleven auditing firms and was posted on the City Website. Three firms responded with a proposal. Of the three firms, one responded after the due date. The remaining two qualifying firms' proposed costs range from \$216,363 to \$239,112 for a three year-term.

The Pun Group LLP is the lowest bidder at \$216,363 and is selected for its ability to perform the City's' auditing services. The proposal is for a three-year agreement at \$216,363 plus a 10% contingency at \$21,636 for a total not to exceed \$238,000.

BACKGROUND:

The City is committed to the transparency and reliability of its financial reports and obtained independent audits of its financial statements, which were performed by the City external auditors in accordance with the appropriate professional auditing standards. The City's current external auditor, CliftonLarsonAllen, LLP performed professional and satisfactory auditing services for seven years. Staff conformed to the accounting best practices and undertook a full-scale competitive process to select the next City's independent auditors.

The scope of auditing services encompasses financial audits of the City and Monterey Park Successor Agency; Single Audit; review of the accounting procedures and the systems of internal control; review of the GANN computation; preparation of the State Controllers' Annual Report; and advice and recommendations on accounting and financial issues.

On March 14, 2023, the City sent out the RFP to eleven auditing firms. The deadline to submit a proposal was April 10, 2023. On April 10, 2023, staff received two proposals from The Pun Group, LLP and Lance, Soll & Lunghard, LLP.

The two qualifying proposals demonstrated the agencies' capacities for performing as the City's external auditor. Three factors were used to evaluate each proposal: the auditor's qualifications, the audit approach to be followed and the price. In addition, adequate consideration was also given to ensure that the auditor not only performs the City's annual audit, but is also qualified to consult on other financial matters as they arise. A summary of the bid amounts is ranked as follows:

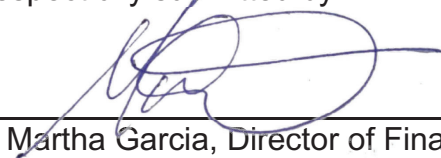
VENDOR	1 ST YEAR COST	TOTAL 3-YEAR COST
The Pun Group, LLP	\$70,000	\$216,363
Lance, Soll & Lunghard, LLP	77,360	\$239,112

The City recommends The Pun Group LLP as its new auditing firm.

FISCAL IMPACT:

The total cost is \$238,000 which consists of a three-year contract for a cost of \$216,363 plus a 10% contingency cost of \$21,636 to cover any additional analysis or reports required. The first-year cost of \$70,00 will be included in the City's FY23-24 budget.

Respectfully submitted by:



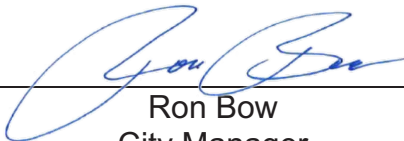
Martha Garcia, Director of Finance

Prepared by:



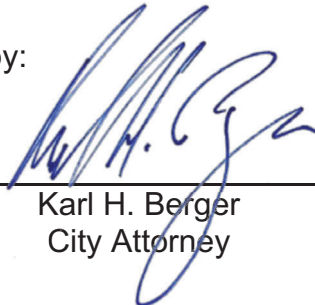
Maria Espinosa-Chavez
Principal Management Analyst

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3C

TO: The Honorable Mayor and City Council
FROM: Maychelle Yee, City Clerk
SUBJECT: Extension of Commissioner's Term

RECOMMENDATION:

It is recommended that the City Council consider:

1. Approving the extension of Victoria Chavez-Calderon's term to the Community Participation Commission; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

In accordance with Monterey Park Municipal Code (MPMC) § 2.82.50, Commissions, Boards and Committees (collectively, "Commissions") members may serve two, 4 year, terms. If an individual completes serving and separates from service, such person cannot be reappointed to the same board or commission for at least 12 consecutive months unless otherwise authorized by City Council to extend the term. This would align the Commissioner terms with that of the Councilmember who appointed them.

Mayor Sanchez requested to extend the term of Victoria Chavez-Calderon to Community Participation Commission, which will align with his council term for an additional two year term through November 2024. Ms. Chavez-Calderon has served on the commission since 2013.

FISCAL IMPACT:

None.

Respectfully submitted by:

A blue ink signature of Maychelle Yee, written in a cursive style.

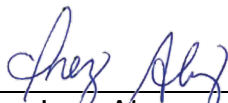
Maychelle Yee
City Clerk

Prepared by:

A blue ink signature of Cindy H. Trang, written in a cursive style.

Cindy H. Trang
Deputy City Clerk

Reviewed by:



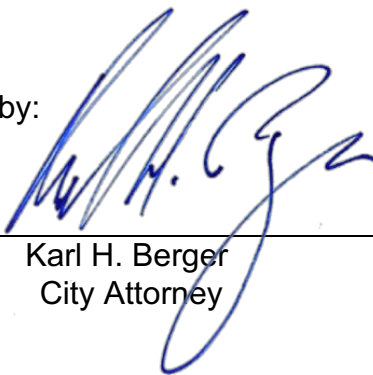
Inez Alvarez
Assistant City Manager

Reviewed by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3D

TO: The Honorable Mayor and City Council

FROM: Ron Bow, City Manager & Director of Emergency Services
Karl H. Berger, City Attorney

SUBJECT: Extending a Local Emergency for the Goodviews Abatement Project ("GAP")

RECOMMENDATION:

It is recommended that the City Council consider:

1. Extending the local emergency for the GAP pursuant to Section 3 of Resolution No. 2022-R101 (adopted December 21, 2022) to July 1, 2023; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On December 21, 2022, the City Council adopted Resolution No. 2022-R101 that extended the GAP local emergency until March 1, 2023; that emergency was subsequently extended in a series of City Council actions until June 1, 2023.

On May 10, 2023, the City's project manager informed the City Manager and City Attorney that the contractor, C.A. Rasmussen, requested additional time to complete the GAP based upon delays from the 2023 winter storms. Completion is now estimated for the end of June.

BACKGROUND:

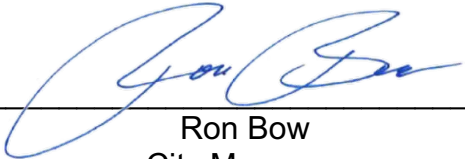
Pursuant to Resolution Nos. (collectively, the "Emergency Resolutions") 12255 (adopted June 16, 2021); 2022-R22 (adopted April 20, 2022); 2022-R34 (adopted May 18, 2022); 2022-R63 (adopted August 1, 2022); 2022-R101 (adopted December 21, 2022); and by minute orders from March 1, 2023 and April 5, 2023, the City Manager and City Attorney are exercising emergency powers to abate a public nuisance in accordance with the Settlement Agreement in the civil case captioned *The People of the State of California, ex rel., Mark D. Hensley, City Attorney for the City of Monterey Park v. Center Int'l Investments, Inc., et al.* (filed December 31, 2015) LASC Case No. BC605788. This is identified as the Goodviews Abatement Project ("GAP"). The Emergency Resolutions allow the City Council to extend the local emergency by minute order, i.e., without the need for a written resolution.

The GAP is still behind its original schedule because of the winter storms. As a result, the engineer's revised estimate for completion is now end of June; it is recommended that the emergency be extended until July 1, 2023.

FISCAL IMPACT:

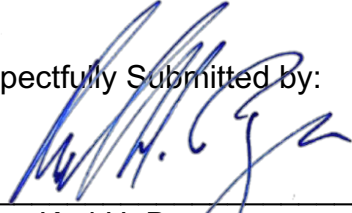
There is no additional fiscal impact directly associated with the recommended action. All costs associated with the GAP are well document including, without limitation, in the abatement liens recorded against the real property.

Respectfully Submitted by:



Ron Bow
City Manager

Respectfully Submitted by:



Karl H. Berger
City Attorney



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3E

TO: The Honorable Mayor and City Council

FROM: Ron Bow, City Manager & Director of Emergency Services

SUBJECT: Adopt a resolution terminating 2023 Winter Storms local emergency

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting a resolution terminating 2023 Winter Storms local emergency; and
2. Taking such additional, related, action that may be desirable.

ENVIRONMENTAL ASSESSMENT:

The Resolution itself and the actions anticipated by the Resolution were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Based upon that review, this action is exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.¹

EXECUTIVE SUMMARY:

On January 18, 2023, the City Council adopted Resolution No. 2023-R5 which confirmed the existence of a local emergency related to the 2023 Winter Storms. Resolution No. 2023-R5 authorized the City Manager to undertake all actions needed to preserve public health and safety in accordance with applicable law.

The conditions of emergency no longer exist. Therefore, staff recommends that the City Council terminate the local emergency, effective immediately.

BACKGROUND:

On January 4, 2023, the Governor declared a statewide emergency because of the multiple Winter Storms sweeping over California. The President of the United States subsequently issued a federal declaration of emergency on January 8, 2023 for the same

¹ CEQA findings regarding an anticipated imminent emergency are valid (*see CalBeach Advocates v. City of Solana Beach* (2002) 103 Cal.App.4th 529).

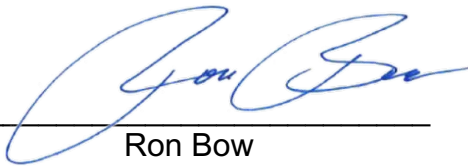
reasons. In response, on January 12, 2023, the City Manager signed an administrative declaration of emergency (the "Declaration"). The Declaration was effective January 8th and responded to conditions resulting from heavy rainfall associated with multiple Winter Storms starting on or about January 3, 2023. The City Manager issued the administrative declaration following a statewide declaration of emergency by the Governor of California and a federal declaration of emergency issued by the President.

Declaring a local emergency provided flexibility to the City for rapidly responding to any potential crisis. At this time, the conditions of emergency no longer exist.

FISCAL IMPACT:

There were no significant fiscal impacts.

Respectfully Submitted by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Draft Resolution

ATTACHMENT 1

Draft Resolution

RESOLUTION NO. 20__-__

A RESOLUTION ADOPTED BY THE CITY COUNCIL FOR THE CITY OF MONTEREY PARK TERMINATING THE 2023 WINTER STORMS LOCAL EMERGENCY.

BE IT RESOLVED by the Council of the City of Monterey Park as follows:

SECTION 1: The City Council finds as follows:

- A. On January 18, 2023, the City Council adopted Resolution No. 2023-R5 which confirmed the existence of a local emergency related 2023 winter storms.
- B. On or about January 4, 2023, the California Governor declared a statewide emergency based upon precipitation – both rain and snow – resulting from so-called “atmospheric rivers” fueling multiple storms (the “2023 Winter Storms”).
- C. Thereafter, on January 8, 2023, the President issued an emergency order declaring certain California counties, including Los Angeles County, to be federal disaster areas and giving instructions to the Federal Emergency Management Agency (“FEMA”) to coordinate all disaster relief efforts to alleviate the hardship and suffering caused by the emergency on the local population and to provide appropriate assistance to save lives; protect property, public health and safety; and to lessen or avert the threat of a catastrophe.
- D. The 2023 Winter Storms caused extreme peril to the safety of persons and property throughout areas of California.
- E. The dangers presented by the 2023 Winter Storms caused the City Manager to proclaim the existence of a local emergency beginning on January 8, 2023 in accordance with the Monterey Park Municipal Code (“MPMC”).
- F. The circumstances necessitating the declaration of an emergency no longer exist and the local emergency is terminated effective immediately.

SECTION 2: *Ratification.* The City Council reviewed the state of the community and the COVID-19 Pandemic emergency. The Approved Actions are ratified and approved. Based upon the verbal and written reports of the City Manager regarding the COVID-19 Pandemic, the City Council is satisfied that the local emergency is terminated.

SECTION 3: *Electronic Signatures.* This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 4: *Recordation.* The Mayor, or presiding officer, is authorized to sign this Resolution signifying its adoption by the City Council of the City of Monterey Park and the City Clerk, or her duly appointed deputy, may attest thereto.

SECTION 5: *Effective Date.* This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

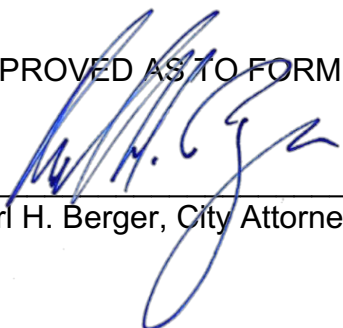
PASSED AND ADOPTED this 17th day of May, 2023.

Jose Sanchez, Mayor

ATTEST:

Maychelle Yee, City Clerk

APPROVED AS TO FORM:



Karl H. Berger, City Attorney



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3F

TO: The Honorable Mayor and City Council
FROM: Scott Wiese, Police Chief
SUBJECT: Annual Military Equipment Report Per Assembly Bill No. 481

RECOMMENDATION:

It is recommended that the City Council consider:

1. Receiving and filing report; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On May 18, 2022, the Monterey Park City Council adopted Ordinance No. 2222 approving a military equipment use policy (Monterey Park Police Department – Policy 709) pursuant to Assembly Bill No. 481 ("AB 481"). In accordance with AB 481 and Policy 709, a military equipment report must be submitted to the City Council annually for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use. In compliance with AB 481, outlined below is the 2022 MPPD Annual Military Equipment Report.

It is recommended the City Council approve the Annual Military Equipment Report per Assembly Bill No. 481.

BACKGROUND:

Effective January 1, 2022, Assembly Bill 481 ("AB 481") required law enforcement agencies such as the Monterey Park Police Department to have a Military Equipment Use Policy approved by the City Council prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined by law. The City of Monterey Park complied and adopted Ordinance No. 2222 approving Policy 709.

AB 481 requires law enforcement agencies to submit an annual military equipment report on the use of the equipment, any complaint(s) or concern(s) regarding the use of the equipment, results of any internal audits on the use of the equipment, the annual costs for the equipment, the quantity possessed by the agency and the intention to purchase additional equipment in the following year.

In addition, within 30 days of submitting and publicly releasing the Report, a well-publicized and conveniently located community engagement meeting must be held to allow for public comments and discussion.

The Police Department conducted a public meeting on April 18, 2023 from 6:00 PM to 7:00 PM in the City Hall community room. The meeting was also offered via Zoom. Two members of the public joined the meeting via Zoom. No members of the public attended in person.

DISCUSSION:

Pursuant to AB 481, a review of the Police Department's military equipment usage and findings are reported below.

Military Equipment Use, Amount of Use, and Annual Cost

ITEM	EQUIPMENT USE	NUMBER OF USAGE	ANNUAL COST
DRONE	Field Deployment	52	\$700 (maintenance and battery replacement)
ROBOT	N/A	0	\$0
40MM LAUNCHER	a) Training b) De-escalation of force	a) 2 b) 0	\$1,200 (munitions)
NOISE FLASH DISTRACTION DEVICE	Training	4	\$1,200
CHEMICAL AGENT/SMOKE	N/A	0	\$1,500
PEPPERBALL	Training	4	\$150
ARMORED RESCUE VEHICLE	a) Training b) Field deployment	a) 12 b) 6	\$2,500 (maintenance/fuel)
RIFLES	Training	250	\$500
BREACHING ROUNDS	N/A	0	\$1,000

12 GAUGE -BEAN BAG ROUND	Training	20	\$300
COMMAND CONTROL VEHICLE	Field deployment	52	\$12,000 (maintenance/fuel)

Complaints or Concerns

Members of the public may register complaints or submit questions or concerns about the use of each type of military equipment in this Policy by the following means:

1. Via email: militaryequipment@montereypark.ca.gov
2. Via mail: Monterey Park Police Department
Attn: Military Equipment Coordinator
320 W. Newmark Avenue
Monterey Park, CA 91754

No complaints or concerns were reported on the use of the equipment in 2022.

Internal Audit

An internal audit conducted by the Police Department concluded that there were no violations of the military equipment use policy.

Intention to Purchase Additional Equipment in 2023

Due to the unpredictable nature of the law enforcement profession, the need for future purchases due to product lifespan, training, operational incidents or other factors will determine items to be purchased to maintain operational readiness.

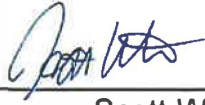
FISCAL IMPACT:

There is no direct impact related to this annual report.

RECOMMENDATION:

It is recommended the City Council approve the Annual Military Equipment Report per Assembly Bill No. 481.

Respectfully submitted by:



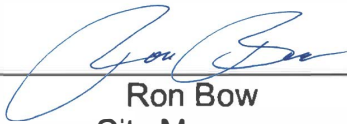
Scott Wiese
Chief of Police

Prepared by:



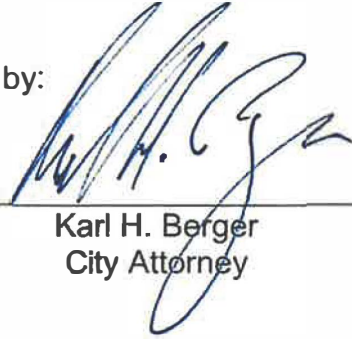
Peter Yung
Sergeant

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS:

1. Original Ordinance, MEU Policy, and SB 481 Text
2. 2023 Equipment List

ATTACHMENT 1
Original Ordinance, MEU Policy, and SB481 Text

ORDINANCE NO. 2222

AN ORDINANCE ADOPTING A MILITARY EQUIPMENT USE POLICY.

The City Council of the City of Monterey Park does ordain as follows:

SECTION 1: The City Council finds and declares that:

- A. Assembly Bill 481 ("AB 481"), codified at Government Code §§ 7070 through 7075, requires City Council adoption, via ordinance, of a military equipment use policy ("MEU Policy") at a regular meeting prior to taking certain actions related to the funding, acquisition, or use of military equipment, including without limitation, the continued use of military equipment acquired before January 1, 2022.
- B. The City Council seeks to approve a MEU Policy consistent with AB 481 by adopting this Ordinance.
- C. Pursuant to Government Code § 7071(b), MPPD staff made MEU Policy documents available on the City's website and submitted the MEU policy to the City Council at least 30 days prior to City Council consideration of adoption of the MEU Policy.

SECTION 2: *Adoption of MEU Policy.* The City Council adopts the proposed MEU Policy based upon the totality of evidence in the record based upon the findings set forth below, in accordance with Government Code § 7071(d)(1). For purposes of this Section 2, "MEU Policy" refers to policy attached to this Ordinance as Exhibit "A."

- A. The military equipment described in the City's MEU Policy is necessary because there is no reasonable alternative that can achieve the same objective of MPPD officer and civilian safety.
- B. The City's MEU Policy will safeguard the public's welfare, safety, civil rights, and civil liberties.
- C. Any military equipment to be purchased will be reasonably cost effective compared to reasonably alternatives that can achieve the same objective of MPPD officer and civilian safety.
- D. MPPD's prior use of military equipment complied with applicable use policies.

SECTION 3: *Annual Review; Policy Posting.* The City Council directs the MPPD Police Chief, or designee, to:

- A. Present this Ordinance to the City Council for its annual review where it will vote on whether to renew this Ordinance, beginning within one year of the

effective date of this Ordinance (Gov. Code, § 7071(e)(1)).

- B. Submit an annual MEU Policy equipment report to the City Council for the body to consider compliance with the MEU Policy, beginning within one year of the effective date of this Ordinance, to assist with the City Council's review of this Ordinance as described in paragraph A, above.
- C. Conduct a well-publicized and conveniently located community engagement meeting at least 30 days prior to submitting the annual report, as described in paragraph B above, to the City Council (Gov. Code, § 7072(b)).
- D. Post the City's adopted MEU Policy on the City's website as long as associated military equipment is in MPPD use (Gov. Code, § 7071(d)(2)).
- E. Post each annual report, as described in paragraph B above, on the City's website for as associated military equipment is in MPPD use (Gov. Code, § 7072(a)).

SECTION 4: *Environmental Review.* Adoption of this Ordinance is exempt from further environmental review under the California Environmental Quality Act (Pub. Resources Code, § 21000 et seq., "CEQA") and CEQA Guidelines (14 Cal. Code of Regs., § 15000 et seq., "CEQA Guidelines") because the Ordinance concerns general policies and procedures and therefore, pursuant to CEQA Guidelines § 15061(b)(3), it can be seen with certainty that there is no possibility that this Ordinance will have a significant effect on the environment.

SECTION 5: *Electronic Signatures.* This Ordinance may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 6: *Construction.* This Ordinance must be broadly construed to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

SECTION 7: *Severability.* If any part of this Ordinance or its Application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

SECTION 8: *Recordation.* The City Clerk, or designee, is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of Monterey Park's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within 15 days after the passage and adoption of this Ordinance, and cause it to be published or posted in accordance with California law.

SECTION 9: Effective Date. This Ordinance will become effective 30 days after second reading and adoption.

PASSED AND ADOPTED this 18th day of May, 2022.


Henry Lo, Mayor

ATTEST:


Vincent D. Chang, City Clerk

APPROVED AS TO FORM:
Karl H. Berger, City Attorney

By: 
Joaquin Vazquez, Deputy City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §
CITY OF MONTEREY PARK)

I, Vincent D. Chang, City Clerk of the City of Monterey Park, California, do hereby certify that the foregoing Ordinance No. 2222 was introduced, and placed upon its first reading at a regular meeting of the City Council of the City of Monterey Park, held on the 4th day of May, 2022. That thereafter on the 18th day of May, 2022, said Ordinance was duly passed, approved and adopted by the following vote:

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

Dated this 18th day of May, 2022.


Vincent D. Chang, City Clerk
City of Monterey Park, California

Military Equipment

709.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of “military equipment” (See Government Code §§ 7070; 7072).

709.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body - The Monterey Park City Council.

Military equipment - Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code§ 30510 and Penal Code§ 30515, with the exception of standard-issue handguns.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

Military Equipment

709.2 APPROVAL OF THE GOVERNING BODY

The Chief of Police or his/her authorized designee shall seek approval for this policy from the governing body in the form of an ordinance adopting the policy. As part of the approval seeking process, the Chief of Police, or his/her authorized designee, will submit the proposed military equipment policy to the governing body and make it available on the Department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071).

The governing body must approve the policy prior to the Department or its members engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available by the U.S. Department of Defense pursuant to 10 USC § 2576a.
- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

709.3 POLICY

The acquisition of military equipment and its deployment in our communities may impact the public's safety and welfare. The public has a right to know about any funding, acquisition, or use of military equipment by local government officials, as well as a right to participate in any government agency's decision to fund, acquire, or use such equipment. Decisions whether and how to fund, acquire, or use military equipment will be made with strong consideration for the public's welfare, safety, civil rights, and civil liberties and also account for the public's input.

It is the policy of the Monterey Park Police Department that there are legally enforceable safeguards, including transparency, oversight, and accountability measures in place to protect the public's welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

Monterey Park Police Department

Monterey Park PD Policy Manual

Military Equipment

Members of the Monterey Park Police Department will only use military equipment in compliance with federal and state legal authorities, including the Fourth and Fifth Amendments of the U.S. Constitution; Article 1, Section 1 of the California Constitution; Government Code § 7286; and, California Penal Code §§ 835a and 13652. Members of the Monterey Park Police Department will only use military equipment consistent with applicable Department rules and regulations, including the Use of Force Policy. Violations of the law or this Policy may result in criminal or administrative investigations and/ or disciplinary action up to and including termination.

The Department, through the designated Military Equipment Coordinator, will ensure that members of the Department are trained to only use military equipment only in accordance with this Policy. Members using military equipment for uses not identified as approved uses in the Military Equipment Inventory shall be subject to discipline, up to and including termination. All instances of non-compliance will be reported to City Council via the annual military equipment report.

The City Council shall have independent oversight of the Department's compliance with this Policy.

709.4 MILITARY EQUIPMENT COORDINATOR

The Chief of Police will designate a member of this Department to act as the Military Equipment Coordinator ("Coordinator"). The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying Department equipment that qualifies as "military equipment," as defined in Government Code § 7070, in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Monterey Park Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).

Monterey Park Police Department

Monterey Park PD Policy Manual

Military Equipment

- (g) Receive and timely respond to public concerns, complaints, or questions regarding the use of military equipment.

709.5 PUBLIC COMPLAINTS, CONCERNS AND QUESTIONS

Members of the public may register complaints or submit questions or concerns about the use of each type of military equipment in this Policy in writing to:

Monterey Park Police Department
Attn: Military Equipment Coordinator
320 W. Newmark Avenue
MilitaryEquipment@montereypark.ca.gov

Whenever practical, the Coordinator will respond to concerns, complaints and questions within 30 calendar days of receipt. Responses may take longer depending on the nature and volume of concerns, complaints, and questions that the Coordinator receives.

The Coordinator will track complaints, concerns, and questions received, and the responses provided, in order to be able to include the information in the Annual Report described below.

709.6 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment in the possession of the Department:

See attachment: Monterey Park PD Military Equipment Inventory

709.7 COORDINATION WITH OTHER JURISDICTIONS

Police Department will not collaborate with other law enforcement agencies to use military equipment in this jurisdiction unless the military equipment is approved for use, and used in accordance with this policy.

709.8 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee will submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee will also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report will include all information required by Government Code § 7072 for

Monterey Park Police Department

Monterey Park PD Policy Manual

Military Equipment

the preceding calendar year for each type of military equipment in department inventory.

709.9 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department will discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

Assembly Bill No. 481

CHAPTER 406

An act to add Chapter 12.8 (commencing with Section 7070) to Division 7 of Title 1 of the Government Code, relating to military equipment.

[Approved by Governor September 30, 2021. Filed with
Secretary of State September 30, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 481, Chiu. Law enforcement and state agencies: military equipment: funding, acquisition, and use.

Existing law designates the Department of General Services as the agency for the State of California responsible for distribution of federal surplus personal property, excepting food commodities, and requires the department to, among other things, do all things necessary to the execution of its powers and duties as the state agency for the distribution of federal personal surplus property, excepting food commodities, in accordance with specified federal law. Existing law, the Federal Surplus Property Acquisition Law of 1945, authorizes a local agency, as defined, to acquire surplus federal property without regard to any law which requires posting of notices or advertising for bids, inviting or receiving bids, or delivery of purchases before payment, or which prevents the local agency from bidding on federal surplus property. Existing federal law authorizes the Department of Defense to transfer surplus personal property, including arms and ammunition, to federal or state agencies for use in law enforcement activities, subject to specified conditions, at no cost to the acquiring agency.

This bill would require a law enforcement agency, defined to include specified entities, to obtain approval of the applicable governing body, by adoption of a military equipment use policy, as specified, by ordinance at a regular meeting held pursuant to specified open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment, as defined. The bill would also require similar approval for the continued use of military equipment acquired prior to January 1, 2022. The bill would allow the governing body to approve the funding, acquisition, or use of military equipment within its jurisdiction only if it determines that the military equipment meets specified standards. The bill would require the governing body to annually review the ordinance and to either disapprove a renewal of the authorization for a type, as defined, of military equipment or amend the military equipment use policy if it determines, based on an annual military equipment report prepared by the law enforcement agency, as provided, that the military equipment does not comply with the above-described standards for approval. The bill would specify these provisions do not preclude a county or local municipality from implementing

additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.

This bill would also require a state agency, as defined, to create a military equipment use policy before engaging in certain activities, publish the policy on the agency's internet website, and provide a copy of the policy to the Governor or the Governor's designee, as specified. The bill would also require a state agency that seeks to continue use of military equipment acquired prior to January 1, 2022, to create a military equipment use policy.

This bill would also include findings that the changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

By adding to the duties of local officials with respect to the funding, acquisition, and use of military equipment, this bill would impose a state-mandated local program.

The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. The Legislature finds and declares all of the following:

(a) The acquisition of military equipment and its deployment in our communities adversely impacts the public's safety and welfare, including increased risk of civilian deaths, significant risks to civil rights, civil liberties, and physical and psychological well-being, and incurrment of significant financial costs. Military equipment is more frequently deployed in low-income Black and Brown communities, meaning the risks and impacts of police militarization are experienced most acutely in marginalized communities.

(b) The public has a right to know about any funding, acquisition, or use of military equipment by state or local government officials, as well as a right to participate in any government agency's decision to fund, acquire, or use such equipment.

(c) Decisions regarding whether and how military equipment is funded, acquired, or used should give strong consideration to the public's welfare, safety, civil rights, and civil liberties, and should be based on meaningful public input.

(d) Legally enforceable safeguards, including transparency, oversight, and accountability measures, must be in place to protect the public's welfare, safety, civil rights, and civil liberties before military equipment is funded, acquired, or used.

(e) The lack of a public forum to discuss the acquisition of military equipment jeopardizes the relationship police have with the community, which can be undermined when law enforcement is seen as an occupying force rather than a public safety service.

SEC. 2. Chapter 12.8 (commencing with Section 7070) is added to Division 7 of Title 1 of the Government Code, to read:

CHAPTER 12.8. FUNDING, ACQUISITION, AND USE OF MILITARY
EQUIPMENT

7070. For purposes of this chapter, the following definitions shall apply:

(a) "Governing body" means the elected body that oversees a law enforcement agency or, if there is no elected body that directly oversees the law enforcement agency, the appointed body that oversees a law enforcement agency. In the case of a law enforcement agency of a county, including a sheriff's department or a district attorney's office, "governing body" means the board of supervisors of the county.

(b) "Law enforcement agency" means any of the following:

(1) A police department, including the police department of a transit agency, school district, or any campus of the University of California, the California State University, or California Community Colleges.

(2) A sheriff's department.

(3) A district attorney's office.

(4) A county probation department.

(c) "Military equipment" means the following:

(1) Unmanned, remotely piloted, powered aerial or ground vehicles.

(2) Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers. However, police versions of standard consumer vehicles are specifically excluded from this subdivision.

(3) High mobility multipurpose wheeled vehicles (HMMWV), commonly referred to as Humvees, two and one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached. However, unarmored all-terrain vehicles (ATVs) and motorized dirt bikes are specifically excluded from this subdivision.

(4) Tracked armored vehicles that provide ballistic protection to their occupants and utilize a tracked system instead of wheels for forward motion.

(5) Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.

(6) Weaponized aircraft, vessels, or vehicles of any kind.

(7) Battering rams, slugs, and breaching apparatuses that are explosive in nature. However, items designed to remove a lock, such as bolt cutters,

or a handheld ram designed to be operated by one person, are specifically excluded from this subdivision.

(8) Firearms of .50 caliber or greater. However, standard issue shotguns are specifically excluded from this subdivision.

(9) Ammunition of .50 caliber or greater. However, standard issue shotgun ammunition is specifically excluded from this subdivision.

(10) Specialized firearms and ammunition of less than .50 caliber, including assault weapons as defined in Sections 30510 and 30515 of the Penal Code, with the exception of standard issue service weapons and ammunition of less than .50 caliber that are issued to officers, agents, or employees of a law enforcement agency or a state agency.

(11) Any firearm or firearm accessory that is designed to launch explosive projectiles.

(12) “Flashbang” grenades and explosive breaching tools, “tear gas,” and “pepper balls,” excluding standard, service-issued handheld pepper spray.

(13) Taser Shockwave, microwave weapons, water cannons, and the Long Range Acoustic Device (LRAD).

(14) The following projectile launch platforms and their associated munitions: 40mm projectile launchers, “bean bag,” rubber bullet, and specialty impact munition (SIM) weapons.

(15) Any other equipment as determined by a governing body or a state agency to require additional oversight.

(16) Notwithstanding paragraphs (1) through (15), “military equipment” does not include general equipment not designated as prohibited or controlled by the federal Defense Logistics Agency.

(d) “Military equipment use policy” means a publicly released, written document governing the use of military equipment by a law enforcement agency or a state agency that addresses, at a minimum, all of the following:

(1) A description of each type of military equipment, the quantity sought, its capabilities, expected lifespan, and product descriptions from the manufacturer of the military equipment.

(2) The purposes and authorized uses for which the law enforcement agency or the state agency proposes to use each type of military equipment.

(3) The fiscal impact of each type of military equipment, including the initial costs of obtaining the equipment and estimated annual costs of maintaining the equipment.

(4) The legal and procedural rules that govern each authorized use.

(5) The training, including any course required by the Commission on Peace Officer Standards and Training, that must be completed before any officer, agent, or employee of the law enforcement agency or the state agency is allowed to use each specific type of military equipment to ensure the full protection of the public’s welfare, safety, civil rights, and civil liberties and full adherence to the military equipment use policy.

(6) The mechanisms to ensure compliance with the military equipment use policy, including which independent persons or entities have oversight

authority, and, if applicable, what legally enforceable sanctions are put in place for violations of the policy.

(7) For a law enforcement agency, the procedures by which members of the public may register complaints or concerns or submit questions about the use of each specific type of military equipment, and how the law enforcement agency will ensure that each complaint, concern, or question receives a response in a timely manner.

(e) “State agency” means the law enforcement division of every state office, officer, department, division, bureau, board, and commission or other state body or agency, except those agencies provided for in Article IV (except Section 20 thereof) or Article VI of the California Constitution.

(f) “Type” means each item that shares the same manufacturer model number.

7071. (a) (1) A law enforcement agency shall obtain approval of the governing body, by an ordinance adopting a military equipment use policy at a regular meeting of the governing body held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable, prior to engaging in any of the following:

(A) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

(B) Seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

(C) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

(D) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the territorial jurisdiction of the governing body.

(E) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to this chapter.

(F) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of, military equipment.

(G) Acquiring military equipment through any means not provided by this paragraph.

(2) No later than May 1, 2022, a law enforcement agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall commence a governing body approval process in accordance with this section. If the governing body does not approve the continuing use of military equipment, including by adoption pursuant to this subdivision of a military equipment use policy submitted pursuant to subdivision (b), within 180 days of submission of the proposed military equipment use policy to the governing body, the law enforcement agency shall cease its use of

the military equipment until it receives the approval of the governing body in accordance with this section.

(b) In seeking the approval of the governing body pursuant to subdivision (a), a law enforcement agency shall submit a proposed military equipment use policy to the governing body and make those documents available on the law enforcement agency's internet website at least 30 days prior to any public hearing concerning the military equipment at issue.

(c) The governing body shall consider a proposed military equipment use policy as an agenda item for an open session of a regular meeting and provide for public comment in accordance with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

(d) (1) The governing body shall only approve a military equipment use policy pursuant to this chapter if it determines all of the following:

(A) The military equipment is necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety.

(B) The proposed military equipment use policy will safeguard the public's welfare, safety, civil rights, and civil liberties.

(C) If purchasing the equipment, the equipment is reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety.

(D) Prior military equipment use complied with the military equipment use policy that was in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

(2) In order to facilitate public participation, any proposed or final military equipment use policy shall be made publicly available on the internet website of the relevant law enforcement agency for as long as the military equipment is available for use.

(e) (1) The governing body shall review any ordinance that it has adopted pursuant to this section approving the funding, acquisition, or use of military equipment at least annually and, subject to paragraph (2), vote on whether to renew the ordinance at a regular meeting held pursuant to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2) or the Ralph M. Brown Act (Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5), as applicable.

(2) The governing body shall determine, based on the annual military equipment report submitted pursuant to Section 7072, whether each type of military equipment identified in that report has complied with the standards for approval set forth in subdivision (d). If the governing body determines that a type of military equipment identified in that annual military equipment report has not complied with the standards for approval set forth in subdivision (d), the governing body shall either disapprove a renewal of the authorization for that type of military equipment or require modifications

to the military equipment use policy in a manner that will resolve the lack of compliance.

(f) Notwithstanding subdivisions (a) to (e), inclusive, if a city contracts with another entity for law enforcement services, the city shall have the authority to adopt a military equipment use policy based on local community needs.

7072. (a) A law enforcement agency that receives approval for a military equipment use policy pursuant to Section 7071 shall submit to the governing body an annual military equipment report for each type of military equipment approved by the governing body within one year of approval, and annually thereafter for as long as the military equipment is available for use. The law enforcement agency shall also make each annual military equipment report required by this section publicly available on its internet website for as long as the military equipment is available for use. The annual military equipment report shall, at a minimum, include the following information for the immediately preceding calendar year for each type of military equipment:

(1) A summary of how the military equipment was used and the purpose of its use.

(2) A summary of any complaints or concerns received concerning the military equipment.

(3) The results of any internal audits, any information about violations of the military equipment use policy, and any actions taken in response.

(4) The total annual cost for each type of military equipment, including acquisition, personnel, training, transportation, maintenance, storage, upgrade, and other ongoing costs, and from what source funds will be provided for the military equipment in the calendar year following submission of the annual military equipment report.

(5) The quantity possessed for each type of military equipment.

(6) If the law enforcement agency intends to acquire additional military equipment in the next year, the quantity sought for each type of military equipment.

(b) Within 30 days of submitting and publicly releasing an annual military equipment report pursuant to this section, the law enforcement agency shall hold at least one well-publicized and conveniently located community engagement meeting, at which the general public may discuss and ask questions regarding the annual military equipment report and the law enforcement agency's funding, acquisition, or use of military equipment.

7073. (a) A state agency shall create a military equipment use policy prior to engaging in any of the following:

(1) Requesting military equipment made available pursuant to Section 2576a of Title 10 of the United States Code.

(2) Seeking funds for military equipment, including, but not limited to, applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.

(3) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.

(4) Collaborating with a law enforcement agency or another state agency in the deployment or other use of military equipment within the territorial jurisdiction of the governing body.

(5) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body pursuant to this chapter.

(6) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, or to apply to receive, acquire, use, or collaborate in the use of, military equipment.

(7) Acquiring military equipment through any means not provided by this subdivision.

(b) No later than May 1, 2022, a state agency seeking to continue the use of any military equipment that was acquired prior to January 1, 2022, shall create a military equipment use policy.

(c) A state agency that is required to create a military equipment use policy pursuant to this section shall do both of the following within 180 days of completing the policy:

(1) Publish the military equipment use policy on the agency's internet website.

(2) Provide a copy of the military equipment use policy to the Governor or the Governor's designee.

7074. The Legislature finds and declares that ensuring adequate oversight of the acquisition and use of military equipment is a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this chapter applies to all cities, including charter cities and shall supersede any inconsistent provisions in the charter of any city, county, or city and county.

7075. Nothing in this chapter shall preclude a county or local municipality from implementing additional requirements and standards related to the purchase, use, and reporting of military equipment by local law enforcement agencies.

SEC. 3. The Legislature finds and declares that Section 1 of this act, which adds Chapter 12.8 (commencing with Section 7070) to Division 7 of Title 1 of the Government Code, furthers, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

Requiring local agencies to hold public meetings prior to the acquisition of military equipment further exposes that activity to public scrutiny and enhances public access to information concerning the conduct of the people's business.

SEC. 4. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district under this act would

result from a legislative mandate that is within the scope of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution.

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ATTACHMENT 2

Annual Equipment List - 2023

*****All information list below is for example only. Lexipol does not endorse or recommend any item listed below. Any references to Lexipol policy are for demonstration and should be carefully reviewed by your agency.*****

Type	Armored vehicle
Description	Black armored, wheeled vehicle. White, reflective Agency Name markings and red/blue lights. Equiped with a siren. Can hold a driver and seven passengers.
Quantity	1
Capabilities	Range 100 mi. Armor rated to .50 cal.
Expected lifespan	10 yrs.
Manufacturer's description	Four-wheeled, five-speed automatic transmission, diesel engine-powered personnel carrier with ballistic glass and armor rated to .50 cal.
Purpose and authorized uses	To provide for the safe transport, security, and rescue of agency personnel and citizens in high-risk incidents.
Fiscal impact	\$225,000 initial cost; \$5,000 annual maintenance
Legal and procedural rules	Refer to policies 702, 703. Refer to SWAT procedures.
Required training	Agency-authored orientation course; annual refresher.
Compliance mechanisms	Operational use under the review of the SWAT Commander or appropriate team supervisor.
Type	40mm kinetic energy projectiles
Description	40mm, foam-tipped kinetic energy fired from an agency-authorized 40mm launcher.
Quantity	100
Capabilities	Operartional range 10-75 ft.
Expected lifespan	5 yrs.
Manufacturer's description	40mm foam-tipped projectile capable of travelling 250 fps to a maximum range of 100 feet.
Purpose and authorized uses	To compel an individual to cease his/her actions when such munitions present a reasonable option. A verbal warning of the intended use of the device should precede its application.
Fiscal impact	\$2500 initial purchase for 100 projectiles
Legal and procedural rules	Refer to policies 300, 303, 303.9, 303.9.1, 303.9.2, 303.9.3.
Required training	Initial orientation course including qualification; annual recertificaiton including qualificaion.
Compliance mechanisms	Use is subject to the applicable policiA15:B25es (300.5, 300.5.1, 301, 303.11).

Type	DRONE
Description	The DJI and Autel drone is a remote controlled, aerial, unmanned device used to surveil an area or building before officers enter it.

Quantity	4
Capabilities	The DJI and Autel drone is a remote controlled quadcopter frame with 4 motors that equalize the turning force provided by rotating propellers. The UAS is a system equipped with a camera and is operable under FAA rules & regulation.
Cost	\$15,000
Purpose	The Drone enhances the capabilities of officers in tactical situations by allowing them to inspect dangerous situations from a safe distance quickly and safely.
Authorized Use	To perform aerial data collection for officer safety and tactical incidents while also respecting the privacy of the community.
Expected lifespan	2 years.
Fiscal impact	\$200 annual maintenance.
Training	FAA Part 107 License / 2 yrs recertification.
Legal and procedural rules	The drone will be deployed for official law enforcement purposes in a manner that respects the privacy of our community and complies with department manual section 607 and pursuant to State and Federal Law.

Type	ROBOT
Description	The Marcbot IV is a remote controlled, four wheel, unmanned device used to surveil an area or building before officers enter it.
Quantity	4
Capabilities	The Marcbot IV is equipped with a camera mounted to an extension boom that provides a real time view of its surroundings.
Cost	No initial cost. Acquired through the Law Enforcement Support Office - LESO/1033 program under 10 USC 2567a.
Purpose	The Marcbot IV enhances the capabilities of officers in tactical situations by allowing them to inspect dangerous situations from a safe distance quickly and safely.
Authorized Use	Only officers who have completed training shall be permitted to operate the robot. Deployment of the robot will be authorized by the Incident or Tactical Commander.
Expected lifespan	2 years. Annual maintenance and battery replacement cost is approximately
Fiscal impact	\$1,200.
Training	All robot operators must complete three (3) hours of training provided by the S.W.A.T. Team.

Legal and procedural rules	The Marcbot IV will only be deployed with the authorization of the Incident or Tactical Commander and will only be deployed for official law enforcement purposes. in a manner that respects the privacy of our community and complies with State and Federal Law.
Type	ROBOT
Description	The Throwbot (Recon Robotics) is a throwable remote controlled, two wheel, unmanned device used to surveil an area or building before officers enter it.
Quantity	4
Capabilities	The Throwbot is equipped with a camera mounted that provides a real time view of its surroundings.
Cost	No initial cost. Acquired through the Law Enforcement Support Office - LESO/1033 program under 10 USC 2567a.
Purpose	The Throwbot enhances the capabilities of officers in tactical situations by allowing them to inspect dangerous situations from a safe distance quickly and safely.
Authorized Use	Only officers who have completed training shall be permitted to operate the robot. Deployment of the robot will be authorized by the Incident or Tactical Commander.
Expected lifespan	2 Years.
Fiscal impact	Annual maintenance is approximately \$200.
Training	All robot operators must complete three (3) hours of training provided by the S.W.A.T. Team.
Legal and procedural rules	The Throwbot will only be deployed with the authorization of the Incident or Tactical Commander and will only be deployed for official law enforcement purposes. in a manner that respects the privacy of our community and complies with State and Federal Law.

Type	ROBOT
Description	The 510 PackBot is a remote controlled, tracked, unmanned device used to surveil an area or building before officers enter it.
Quantity	2
Capabilities	The 510 Packbot is equipped with a camera that provides a real time view of its surroundings and an articulating arm that allows it to open doors and move objects.
Cost	No initial cost. Acquired through the Law Enforcement Support Office - LESO/1033 program under 10 USC 2567a.
Purpose	The 510 PackBot enhances the capabilities of officers in tactical situations by allowing them to inspect dangerous situations from a safe distance quickly and safely.

Authorized Use	Only officers who have completed training shall be permitted to operate the robot. Deployment of the robot will be authorized by the
Expected lifespan	2 years.
Fiscal impact	Annual maintenance and battery replacement cost is approximately \$1,200.
Training	All robot operators must complete three (3) hours of training provided by the S.W.A.T. Team.
Legal and procedural rules	The 510 Packbot will only be deployed with the authorization of the Incident or Tactical Commander and will only be deployed for official law enforcement purposes. in a manner that respects the privacy of our community and complies with State and Federal Law.

Type	Armored Rescue Vehicle.
Description	The Bearcat is a, four-wheeled, ballistic armored rescue vehicle manufactured by Lenco in 2003. The vehicle has a door located at the driverside, passengerside and rear of the vehicle. There is one roof opening and seats inside the vehicle. The vehicle is clearly identified with Department markings and equipped with additional lighting, a unit control system, and a police radio.
Quantity	1
Capabilities	The armored vehicle provides ballistic protection from firearms and other projectiles. This vehicle is used for rescue and to transport tactical team members in tactical situations.
Cost	\$250,000.00
Purpose	The Bearcat is used for rescue and to transport Department personnel, primarily tactical team members, to designated high-risk law enforcement operations. The armor on this vehicle provides ballistic protection from firearms and other projectiles.
Authorized Use	Only officers who have completed training shall be permitted to operate the Bearcat. Deployment of the Bearcat will be authorized by the Incident or Tactical Commander.
Expected lifespan	5 years.
Fiscal impact	Annual maintenance and fuel cost is approximately \$1,500.
Training	All Bearcat operators must complete three (3) hours of training provided by the S.W.A.T. Team.
Legal and procedural rules	The Bearcat will only be deployed with the authorization of the Incident or Tactical Commander for rescue and official law enforcement purposes.

Type	Armored Rescue Vehicle.
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Description	The Peace Keeper is a, four-wheeled, ballistic armored rescue vehicle manufactured by Cadillac Gage in the 1980's. The vehicle has a door located at the driverside, passengerside and rear of the vehicle. There is one roof opening and seats inside the vehicle. The vehicle is clearly identified with Department markings and equipped with additional lighting, a unit control system, and a police radio.
Quantity	2
Capabilities	The armored vehicle provides ballistic protection from firearms and other projectiles. This vehicle is used for rescue and to transport tactical team members in tactical situations.
Cost	No initial cost. Acquired through the Law Enforcement Support Office - LESO/1033 program.
Purpose	The Cadillac Gage Ranger is a four-wheeled armored personnel carrier produced by Cadillac Gage, built on a Dodge truck chassis.
Authorized Use	Only officers who have completed training shall be permitted to operate the Bearcat. Deployment of the Bearcat will be authorized by the Incident or Tactical Commander.
Expected lifespan	2 years.
Fiscal impact	Annual maintenance and fuel cost is approximately \$500.
Training	All Peacekeeper operators must complete three (3) hours of training provided by the S.W.A.T. Team.
Legal and procedural rules	The Peacekeeper will only be deployed with the authorization of the Incident or Tactical Commander for rescue and official law enforcement purposes.

Type

Command Control Vehicles

Description	The Field Supervisor Vehicle (2013 Chevrolet, Tahoe) is a special purpose built mobile command post. The vehicle is clearly identified with Department markings and equipped with emergency lighting, a unit control system, and several police radios.
Quantity	1
Capabilities	The Field Supervisor Vehicle is equipped with radios and area maps to function as a mobile command post during critical incidents and large events.
Cost	\$79,000
Purpose	To be used as a mobile command post during specific circumstances, critical incidents, large events, natural disaster, or community event that is taking place.

Authorized Use	The Field Supervisor Vehicle shall be used by officers trained in in its use and in a manner consistent with Department policy and training. Furthermore, only personnel who have completed the Department's driving and operations training will be allowed to drive the the vehicle.
Expected lifespan	5 years.
Fiscal impact	Annual maintenance and fuel cost is approximately \$9,000.
Training	The driver shall receive training in the safe handling of the vehicle in accordance with POST Perishable Skills Program (PSP)Driver Training/Awareness.
Legal and procedural rules	This vehicle is primarily assigned to be driven by those who are designated as the field supervisor.

Type	Command Control Vehicles
Description	The Field Supervisor Vehicle (2023 Chevrolet, Tahoe) is a special purpose built mobile command post. The vehicle is clearly identified with Department markings and equipped with emergency lighting, a unit control system, and several police radios.
Quantity	1
Capabilities	The Field Supervisor Vehicle is equipped with radios and area maps to function as a mobile command post during critical incidents and large events.
Cost	\$75,000
Purpose	To be used as a mobile command post during specific circumstances, critical incidents, large events, natural disaster, or community event that is taking place.
Authorized Use	The Field Supervisor Vehicle shall be used by officers trained in in its use and in a manner consistent with Department policy and training. Furthermore, only personnel who have completed the Department's driving and operations training will be allowed to drive the the vehicle.
Expected lifespan	5 years.
Fiscal impact	Annual maintenance and fuel cost is approximately \$14,000.
Training	The driver shall receive training in the safe handling of the vehicle in accordance with POST Perishable Skills Program (PSP)Driver Training/Awareness.
Legal and procedural rules	This vehicle is primarily assigned to be driven by those who are designated as the field supervisor.

Type	Command Control Vehicles
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Description	The Field Supervisor Vehicle (2002 Ford, Expedition) is a special purpose built mobile command post. The vehicle is clearly identified with Department markings and equipped with emergency lighting, a unit control system, and several police radios.
Quantity	1
Capabilities	The Field Supervisor Vehicle is equipped with radios and area maps to function as a mobile command post during critical incidents and large events.
Cost	\$70,000
Purpose	To be used as a mobile command post during specific circumstances, critical incidents, large events, natural disaster, or community event that is taking place.
Authorized Use	The Field Supervisor Vehicle shall be used by officers trained in its use and in a manner consistent with Department policy and training. Furthermore, only personnel who have completed the Department's driving and operations training will be allowed to drive the the vehicle.
Expected lifespan	3 years.
Fiscal impact	Annual maintenance and fuel cost is approximately \$6,000.
Training	The driver shall receive training in the safe handling of the vehicle in accordance with POST Perishable Skills Program (PSP) Driver Training/Awareness.
Legal and procedural rules	This vehicle is primarily assigned to be driven by those who are designated as the field supervisor.

Type	12 Gauge Breaching Munition
Description	The breaching munition by Royal Arms is a translucent 12-gauge shell loaded with a compressed copper frangible slug. The munition is launched from a designated Department owned shotgun (Remington 870 12-gauge).
Quantity	470 rounds
Capabilities	Used to defeat doors, locking mechanisms, and hindges.
Cost	\$5 each.
Purpose	Used as a method to breach door locks or hinges to quickly gain entry into a structure.
Authorized Use	Only officers who have completed training shall be permitted to operate the Bearcat. Deployment of the Bearcat will be authorized by the Incident or Tactical Commander.
Expected lifespan	2 years.
Fiscal impact	Initial cost of approximately \$150.

Training Designated Department tactical team personnel receive initial and on-going training on the deployment of 12-gauge breaching munitions from a designated Remington 12-gauge Department owned shotgun with a specialized barrel that contains a serrated front edge or standoff ported device. This training generally occurs at the POST certified 80-hour SWAT school and/or at a designated SWAT breaching course. Tactical team personal also receive annual in-house training.

Legal and procedural rules The 12 Gauge Breaching Munition is primarily a tactical team deployment munition. Department Policy section 404, applicable related Department procedures and the law. Authority to use certain munitions is based on the Department Policy and procedures considering the tactical operation and the law.

Type	Rifles
Description	HK 416, Colt M4, AR15 style rifles.
Quantity	76
Capabilities	To provide precision fire to address a threat with more accuracy than a handgun, particularly at greater distances.
Cost	\$2,100 each.
Purpose	To be used as a precision firearm to address a threat with more accuracy than a handgun, particularly at greater distances.
Authorized Use	Only members who have completed P.O.S.T. certified training are authorized to deploy a rifle.
Expected lifespan	10 years.
Fiscal impact	Annual maintenance is approximately \$50 for each rifle.
Training	Prior to using a rifle, Officers must be certified by a P.O.S.T. instructor in the operation of the rifle. Additionally, all members that operate the rifle are required to train with it a minimum of two (2) times a year and must pass a bi-annual range qualification.

Legal and procedural rules Officers will deploy rifles in accordance with Department manual section 305.3.3, and pursuant to State and Federal law regarding the use of force.

Type	Rifle Suppressors - (various calibers and attachment styles)
Description	Rifle Suppressors facilitate a reduction of high-level impulse sounds exceeding occupational health limits to mitigate permanent hearing loss.
Quantity	36

Capabilities	A Rifle suppressor decreases sound levels by 40 decibels to be within occupational health limits.
Cost	\$525 each.
Purpose	Mitigate permanent hearing loss.
Authorized Use	Only members who have completed P.O.S.T. certified training are authorized to deploy a rifle.
Expected lifespan	10 years.
Fiscal impact	No annual maintenance cost.
Training	Prior to using a rifle, Officers must be certified by a P.O.S.T. instructor in the operation of the rifle. Additionally, all members that operate the rifle are required to train with it a minimum of two (2) times a year and must pass a bi-annual range qualification.
Legal and procedural rules	Officers will deploy rifles in accordance with Department manual section 305.3.3, and pursuant to State and Federal law regarding the use of force.

Type	Tactical Bolt-Action Rifles
Description	Bolt action .308 caliber rifles with telescopic sighting scopes (various makes and configurations) used by the SWAT Designated Marksman.
Quantity	2
Capabilities	Used for extended range.
Cost	\$3,000 each.
Purpose	Use of tactical bolt-action rifle(s) shall conform to all relevant local, state and federal use of force legislation.
Authorized Use	Tactical bolt-action rifle(s) shall only be used by SWAT team members under the direction of the SWAT team Commander.
Expected lifespan	5 years
Fiscal impact	Annual maintenance is approximately \$50 for each rifle.
Training	SWAT Officers must be certified by a P.O.S.T. instructor in the operation of the rifle. Additionally, all members that operate the rifle are required to train with it a minimum of (4) times a year and must pass a quarterly SWAT range qualification.
Legal and procedural rules	Officers will deploy rifles in accordance with Department manual section 305.3.3, 404.5.4, and pursuant to State and Federal law regarding the use of force.

Type	Tactical Precision Rifles
Description	LMT MARS .308 caliber rifles with telescopic sighting scopes used by the SWAT Designated Marksman.
Quantity	2
Capabilities	Used for extended range.
Cost	\$3,313.00 each.

Purpose	Use of tactical precision rifle(s) shall conform to all relevant local, state and federal use of force legislation.
Authorized Use	Tactical precision rifle(s) shall only be used by SWAT team members under the direction of the SWAT team Commander.
Expected lifespan	10 years.
Fiscal impact	Annual maintenance is approximately \$50 for each rifle.
Training	SWAT Officers must be certified by a P.O.S.T. instructor in the operation of the rifle. Additionally, all members that operate the rifle are required to train with it a minimum of (4) times a year and must pass a quarterly SWAT range qualification.
Legal and procedural rules	Officers will deploy rifles in accordance with Department manual section 305.3.3, 404.5.4, and pursuant to State and Federal law regarding the use of force.

Type	MP5
Description	MP5 Submachine gun manufactured by Heckler & Koch.
Quantity	9
Capabilities	To provide precision fire with more accuracy than a handgun in confined areas.
Cost	\$1,800 each.
Purpose	To provide precision fire to address a threat with more accuracy than a handgun in confined areas.
Authorized Use	Only members who have completed P.O.S.T. certified S.W.A.T. training course are authorized to deploy the MP5.
Expected lifespan	5 years.
Fiscal impact	Annual maintenance is approximately \$50 for each firearm.
Training	Designated Department tactical team personnel receive initial and on-going training on the use of the MP5. This training generally occurs at the POST certified 80-hour SWAT school and Tactical team in-house training.
Legal and procedural rules	Officers will deploy the MP5 in accordance with Department manual section 305.6, 404, and pursuant to State and Federal law regarding the use of force.

Type	Benelli M1
Description	The Benelli M1 semi-automatic shotgun is outfitted with a 14.5 inch barrel.
Quantity	3
Capabilities	The shortend barrel provides greater maneuverability in confined areas.
Cost	\$1,100 each.
Purpose	To provide precision fire to address a threat with more accuracy than a handgun in confined areas.

Authorized Use	Only members who have completed P.O.S.T. certified S.W.A.T. training course are authorized to deploy the Benelli M1.
Expected lifespan	5 years.
Fiscal impact	Annual maintenance is approximately \$50 for each firearm.
Training	Designated Department tactical team personnel receive initial and on-going training on the use of the MP5. This training generally occurs at the POST certified 80-hour SWAT school and Tactical team in-house training.
Legal and procedural rules	Officers will deploy the Benelli M1 in accordance with Department manual section 305.6, 404, and pursuant to State and Federal law regarding the use of force.

Type	Remington 870 - 12 Gauge short barrel shotgun
Description	The Remington 870 - 12 Gauge shotgun is outfitted with a 14 inch barrel.
Quantity	12
Capabilities	The shortend barrel provides greater maneuverability in and out of the confines of the police vehicle.
Cost	\$450 each.
Purpose	To provide officers a larger firearm to address a threat with more accuracy than a handgun.
Authorized Use	Only those officers who have been trained in the use of Remington 870 are authorized to use them.
Expected lifespan	\$1,500 - Bi-annual firearms training / qualification.
Fiscal impact	Annual maintenance is approximately \$50 for each firearm.
Training	Department personnel receive initial and on-going in-house training on the use of the Remington 870 12-gauge shotgun on a bi-annual basis.
Legal and procedural rules	Officers will deploy the Benelli M1 in accordance with Department manual section 305 and pursuant to State and Federal law regarding the use of force.

Type	Noise Flash Diversionary Device (NFDD)
Description	An NFDD is a less lethal munition. The NFDD used by the Department is reloadable. The reloadable body is manufactured by Defense Technology. The NFDD is placed into a metal cylindrical shaped body with ports. The metal cylindrical shaped body can be reused based on the manufacturer's specifications.
Quantity	100
Capabilities	A non-bursting, non-fragmenting single use device that produces a loud sound and bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.

Cost	\$50 each.
Purpose	To produce brilliant light and loud sound to momentarily distract a suspect or subject (6-8 seconds), to enhance the officers' ability to safely contact and detain, or arrest.
Authorized Use	Diversionary devices shall only be used by S.W.A.T. Operators who have been trained in their proper use during hostage and barricaded subject situations, high-risk warrant (search/arrest) services where there may be extreme hazards to officers, or during other high-risk situations where their use would enhance officer and community safety.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.
Training	Prior to use, S.W.A.T. Operators must attend diversionary device training that is conducted by the manufacturer or P.O.S.T. certified instructors.
Legal and procedural rules	The Department will only utilize diversion devices for official law enforcement purposes, pursuant to State and Federal law regarding the use of force.

Type	Noise Flash Diversionary Device (NFDD)
Description	The 7290-9-Flash Bang NFDD is a less lethal munition which delivers nine noise and flash diversions on deployment. The 9-Bang NFDD used by the Department is manufactured by Command Tactical Systems. The NFDD has a multi-bang feature placed into a metal cylindrical shaped body with ports.
Quantity	24
Capabilities	A non-bursting, non-fragmenting single use device that produces a loud sound and bright light. Ideal for distracting dangerous suspects during assaults, hostage rescue, room entry or other high-risk arrest situations.
Cost	\$1,859 per quantity of 12.
Purpose	To produce brilliant light and loud sound to momentarily distract a suspect or subject (6-8 seconds), to enhance the officers' ability to safely contact and detain, or arrest.
Authorized Use	Used by SRT during rescue and high risk tactical situations.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.
Training	Prior to use, S.W.A.T. Operators must attend diversionary device training that is conducted by the manufacturer or P.O.S.T. certified instructors.
Legal and procedural rules	The Department will only utilize diversion devices for official law enforcement purposes, pursuant to State and Federal law regarding the use of force.

Type	Pepperball Launcher
Description	High-capacity, semi-automatic launcher designed to launch less than lethal PepperBall projectiles which contain PAVA. PAVA, is an organic compound and a capsaicinoid. Pepperball is for direct impact and area saturation.
Quantity	4
Capabilities	The pepperball launcher is a compressed-air powered launcher designed to fire non-lethal PepperBall projectiles. The pepperball launcher utilizes a hopper feed system contain the projectiles.
Cost	\$600 each.
Purpose	To de-escalate a situation and lower the potential for the use of lethal force. Situations for use of the less lethal weapon systems may include, but are not limited to, dangerous and/or combative individuals, riot and civil unrest incidents, circumstances where a tactical advantage can be obtained, and potentially vicious animals.
Authorized Use	Only those officers who have been trained in the use of PepperBall launchers are authorized to use them.
Expected lifespan	5 years. Annual maintenance is approximately \$50 for each PepperBall launcher.
Fiscal impact	
Training	Sworn members utilizing PepperBall launchers and projectiles are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy the PepperBall launcher in compliance with Department Manual Section 302.7.2 and pursuant to State and Federal law, including those regarding the use of force.

Type	Chemical Agent and Smoke Canisters (various manufacturers)
Description	Deftec/CTS - CS gas, OC, and smoke are encased in metal devices by the manufacturer Defense Technology. CS gas, smoke and OC devices are clearly marked and the manufacturer has developed different models which vary in size and method of disbursement. Detailed information on these products is available on the manufacturer's internet site. Smoke is not a CS gas, or OC product.
Quantity	60
Capabilities	Chemical agent canisters provide a high volume, continuous burn it expels its payload in approximately 20-40 seconds.
Cost	\$51 each.

Purpose	High volume, continuous burn it expels its payload in approximately 20-40 seconds. CS, OC, and smoke munitions are primarily used by Department tactical team members for tactical operations. This supply is primarily maintained for tactical purposes related to high risk, barricade and/or mobile field force situations. Smoke can also be used for concealment purposes during tactical operations.
Authorized Use	Only officers who have received training from the manufacturer or P.O.S.T. certification in the use of chemical agents are authorized to use them.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.
Training	Sworn members utilizing chemical agent canisters must be certified by P.O.S.T. less lethal and chemical agent instructors.
Legal and procedural rules	Officers will only deploy chemical agents in compliance with Department manual section 302.6 and pursuant to State and Federal law, including those regarding the use of force.

Type	40 mm Launcher - Single
Description	The 40 mm LMT launcher by Defense Technology is a lightweight single shot 40 MM launcher. The launcher comes equipped with a picatinny rail mounting system with a bead sight which will accept a wide array of enhanced optics or sighting systems. A sling can be applied and used for carrying purposes.
Quantity	21
Capabilities	The 40 mm LMT launcher is used to deploy less than lethal munitions for de-escalation of force.
Cost	\$914 each.
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	10 years.
Fiscal impact	Annual maintenance is approximately \$20 for each launcher.
Training	Sworn members utilizing 40 mm launcher to deploy less than lethal chemical agents or impact rounds are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy 40 mm impact and chemical agents in compliance with Department manual section 302.9 and pursuant to State and Federal Law regarding the use of force.

Type	40 mm Launcher - multi-shot
Description	The 40 mm multi-shot is capable of firing six rounds of munitions. The 40 mm multi-shot launcher is manufactured by Penn Arms. The launcher comes equipped with a picatinny rail mounting system with a bead sight which will accept a wide array of enhanced optics or sighting systems. A sling can be applied and used for carrying purposes.
Quantity	1
Capabilities	The 40 mm launcher is used to deploy less than lethal munitions for de-escalation of force.
Cost	\$1,500
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	10 years.
Fiscal impact	Annual maintenance is approximately \$20 for each launcher.
Training	Sworn members utilizing 40 mm launcher to deploy less than lethal chemical agents or impact rounds are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy 40 mm impact and chemical agents in compliance with Department manual section 302.9 and pursuant to State and Federal Law regarding the use of force.

Type	40 mm - Exact Impact munition
Description	The Exact Impact 40 mm round is a less than lethal munition manufactured by Defense Technology. The projectile has a round plastic body and a blue colored sponge nose.
Quantity	400
Capabilities	Minimum Safe Range 5 ft / 1.5 m Maximum Effective Range 131 ft / 40 m
Cost	\$24 each.
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	5 years.
Fiscal impact	No annual maintainence.

Training	Sworn members utilizing 40 mm launcher to deploy less than lethal chemical agents or impact rounds are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy 40 mm impact and chemical agents in compliance with Department manual section 302.9 and pursuant to State and Federal Law regarding the use of force.

Type	40 mm - GREEN Direct Impact munition
Description	The 40 mm - Green crushable foam marking round is a less than lethal munition manufactured by Defense Technology. The projectile has a round plastic body and a green colored crushable foam nose.
Quantity	20
Capabilities	Minimum Safe Range 5 ft / 1.5 m Maximum Effective Range 131 ft / 40 m
Cost	\$24 each.
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	5 years.
Fiscal impact	No annual maintainence.
Training	Sworn members utilizing 40 mm launcher to deploy less than lethal chemical agents or impact rounds are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy 40 mm impact and chemical agents in compliance with Department manual section 302.9 and pursuant to State and Federal Law regarding the use of force.

Type	40 mm - ORANGE Direct Impact munition / OC
Description	The 40 mm - Orange crushable foam marking round with OC chemical agent is a less than lethal munition manufactured by Defense Technology. The projectile has a round plastic body and a orange colored crushable foam nose.
Quantity	10
Capabilities	Minimum Safe Range 5 ft / 1.5 m Maximum Effective Range 131 ft / 40 m
Cost	\$25 each.
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.

Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.
Training	Sworn members utilizing 40 mm launcher to deploy less than lethal chemical agents or impact rounds are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy 40 mm impact and chemical agents in compliance with Department manual section 302.7, 302.9, and pursuant to State and Federal Law regarding the use of force.

Type	40 mm - BLUE Direct Impact munition / CS
Description	The 40 mm - Blue crushable foam marking round with CS chemical agent is a less than lethal munition manufactured by Defense Technology. The projectile has a round plastic body and a blue colored crushable foam nose.
Quantity	10
Capabilities	Minimum Safe Range 5 ft / 1.5 m Maximum Effective Range 131 ft / 40 m
Cost	\$25 each.
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.
Training	Sworn members utilizing 40 mm launcher to deploy less than lethal chemical agents or impact rounds are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy 40 mm impact and chemical agents in compliance with Department manual section 302.6, 302.9, and pursuant to State and Federal Law regarding the use of force.

Type	40 mm - Ferret CS delivery munition
Description	Defense Technology, Ferret 40MM Liquid Barricade Penetrator Round.
Quantity	50

Capabilities	A less than lethal 40MM round used to penetrate barriers, such as windows, hollow core doors, wallboard, and thin plywood. Upon impacting the barrier, the nose cone ruptures and instantaneously delivers a small amount of chemical agent inside of a structure or vehicle. In a tactical deployment situation, the 40MM Ferret is primarily used to dislodge barricaded subjects from confined areas.
Cost	\$26 each.
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.
Training	Sworn members utilizing 40 mm launcher to deploy less than lethal chemical agents or impact rounds are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy 40 mm impact and chemical agents in compliance with Department manual section 302.6 and pursuant to State and Federal Law regarding the use of force.

Type	40 mm - Aerial Warning / Signal
Description	The 40 mm aerial Warning/Signaling munitions is a less than lethal munitions designed to produce a flash of light and sound.
Quantity	10
Capabilities	The 40mm aerial Warning/Signaling munitions are less than lethal munitions designed to produce 170 dB of sound, and 5 million candelas of light. Each munition is manufactured to deflagrate at a set distance and altitude and has the option of delivering irritant payloads.
Cost	\$25 each.
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.

Training	Sworn members utilizing 40 mm launcher to deploy less than lethal chemical agents or impact rounds are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy 40 mm impact and chemical agents in compliance with Department manual section 302.10, 404, and pursuant to State and Federal Law regarding the use of force.
Type	40 mm - Aerial Warning / Signal / OC
Description	The 40 mm aerial Warning/Signaling munitions are less than lethal munitions designed to produce a flash of light and sound. This munition delivers OC irritant.
Quantity	10
Capabilities	The 40mm aerial Warning/Signaling munitions are less than lethal munitions designed to produce 170 dB of sound, and 5 million candelas of light. Each munition is manufactured to deflagrate at a set distance and altitude and has the option of delivering irritant payloads.
Cost	\$25 each.
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.
Training	Sworn members utilizing 40 mm launcher to deploy less than lethal chemical agents or impact rounds are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy 40 mm impact and chemical agents in compliance with Department manual section 302.7, 302.8, 302.9, 302.10, 404, and pursuant to State and Federal Law regarding the use of force.

Type	40 mm - Aerial Warning / Signal / CS
Description	The 40 mm aerial Warning/Signaling munitions are less than lethal munitions designed to produce a flash of light and sound. This munition delivers CS irritant.
Quantity	8

Capabilities	The 40mm aerial Warning/Signaling munitions are less than lethal munitions designed to produce 170 dB of sound, and 5 million candelas of light. Each munition is manufactured to deflagrate at a set distance and altitude and has the option of delivering irritant payloads.
Cost	\$25 each.
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.
Training	Sworn members utilizing 40 mm launcher to deploy less than lethal chemical agents or impact rounds are trained in their use by the manufacturer or P.O.S.T. certified less lethal and chemical agent instructors.
Legal and procedural rules	Officers will deploy 40 mm impact and chemical agents in compliance with Department manual section 302.7, 302.8, 302.9, 302.10, 404, and pursuant to State and Federal Law regarding the use of force.

Type	12 guage - Bean bag round.
Description	The bean bag round is a less than lethal munition designed to be fired directly specifically targeted zones. The bean bag round is manufactured by Defense Technology. The translucent 12- gauge shell loaded with a 40-gram, tear shaped bag made from cotton and ballistic material blend and filled with #9 shot. This design utilizes four stabilizing tails. The round utilizes a smokeless powder as the propellant. The munition is launched from a designated Department owned shotgun (Remington 870 12-gauge).
Quantity	150
Capabilities	The 12 guage - Bean bag round is a less than lethal direct fire kinetic energy projectile.
Cost	\$5 each.
Purpose	To limit the escalation of conflict and to decrease the potential use of lethal force.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.

Training	Sworn members utilizing less than lethal 12 guage - Bean bag round are trained in their use by the manufacturer or P.O.S.T. certified less lethal instructors.
Legal and procedural rules	Officers will deploy the 12 guage - Bean bag round in compliance with Department manual section 302.9 and pursuant to State and Federal Law regarding the use of force.

Type	Simunition - Training Firearms
Description	The Glock 17T - Simunition training pistols are blue in color. The Glock 17T are dedicated training firearms which utilize the FX® marking cartridges.
Quantity	10
Capabilities	The Simunition training pistols facilitate the use of marking cartridges for realistic close range scenario training.
Cost	\$525 each.
Purpose	To provide officers realistic non-lethal training scenarios.
Authorized Use	Examples of situations where less lethal weapon systems may include but are not limited to: Dangerous and/or combative individuals, barricaded suspects, and aggressive animals.
Expected lifespan	5 years.
Fiscal impact	No annual maintenance.
Training	Sworn members utilizing Simunition firearms will wear protective equipment and be supervised by trained department instructors.
Legal and procedural rules	Officers utilizing Simunitions will train in accordance with Department manual section 305.12 and pursuant to State and Federal Law regarding the use of force.

Type	Simunition - AR Conversion Kit
Description	The Simunition AR Conversion Kit consists of a blue colored rifle upper receiver, conversion bolt, bolt carrier assembly and safety-ring insert. This facilitates the use of FX® marking cartridges to be fired safely from the user's own service firearm. These kits help preclude the inadvertent chambering of live ammunition and ensure the proper operation and cycling of the firearm with the training cartridges.
Quantity	36
Capabilities	The Simunition conversion kit facilitates the use of marking cartridges for realistic close range scenario training.
Cost	No initial cost. Acquired through the Law Enforcement Support Office - LESO/1033 program.
Purpose	To provide officers with realistic non-lethal training scenarios.
Authorized Use	In house officer training and development.

Expected lifespan	10 years.
Fiscal impact	Annual maintenance is approximately \$50 for each firearm.
Training	Sworn members utilizing Simunition firearms will wear protective equipment and be supervised by trained department instructors.
Legal and procedural rules	Officers utilizing Simunitions will train in accordance with Department manual section 305.12 and pursuant to State and Federal Law regarding the use of force.



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3G

TO: The Honorable Mayor and City Council
FROM: Scott Wiese, Chief of Police
SUBJECT: Amendment to Agreement No. 1967-AC for the Upfitting/Conversion of Police Department Vehicles

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the City Manager to execute an amendment with West Coast Lights and Sirens, Inc. to Agreement No. 1967-AC, in a form approved by the City Attorney, for the upfitting/conversion of leased police department vehicles.
2. Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The Police Department leases nine (9) vehicles from Enterprise for use as administrative or undercover vehicles. The leases will expire this fiscal year and will need to be replaced with new vehicles. The new leased vehicles will need to be upfitted with emergency lights, sirens, secure weapons storage, and police radios.

BACKGROUND:

In 2016 the Police Department began a program to lease vehicles from Enterprise on 3-year terms. The Police Department currently leases nine (9) administrative/undercover vehicles. Some of the leases have expired and the remaining leases will expire this fiscal year. When the Police Department acquires the new leased vehicles, they will need to be upfitted with emergency lights, sirens, secure weapons storage, and police radios.

West Coast Lights and Sirens has been the Police Department's upfitting vendor for the past 16 years. The quality of their work is exceptional. West Coast Lights and Sirens does custom fabrications and has an "on-site" machine shop and welder. Being able to provide this service drastically cuts down the "turn-around" time when a vehicle is being converted and the City would not have to deal with any additional vendors for the fabrication of specialty items such as secure weapon storage racks, police radio mounts, or MDC computer mounts. West Coast Lights and Sirens has estimated upfitting/conversion turnaround times of approx. 4-8 weeks from vehicle delivery.

The upfitting/conversion cost of a new admin/undercover vehicle is approx. \$8,000 each. This price includes removing emergency lights, sirens, police radios, and weapon storage

from the old vehicles (prior to returning the vehicles to Enterprise) and re-installing those items in the new cars. In cases where the old items are not compatible with the new cars, such as emergency lights, electronic controllers, etc., new items will need to be installed. Pricing may vary per vehicle but will not exceed \$8,000 each.

The Police Department requests to use West Coast Lights and Sirens as the approved vendor due to their availability, efficiency, and consistency of previous installations and upfitting.

FISCAL IMPACT:

The upfitting/conversion cost of a new administrative/undercover vehicle is estimated at \$8,000 each, totaling approximately \$72,000 for nine (9) vehicles. The City Shop Fund (501) accounts for the purchase and upkeep of all motorized equipment used by City departments, and funds in the amount of \$72,000 are available in the FY 2022-23 budget.

Respectfully submitted by:

Prepared by:



Scott Wiese
Chief of Police



Tim Wisniewski
Police Sergeant

Reviewed by:



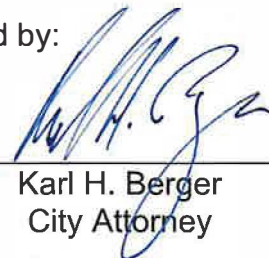
Martha Garcia
Director of Finance

Approved by:

Reviewed by:



Ron Bow
City Manager



Karl H. Berger
City Attorney

ATTACHMENT(S):

1. West Coast Lights & Sirens Quote

ATTACHMENT 1

West Coast Lights & Siren Quote



www.wcls.us
601 Columbia Ave Ste A
Riverside Ca 92507
951.779.9257

January 12, 2023

Mitchel Gonzalez: Sales Manager
West Coast Lights & Sirens
601 Columbia Ave. Unit A & B
Riverside, CA 92507
951-779-9257
Mitchel@wcls.us

Tim Wisniewski
Monterey Park Police Department
320 w. Newmark Ave.
Monterey Park, CA 91754
twisniewski@montereypark.ca.gov

Dear Mr. Wisniewski:

West Coast Lights & Siren will upfit nine (9) administrative/detective vehicles to Monterey Park's specifications for approximately \$8,000.00 per vehicle. This will be for an approximate total of \$72,000.00.

Sincerely,

Mitchel Gonzalez
Sales Manager
West Coast Lights & Sirens



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3H

TO: The Honorable Mayor and City Council
FROM: Joseph Torres, Economic Development Manager
SUBJECT: Amendment to Agreement 2231-AA with Colu Technologies for the software licensing of Monterey Park Rewards shop local app program

RECOMMENDATION:

It is recommended that the City Council consider:

1. Authorizing the City Manager to execute an Amendment to Agreement 2231-AA with Colu Technologies, in a form approved by the City Attorney, for the extension of the software licensing agreement for the Monterey Park Rewards Program, an innovative shop local app incentive program, through December 31, 2023.
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

In April 2021, the City signed a software licensing agreement with Colu Technologies to help launch the Monterey Park Rewards program using digital technology to spur economic recovery for our small business community during and post-pandemic. The Monterey Park Rewards app is a digital shop and dine local program that uses smartphones to leverage the power of our local community. With \$1 earned for every \$10 spent, we believe funneling money back to our residents and visitors from neighboring cities incentivizes them to continue shopping and dining locally. The City pays that \$1 earned to keep the participating merchants whole. The program creates a sense of civic pride and leverages the power of our communities to spur economic growth by promoting a circular economy.

The Colu Technologies software licensing agreement expires on June 1, 2023. Staff are requesting City Council approve an Amendment to Professional Services Agreement 2231-AA with Colu Technologies to extend the agreement from June 1, 2023, to December 31, 2023, after which the Monterey Park Rewards program itself will expire. City Council approval is requested, as the agreement extension increases the total value of the agreement beyond the City Manager's authorized amount of \$60,000.

BACKGROUND:

At the start of the COVID-19 pandemic, small business owners braced for what seemed like a short-term inconvenience. But as the pandemic dragged on, many small businesses in our community were operating at limited capacity or have closed their doors completely. Although the federal, state, and county agencies were quick to provide business assistance during the pandemic, those resources were limited. It has become more

critical than ever for the City to help support our local businesses, with an emphasis on many of our retail businesses that have struggled. Given the City's limited resources, we knew the best way to support our local businesses was to leverage the power of our community and develop and implement a shop and dine local program. However, we wanted to stay away from the traditional shop local program, such as discount cards and punch cards. The pandemic was already putting significant financial burdens on our small businesses, so the last thing the City wanted them to do was to discount their products and services. We also did not want to have a shop local program that businesses would have to actively manage, because we knew they were busy enough just trying to keep their doors open. Consequently, the City launched the smartphone app-driven Monterey Park Rewards Program in November 2021. Since then, the program has achieved a lot of traction, generating more than \$400,000 in local transactions, achieving the circular economic growth it was designed to do, as shown in Appendix A.

FISCAL IMPACT:

Partial funds for this Amendment have been included in the City's fiscal year 2022-2023 budget. Additional funds needed for the Amendment will be included in the City's fiscal year 2023-2024 budget. Funds are allocated and paid out of the Economic Development Division budget.

Respectfully prepared and submitted by:



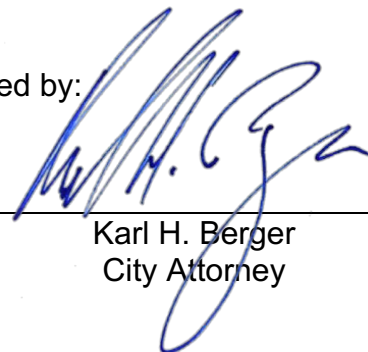
Joseph Torres
Economic Development Manager

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Appendix A – Monterey Park Rewards Performance Summary

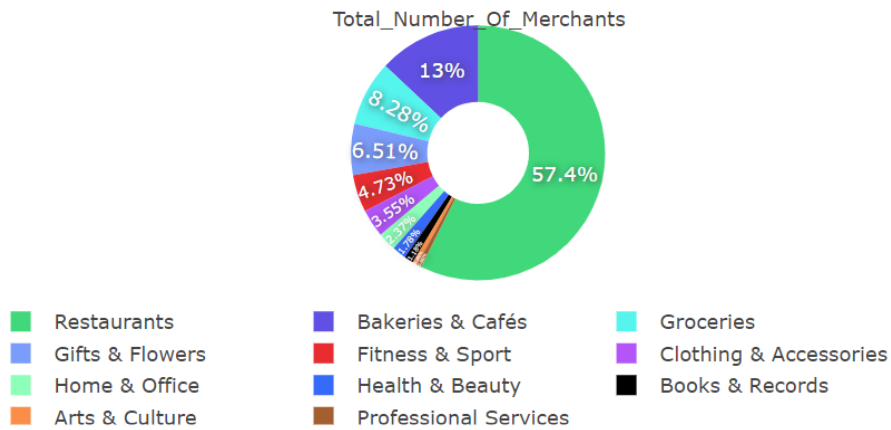
ATTACHMENT A

Monterey Park Rewards Program Performance Summary

Appendix A

Monterey Park Rewards Performance Summary November 21, 2021 - April 25, 2023

Registered Users:	2,247	Participating Businesses:	169
Linked Card Users:	845	Redeeming Businesses:	42
Conversion Rate:	37.6%		



12/21/2021 – 05/05-2023

Total Transactions:	\$383,100
Rewarded Transactions:	\$287,773
Rewards Granted:	\$43,437
Redeemed Amount:	\$25,433
Economic Activity (Total transactions + redeemed):	\$408,533
Economic Multiplier (Economic Activity/Rewards granted):	9.41

Top 5 Rewards Granted by Business for the month of April 2023:

Business Name	Rewards Granted	Nbr of Transactions
Delicious Food Corner	193	35
Good Fortune Supermarket	183	59
Monterey Palace Restaurant	88	13
Taste of MP	82	12
Sunright Tea Studio	80	56

Top 5 Redeeming Businesses for the month of April 2023:

Business Name	Rewards Granted	Nbr of Transactions
Feng Cha	365	29
HiroNori Craft Ramen	328	9
The Clam House	293	5
Sunright Tea Studio	285	27
Kee Wah Bakery	270	14



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3I

TO: Honorable Mayor and Members of the City Council
FROM: Robert Aguirre, Director of Recreation & Community Services
SUBJECT: Playground Projects at Bella Vista, Garvey Ranch, Highlands, and Sequoia Parks – Approve a Purchase Order for Superior Recreation Products to procure playground equipment in the amount of \$869,551.32

RECOMMENDATION:

It is recommended that the City Council:

1. Approve the designs for the playgrounds located at Bella Vista, Garvey Ranch Park, Highlands, and Sequoia Parks;
2. Approve a purchase order for Superior Recreation Products to procure playground equipment in the amount of \$869,551.32; and
3. Taking such additional, related action that may be desirable.

CEQA (California Environmental Quality Act):

The proposed projects are categorically exempt from the California Environmental Quality Act (CEQA) requirements pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities).

EXECUTIVE SUMMARY:

Recreation and Community Services staff have been working with playground providers to develop themed play structure designs to be installed at Bella Vista, Garvey Ranch, Highlands, and Sequoia Parks. Department staff wants to improve the residents' experience by providing themed playgrounds that will encourage users to visit various parks in the City. The unique designs will also enhance the usage of playground users' imagination and foster interaction between the youth in the community.

After working with playground providers on design themes, staff presented playground concepts at the February Recreation & Parks Commission meeting to gain input and feedback from Commissioners. Following the February Recreation and Parks Commission meeting, staff worked to develop the design themes with the commissioner's comments and to meet the approved design and construction budget. At the May 1, 2023, Recreation and Parks Commission meeting, staff presented updated designs for the Commission to vote on. The Recreation and Parks Commission voted unanimously to recommend proceeding with the theme designs provided by Zoom Recreation/Superior Recreational Products.

Zoom Recreation is Superior Recreational Products' California playground dealer. City staff identified BuyBoard as a company that has an agreement with Superior Recreational Products for procurement of its playground equipment. The play pieces will include recycled materials with 26,000 pounds of post-consumer recycled plastic, all of which are Green Circle certified. The BuyBoard agreement will allow staff to purchase playground pieces at the lowest price available, including all custom pieces.

BACKGROUND:

The Bella Vista, Garvey Ranch, Highlands, and Sequoia Park playground projects include removing the old playground equipment; site preparation; concrete work; installation of playground equipment; and installation of specialized rubberized surfacing. The new playground equipment will be installed in the existing playground location.

Monterey Park Municipal Code § 3.20.050 (2) allows City Council to approve the purchase of items when the supply can be obtained from only one vendor, or there are circumstances demonstrating that only one vendor is best qualified to provide the supplies. Zoom Recreation/Superior Recreational Products demonstrated that its uniquely themed playground designs, including custom pieces, can only be purchased from that company. City staff has also identified BuyBoard as a company with an agreement for procurement of the Zoom Recreation/Superior Recreational Products playground equipment with pre-negotiated costs. A review of the BuyBoard agreement, compared to the State of California Multiple Award Schedule (CMAS) purchasing agreement, shows that the City may purchase the selected playground pieces from Zoom Recreation/Superior Recreational Products at the lowest price available.

Staff recommends that the City Council approve the design themes and a purchase order to procure playground equipment from Zoom Recreation/Superior Recreational Products utilizing the discounted pricing provided by the BuyBoard agreement. The request is for the playground equipment procurement only, and it includes the theme playgrounds located at Bella Vista Park (5-12-year-old age category), Garvey Ranch Park (Two separate playgrounds, both 2-12-year-old age category), Highlands Park (Two separate playgrounds, one 2-5-year-old age category, and one 5-12-year-old age category), Sequoia Park (2-12-year-old age category). Staff will separately advertise a public works contract for the site preparation, which includes grading, concrete work, and installation of playground equipment.

The purchase method is permitted per Monterey Park Municipal Code § 3.20.050(2). This method allows the purchase of items when the supply can be obtained from only one vendor, or there are circumstances demonstrating that only one vendor is best qualified to provide the supplies. The themed playground equipment is unique to the vendor Superior Recreational Products and their California representative, Zoom Recreation. Furthermore, this method will help the City save time and cost.

FISCAL IMPACT:

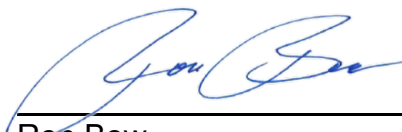
The project is included in the FY 2022-23 adopted budget and will be funded with ARPA funds in the amount of \$1,700,000. This includes purchasing and installing the playgrounds at Bella Vista, Garvey Ranch, Highlands, and Sequoia Parks. After equipment installation bids are finalized, staff will return to the City Council to request authorization to award the construction contract and establish the final project cost, including installation.

Respectfully submitted by:



Robert Aguirre
Director of Recreation & Community Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Design Renderings

ATTACHMENT 1

Design Renderings

Bella Vista – Dragon Theme

2



Bella Vista – Dragon Theme

3



Garvey Ranch – Space Theme

4



Garvey Ranch – Space Theme

5



Garvey Ranch – Baseball Theme

6



Highlands – Fire Station Theme

7



Highlands – Fire Station Theme

8



Highlands – Ranger Station Theme

9



Sequoia – Nature Theme

10



Sequoia – Nature Theme

11





City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3J

TO: The Honorable Mayor and City Council
FROM: Shawn Igoe, Director of Public Works
SUBJECT: Clean California Local Grant Program

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting a resolution authorizing the City Manager, or designee, to apply for, receive, and appropriate grant funds for the Clean California Local Grant Program; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The Clean California Local Grant Program provides competitive grants of up to \$5 million to local communities to support capital projects that beautify and improve streets and roads, tribal lands, parks, pathways, and transit centers. The ultimate goal is to restore pride in California's public spaces.

If adopted, the proposed resolution would authorize the City Manager, or designee, to apply for the *Clean California Local Grant Program*, to execute the grant agreement, and to implement a budget amendment if the City is awarded funds. The deadline to apply is May 31, 2023, funds will be awarded in the fall of 2023 and the project completion date is June 30, 2026.

BACKGROUND:

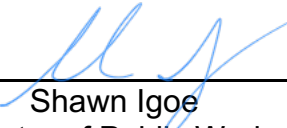
The Clean California Local Grant Program is a competitive grant program for local communities looking to beautify and improve local streets, parks, paths and transit facilities. The grant program funds both infrastructure improvements and non-infrastructure campaigns focused on community litter and abatement and education.

Staff worked to identify several potential infrastructure projects that would qualify for this grant. Parks restrooms were identified as a high priority project which meets the grant requirements. Although agencies may apply for up to \$5 million in grant funding, staff anticipates that the City's total request will be for \$3 million dollars.

FISCAL IMPACT:

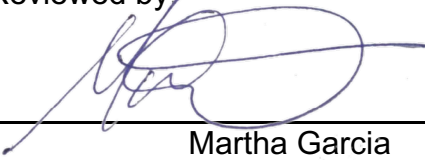
The City may request up to \$5 million from the Clean California Local Grant Program for infrastructure projects. Up to a 50% cash match is required for all grantees. If grant funds are received, the attached resolution would allow Finance to appropriate these funds.

Respectfully submitted by:



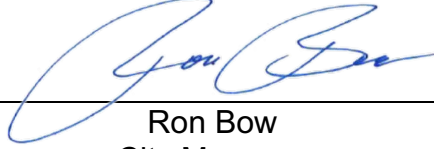
Shawn Igoe
Director of Public Works

Reviewed by:



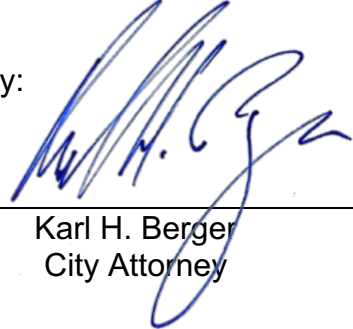
Martha Garcia
Director of Finance

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Draft Resolution

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR, RECEIVE, AND APPROPRIATE GRANT FUNDS FOR THE CLEAN CALIFORNIA LOCAL GRANT PROGRAM

BE IT RESOLVED by the Council of the City of Monterey Park as follows:

SECTION 1: The City Council finds and declares:

- A. The California Department of Transportation (Caltrans) is responsible for administering the Clean California Local Grant Program ("CCLGP").
- B. If awarded, the CCLGP grant provides up to \$5 million to applicants to be expended by June 30, 2026.
- C. The City is currently proposing replacement of parks restrooms ("the Project").

SECTION 3: The City Council authorizes the City Manager, or designee, to execute documents to apply for, and potentially receive, up to \$5 million in grant monies from the CCLGP related to the Project.

SECTION 4: The City Manager, or designee, is authorized to execute any required documents to receive the grant for the purposes identified above.

SECTION 5: The City Manager, or designee, is authorized to accept and spend the grant monies identified in this Resolution for the purposes set forth above.

SECTION 6: The City Council amends or supplements the City's Budget to appropriate the monies identified by this Resolution and up to a 50% general fund match to pay for the proposals made by the City in support of its grant application. The City Manager, or designee, is authorized to implement the purpose of this section.

SECTION 7: *Severability.* If any part of this Resolution or its application is deemed invalid by a court of competent jurisdiction, the City Council intends that such invalidity will not affect the effectiveness of the remaining provision or application and, to this end, the provisions of this Resolution are severable.

SECTION 8: *Electronic Signatures.* This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 9: *Recordation.* The Mayor, or presiding officer, is authorized to sign this Resolution signifying its adoption by the City Council of the City of Monterey Park and the City Clerk, or her duly appointed deputy, may attest thereto.

SECTION 10: *Effective Date.* This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

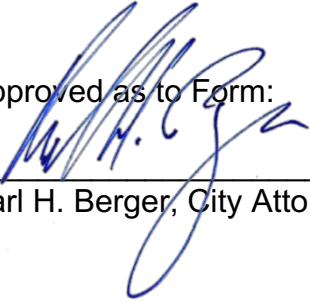
PASSED AND ADOPTED this 17th day of May, 2023.

Jose Sanchez, Mayor

Attest:

Maychelle Yee, City Clerk

Approved as to Form:



Karl H. Berger, City Attorney



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3K

TO: The Honorable Mayor and City Council
FROM: Shawn Igoe, Director of Public Works
SUBJECT: Memorandum of Agreement for the Coordinated Integrated Monitoring Program and Watershed Management Plan for the Upper Los Angeles River Watershed Management Area for Fiscal Years 2024 - 2026

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the City Manager to execute the Memorandum of Agreement, in a form approved by the City Attorney, to cooperatively share costs in the implementation of the Coordinated Integrated Monitoring Program and Watershed Management Plan for the Upper Los Angeles River Watershed Management Area for Fiscal Years 2024 - 2026; and
2. Take such additional, related action that may be desirable.

CEQA (California Environmental Quality Act):

The City reviewed the environmental impacts of the proposed action under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.* "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regs. §§ 15000, *et seq.*, the "CEQA Guidelines"). The action is categorically exempt from additional environmental review pursuant to CEQA Guidelines §§15262, 15306, 15307, and 15308. The project consists of comprehensive data collection efforts to monitor water quality in downstream receiving waters. The purpose of the project is to determine if possible actions are necessary to protect natural resources and the environment.

EXECUTIVE SUMMARY:

On November 18, 2015, Los Angeles Regional Water Quality Control Board (LA Regional Board) approved the Coordinated Integrated Monitoring Program (CIMP) that Monterey Park, along with 18 other jurisdictions in the Upper Los Angeles River (ULAR) group, had submitted to the Regional Board for review. On April 20, 2016, the Regional Board also approved the Watershed Management Plan (WMP) that the ULAR group had also submitted. The ULAR group is required to implement the CIMP and WMP.

The CIMP and WMP Memorandum of Agreement (MOA) is a cost-sharing agreement to perform and coordinate the monitoring and reporting services required per the CIMP as well as certain planning and reporting services per the WMP. The previous CIMP and WMP MOA will expire on June 30, 2023. Staff is requesting the City Council's approval to enter into a new 3-year agreement with 18 other jurisdictions. Monterey Park's cost share is \$25,626 for FY 23-24, \$24,809 for FY 24-25, and \$29,610 for FY 25-26, for a total cost of \$80,045 over three years.

BACKGROUND:

On November 6, 2013, the City Council approved Monterey Park's participation in the City of Los Angeles' (City of LA) collaborative effort to develop the CIMP and WMP to comply with the Municipal Separate Storm Sewer (MS4) permit that was adopted by the Regional Board. The collaboration with the City of LA includes Monterey Park along with 18 other jurisdictions (table below).

On June 26, 2014, the ULAR group submitted the CIMP to the Regional Board for their review and the Regional Board approved the plan on November 18, 2015. A revised CIMP was submitted to the Regional Board on March 13, 2023 as required by the MS4 Permit. The ULAR group also submitted the WMP to the Regional Board for review in March 2015 and the Regional Board approved the plan on April 20, 2016. A revised WMP was submitted to the Regional Board on June 28, 2021 as required by the MS4 Permit. Each jurisdiction's cost share is based on the percentage of land area that discharges into the ULAR Watershed Management Area.

On February 3, 2016, the City Council approved a 3-year CIMP and WMP MOA in the amount of \$125,611 for Fiscal Years 2016 – 2018. On May 5, 2018, the City Council approved a 5-year CIMP and WMP MOA in the amount of \$80,464 for Fiscal Years 2019-2023. The ULAR group has proposed a new 3-year MOA for continued monitoring (CIMP) and non-monitoring (WMP) tasks. For Fiscal Years 2024 – 2026, the City's cost share for the CIMP and WMP services is \$56,247 and \$19,242 respectively. In addition, the ULAR group coordinates with the San Gabriel Valley Council of Governments (SGVCOG) as the 20th jurisdiction to perform WMP-related tasks, oversee the MOA, and provide administrative support to the ULAR group. The City's cost share for SGVCOG services for Fiscal Years 2024 – 2026 is \$4,556. The City's total cost share for Fiscal Years 2024-2026 for CIMP, WMP, and SGVCOG fees is \$80,045. The table below lists the jurisdictions that compose the ULAR group:

City of Los Angeles	City of Rosemead
City of Alhambra	City of San Fernando
City of Burbank	City of San Gabriel
City of Calabasas	City of San Marino
City of Glendale	City of South El Monte
City of Hidden Hills	City of South Pasadena
City of La Canada Flintridge	City of Temple City

City of Montebello	Los Angeles Flood Control District
City of Monterey Park	County of Los Angeles
City of Pasadena	San Gabriel Valley Council of Governments

The scope of work for the CIMP includes installation, maintenance, and monitoring of sampling sites to determine levels of contamination of storm water discharges into the watershed area. The scope of work for the WMP includes reporting and compliance planning to meet requirements of the MS4 Permit. The CIMP and WMP are highly technical programs: The cost for the City to undertake this effort alone would be much higher than a collaborated effort with other jurisdictions.

Monterey Park contracts with John L. Hunter & Associates (JLHA) to assist with its MS4 permit compliance, including its current participation in the WMP and CIMP. JLHA has assisted the City throughout the MOA process and will continue to represent Monterey Park at ULAR group meetings and activities, and provide technical guidance for storm water related activities.

FISCAL IMPACT:

The City's cost share to participate in the proposed CIMP and WMP MOA is \$25,626 for FY 23-24, \$24,809 for FY 24-25, and \$29,610 for FY 25-26, for a total cost of \$80,045 over three years. Funds for the first-year costs have been included in the proposed FY23-24 budget as part of the City's NPDES program.

Respectfully submitted by:



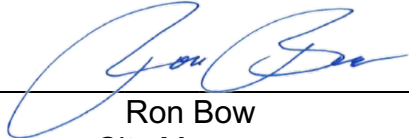
Shawn Igoe
Director of Public Works

Reviewed by:



Martha Garcia
Director of Finance

Approved by:



Ron Bow
City Manager



Karl H. Berger
City Attorney

ATTACHMENT:

1. MOA for ULAR CIMP and WMP

ATTACHMENT 1

MOA for ULAR CIMP and WMP

MEMORANDUM OF AGREEMENT

BETWEEN THE CITY OF LOS ANGELES, THE CITY OF ALHAMBRA, THE CITY OF BURBANK, THE CITY OF CALABASAS, THE CITY OF GLENDALE, THE CITY OF HIDDEN HILLS, THE CITY OF LA CANADA FLINTRIDGE, THE CITY OF MONTEBELLO, THE CITY OF MONTEREY PARK, THE CITY OF PASADENA, THE CITY OF ROSEMEAD, THE CITY OF SAN FERNANDO, THE CITY OF SAN GABRIEL, THE CITY OF SAN MARINO, THE CITY OF SOUTH EL MONTE, THE CITY OF SOUTH PASADENA, THE CITY OF TEMPLE CITY, LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, THE COUNTY OF LOS ANGELES, THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

REGARDING THE ADMINISTRATION AND COST SHARING FOR IMPLEMENTING THE COORDINATED INTEGRATED MONITORING PROGRAM (CIMP) AND WATERSHED MANAGEMENT PROGRAM (WMP) FOR THE UPPER LOS ANGELES RIVER WATERSHED MANAGEMENT AREA

This Memorandum of Agreement (MOA), including its attachments, exhibits and schedules, is made and entered into as of July 1st, 2023 by and between The SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS (SGVCOG), a California Joint Powers Authority, THE CITY OF LOS ANGELES (CITY), a municipal corporation, THE CITY OF ALHAMBRA, a municipal corporation, THE CITY OF BURBANK, a municipal corporation, THE CITY OF CALABASAS, a municipal corporation, THE CITY OF GLENDALE, a municipal corporation, THE CITY OF HIDDEN HILLS, a municipal corporation, THE CITY OF LA CANADA FLINTRIDGE, a municipal corporation, THE CITY OF MONTEBELLO, a municipal corporation, THE CITY OF MONTEREY PARK, a municipal corporation, THE CITY OF PASADENA, a municipal corporation, THE CITY OF ROSEMEAD, a municipal corporation, THE CITY OF SAN FERNANDO, a municipal corporation, THE CITY OF SAN GABRIEL, a municipal corporation, THE CITY OF SAN MARINO, a municipal corporation, THE CITY OF SOUTH EL MONTE, a municipal corporation, THE CITY OF SOUTH PASADENA, a municipal corporation, THE CITY OF TEMPLE CITY, a municipal corporation, LOS ANGELES COUNTY FLOOD CONTROL DISTRICT (LACFCD), a body corporate and politic, and the COUNTY OF LOS ANGELES (COUNTY), a political subdivision of the State of California. Collectively, these entities shall be known herein as PARTIES or individually as PARTY.

RECITALS

WHEREAS, the U.S. Environmental Protection Agency (USEPA) and the California Regional Water Quality Control Board, Los Angeles Region (Regional Board) have classified the Greater Los Angeles County Municipal Separate Storm Sewer System

(MS4) as a large MS4 pursuant to 40 Code of Federal Regulations (CFR) section 122.26(b)(4) and a major facility pursuant to 40 CFR section 122.2; and

WHEREAS, the Regional Board adopted the 2012 National Pollutant Discharge Elimination System MS4 Permit No. R4-2012-0175 on November 8, 2012, which was re-adopted in the 2021 Regional Phase I MS4 Permit Order No. R4-2021-0105; and

WHEREAS, the 2012 MS4 Permit became effective on December 28, 2012, and required that the LACFCD, the COUNTY, and 84 of the 88 cities within the County comply with its prescribed elements; and

WHEREAS the 2021 MS4 Permit became effective on September 11, 2021, superseding the 2012 MS4 Permit, and requires the COUNTY, LACFCD, 85 cities within the coastal watersheds of Los Angeles County, the Ventura County Watershed Protection District, the County of Ventura, and 10 cities within Ventura County to comply with its prescribed elements; and

WHEREAS, the MS4 Permit identifies the PARTIES as MS4 permittees responsible for compliance with the Permit's requirements pertaining to the PARTIES' collective jurisdictional area in the Upper Los Angeles River Watershed Management Area as identified in Exhibit D of this MOA; and

WHEREAS, the CITY and the cities of Alhambra, Burbank, Calabasas, Glendale, Hidden Hills, La Canada Flintridge, Montebello, Monterey Park, Pasadena, Rosemead, San Fernando, San Gabriel, San Marino, South El Monte, South Pasadena, and Temple City and LACFCD and the COUNTY formed the Upper Los Angeles River Watershed Management Group (ULAR WMG) to collaborate on the Watershed Management Program (WMP) and the Coordinated Integrated Monitoring Program (CIMP) in accordance with the MS4 Permit, with the CITY serving as the ULAR WMG Lead Agency; and

WHEREAS, the PARTIES desired to collaborate on the development of a WMP and a CIMP in accordance with the MS4 Permit for a portion of the Upper Los Angeles River Watershed Management Area as identified in Exhibit D of this MOA to comply with all applicable monitoring requirements of the MS4 Permit; and

WHEREAS, the first WMP was submitted to the Regional Board by the PARTIES on June 25, 2015 and was approved by the Regional Board on April 20, 2016; and

WHEREAS, a revised WMP was submitted to the Regional Board on June 28, 2021 and is pending approval; and

WHEREAS, the first CIMP was submitted to the Regional Board by the PARTIES on April 30, 2015 and was approved by the Regional Board on August 5, 2015; and

WHEREAS, a revised CIMP was submitted to the Regional Board on March 13, 2023 and is pending approval; and

WHEREAS, the PARTIES have agreed to cooperatively share and fully fund the estimated costs of the implementation of the CIMP and WMP; and

WHEREAS, the PARTIES agree that each shall assume full and independent responsibility for ensuring its own compliance with the MS4 Permit notwithstanding this MOA; and

WHEREAS, the PARTIES desire to have the SGVCOG: (a) invoice and collect funds from each of the PARTIES to cover the costs of MONITORING SERVICES and WMP-RELATED TASKS and pay the CITY; (b) perform tasks identified in CONTRACT ADMINISTRATION in Exhibit A of this MOA;

NOW, THEREFORE, in consideration of the mutual benefits to be derived by the PARTIES, and of the promises contained in this MOA, the PARTIES agree as follows:

Section 1. Recitals. The recitals set forth above are true and correct and fully incorporated into this MOA.

Section 2. Purpose. The purpose of this MOA is to cooperatively fund the MONITORING SERVICES and WMP-RELATED TASKS, as set forth in Exhibit A of this MOA.

Section 3. Cooperation. The PARTIES shall fully cooperate with one another to attain the purposes of this MOA.

Section 4. Voluntary. The PARTIES have voluntarily entered into this MOA for the implementation of the MONITORING SERVICES and WMP-RELATED TASKS, and to authorize the SGVCOG to administer the cost-sharing.

Section 5. Term. This MOA shall become effective on July 1, 2023 and shall remain in effect for three (3) years up to and including June 30, 2026. The MOA may be extended, through mutual agreement of the PARTIES.

Section 6. Commitment. Once effective, the PARTIES agree to uphold the promises contained in this MOA for the duration of the agreed upon term. The Parties agree that costs, expenses, fees, liabilities, and obligations incurred by the CITY in performing MONITORING SERVICES in accordance with Tables 2-2C(i) of Exhibit B and WMP-

RELATED TASKS in accordance with Table 3-3B of Exhibit B prior to the execution date of this MOA but after July 1, 2023, shall be cost-shared under this Agreement according to the amounts specified in Exhibit B and shall be included in the first invoice.

Section 7. THE PARTIES AGREE:

- a. Monitoring Services. The CITY will perform the MONITORING SERVICES as defined in Exhibit A.
- b. WMP-Related tasks. The CITY and the SGVCOG will perform the WMP-RELATED TASKS, as defined in Exhibit A.
- c. Reporting. Each PARTY hereto authorizes the CITY to prepare and submit reports to the Regional Board as required by the MS4 Permit. In addition, the CITY will submit to the PARTIES the data used to prepare the reports. This data will be transmitted electronically to all PARTIES and as requested by the Regional Board. The CITY will provide sufficient time to the PARTIES to review the prepared reports. The CITY shall consider incorporating such comments received and answering a PARTY's questions to the best of its abilities prior to its submittal to the Regional Board.
- d. Contract Administration. The SGVCOG will be responsible for CONTRACT ADMINISTRATION, as defined in Exhibit A.
- e. Communication. To the extent the PARTIES have communications related to CONTRACT ADMINISTRATION as defined in Exhibit A, such communications shall be directed to the SGVCOG. Communications concerning MONITORING SERVICES and WMP-RELATED TASKS under this Agreement shall be directed to the ULAR WMG lead agency. Written notice will be provided to the PARTIES should contact information from the SGVCOG and/or the ULAR WMG lead agency change.
- f. Contracting. The PARTIES contemplate that other individual NPDES permit holders may wish to participate in the MONITORING SERVICES without being a party to this MOA. In the event that another NPDES permittee wants to participate in the MONITORING SERVICES, the SGVCOG may enter into an individual separate agreement with such individual NPDES permittee. The individual NPDES permittee will not become a party to this MOA but will be responsible for its proportionate share of the costs for those MONITORING SERVICES. If other individual NPDES permit holders' participation modifies the PARTIES' proportionate cost share, each PARTIES' proportional payment obligation shall be modified administratively in Exhibit B.

Section 8. Invoicing and Payment.

- a. Invoicing. The SGVCOG will invoice all PARTIES, except the CITY, annually in amounts not exceeding the invoice amounts shown in Table 1 of Exhibit B. The annual invoices will be issued by the SGVCOG to the PARTIES in July of each calendar year for their proportional share of the estimated cost for MONITORING SERVICES and WMP-RELATED TASKS, including SGVCOG's Contact Management Fee, for the fiscal year, as shown in Exhibit B. The first invoice will be issued in July 2023 or upon the execution of this Agreement, whichever is later. The PARTIES hereby acknowledge and ratify services performed on or after the earlier of July 1st, 2023 or the date of the last signature of the PARTIES that are performed in accordance with the terms and conditions of the MOA. Such services shall be included in the first invoice and reimbursable pursuant to this MOA. The CITY will invoice the SGVCOG for tasks performed, deducting the CITY's cost portion for such tasks and the CITY's cost portion for the SGVCOG's program management fee. The CITY shall provide SGVCOG an accounting of the MONITORING SERVICES, and any WMP-RELATED TASKS completed during each annual payment term consistent with the format as shown in Exhibit E.
- b. Annual Payment. Each PARTY, excluding the CITY, shall pay the SGVCOG for their invoice within sixty (60) days of receipt of the invoice from the SGVCOG.
- c. Late Payment Penalty. Any payment that is not received within sixty (60) days following receipt of the invoice from SGVCOG shall be subject to a late payment of 10%. Interest on any late payments shall accrue at the rate of 1% per month for each month a payment is past due.
- d. Delinquent Payments. A payment not made within three hundred and sixty-five (365) days after receipt of the invoice from the SGVCOG shall result in the SGVCOG notifying the Regional Board and the PARTIES that the delinquent PARTY is no longer a participating member of the CIMP or WMP. The PARTY shall be deemed to have withdrawn from this MOA and the remaining PARTIES' cost share allocation shall be adjusted in accordance with the cost allocation formula in Table 1 of Exhibit B. Withdrawal shall not relieve a PARTY's obligation to pay its proportionate share of costs that were due at the time of the deemed withdrawal.
- e. Contingency. Each PARTY's annual invoice will include a contingency of fifteen percent (15%) for MONITORING SERVICES and fifteen percent (15%) for WMP-RELATED TASKS, as shown in Exhibit B. Contingency funds will be held by SGVCOG until such time as they are needed. Contingency funds that are used will be applied to each PARTY based on its proportional share. No PARTY will be

obligated to pay for additional expenditures which exceed its contingency amounts without an amendment to this MOA.

- i. Monitoring Services Contingency. The CITY shall have access to the MONITORING SERVICES Contingency, for paying for or otherwise implementing the MONITORING SERVICES defined in Exhibit A of this MOA. The CITY shall notify the PARTIES before use of the MONITORING SERVICES Contingency is appropriate or required as soon as practicable but any failure to notify any PARTY or the PARTIES shall not alter, eliminate, or affect the CITY's right to payment. The CITY will indicate the amount of MONITORING SERVICES Contingency used in its applicable invoice(s) to the SGVCOG for implementation of the MONITORING SERVICES. Should the CITY determine in its reasonable discretion that the MONITORING SERVICES Contingency not be necessary for MONITORING SERVICES, the PARTIES may administratively shift these funds to be used for WMP-RELATED TASKS and do so using the process defined in Section 9(c).
 - ii. WMP-Related Tasks Contingency. The PARTIES may utilize WMP-RELATED TASKS Contingency to complete projects consistent with the WMP-RELATED TASKS defined in Exhibit A. To utilize WMP-RELATED TASKS Contingency, the ULAR WMG shall discuss the proposed activity and the ULAR WMG will come to a majority consensus, using the process defined in Section 9(c), as to whether to move forward with the use of WMP-RELATED TASKS Contingency and the process for implementation. The SGVCOG shall utilize the WMP-RELATED TASKS Contingency to reimburse the entity responsible for administering the approved WMP-RELATED TASK funded by the WMP-RELATED TASKS Contingency. Should the WMP-RELATED TASKS Contingency not be necessary for WMP-RELATED TASKS, the PARTIES may administratively shift these funds to be used for MONITORING SERVICES, using the process defined in Section 9(c).
- f. Shifting of Funds. The PARTIES may shift funds collected under this MOA between MONITORING SERVICES and WMP-RELATED TASKS administratively, without an amendment to this MOA, provided that the overall amount does not exceed the total not-to-exceed amount of this MOA or a PARTY'S annual proportional cost, as set forth in Table 1 of Exhibit B, and if approved by a majority consensus, using the process defined in Section 9(c). Should the CITY require a shift in funds between MONITORING SERVICES and WMP-RELATED TASKS in order to implement the MONITORING SERVICES and WMP-RELATED TASKS, it shall notify the SGVCOG before shifting these funds.

- g. Contract Management Fee. The SGVCOG will receive a Contract Management Fee of \$100,000 per year for administration of this MOA by the SGVCOG. Each PARTY will be assessed its proportionate share of the annual Contract Management Fee as shown in Table 4 of Exhibit B.
- h. Reconciliation of this MOA. At the end of the MOA, the SGVCOG will provide the PARTIES with an accounting of actual expenditures, consistent with the format as shown in Exhibit E, within ninety (90) days. Any unexpended funds held by SGVCOG at the termination of this MOA will be rolled-over to cover expenses in any subsequent MOA. PARTIES may request in writing a refund or credit of any unexpended funds by the SGVCOG, in accordance with the distributed cost formula set forth in Table 1 of Exhibit B.

Section 9. THE PARTIES FURTHER AGREE:

- a. Documentation. The PARTIES agree to promptly provide at no cost to the CITY all requested information and documentation in their possession that the CITY, in its discretion, deems to be necessary or helpful for the performance of the MONITORING SERVICES and WMP-RELATED TASKS.
- b. Access. During the term of this MOA on an as-needed basis, each PARTY shall allow the CITY or its contractor reasonable access and entry to land, facilities and structures owned, operated, or controlled by the PARTY, which access and entry are necessary or helpful for the CITY or its contractor to perform MONITORING SERVICES and WMP-RELATED TASKS (FACILITIES). The FACILITIES shall include but not be limited to the PARTY's storm drains, channels, catch basins, and similar, provided, however, that prior to entering any of the PARTIES FACILITIES, the CITY or its contractor, as applicable, shall provide seventy-two (72) hours advance written notice of entry to the applicable PARTY, or in the cases where seventy-two (72) hours' advance written notice is not possible, such as in cases of unforeseen wet weather, the CITY or its contractor shall provide written notice to the applicable PARTY as early as reasonably possible. Any PARTY, including LACFCD, agrees to provide the CITY or its contractor a "no-fee" Access Permit to its FACILITIES. This Access Permit does not cover any fees that may be required for Construction Permits for the installation of permanent monitoring equipment. The CITY shall secure any required necessary permits prior to entry.
- c. Consensus. The PARTIES agree that consensus in the ULAR WMG will be determined by a two-thirds supermajority (66.66%) voting of the ULAR WMG members based on each PARTY's percentage land area of the Watershed as shown in Exhibit D. Consensus shall be reached using an email vote of ULAR WMG members. Any PARTY that does not respond to a vote within five business days, shall be considered to support the majority consensus.

- d. Participation. Each PARTY shall designate an individual to provide representation at the ULAR WMG that is authorized to provide official input on behalf of the PARTY. Each PARTY shall ensure that a representative attends the ULAR WMG meetings and, if necessary, responds to email communication.
- e. Additional Activities. The PARTIES agree that additional activities may arise in the course of implementing this MOA, and there may be interest in utilizing funds collected through this MOA or pursuing additional funds, including but not limited to the Safe Clean Water Program, to complete those projects. The ULAR WMG, led by the ULAR WMG Lead Agency, shall discuss and determine additional activities to be completed and the implementation approach to completing those projects. The ULAR WMG will determine which activities to pursue in accordance with the consensus process defined in Section 9(c). Any other PARTY that does not desire to participate in an additional activity can submit a written request to the SGVCOG that they do not desire to be part of the activity. The non-participating PARTY will not be responsible for its proportionate share of funds to complete the additional project, and the cost will be recalculated amongst the remaining PARTIES.

Section 10. Indemnification. Each PARTY shall indemnify, defend, and hold harmless each other PARTY, on a pro rata basis, including its special districts, their member agencies, elected and appointed officers, employees, agents, attorneys, and designated volunteers from and against any and all liability, including, but not limited to, demands, claims, actions, fees, costs, and expenses (including reasonable attorneys and expert witness fees), arising from or connected with this MOA; provided, however, that no PARTY shall indemnify another PARTY for that PARTY's own negligence or willful misconduct.

Section 11. Termination

- a. Noticing. Any PARTY may withdraw from this MOA for any reason, in whole or part, by giving the SGVCOG and the Regional Board thirty (30) days written notice thereof. Withdrawing PARTIES shall remain wholly responsible for their proportional share of the costs of MONITORING SERVICES and WMP-RELATED TASKS for any fiscal year for which the PARTY has not withdrawn. Withdrawing PARTIES shall not be entitled to any refunds. Each PARTY shall also be responsible for the payment of its own fines, penalties or costs incurred as a result of the non-performance of the CIMP and/or WMP. Upon withdrawal by the SGVCOG, the PARTIES shall meet and confer to designate an alternate organization to accept the SGVCOG's responsibilities under this MOA.

- b. Default. If a PARTY fails to comply with any of the terms or conditions of this MOA, that PARTY shall forfeit its rights to the work completed through this MOA, but no such forfeiture shall occur unless and until the defaulting PARTY has first been given notice of its default and a reasonable opportunity to cure the alleged default
- c. Equipment Ownership. Devices such as automatic sampling stations - inclusive of a cabinet, sampling equipment, ancillary devices, power supplies (EQUIPMENT) may be installed to implement the CIMP. Any PARTY voluntarily terminating membership will not be entitled to a refund for the portion of the share paid to acquire and to operate the EQUIPMENT nor for the remaining value of the EQUIPMENT, if any. The operational life of such EQUIPMENT is approximately seven years, and after which it may be obsolete or may require major remodel or replacement of electrical and mechanical components costing equivalent to a purchase of a new EQUIPMENT. The remaining PARTIES agree to own, operate and maintain and or replace the EQUIPMENT.

Section 12. General Provisions

- a. Notices. Any notices, bills, invoices, or reports relating to this MOA, and any request, demand, statement, or other communication required or permitted hereunder shall be in writing and shall be delivered to the representatives of the PARTIES at the addresses set forth in Exhibit C attached hereto and incorporated herein by reference. PARTIES shall promptly notify each other of any change of contact information, including personnel changes, provided in Exhibit C. Written notice shall include notice delivered via e-mail or fax. A notice shall be deemed to have been received on (a) the date of delivery, if delivered by hand during regular business hours, or by confirmed facsimile or by e-mail; or (b) on the third (3rd) business day following mailing by registered or certified mail (return receipt requested) to the addresses set forth in Exhibit C.
- b. Administration. For the purposes of this MOA, the PARTIES and SGVCOG hereby designate as their respective representatives the persons named in Exhibit C. The designated representatives, or their respective designees, shall administer the terms and conditions of this MOA on behalf of their respective entities. Each of the persons signing below on behalf of a PARTY or the SGVCOG represents and warrants that he or she is authorized to sign this MOA on behalf of such entity.
- c. Relationship of the Parties. The PARTIES to this MOA are, and shall at all times remain as to each other, wholly independent entities. No PARTY shall have power to incur any debt, obligation, or liability on behalf of any other PARTY unless expressly provided to the contrary by this MOA. No employee, agent, or officer of a PARTY shall be deemed for any purpose whatsoever to be an agent, employee, or officer of another PARTY.

- d. Amendment. The terms and provisions of this MOA may not be amended, modified, or waived, except by an instrument in writing signed by all non-delinquent PARTIES and the SGVCOG. Such amendments may be executed by those individuals listed in Exhibit C or by a person authorized to execute such amendment on behalf of each PARTY.
- e. Law to Govern. This MOA is governed by, interpreted under, and construed and enforced in accordance with the laws of the State of California. In the event of litigation related to this MOA, venue in the State Superior Court or Federal District Court shall lie exclusively in the County of Los Angeles.
- f. No Presumption in Drafting. The PARTIES to this MOA agree that the general rule that an MOA is to be interpreted against the PARTY drafting it, or causing it to be prepared shall not apply.
- g. Severability. If any provision of this MOA shall be determined by any court to be invalid, illegal, or unenforceable to any extent, then the remainder of this MOA shall not be affected, and this MOA shall be construed as if the invalid, illegal, or unenforceable provision had never been contained in this MOA.
- h. Entire Agreement. This MOA constitutes the entire agreement of the PARTIES to this MOA with respect to the subject matter hereof.
- i. Waiver. Waiver by any PARTY to this MOA of any term, condition, or covenant of this MOA shall not constitute a waiver of any other term, condition, or covenant. Waiver by any PARTY to this MOA of any breach of the provisions of this MOA shall not constitute a waiver of any other provision, nor a waiver of any subsequent breach or violation of any provision of this MOA.
- j. Counterparts. This MOA may be executed in any number of counterparts, which execution may be by electronic means as defined in Civil Code section 1633.2 and each of which shall be an original, but all of which taken together shall constitute but one and the same instrument, provided, however, that such counterparts shall have been delivered to all PARTIES to this MOA.
- k. All PARTIES to this MOA have been represented by counsel in the preparation and negotiation of this MOA. Accordingly, this MOA shall be construed according to its fair language.

IN WITNESS WHEREOF, the PARTIES have caused this MOA to be executed by their duly authorized representatives and affixed as of the date of signature of the PARTIES:

COUNTY OF LOS ANGELES

By

Mark Pestrella, Director of Public Works

Dated

APPROVED AS TO FORM:

Dawyn R. Harrison
County Counsel

By

Deputy

Dated

LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

By

Mark Pestrella, Chief Engineer

Dated

APPROVED AS TO FORM:

Dawyn R. Harrison
County Counsel

By

Deputy

Dated

CITY OF ALHAMBRA

By _____
Adele Andrade-Stadler, Mayor

Dated

ATTEST:

By _____
Lauren Myles
City Clerk

APPROVED AS TO FORM:

By _____
Joseph M. Montes, Esq.
City Attorney

CITY OF LOS ANGELES

Dated: _____

By: _____
Aura Garcia, President
Board of Public Works

ATTEST:

Holly Wolcott
Interim City Clerk

APPROVED AS TO FORM:

Hydee Feldstein Soto
City Attorney

By: _____
Adena M. Hopenstand
Deputy City Attorney

CITY OF BURBANK

Dated: _____

By _____

Konstantine Anthony, Mayor

ATTEST:

Justin Hess, City Manager

APPROVED AS TO FORM:

Joseph H. McDougall, City Attorney

CITY OF CALABASAS

Dated: _____

By _____
David J. Shapiro, Mayor

ATTEST:

Maricela Hernandez, City Clerk

APPROVED AS TO FORM:

Matthew T. Summers, City Attorney

THE CITY OF GLENDALE

Dated: _____

By _____
Ardy Kassakhian, Mayor

ATTEST:

Roubik Golanian, P.E., City Manager

APPROVED AS TO FORM:

Michael Garcia, City Attorney

CITY OF HIDDEN HILLS

Dated:

By

Steve Freedland, Mayor

ATTEST:

Deana L. Gonzalez, CMC, City Clerk

APPROVED AS TO FORM:

Roxanne M. Diaz, City Attorney

CITY OF LA CANADA FLINTRIDGE

Dated: _____

By _____

ATTEST:

APPROVED AS TO FORM:

Adrian R. Guerra, City Attorney

CITY OF MONTEBELLO

Dated: _____

By _____
David Torres, Mayor

ATTEST:

Christopher Jimenez, City Clerk

APPROVED AS TO FORM:

Arnold Alvarez-Glasman, City Attorney

CITY OF MONTEREY PARK

Dated: _____

By:

Ron Bow, City Manager

ATTEST:

By: _____
Maychelle Yee, City Clerk

APPROVED AS TO FORM:

By: _____
Karl H. Berger, City Attorney

CITY OF PASADENA

Dated: _____

By _____
Miguel Márquez, City Manager

ATTEST:

Mark Jomsky, City Clerk

APPROVED AS TO FORM:

Debra Wordham, Assistant City Attorney

CITY OF ROSEMEAD

Dated: _____

By _____
Ben Kim, City Manager

ATTEST:

Gloria Molleda, City Clerk

APPROVED AS TO FORM:

Rachel H. Richman, City Attorney

CITY OF SAN FERNANDO

Dated: _____

By _____
Celeste T. Rodriguez, Mayor

ATTEST:

Julia Fritz, City Clerk

APPROVED AS TO FORM:

Richard Padilla, City Attorney

CITY OF SAN GABRIEL

Dated: _____

By _____
Mark Lazzaretto, City Manager

ATTEST:

Sharon Clark, City Clerk

APPROVED AS TO FORM:

Keith Lemieux, City Attorney

CITY OF SAN MARINO

Dated: _____

By _____
Steve Talt, Mayor

ATTEST:

Mario Rueda, Acting City Manager

APPROVED AS TO FORM:

Joseph Montes, City Attorney

CITY OF SOUTH EL MONTE

Dated: _____

By _____
Rene Salas, City Manager

ATTEST:

Donna G. Shwartz, City Clerk

APPROVED AS TO FORM:

Anthony R. Taylor, City Attorney

CITY OF SOUTH PASADENA

Dated: _____

By _____
Arminé Chaparyan, City Manager

ATTEST:

Mark Perez, Deputy City Clerk

APPROVED AS TO FORM:

Andrew L. Jared, City Attorney

CITY OF THE TEMPLE CITY

Dated: _____

By _____
Cynthia Sternquist, Mayor

ATTEST:

Peggy Kuo, City Clerk

APPROVED AS TO FORM:

Greg Murphy, City Attorney

SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS

Dated: _____

By: _____
Marisa Creter, Executive Director

ATTEST:

By: _____

APPROVED AS TO FORM:

By: _____
David DeBerry
Counsel for the SGVCOG

EXHIBIT A

MOA Scope of Work

The purpose of this MOA is to facilitate compliance by the ULAR WMG with the MS4 Permit. The tasks below outline the broadly-expected work anticipated to comply with the Permit.

MONITORING SERVICES

This includes any and all tasks required to comply with the monitoring requirements established in the MS4 Permit and associated documents. This includes but is not limited to implementation of the ULAR CIMP (Coordinated Integrated Monitoring Program), which includes but is not limited to the following activities:

- Receiving Water Monitoring
- Stormwater Outfall Monitoring
- Non-Stormwater Outfall Monitoring
- Urban Lakes Monitoring
- Data Management
- Capital, Operation, and Maintenance Activities
- Purchasing, maintaining, and replacing equipment (capital costs) necessary for monitoring activities
- Development of the monitoring sections to be included in the Annual Report (e.g. trends analysis, Total Maximum Daily Load (TMDL) attainment, summary of monitoring activities)
- Annual Reconciliation of the MONITORING SERVICES under the MOA.
- This work may include additional activities and requirements based upon the March 2023 CIMP revisions, any other future CIMP revision, and subsequent requirements for the Regional Board.

The City is responsible for completing the MONITORING SERVICES in this MOA, including by utilizing consultant support services.

WMP-RELATED TASKS

This includes any and all tasks required to comply with the MS4 Permit, as well as other work that is determined to advance the cities' efforts in complying with the MS4 Permit. The ULAR WMG is required to complete the following activities as part of the ULAR Watershed Management Program (WMP). This includes but is not limited to the sub-tasks defined below:

- Annual Reporting (including the WMP Progress Report)
- Report of Waste Discharge (ROWD)
- Adaptive Management
- Trash Monitoring and Reporting Plan (TMRP)
- WMP Revisions
- Website management (lastormh2o.org)
- California Stormwater Quality Association (CASQA) Membership

Contracts regarding WMP-RELATED TASKS will be administered by the SGVCOG utilizing a consultant(s) selected in coordination with the ULAR WMG, unless otherwise determined by the ULAR WMG. The lead agency of the ULAR WMG will provide subject-matter expertise and project management support to the SGVCOG and its consultants for the purposes of completing this task.

CONTRACT ADMINISTRATION

This includes any and all tasks associated with administering this MOA, including but not limited to the following:

- Facilitate the development of agreements and subsequent amendments for the ULAR WMG.
- Manage procurements, contracting, and contract administration for consultants and contractors, with the lead agency of the ULAR WMG providing subject-matter expertise and project management support. This could include establishing and managing a bench of technical consultants that could be utilized by any PARTY.
- Distribute invoices and collect payment from PARTIES.
- Pay invoices from the City, upon receipt of invoice, as established in Section 8(a) of the MOA.
- Manage the MOA budget in coordination with the lead agency of the ULAR WMG.
- Facilitate the preparation of ULAR WMG administrative procedures by ULAR WMG and ensure compliance with these procedures.
- Annual Reconciliation of WMP-RELATED TASKS under the MOA.

The CONTRACT ADMINISTRATION tasks will be completed by the SGVCOG.

Additional tasks may be identified in the process of complying with the Permit, at which point the ULAR WMG would determine the optimal approach to ensuring that the ULAR WMG remains in compliance with any and all aspects of the MS4 Permit and its associated documents.

EXHIBIT B

MOA Cost Estimates

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Table 1. Distribution of Combined Annual Implementation Costs (CIMP/WMP/CASQA/SGVCOG fee)

Agency	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26	Total (3 years)
LACFCD	\$ 83,732	\$ 79,353	\$ 95,016	\$ 258,101
City of Los Angeles	\$ 943,982	\$ 908,306	\$ 1,084,118	\$ 2,936,406
County of Los Angeles	\$ 232,381	\$ 217,554	\$ 257,621	\$ 707,556
City of Alhambra	\$ 25,278	\$ 24,472	\$ 29,209	\$ 78,958
City of Burbank	\$ 57,421	\$ 55,590	\$ 66,350	\$ 179,361
City of Calabasas	\$ 20,731	\$ 20,070	\$ 23,954	\$ 64,755
City of Glendale	\$ 101,385	\$ 98,139	\$ 117,135	\$ 316,659
City of Hidden Hills	\$ 4,974	\$ 4,815	\$ 5,747	\$ 15,536
City of La Canada Flintridge	\$ 34,193	\$ 27,729	\$ 33,097	\$ 95,018
City of Montebello	\$ 27,721	\$ 26,837	\$ 32,032	\$ 86,590
City of Monterey Park	\$ 25,626	\$ 24,809	\$ 29,610	\$ 80,045
City of Pasadena	\$ 81,872	\$ 74,179	\$ 88,537	\$ 244,588
City of Rosemead	\$ 17,135	\$ 16,588	\$ 19,799	\$ 53,522
City of San Fernando	\$ 7,854	\$ 7,604	\$ 9,076	\$ 24,534
City of San Gabriel	\$ 13,688	\$ 13,252	\$ 15,817	\$ 42,756
City of San Marino	\$ 12,471	\$ 12,073	\$ 14,410	\$ 38,953
City of South El Monte	\$ 21,094	\$ 17,250	\$ 18,998	\$ 57,341
City of South Pasadena	\$ 12,064	\$ 10,954	\$ 13,074	\$ 36,091
City of Temple City	\$ 13,334	\$ 12,909	\$ 15,408	\$ 41,651
Total	\$ 1,736,933	\$ 1,652,482	\$ 1,969,007	\$ 5,358,422

Table 2. Distribution of Cost for Implementing Total ULAR CIMP Monitoring Services

Agency	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26	Total (3 years)
LACFCD	\$ 66,082	\$ 61,483	\$ 62,518	\$ 190,083
City of Los Angeles	\$ 711,254	\$ 671,309	\$ 682,542	\$ 2,065,105
County of Los Angeles	\$ 179,686	\$ 163,892	\$ 166,695	\$ 510,272
City of Alhambra	\$ 19,008	\$ 18,087	\$ 18,389	\$ 55,483
City of Burbank	\$ 43,178	\$ 41,085	\$ 41,773	\$ 126,036
City of Calabasas	\$ 15,588	\$ 14,833	\$ 15,081	\$ 45,503
City of Glendale	\$ 76,240	\$ 72,532	\$ 73,746	\$ 222,518
City of Hidden Hills	\$ 3,740	\$ 3,559	\$ 3,618	\$ 10,917
City of La Canada Flintridge	\$ 27,088	\$ 20,494	\$ 20,837	\$ 68,419
City of Montebello	\$ 20,845	\$ 19,835	\$ 20,167	\$ 60,846
City of Monterey Park	\$ 19,269	\$ 18,335	\$ 18,642	\$ 56,247
City of Pasadena	\$ 62,866	\$ 54,824	\$ 55,741	\$ 173,431
City of Rosemead	\$ 12,884	\$ 12,260	\$ 12,465	\$ 37,610
City of San Fernando	\$ 5,906	\$ 5,620	\$ 5,714	\$ 17,240
City of San Gabriel	\$ 10,293	\$ 9,794	\$ 9,958	\$ 30,044
City of San Marino	\$ 9,377	\$ 8,923	\$ 9,072	\$ 27,372
City of South El Monte	\$ 19,047	\$ 15,166	\$ 15,466	\$ 49,679
City of South Pasadena	\$ 9,258	\$ 8,095	\$ 8,231	\$ 25,584
City of Temple City	\$ 10,027	\$ 9,541	\$ 9,700	\$ 29,268
Total Estimated Cost of CIMP	\$ 1,321,633	\$ 1,229,667	\$ 1,250,357	\$ 3,801,657

Note:

1. Total Monitoring Services cost = General CIMP + NSW0 + Legg Lake

Table 2A. Costs for General CIMP Monitoring Services

ULAR CIMP General Monitoring Component	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26
Labor (Receiving Water and Storm Water Outfall)	\$ 253,000	\$ 230,000	\$ 230,000
Laboratory Analysis (Receiving Water and Storm Water Outfall)	\$ 263,051	\$ 237,879	\$ 240,157
Laboratory Data Handling Fee (15%)	\$ 39,458	\$ 35,682	\$ 36,024
Laboratory Analysis (TIE)	\$ 40,000	\$ 40,000	\$ 40,000
Contract Services	\$ 319,000	\$ 305,000	\$ 305,000
Equipment	\$ 136,325	\$ 130,081	\$ 122,601
Administrative Fee (5%)	\$ 52,542	\$ 48,932	\$ 48,689
Sub-Total	\$ 1,103,375	\$ 1,027,574	\$ 1,022,471
Contingency (15%)	\$ 165,506	\$ 154,136	\$ 153,371
Annual Escalation (2.5%)	\$ -	\$ 25,689	\$ 51,763
Total	\$ 1,268,881	\$ 1,207,400	\$ 1,227,604

Table 2A(i). Distribution of Costs for General CIMP Monitoring Services

Agency	Land Area (acres)	% of Area	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26	Total (3 years)
LACFCD (5%)	--	--	\$ 63,444	\$ 60,370	\$ 61,380	\$ 185,194
City of Los Angeles	181,288.00	58.53%	\$ 705,492	\$ 671,309	\$ 682,542	\$ 2,059,343
County of Los Angeles	41,048.07	13.25%	\$ 159,741	\$ 152,001	\$ 154,544	\$ 466,286
City of Alhambra	4,884.31	1.58%	\$ 19,008	\$ 18,087	\$ 18,389	\$ 55,483
City of Burbank	11,095.20	3.58%	\$ 43,178	\$ 41,085	\$ 41,773	\$ 126,036
City of Calabasas	4,005.68	1.29%	\$ 15,588	\$ 14,833	\$ 15,081	\$ 45,503
City of Glendale	19,587.50	6.32%	\$ 76,226	\$ 72,532	\$ 73,746	\$ 222,504
City of Hidden Hills	961.03	0.31%	\$ 3,740	\$ 3,559	\$ 3,618	\$ 10,917
City of La Canada Flintridge	5,534.46	1.79%	\$ 21,538	\$ 20,494	\$ 20,837	\$ 62,869
City of Montebello	5,356.38	1.73%	\$ 20,845	\$ 19,835	\$ 20,167	\$ 60,846
City of Monterey Park	4,951.51	1.60%	\$ 19,269	\$ 18,335	\$ 18,642	\$ 56,247
City of Pasadena	14,805.30	4.78%	\$ 57,616	\$ 54,824	\$ 55,741	\$ 168,181
City of Rosemead	3,310.87	1.07%	\$ 12,884	\$ 12,260	\$ 12,465	\$ 37,610
City of San Fernando	1,517.64	0.49%	\$ 5,906	\$ 5,620	\$ 5,714	\$ 17,240
City of San Gabriel	2,644.87	0.85%	\$ 10,293	\$ 9,794	\$ 9,958	\$ 30,044
City of San Marino	2,409.64	0.78%	\$ 9,377	\$ 8,923	\$ 9,072	\$ 27,372
City of South El Monte	1,594.16	0.51%	\$ 6,204	\$ 5,903	\$ 6,002	\$ 18,109
City of South Pasadena	2,186.20	0.71%	\$ 8,508	\$ 8,095	\$ 8,231	\$ 24,834

City of Temple City	2,576.50	0.83%	\$ 10,027	\$ 9,541	\$ 9,700	\$ 29,268
Total	309,757.32	100.00%	\$ 1,268,881	\$ 1,207,400	\$ 1,227,604	\$ 3,703,886

Note:

1. LACFCD is responsible for 5% of the Total Cost, which is subtracted before distributing the cost among the other agencies.

Table 2B. Costs for Arroyo Seco NSWO Monitoring

CIMP Component	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26
Non-Stormwater Outfall Monitoring			
Arroyo Seco (3 Screening Events)	\$ 16,470		
Laboratory Data Handling Fee (15%)			
Flat Rate: 15% of Total Monitoring costs	\$ 2,470		
Administrative Fee (5%)			
Flat Rate: 5% of Total NSWO Monitoring Cost	\$ 947		
Monitoring Cost Sub-Total	\$ 19,887		
Additional Costs			
Contingency (15%)	\$ 1,989		
Annual Escalation (2.5%)	\$ -		
Arroyo Seco (Total)	\$ 21,876		

Table 2B(i). Distribution of Costs for Arroyo Seco NSWO Monitoring

Agency	Land Area (acres)	% of Area	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26	Total (3 years)
LACFCD (5%)	--	--	\$ 1,094	\$ -	\$ -	\$ 1,094
City of Los Angeles	3936.66	27.73%	\$ 5,762	\$ -	\$ -	\$ 5,762
County of Los Angeles	2361.13	16.63%	\$ 3,456	\$ -	\$ -	\$ 3,456
City of Glendale	9.39	0.07%	\$ 14	\$ -	\$ -	\$ 14
City of La Canada Flintridge	3791.77	26.71%	\$ 5,550	\$ -	\$ -	\$ 5,550
City of Pasadena	3586.72	25.26%	\$ 5,250	\$ -	\$ -	\$ 5,250
City of South Pasadena	512.25	3.61%	\$ 750	\$ -	\$ -	\$ 750
Arroyo Seco (Total)	14,197.93	100.00%	\$ 21,876			\$ 21,876

Note:

1. LACFCD is responsible for 5% of the Total Cost, which is subtracted before distributing the cost among the other agencies.

Table 2C. Costs for Legg Lake Monitoring

CIMP Component	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26
Legg lake	\$ 22,235	\$ 15,694	\$ 15,694
Laboratory Data Handling Fee (15%)	\$ 3,335	\$ 2,354	\$ 2,354
Administrative Fee (5%)	\$ 1,279	\$ 902	\$ 902
Monitoring Cost Sub-Total	\$ 26,849	\$ 18,950	\$ 18,950
Additional Costs			
Contingency (15%)	\$ 4,027	\$ 2,843	\$ 2,843
Annual Escalation (2.5%)	\$ -	\$ 474	\$ 959
Legg Lake (Total)	\$ 30,876	\$ 22,267	\$ 22,752

Table 2C(i). Distribution of Costs for Legg Lake Monitoring

Agency	Land Area (acres)	% of Area	Fiscal Year 23- 24	Fiscal Year 24-25	Fiscal Year 25-26	Total (3 years)
LACFCD (5%)	--	--	\$ 1,544	\$ 1,113	\$ 1,138	\$ 3,795
County of Los Angeles	2,044.68	56.21%	\$ 16,489	\$ 11,891	\$ 12,150	\$ 40,530
South El Monte	1,592.68	43.79%	\$ 12,844	\$ 9,262	\$ 9,464	\$ 31,570
Legg Lake (Total)	3,637.35	100.00%	\$ 30,876	\$ 22,267	\$ 22,752	\$ 75,895

Note:

1. Legg Lake now has a fish tissue monitoring requirement at a frequency of once every three years.
2. LACFCD is responsible for 5% of the Total Cost, which is subtracted before distributing the cost among the other agencies.

Table 3. Distribution of Costs for Implementing WMP-Related Tasks (including CASQA fees)

ULAR WMP Cost Distribution + CASQA				
Agency	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26	Total (3 years)
LACFCD	\$ 12,650	\$ 12,870	\$ 27,498	\$ 53,018
City of Los Angeles	\$ 177,128	\$ 181,398	\$ 345,977	\$ 704,503
County of Los Angeles	\$ 40,106	\$ 41,073	\$ 78,338	\$ 159,517
City of Alhambra	\$ 4,772	\$ 4,887	\$ 9,321	\$ 18,981
City of Burbank	\$ 10,841	\$ 11,102	\$ 21,174	\$ 43,117
City of Calabasas	\$ 3,914	\$ 4,008	\$ 7,645	\$ 15,566
City of Glendale	\$ 19,138	\$ 19,599	\$ 37,382	\$ 76,119
City of Hidden Hills	\$ 939	\$ 962	\$ 1,834	\$ 3,735
City of La Canada Flintridge	\$ 5,407	\$ 5,538	\$ 10,562	\$ 21,507
City of Montebello	\$ 5,233	\$ 5,360	\$ 10,222	\$ 20,815
City of Monterey Park	\$ 4,838	\$ 4,955	\$ 9,450	\$ 19,242

City of Pasadena	\$ 14,466	\$ 14,814	\$ 28,255	\$ 57,535
City of Rosemead	\$ 3,235	\$ 3,313	\$ 6,319	\$ 12,866
City of San Fernando	\$ 1,483	\$ 1,519	\$ 2,896	\$ 5,898
City of San Gabriel	\$ 2,584	\$ 2,646	\$ 5,048	\$ 10,278
City of San Marino	\$ 2,354	\$ 2,411	\$ 4,599	\$ 9,364
City of South El Monte	\$ 1,558	\$ 1,595	\$ 3,042	\$ 6,195
City of South Pasadena	\$ 2,136	\$ 2,188	\$ 4,172	\$ 8,496
City of Temple City	\$ 2,517	\$ 2,578	\$ 4,917	\$ 10,013
Total Estimated Cost of WMP	\$ 315,300	\$ 322,815	\$ 618,651	\$ 1,256,766

Note:

1. Total cost = General WMP + CASQA Fees.

Table 3A. Costs for Implementing General WMP-Related Tasks

WMP Component	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26	Total (3 years)
Semi-Annual Progress Report (June)	\$ 50,000	\$ 50,000	\$ 50,000	\$ 150,000
Annual Reporting Package (December)	\$ 100,000	\$ 100,000	\$ 100,000	\$ 300,000
WMP Revisions/RAA/Adaptive Management	\$ -	\$ -	\$ 200,000	\$ 200,000
Report of Waste Discharge (ROWD)	\$ -	\$ -	\$ 20,000	\$ 20,000
Trash Monitoring and Reporting Plan (TMRP)	\$ 50,000	\$ 50,000	\$ 50,000	\$ 150,000
Program Management (10%)	\$ 20,000	\$ 20,000	\$ 42,000	\$ 82,000
Sub-Total	\$ 220,000	\$ 220,000	\$ 462,000	\$ 902,000
Contingency (15%)	\$ 33,000	\$ 33,000	\$ 69,300	\$ 135,300
Annual Escalation (2% per year)	\$ -	\$ 4,400.00	\$ 18,664.80	\$ 23,065
WMP Program Management Cost (Total)	\$ 253,000	\$ 257,400	\$ 549,965	\$ 1,060,365

Note:

1. Annual Report package includes semiannual progress report.

Table 3B. Distribution of Costs for CASQA Membership Fees

Agency	Land Area (acres)	% of Area	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26	Total (3 years)
City of Los Angeles	181,288.00	58.53%	\$ 36,462	\$ 38,285	\$ 40,199	\$ 114,945
County of Los Angeles	41,048.07	13.25%	\$ 8,256	\$ 8,669	\$ 9,102	\$ 26,026
City of Alhambra	4,884.31	1.58%	\$ 982	\$ 1,031	\$ 1,083	\$ 3,097
City of Burbank	11,095.20	3.58%	\$ 2,232	\$ 2,343	\$ 2,460	\$ 7,035
City of Calabasas	4,005.68	1.29%	\$ 806	\$ 846	\$ 888	\$ 2,540
City of Glendale	19,587.50	6.32%	\$ 3,940	\$ 4,137	\$ 4,343	\$ 12,419
City of Hidden Hills	961.03	0.31%	\$ 193	\$ 203	\$ 213	\$ 609
City of La Canada Flintridge	5,534.46	1.79%	\$ 1,113	\$ 1,169	\$ 1,227	\$ 3,509
City of Montebello	5,356.38	1.73%	\$ 1,077	\$ 1,131	\$ 1,188	\$ 3,396
City of Monterey Park	4,951.51	1.60%	\$ 996	\$ 1,046	\$ 1,098	\$ 3,139
City of Pasadena	14,805.30	4.78%	\$ 2,978	\$ 3,127	\$ 3,283	\$ 9,387
City of Rosemead	3,310.87	1.07%	\$ 666	\$ 699	\$ 734	\$ 2,099
City of San Fernando	1,517.64	0.49%	\$ 305	\$ 320	\$ 337	\$ 962
City of San Gabriel	2,644.87	0.85%	\$ 532	\$ 559	\$ 586	\$ 1,677
City of San Marino	2,409.64	0.78%	\$ 485	\$ 509	\$ 534	\$ 1,528
City of South El Monte	1,594.16	0.51%	\$ 321	\$ 337	\$ 353	\$ 1,011
City of South Pasadena	2,186.20	0.71%	\$ 440	\$ 462	\$ 485	\$ 1,386
City of Temple City	2,576.50	0.83%	\$ 518	\$ 544	\$ 571	\$ 1,634
Total	309,757.32	100.00%	\$ 62,300	\$ 65,415	\$ 68,686	\$ 196,401

Note:

1. LACFCD will retain its own CASQA membership.
2. Assumes 5% escalation per year for CASQA fees.

Table 4. SGVCOG Annual Contract Management Fees

	Land Area (acres)	% of Area	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26	Total (3 years)
LACFCD (5%)	--	--	\$ 5,000	\$ 5,000	\$ 5,000	\$ 15,000
City of Los Angeles	181,288.00	58.53%	\$ 55,600	\$ 55,600	\$ 55,600	\$ 166,799
County of Los Angeles	41,048.07	13.25%	\$ 12,589	\$ 12,589	\$ 12,589	\$ 37,767
City of Alhambra	4,884.31	1.58%	\$ 1,498	\$ 1,498	\$ 1,498	\$ 4,494
City of Burbank	11,095.20	3.58%	\$ 3,403	\$ 3,403	\$ 3,403	\$ 10,208
City of Calabasas	4,005.68	1.29%	\$ 1,229	\$ 1,229	\$ 1,229	\$ 3,686
City of Glendale	19,587.50	6.32%	\$ 6,007	\$ 6,007	\$ 6,007	\$ 18,022
City of Hidden Hills	961.03	0.31%	\$ 295	\$ 295	\$ 295	\$ 884
City of La Canada Flintridge	5,534.46	1.79%	\$ 1,697	\$ 1,697	\$ 1,697	\$ 5,092

City of Montebello	5,356.38	1.73%	\$ 1,643	\$ 1,643	\$ 1,643	\$ 4,928
City of Monterey Park	4,951.51	1.60%	\$ 1,519	\$ 1,519	\$ 1,519	\$ 4,556
City of Pasadena	14,805.30	4.78%	\$ 4,541	\$ 4,541	\$ 4,541	\$ 13,622
City of Rosemead	3,310.87	1.07%	\$ 1,015	\$ 1,015	\$ 1,015	\$ 3,046
City of San Fernando	1,517.64	0.49%	\$ 465	\$ 465	\$ 465	\$ 1,396
City of San Gabriel	2,644.87	0.85%	\$ 811	\$ 811	\$ 811	\$ 2,433
City of San Marino	2,409.64	0.78%	\$ 739	\$ 739	\$ 739	\$ 2,217
City of South El Monte	1,594.16	0.51%	\$ 489	\$ 489	\$ 489	\$ 1,467
City of South Pasadena	2,186.20	0.71%	\$ 670	\$ 670	\$ 670	\$ 2,011
City of Temple City	2,576.50	0.83%	\$ 790	\$ 790	\$ 790	\$ 2,371
Total	309,757.32	100.00%	\$ 100,000	\$ 100,000	\$ 100,000	\$ 300,000

Note:

1. SGVCOG fee is \$100,000 per year and covers both Monitoring Services and WMP-related tasks.
2. LACFCD is responsible for 5% of the Total Cost, which is subtracted before distributing the cost among the other agencies.

EXHIBIT C

Upper Los Angeles River Watershed Management Area CIMP Responsible Agencies Representatives

Agency Address	Agency Contact
City of Los Angeles Department of Public Works Bureau of Sanitation, Watershed Protection Division 1149 S. Broadway Los Angeles, CA 90015	Alfredo Magallanes E-mail: alfredo.magallanes@lacity.org Phone: (213) 485-3958
County of Los Angeles Department of Public Works Stormwater Quality Division, Building A-9 East, 1 st Floor 1000 South Fremont Avenue Alhambra, CA 91803	Mark Lombos E-mail: mlombos@dpw.lacounty.gov Phone: (626) 300-4665
Los Angeles County Flood Control District Department of Public Works Stormwater Quality Division, Building A-9 East, 1 st Floor 1000 South Fremont Avenue Alhambra, CA 91803	Jalaine Verdiner E-mail: jquintr@dpw.lacounty.gov Phone: (626) 300-4666
City of Alhambra 111 South First Street Alhambra, CA 91801-3796	David Dolphin E-mail: DDOLPHIN@cityofalhambra.org Phone: (626) 300-1571
City of Burbank P.O. Box 6459 Burbank, CA 91510	Stephen Walker E-mail: SWalker@burbankca.gov Phone: (818) 238-3804
City of Calabasas 100 Civic Center Way Calabasas, CA 91302-3172	Tatiana Holden E-mail: tholden@cityofcalabasas.com Phone: (818) 224-1600
City of Glendale Engineering Section, 633 East Broadway, Room 209 Glendale, CA 91206-4308	Maurice Oillataguerre E-mail: moillataguerre@glendaleca.gov Phone: (818) 550-4511
City of Hidden Hills 6165 Spring Valley Road Hidden Hills, CA 91302	Joe Bellomo E-mail: jbello@willdan.com Phone: (805) 279-6856
City of La Canada Flintridge 1327 Foothill Blvd. La Canada Flintridge, CA 91011-2137	Patrick DeChellis E-mail: pdechellisi@lcf.ca.gov Phone: (818) 790-8882

EXHIBIT C

Upper Los Angeles River Watershed Management Group Responsible Agencies Representatives

City of Montebello 1600 W Beverly Blvd Montebello, CA 90640	James A. Enriquez E-mail: jenriquez@cityofmontebello.com Phone: 323-887-1200 Rita Montalvo E-mail: rmontalvo@cityofmontebello.com Phone: 323-887-1200 Ext 469
City of Monterey Park 320 West Newmark Avenue Monterey Park, CA 91754-2896	Xochitl Tipan E-mail: xtipan@montereypark.ca.gov Phone: (626) 307-1383
City of Pasadena 100 N Garfield Ave 3rd Floor, N306 Pasadena, CA 91101-1726	Dawn Petschauer E-mail: dpetschauer@cityofpasadena.net Phone: (626) 744-3929
City of Rosemead 8838 East Valley Blvd. Rosemead, CA 91770-1787	Michael Chung E-mail: mchung@cityofrosemead.org Phone: (626) 569-2158 Eddie Chan E-mail: echan@cityofrosemead.org Phone: (626) 569-2154
City of San Fernando 117 Macneil Street San Fernando, CA 91340	Kenneth Jones Email: kjones@sfcity.org Phone: (818) 898-1240
City of San Gabriel 425 South Mission Avenue San Gabriel, CA 91775	Greg De Vinck E-mail: gdevinck@sgch.org Phone: (626) 308 - 2825 Capucine Hernandez E-mail: chernandez@sgch.org Phone: (626) 308-2825
City of San Marino 2200 Huntington Drive San Marino, CA 91108-2691	Amber Shah E-mail: ashah@cityofsanmarino.org Phone: (626) 300 - 0787
City of South El Monte 1415 Santa Anita Ave. South El Monte, CA 91733	Rene Salas E-mail: rsalas@soelmonte.org Phone: (626) 579-6540 Fax: (626) 579-2409
City of South Pasadena 1414 Mission Street South Pasadena, CA 91020-3298	Ted Gerber E-mail: tgerber@southpasadenaca.gov Phone: (626) 403-7240

City of Temple City 9701 Las Tunas Drive Temple City, CA 9178	Andrew Coyne E-mail: acoyne@templecity.us Phone: (626) 285-2171 Ext. 4344
San Gabriel Valley Council of Governments 1333 Mayflower Avenue, Suite 360 Monrovia, CA 91016	Marisa Creter Email: mcreter@sgvcog.org Phone: (626) 457-1800

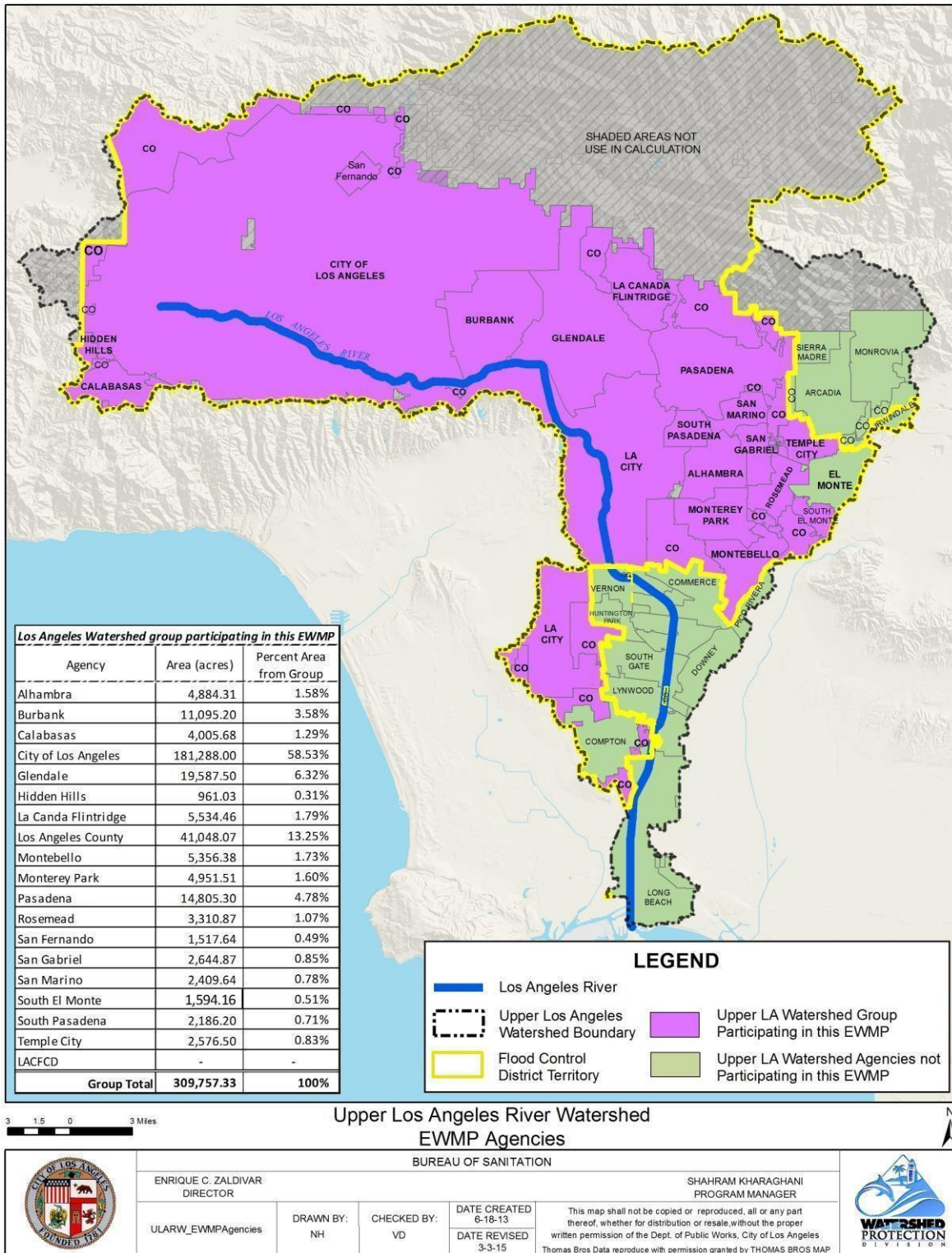


EXHIBIT E

Reconciliation Template

[the line items shown in this Exhibit are placeholders and are subject to change]

CIMP COMPONENT RECONCILIATION

CIMP Component - General Monitoring						
General Monitoring	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	Total
Budget (MOA)	\$					
Actual	\$					
Total Remaining	\$					

CIMP Component - Non-Stormwater Monitoring						
Non-Stormwater Monitoring	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	Total
Budget (MOA)	\$					
Actual	\$					
Total Remaining	\$					

CIMP Component - Total						
	FY 18-19	FY 19-20	FY 20-21	FY 21-22	FY 22-23	Total
Budget (MOA)	\$					
Actual	\$					
Total Remaining	\$					

WMP COMPONENT RECONCILIATION

WMP MOA Table Item	Budget (MOA)	Actual (To Date)	Anticipated (To End of MOA)	Balance
Annual Report	\$			
Adaptive Management	\$			
Los Angeles Report of Waste Discharge	\$			
ULAR LRS Funds	\$			
ULAR Trash Monitoring & Reporting Plan	\$			
Special Studies	\$			
ULAR 2017 Report of Waste Discharge (ROWD)	\$			
Total	\$			



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Consent Calendar - 3L

TO: The Honorable Mayor and City Council
FROM: Shawn Igoe, Director of Public Works
SUBJECT: Receive and File Staff Report Summarizing the Status of Emergency Repairs of the Monterey Pass Road Water Line

RECOMMENDATION:

It is recommended that the City Council consider:

1. Receive and File the staff report summarizing the status of emergency repairs of the Monterey Pass Road water line; and
2. Taking such additional, related, action that may be desirable.

BACKGROUND:

On August 17, 2022, City Council adopted Resolution No. 2022-R69 authorizing the City Manager to take necessary measures for emergency repair of a water main line on Monterey Pass Road. Recurring water main leaks in several areas within Monterey Pass Road between the intersections of Vagabond Drive and Brightwood street resulted in extensive infrastructure damage to the roadway and necessary water main pipe repairs to ensure continued water service to residences and businesses in the area.

The design phase was completed in December 2022 followed by research of available material and cost during the months of December and January to ensure the project could be expedited due to the significant material delivery delays. Construction started on March 2023 and is scheduled to be complete by October 2023.

As part of the City's outreach efforts, the construction manager visited business along the project area prior to the start of the project to notify them of the upcoming construction. The Economic Development Division also mailed out letters to businesses that may be impacted by this project. Message boards were placed within the project area prior to construction commencing to alert drivers of the impact to their commutes. The City will continue to provide project updates to the community for the duration of the project through the City website, social media, and City Council meetings. A dedicated webpage has been established on the city's website as, www.Montereypark.ca.gov/Montereypass, to inform the public about the project and provide progress updates. Residents and businesses can also sign up to receive project updates by subscribing to NIXLE, by texting "MPSS" to 888777.

As of the week ending on May 12th, the contractor will have completed approximately 28% of the project with the installation of 3,000 linear feet of 12" PVC water pipeline along Monterey Pass between Floral Dr and Vagabond Rd. Traffic control devices have provided a safe working condition for both contractor and the driving public. These devices are removed at the end of the day and proper temporary asphalt resurfacing of the trench has provided a seamless transition for vehicular traffic. Street sweeping is performed on a daily basis to provide a clean working environment during and after work. A map showing construction work through May 12th is included as Attachment 1.

FISCAL IMPACT:

The Monterey Pass Road Emergency Water Main Improvements is included in the FY 22-23 Capital Improvement Plan as Project No. 99025. The following is an estimated cost for the project:

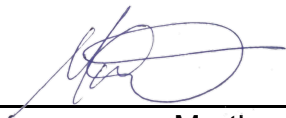
<u>CIP 99025 – Monterey Pass Road Emergency Watermain</u>	
Engineering Design	\$ 131,000
Geotechnical	\$ 100,000
Construction Cost	\$ 4,800,000
Material Cost	\$ 1,600,000
Street Rehabilitation	\$ 950,000
Construction Management and Inspection	\$ 410,000
Total	\$7,991,000

Respectfully submitted by:



Shawn Igoe,
Director of Public Works

Reviewed by:



Martha Garcia
Director of Finance

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Construction Map

ATTACHMENT 1

Construction Map

Transmission Main Replacement

Luguna Channel

KERN AVE

MONTEREY PASS

FLORAL DR



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City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Public Hearing - 4A

TO: The Honorable Mayor and City Council
FROM: Jessica Serrano, Director of Community Development
SUBJECT: A public hearing to consider introduction and first reading of an Ordinance approving Zoning Code Amendment No. 23-01(ZCA-23-01), amending Chapter 21.18 of the Monterey Park Municipal Code, entitled "Affordable Housing Incentives – Density Bonus" to implement the Housing Element of the Monterey Park General Plan.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Continue the public hearing to the June 7, 2023 City Council meeting; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Staff recommends that this item be continued to the June 7, 2023 City Council meeting.

Respectfully submitted by:

A handwritten signature in blue ink, reading "J. Serrano", is positioned above a horizontal line.

Jessica Serrano
Director of Community
Development

Prepared by:

A handwritten signature in blue ink, reading "Beth Chow", is positioned above a horizontal line.

Beth Chow, AICP
Senior Planner

Approved by:

A handwritten signature in blue ink, reading "Ron Bow", is positioned above a horizontal line.

Ron Bow
City Manager

Reviewed by:

A handwritten signature in blue ink, reading "Karl H. Berger", is positioned above a horizontal line.

Karl H. Berger
City Attorney



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: Public Hearing - 4B

TO: The Honorable Mayor and City Council
FROM: Jessica Serrano, Director of Community Development
SUBJECT: A public hearing to consider introduction and first reading of an Ordinance approving Zoning Code Amendment No. 22-01 (ZCA-22-01) adding Chapter 21.19 to the Monterey Park Municipal Code, entitled "Inclusionary Housing" to implement the Housing Element of the Monterey Park General Plan.

RECOMMENDATION:

It is recommended that the City Council consider:

1. Continue the public hearing to the June 7, 2023 City Council meeting; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Staff recommends that this item be continued to the June 7, 2023 City Council meeting.

Respectfully submitted by:

Prepared by:

A handwritten signature in blue ink, appearing to read "J. Serrano".

Jessica Serrano
Director of Community
Development

A handwritten signature in blue ink, appearing to read "Beth Chow".

Beth Chow, AICP
Senior Planner

Approved by:

Reviewed by:

A handwritten signature in blue ink, appearing to read "Ron Bow".

Ron Bow
City Manager

A handwritten signature in blue ink, appearing to read "Karl H. Berger".

Karl H. Berger
City Attorney



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: New Business - 5A

TO: Honorable Mayor and City Council
FROM: Jessica Serrano, Director of Community Development
SUBJECT: One-year Time Extension for the following projects: 1) Tentative Map No. 71473 (TM-17-01) - SWC Orange Avenue/Pepper Street (Assessor's Parcel No. (APN 5276-008-045) and 2) Tentative Map No. 73741 (TM-18-01) and Conditional Use Permit (CUP-18-01) – 130-206 S. Chandler Avenue (APNs 5257-004-019, 020, 021)

RECOMMENDATION:

It is recommended that the City Council consider:

- (1) Adopting a resolution approving a Time Extension for Tentative Map No. 71473 (TM-17-01);
- (2) Adopting a resolution approving a Time Extension for Tentative Map No. 73741 (TM-18-01) and Conditional Use Permit (CUP-18-01); and
- (3) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

Tentative Map No. 71473 (TM-17-01) - SWC Orange Avenue/Pepper Street

On June 26, 2018, the City Council adopted Resolution No. 10-18. Section 3 of that Resolution determined the Project was categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects). No additional environmental review is necessary.

Tentative Map No. 73741 (TM-18-01) and Conditional Use Permit (CUP-18-01);

The Project is consistent with the Mitigated Negative Declaration and Mitigation Monitoring Program adopted by City Council in February 5, 2020 under Resolution No. 12135 and March 4, 2020 under Ordinance No. 2167. No additional environmental review is necessary.

EXECUTIVE SUMMARY:

During the COVID-19 pandemic emergency, the City Manager and City Council took actions to suspend expiration dates for approved land use entitlements that would have expired between March 11, 2020 and March 31, 2022. Through Administrative Orders, Resolution No. 12164, and Ordinance No. 2219, land use related projects that would have expired during the pandemic were extended to April 1, 2023.

At this time, there are two projects that applied for a time extension before the April 1, 2023 deadline:

1. TM-17-01 – subdivision of one lot into four lots for the construction of four new single-family dwelling units; and
2. TM-18-01 and CUP-18-01 – subdivision and development of a 40-unit senior housing complex at 130-206 S. Chandler Avenue.

Pursuant to Monterey Park Municipal Code (“MPMC”) § 20.04.120(c), the City Council may “approve, conditionally approve or deny extension requests” with the total time of extensions not exceeding six years from the initial expiration. Additionally, MPMC § 21.32.160 allows the City Council to extend time limitations of conditional use permits not to exceed one year without a public hearing.

BACKGROUND:

Tentative Map No. 71473 (TM-17-01) - SWC Orange Avenue/Pepper Street

On February 6, 2023, Paul Cheung of Goldstar Development Inc., applied for a one-year time extension for TM-17-01 to subdivide one lot into four lots at the southeast corner of South Orange Avenue and Pepper Street (Attachment 1). The property is zoned R-1 (Single-Family Residential) and is designated Low Density Residential (LDR) in the General Plan.

Originally, on June 26, 2018, the Planning Commission adopted Resolution No. 10-18 approving TM-17-01, which provided two years to record the final map. On June 20, 2020, the Applicant filed a written extension application with the City Planner and the one-year extension was granted by City Council on August 19, 2020. Other Council actions including Resolution No. 12164, and Ordinance No. 2219, extended the expiration of TM-17-01 until April 1, 2023.

Because the final map requires a subdivision improvement agreement (which the City Council must consider), the Engineering Division anticipates that the final map will be presented to the City Council in June of 2023. The applicant also submitted an anticipated schedule for the project to begin grading in June 2023 with an anticipated completion by December 2023.

This is the second one-year extension requested by the Applicant. The request for the tentative map extension does not exceed a total of six years from the initial expiration date which is consistent with MPMC § 20.04.120(c). If approved, the deadline for TM-17-01 will extend to April 1, 2024.

Tentative Map No. 73741 (TM-18-01) and Conditional Use Permit (CUP-18-01);

On February 22, 2022, Kenny Gao of Latigo Canyon Development, LLC, applied for a

one-year time extension, pursuant to Title 20 and 21 of the MPMC, for TM-18-01 and CUP-18-01 (Attachment 2). The project includes subdividing three parcels to construct a 40-unit senior housing development at 130-206 S. Chandler Avenue, located on the east side of Chandler Avenue between Garvey Avenue and Newmark Avenue.

On February 5, 2020, the City Council adopted Resolution No. 12135 approving TM-18-01 and CUP-18-01, which provided two years to record the final map and one year to exercise the CUP. Actions by the City during COVID-19 extended the expiration of both TM-18-01 and CUP-18-01 until April 1, 2023.

On August 23, 2020, the applicant submitted construction plans and initiated plan check review for the development, but has not yet finalized the tentative map or exercised the CUP.

This is the first one-year time extension request for TM-18-01. The request for the tentative map extension does not exceed a total of six years from the initial expiration date which is consistent with MPMC § 20.04.120(c). Additionally, this is the first extension request for the CUP, which may be extended without a public hearing pursuant to MPMC §21.32.16; this request is also for an extension of one year.

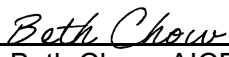
Based on the information provided on the projects since their respective entitlement, the recommended action includes consideration of an extension of an approved tentative map and a CUP. Pursuant to MPMC § 20.04.120, the City Council may extend the time to record a final map, where such extensions do not exceed an aggregate of six years. Further, MPMC §21.32.16 allows a one-time extension of a CUP without a public hearing. If approved, TM-18-01 and CUP-1801 will expire on April 1, 2024.

Respectfully submitted by:



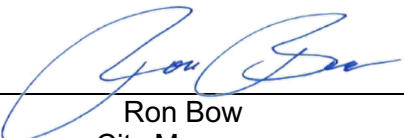
Jessica Serrano
Director of Community Development

Prepared by:



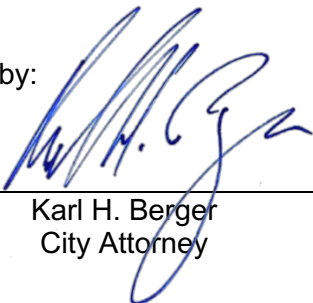
Beth Chow, AICP
Senior Planner

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS:

1. TM-17-01 *Applicant's time extension request letter*, dated February 6, 2023
2. TM-18-01 & CUP-18-01 *Applicant's time extension request letter*, dated February 21, 2023 & *updated letter dated May 5, 2023*
3. Draft Resolution extending TM-17-01
4. Draft Resolution extending TM-18-01/CUP-18-01

ATTACHMENT 1

TM-17-01 – Applicant's time extension request letter,
dated February 6, 2023

Goldstar Development Inc.

100 N. Brand Blvd, Ste. 418, Glendale, CA 91203

(818)- 254-8804

Jessica Serrano
Planning Department
City of Monterey Park
320 W. Newmark Ave
Monterey Park, CA 91754

February 6, 2023

Dear Jessica,

I am writing in regards to the Final map application PM71473.

The Final Map application is in its final stage of review. But since the application expiration date is at the end of March 2023, we would like to request an extension to cover the last couple review before approval.

Presently, the parcel map has been approved and the City Attorney is reviewing our submitted CC&R. The only other document needed for final approval of the subdivision is the Subdivision Agreement which should be ready for City review sometime next month.

Our plan is to have the project started in June and grading completed before December of this year.

We have been working with the Public Works department and the civil/ grading plans was approved about a month ago. We are now in the process of obtaining a set of construction bonds that satisfy the City's requirement for the release of the grading permit.

We have secured project funding needed for construction, and already have a contractor line up to start construction once the permit is released.

We understand the subdivision agreement approval and recording may take a couple more months, we would appreciate if you can consider and approve this extension request so we can complete this Final Map application process.

Thank you very much for your considerations.

Sincerely,



Paul Cheung, CFO
Goldstar Development Inc.

ATTACHMENT 2

TM-18-01 and CUP-18-01 – Applicant's time extension request letter, dated February 21, 2023 and & updated letter dated May 5, 2023

LATIGO CANYON DEVELOPMENT LLC.

To: CITY OF MONTEREY PARK

Planning Department

Dear Planner:

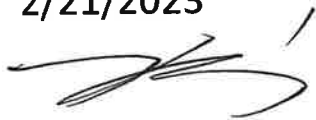
Very appreciated for The City of Monterey Park support our project of 40 units senior housing. The impact of the pandemic has caused us delays in all aspects. At present the planning check in processing we need more time to perfect the drawings. We will start construction as soon as the drawings are completed.

Sincerely

LATIGO CANYON DEVELOPMENT LLC.

Kenny Gao

2/21/2023

A handwritten signature in black ink, appearing to be 'Kenny Gao', written over the date.

The Law Offices of Steven P. Scandura

tel: (626) 289-8208
fax: (310) 626-9780

Steven P. Scandura, Esq.
1601 N. Sepulveda Blvd. # 502
Manhattan Beach, CA 90266

May 5, 2023

BY U.S. MAIL TO:

CITY OF MONTEREY PARK
City Council
320 W. Newmark Ave.
Monterey Park, CA 91754

RE: Title Extension re: 130-206 S. Chandler Avenue

Dear Honorable City Council,

I write this letter on behalf of my client, Latigo Canyon Development, LLC, with regard to the status of the development of the property located at 130-206 S. Chandler Avenue and to update my client's prior letter of February 21, 2023. This pertains specifically to Tentative Map No. 73741 (TM-18-01) and Conditional Use Permit (CUP-18-01).

My client respectfully requests an extension of BOTH the Tentative Map No. 73741 (TM-18-01) and Conditional Use Permit (CUP-18-01).

The pandemic required my client to stop work on the project due to the unavailability of labor. As a result of that delay, my client lost its financing for the project. Now that things have stabilized, my client has been able to obtain new financing and expects the construction loan to close escrow this month (May, 2023). My client expects to have all financing in place and to be ready to commence construction July 1, 2023.

The proposed schedule is as follows:

Construction Financing:	May 22, 2023
Completion of Plan Check:	June 30, 2023
Commencement of Construction:	July 1, 2023
Completion of Construction:	December 31, 2024
Certificate of Occupancy:	February 28, 2025

My client believes that he will be providing an attractive finished construction project which will benefit the City of Monterey Park and provide much needed relief to the acute housing shortage. I hope that you can approve this extension so that this project can get underway. Please feel free to contact me or my client directly with any questions, comments, or concerns.

Thank you.

Yours truly,



Steven P. Scandura, Esq.
Attorney for Latigo Canyon Development, LLC

ATTACHMENT 3

Draft Resolution Extending TM-17-01

RESOLUTION NO.

A RESOLUTION APPROVING A SECOND ONE-YEAR EXTENSION FOR TENTATIVE MAP NO. 71473 (TM-17-01) TO SUBDIVIDE ONE LOT INTO FOUR LOTS AT THE SOUTHEAST CORNER OF SOUTH ORANGE AVENUE AND PEPPER STREET (ASSESSOR PARCEL NUMBER: 5276-008-045)

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

SECTION 1: The City Council finds as follows:

- A. On February 6, 2023, Paul Cheung of Goldstar Development, submitted an application pursuant to Title 20 of the Monterey Park Municipal Code ("MPMC") requesting approval of a one-year time extension for Tentative Map No. 71473 (TM-17-01) to subdivide one lot into four lots at the southeast corner of South Orange Avenue and Pepper Street ("Project");
- B. The proposed Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the MPMC;
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines"); and
- D. The City Planner completed review and scheduled the matter regarding the proposed Project, before the City Council for May 17, 2023, pursuant to MPMC § 20.04.120.

SECTION 2: *Factual Findings and Conclusions.* Based upon the entire administrative record and the evidence provided during the public hearing, the City Council finds as follows:

- A. On June 26, 2018, the Planning Commission adopted Resolution No. 10-18 approving Tentative Map No. 71743 (TM-17-01); the tentative map was due to expire June 26, 2020;
- B. On May 7, 2020, the City Manager issued an Administrative Order that suspended all time periods for land use related appeals, reviews, or automatic approvals (starting March 11, 2020).
- C. On June 3, 2020, the City Council adopted Resolution No. 12164, ratifying the Administrative Order related to City operations under the COVID-19 pandemic emergency, including extending deadlines for subdivision applications and land use applications.

- D. On August 19, 2020, the City Council adopted Resolution No. 12191 approving a one-year extension of Tentative Map No. 71743 (TM-17-01), the tentative map was due to expire on June 26, 2021.
- E. On April 6, 2022, the City Council adopted Ordinance No. 2219 establishing the land use related time suspension period during the COVID-19 emergency that affected projects expiring between March 11, 2020 and March 31, 2022, and extended such projects until April 1, 2023.
- F. The Applicant seeks a second, one-year time extension to record the final map related to the construction of three new residential dwelling units and subdivide the air rights for condominium purposes. Applicant timely filed this written extension request on February 6, 2023.
- G. The time extension is necessary to record the final map. The final map and ancillary grading plans and required studies for the Project have been submitted for review by the Public Works Department, Engineering Division, with anticipation of final map approval to occur in June of 2023.

SECTION 3: *Environmental Assessment.* Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects).

SECTION 4: *Determination.* The City Council approves for Tentative Map No. 71743 (TM-17-01) to April 1, 2024.

SECTION 5: *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 6: *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 7: *Notice.* The City Clerk is directed to provide a copy of this Resolution to the Planning Commission and any other person requesting a copy.

SECTION 8: *Effective Date.* This Resolution becomes effective immediately upon adoption and memorializes the City Council's final decision made on May 17, 2023. Note that persons dissatisfied with the City Council's decision may appeal it in accordance with application law to the Los Angeles Superior Court within 90 days of the City Council's decisions.

PASSED AND ADOPTED this ____ day of _____, 2023.

Jose Sanchez, Mayor

ATTEST:

Maychelle Yee, City Clerk

Karl H. Berger, City Attorney

ATTACHMENT 4

Draft Resolution Extending TM-18-01 and CUP-18-01

RESOLUTION NO.

A RESOLUTION APPROVING A ONE-YEAR EXTENSION FOR TENTATIVE MAP NO. 73741 (TM-18-01) AND CONDITIONAL USE PERMIT (CUP-18-01) TO SUBDIVIDE AND DEVELOP A 40-UNIT SENIOR HOUSING COMPLEX AT 130-206 SOUTH CHANDLER AVENUE (ASSESSOR PARCEL NUMBERS 5257-004-019, -020, and -021)

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

SECTION 1: The City Council finds as follows:

- A. On February 21, 2023, Kenny Gao of Latigo Canyon Development, LLC submitted an application pursuant to Title 20 of the Monterey Park Municipal Code (“MPMC”) requesting approval of a one-year time extension for Tentative Map No. 73741 (TM-18-01) and Conditional Use Permit (CUP-18-01) to subdivide and develop a 40-unit senior housing complex at 130-206 South Chandler Avenue (Assessor’s Parcel Numbers (APNs) 5257-004-019, -020, and -021) (“Project”);
- B. The proposed Project was reviewed by the City Planner for, in part, consistency with the General Plan and conformity with the MPMC;
- C. In addition, the City reviewed the Project’s environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the “CEQA Guidelines”);
- D. The City Planner completed review and scheduled the matter regarding the proposed Project, before the City Council for May 17, 2023, pursuant to MPMC § 20.04.120 and § 21.32.160.

SECTION 2: *Factual Findings and Conclusions.* Based upon the entire administrative record and the evidence provided during the public hearing, the City Council finds as follows:

- A. On February 5, 2020 the City Council adopted Resolution No. 12135 approving TM-18-01 and CUP-18-01; the tentative map was due to expire February 26, 2022 and the CUP due to expire on February 5, 2021.
- B. On May 7, 2020, the City Manager issued an Administrative Order that suspended all time periods for land use related appeals, reviews, or automatic approvals (starting March 11, 2020).
- C. On June 3, 2020 the City Council adopted Resolution No. 12164, ratifying

the Administrative Order related to City operations under the COVID-19 pandemic emergency, including extending deadlines for subdivision and land use applications.

- D. On April 6, 2022 the City Council adopted Ordinance No. 2219 establishing the land use related time suspension period during the COVID-19 emergency that affected projects expiring between March 11, 2020 and March 31, 2022, and extended such projects until April 1, 2023.
- E. The Applicant seeks a one-year time extension to record the final map and exercise the CUP related to the construction of 40 senior housing units. Applicant timely filed this written extension request on February 21, 2023.
- F. The time extension is necessary to record the final map and exercise the CUP (construction). The final map, ancillary grading plans, and required studies for the Project must be submitted for review by the Public Works Department, Engineering Division. The construction of the development will occur once building permits are issued. Currently, the development is under review in the building plan check process.

SECTION 3: *Environmental Assessment*. Because of the facts identified in Section 2 of this Resolution, the Project is consistent with the Mitigated Negative Declaration and Mitigation Monitoring Program adopted by City Council in February 5, 2020 under Resolution No. 12135 and March 4, 2020 under Ordinance No. 2167. No additional environmental review is necessary.

SECTION 4: *Determination*. The City Council approves to extend the expiration date for TM-18-01 and CUP-18-01 to April 1, 2024.

SECTION 5: *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 6: *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 7: *Notice*. The City Clerk is directed to provide a copy of this Resolution to the Planning Commission and any other person requesting a copy.

SECTION 8: *Effective Date*. This Resolution becomes effective immediately upon adoption and memorializes the City Council's final decision made on May 17, 2023. Note that persons dissatisfied with the City Council's decision may appeal it in

accordance with application law to the Los Angeles Superior Court within 90 days of the City Council's decisions.

PASSED AND ADOPTED this ____ day of _____, 2023.

Jose Sanchez, Mayor

ATTEST:

Maychelle Yee, City Clerk

Karl H. Berger, City Attorney



City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: New Business - 5B

TO: Honorable Mayor and Members of the City Council
FROM: Robert Aguirre, Director of Recreation & Community Services
SUBJECT: Donation of Mural at George Elder Park for AAPI Heritage Month

RECOMMENDATION:

It is recommended that the City Council consider:

1. Accepting the donation of a mural submitted by the Los Angeles Rams and artist D.J. Javier for George Elder Park in celebration of AAPI Heritage Month; and
2. Taking such additional, related action that may be desirable.

EXECUTIVE SUMMARY:

On May 4, 2023, the Recreation & Community Services Department was contacted by the Los Angeles Rams. The Los Angeles Rams organization expressed their interest in partnering with Monterey Park to create a permanent mural at a community facility considering the horrific January 21, 2023 shooting incident. The Rams wanted to focus on community beautification and highlight the Asian American and Pacific Islander (AAPI) culture. The Rams organization commissioned artist D.J. Javier to create a mural to uplift the Monterey Park community and honor AAPI month.

Artist D.J. Javier expressed that he drew inspiration from the following:

"Resilient Forever." - In the midst of hardship, turmoil, and hate, the Asian American community has stood unwavered, unshaken, and resilient. Continually stirring up the courage, strength, and boldness to keep moving forward, regardless of what pushes back.

The Rams organization will fund all costs associated with a mural including, without limitation, to the commissioning of the artist, supplies and materials, and rental equipment. City staff set up meetings with the Los Angeles Rams and artist D.J. Javier to discuss the vision and view a draft rendering. The design features a waving/flying dragon that symbolizes strength, courage, and boldness and is revered as a protector in many Asian cultures. The mural design has 11 stars, symbolizing and honoring the 11 deceased victims of the shooting incident, and the dragon contains hidden stylized Rams logo horns.

The mural project aims to bring beauty to the community and celebrate all AAPI cultures while honoring and paying respect to all those affected by the recent tragedy. The mural

provides a space of healing and inspiration for community members to visit and reflect on the resilience of the Monterey Park community, celebrate our diversity, and commemorate AAPI Heritage Month. The artist also hopes to bring joy and inspire the Monterey Park community and the next generation of young AAPI artists.

On Wednesday, May 10, the Community Participation Commission reviewed the Artist's mural rendering. The Commissioners were ecstatic to learn about the opportunity to have a mural celebrating AAPI Heritage Month at George Elder Park and voted unanimously to recommend City Council accept the donation from the Los Angeles Rams. Staff recommends that the City Council accept the donation of a mural for George Elder Park from the Los Angeles Rams in celebration of AAPI Heritage Month.

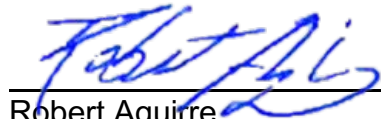
BACKGROUND:

The Los Angeles Rams organization, in partnership with artist D.J. Javier, selected May in honor of Asian American and Pacific Islander Heritage Month. Asian American and Pacific Islander (AAPI) Month recognizes the contributions and influence of Asian Americans and Pacific Islander Americans to the United States' history, culture, and achievements.

FISCAL IMPACT:

No fiscal impact. The Los Angeles Rams organization will cover all costs.

Respectfully submitted by:



Robert Aguirre
Director of Recreation & Community Services

Approved by:



Ron Bow
City Manager

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENT:

1. Artist Conceptual Rendering of Proposed Mural

ATTACHMENT 1

Artist Conceptual Rendering of Proposed Mural

Mural Concept



Mural Concept





City Council Staff Report

DATE: May 17, 2023

AGENDA ITEM NO: New Business - 5C

TO: The Honorable Mayor and City Council
FROM: Scott Wiese, Chief of Police
SUBJECT: National Gun Violence Awareness Day and Wear Orange Weekend

RECOMMENDATION:

It is recommended that the City Council consider:

1. Adopting a Resolution Declaring June 2, 2023, to be National Gun Violence Awareness Day in the City of Monterey Park and June 3rd and 4th as Wear Orange Weekend; and
2. Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

Every day, 110 people in America are killed with guns. The gun homicide rate in the U.S. is 26 times higher than that of other developed countries, but research shows that common-sense and public safety laws can reduce gun violence. Gun Violence Awareness Day and Wear Orange Weekend began on June 2, 2015, commemorating the shooting death of Hadiya Pendleton, an honor student from Chicago, and remembering all those lives lost to gun violence throughout the country. We are enlisting your support in the form of a resolution to honor the victims of the January 21, 2023 shooting incident, and all victims who have been killed due to gun violence.

BACKGROUND:

On January 21, 2013, Hadiya Pendleton marched in President Obama's second inaugural parade. One week later, Hadiya was shot and killed on a playground in Chicago. Soon after this tragedy, Hadiya's childhood friends decided to commemorate her life by wearing orange. Orange is commonly worn by hunters to protect themselves and others. Orange has become the defining color of the gun violence prevention movement. Wear Orange is now observed every June on the first Friday of that month. Thousands of people wear orange to honor Hadiya and the more than 40,000 people who are killed with guns and approximately 85,000 who are shot and wounded every year.

Respectfully submitted by:

Prepared by:

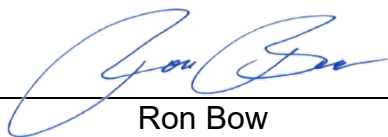


Scott Wiese
Chief of Police



Gus Jimenez
Captain

Approved by:



Ron Bow
City Manager

ATTACHMENT:

1. Resolution

ATTACHMENT 1

National Gun Violence Awareness Day and Wear Orange Weekend Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK DECLARING JUNE 2, 2023, NATIONAL GUN VIOLENCE AWARENESS DAY AND JUNE 3rd and 4th AS WEAR ORANGE WEEKEND IN MONTEREY PARK

BE IT RESOLVED by the Council of the City of Monterey Park as follows:

SECTION 1: The City Council finds as follows:

- A. Every day, 110 people in America are killed with guns.
- B. The gun homicide rate in the U.S. is 26 times higher than that of other developed countries, but research shows that common-sense and public safety laws can reduce gun violence.
- C. More than 40,000 people are killed each year with guns and approximately 85,000 are shot and wounded every year
- D. Gun Violence Awareness Day and Wear Orange Weekend were established to commemorate the killing of Hadiya Pendleton in Chicago on January 21, 2013.
- E. The first Gun Violence Awareness Day and Wear Orange Weekend were established on June 2, 2015. This would have been Hadiya Pendleton's 18th birthday.
- F. The City of Monterey Park support to memorialize the victims of the Start Ball Room shooting, as well as all the victims who have been killed or injured due to gun violence, in declaring June 2, 2023 as Gun Violence Awareness Day and June 3rd and 4th, 2023 as Wear Orange Weekend in the City of Monterey Park.

SECTION 2: *Electronic Signatures.* This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 3: *Recordation.* The Mayor, or presiding officer, is authorized to sign this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or her duly appointed deputy, may attest thereto.

SECTION 4: *Effective Date*. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this _____ day of _____, 2023.

Jose Sanchez, Mayor
Monterey Park, California

Attest:

Maychelle Yee, City Clerk
Monterey Park, California

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK CONDEMNING THE MILITARY JUNTA OF MYANMAR (BURMA) FOR THE OPPRESSION OF CIVILIANS WITH EXCESSIVE VIOLENCE AND STANDING FIRMLY WITH THE PEOPLE OF BURMA IN THEIR PURSUIT FOR A FAIR, JUST, AND SUSTAINABLE DEMOCRATIC SOVEREIGN GOVERNMENT

BE IT RESOLVED by the Council of the City of Monterey Park as follows:

SECTION 1: The City Council finds as follows:

- A. The United Nations, United Kingdom, European Union, and United States have publicly denounced the military takeover and called for the release of all political prisoners.
- B. The San Gabriel Valley is home to thousands of immigrants and refugees who fled Burma due to political repression, human rights abuses, and economic instability.
- C. The Monterey Park City Council stands in solidarity with international movements for peace and democracy.
- D. The Monterey Park City Council stands firmly with the people of Burma in their pursuit for a fair, just, and sustainable democratic sovereign government.

SECTION 2: The City Council of Monterey Park condemns the military junta of Myanmar (Burma) for the oppression of civilians with excessive violence and calls on the Biden-Harris Administration and the United States Congress to use their powers through policies and international relationships, including strengthening sanctions, to leverage pressure on the military to release political prisoners and to relinquish control.

SECTION 3: The City Council of Monterey Park directs the City Clerk to send this Resolution to the Los Angeles County Congressional Delegates, the Office of the Secretary of State, and the Office of the President of the United States.

SECTION 4: *Electronic Signatures.* This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 5: *Recordation.* The Mayor, or presiding officer, is authorized to sign this Resolution signifying its adoption by the City Council of the City of Monterey Park and the City Clerk, or her duly appointed deputy, may attest thereto.

SECTION 6: *Effective Date.* This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this ____ day of _____, 2023.

Jose Sanchez, Mayor

Attest:

Maychelle Yee, City Clerk

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MONTEREY PARK RECOGNIZING THE MONTH OF JUNE 2023
AS LGBTQ PRIDE MONTH**

BE IT RESOLVED by the Council of the City of Monterey Park as follows:

SECTION 1. The City Council finds as follows:

- A. Lesbian, gay, bisexual, transgender, and questioning people are our family, friends, neighbors, and co-workers who contribute meaningfully to our community.
- B. The fight for dignity, equality, and inclusion for lesbian, gay, bisexual, transgender, and questioning people has been hard-fought in the streets and the courts of this country.
- C. These fights for inclusion have made much progress toward changing the hearts and minds of people in many parts of the world.
- D. All are welcome in the City of Monterey Park to live, work, play, and every family, in any shape, deserves a place to call home where they are safe, happy, and supported by friends and neighbors.
- E. The City of Monterey Park denounces prejudice and unfair discrimination based on age, gender identity, gender expression, race, color, religion, marital status, national origin, sexual orientation, or physical attributes as an affront to our fundamental principles.
- F. Our community, regardless of sexual orientation, gender identity, and expression, must feel valued, safe, empowered, and supported by their peers and community leaders.
- G. The City Council of the City of Monterey Park encourages all to observe the month of June as LGBTQ Pride Month and urges residents and the community to recognize the contributions made by the LGBTQ community and to actively promote the principles of equality, liberty, and justice.
- H. The rainbow flag is an iconic symbol of the LGBTQ community and aims to celebrate inclusivity, diversity, and unity.

SECTION 2: *Electronic Signatures.* This Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

SECTION 3: *Recordation*. The Mayor, or presiding officer, is authorized to sign this Resolution signifying its adoption by the City Council of the City of Monterey Park, and the City Clerk, or her duly appointed deputy, may attest thereto.

SECTION 4: *Effective Date*. This Resolution will become effective immediately upon adoption and will remain effective unless repealed or superseded.

PASSED AND ADOPTED this ____ day of _____, 2023.

Jose Sanchez, Mayor

Attest:

Maychelle Yee, City Clerk